



Department of Community Development

801 - 228th Ave. SE, Sammamish, WA. 98075 - Phone: 425-295-0500 - Fax: 425-295-0600 - Web: www.sammamish.us

July 21, 2020

City of Sammamish Public Works Department
Attn: Stephanie Sullivan
801 228th Ave SE
Sammamish, WA 98075

Re: Ebright Creek Fish Passage Project

Dear Stephanie,

Thank you for submitting a Project Guidance Request application (City File Number: **FEAS2020-000341**). You are proposing to remove the existing 30-inch twin round concrete culverts carrying Ebright Creek under East Lake Sammamish Parkway SE and replace them with a fully fish-passable crossing.

The proposed replacement culvert is a 4-sided concrete box culvert, 55 feet in length, with inside dimensions of 14 feet wide and approximately 9 feet high. Approximately 5.4 feet of streambed substrate material (gravel) will be placed inside the culvert, leaving approximately 3.7 feet of height above the substrate for the passage of flow and debris. A series of individual boulders (not clusters) will be placed within the proposed culvert along each of the inside walls to prevent flows from concentrating along either side of the culvert. Log structures to form, maintain, and provide cover in pools will be placed along the short, reconstructed stream channel sections leading into and out of the new culvert. These log structures will create additional habitat and provide hydraulic complexity. The stream channel is proposed to have a riffle-pool morphology to mimic existing conditions along the undisturbed portions of Ebright Creek. It is also intended to use the abandoned channel due to channel realignment as a floodplain habitat area accessible by high flow events.

Non-native vegetation will be removed from throughout the project area. Areas disturbed by the project through grading, construction activities, or any other activities that result in disturbance to existing vegetation will be revegetated according to a restoration plan utilizing native plantings. Supplemental native plantings will also occur in the project area outside of directly-disturbed areas. Monitoring will occur over an extended period with contingencies identified and available to ensure that performance standards for fish passage and habitat improvements are being met over time.

Upon review of the project scope, **the Department of Community Development has determined this project to be exempt from SEPA and permit requirements and fees for the following reasons:**

- Per [RCW 77.55.181](#) (4) No local government may require permits or charge fees for fish habitat enhancement projects that meet the criteria of subsection (1) of this section and that are reviewed and approved according to the provisions of this section.
- The project qualifies under (1) (a) (i) (A) for culvert replacement.
- The project meets criteria under (1) (c) (vi) by having received a grant through the Brian Abbott Fish Barrier Removal Board.
- The project met the requirement under (3) (a) by submitting the required JARPA and providing the required materials to the City on May 5, 2020.



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- The Fish Habitat Enhancement Hydraulic Project Approval was issued by WDFW on June 23, 2020, confirming the project qualifies for this streamlined process.
- The JARPA was applied for on May 1, 2020 and is still under review by the Army Corps of Engineers.

If you have any further questions, please feel free to contact me.

Sincerely,

Mark Newman, Assistant Planner
Department of Community Development
City of Sammamish
425-295-0523
mnewman@sammamish.us

Attachments: Joint Aquatic Resources Permit Application (JARPA)
WDFW Hydraulic Project Approval

Cc: Avril Baty, AICP, Principal Planner



WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form^{1,2} [\[help\]](#)

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



US Army Corps of Engineers®
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

Part 1—Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [\[help\]](#)

Ebright Creek Fish Passage Project

Part 2—Applicant

The person and/or organization responsible for the project. [\[help\]](#)

2a. Name (Last, First, Middle)

Sullivan, Stephanie

2b. Organization (If applicable)

City of Sammamish Public Works Department

2c. Mailing Address (Street or PO Box)

801 – 228th Avenue SE

2d. City, State, Zip

Sammamish, WA 98075

2e. Phone (1)

2f. Phone (2)

2g. Fax

2h. E-mail

(425) 295-0560

ssullivan@sammamish.us

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [\[help\]](#) screens, go to

http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
Daniel, Mark			
3b. Organization (If applicable)			
The Watershed Company			
3c. Mailing Address (Street or PO Box)			
750 6 th Street South			
3d. City, State, Zip			
Kirkland, WA 98033			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
(425) 650-1311	(425) 822-5242		mdaniel@watershedco.com

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

- Same as applicant.** (Skip to Part 5.)
- Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- There are multiple upland property owners.** Complete the section below and fill out [JARPA Attachment A](#) for each additional property owner. *****Please see two JARPA Attachment A forms enclosed.**
- Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete [JARPA Attachment E](#) to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Middle)			
4b. Organization (If applicable)			
4c. Mailing Address (Street or PO Box)			
4d. City, State, Zip			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail

Part 5–Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [help]			
<input checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Publicly owned (state, county, city, special districts like schools, ports, etc.) <input type="checkbox"/> Tribal <input type="checkbox"/> Department of Natural Resources (DNR) – managed aquatic lands (Complete JARPA Attachment E)			
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help]			
N/A			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Sammamish, WA 98074			
5d. County [help]			
King			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
SW	32	25 N	06 E
5f. Provide the latitude and longitude of the project location. [help]			
<ul style="list-style-type: none"> Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83) 			
47.60840 N lat. / -122.07236 W long.			
5g. List the tax parcel number(s) for the project location. [help]			
<ul style="list-style-type: none"> The local county assessor's office can provide this information. 			
3225069015 / right-of-way / 3225069030 (from west to east)			
5h. Contact information for all adjoining property owners. (If you need more space, use JARPA Attachment C.) [help]			
***Please see JARPA Attachment C form enclosed.			
Name	Mailing Address		Tax Parcel # (if known)
RYLANCE CHRISTOPHER+ULRIKE	154 E LAKE SAMMAMISH PKWY SE SAMMAMISH WA 98074		3225069308
208 SAMMAMISH LLC	222 E LAKE SAMMAMISH PKWY SE SAMMAMISH WA 98074		3225069036
CO BANK OF AMERICA ATTN J MC	800 FIFTH AVE FLR 32 SEATTLE WA 98104		3225069265
PETERSON DUANE R+JULI H	127 E LK SAMM PKWY SE SAMMAMISH WA 98074		3225069044

5i. List all wetlands on or adjacent to the project location. [help]
<ul style="list-style-type: none"> • Wetland A • Wetland B
5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]
<ul style="list-style-type: none"> • Ebright Creek (flows into Lake Sammamish approximately 390 feet to the northwest)
5k. Is any part of the project area within a 100-year floodplain? [help]
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know
5l. Briefly describe the vegetation and habitat conditions on the property. [help]
<p>The project area is located, from east to west, on a private property, in the East Lake Sammamish Parkway SE right-of-way, and on a King County property that contains the East Lake Sammamish Trail (ELST). Ebright Creek meanders through the eastern (upstream) portion of the project area, passes through twin culverts beneath East Lake Sammamish Parkway SE, continues through the western (downstream) portion of the project area, and then passes beneath the ELST towards Lake Sammamish. One wetland (Wetland B) is located in the eastern portion of the project area; another wetland (Wetland A) is located in the western portion of the project area. Vegetation within the project area is characterized primarily by a deciduous forest with a shrub understory in the eastern portion of the project area, and a shrub area in the western portion of the project area. Parts of the eastern portion of the project area have been recently enhanced through removal of non-native vegetation and replacement planting with native shrubs and trees.</p>
5m. Describe how the property is currently used. [help]
<p>The project area is located, from east to west, on a private property, in the East Lake Sammamish Parkway SE right-of-way, and on a King County property that contains the East Lake Sammamish Trail (ELST). The private property is classified as vacant by the King County Department of Assessments and is used for limited development associated with adjacent single-family residential uses. The East Lake Sammamish Parkway SE right-of-way is used for vehicular transportation. The King County property that contains the ELST is used as a non-motorized transportation corridor and multi-use recreational trail.</p>
5n. Describe how the adjacent properties are currently used. [help]
<p>Properties adjacent to the project area are in single-family residential use.</p>
5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]
<p>The project area is located, from east to west, on a private property, in the East Lake Sammamish Parkway SE right-of-way, and on a King County property that contains the East Lake Sammamish Trail (ELST). The private property features limited development associated with adjacent single-family residential uses including an outbuilding and driveways. The East Lake Sammamish Parkway SE right-of-way features a paved, two-lane road. Beneath the road are two, 30-inch concrete culverts, which are a partial fish barrier. The King County property that contains the ELST features a gravel path.</p>
5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]

See attached driving directions including map.

Part 6—Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [\[help\]](#)

The project will remove existing 30-inch twin round concrete culverts carrying Ebright Creek under East Lake Sammamish Parkway SE and replace them with a fully fish-passable crossing.

The proposed replacement culvert is a 4-sided concrete box culvert, 55 feet in length, with inside dimensions of 14 feet wide and approximately 9 feet high. Approximately 5.4 feet of streambed substrate material (gravel) will be placed inside the culvert, leaving approximately 3.7 feet of height above the substrate for the passage of flow and debris. A series of individual boulders (not clusters) will be placed within the proposed culvert along each of the inside walls to prevent flows from concentrating along either side of the culvert.

Log structures to form, maintain, and provide cover in pools will be placed along the short, reconstructed stream channel sections leading into and out of the new culvert. These log structures will create additional habitat and provide hydraulic complexity. The stream channel is proposed to have a riffle-pool morphology to mimic existing conditions along the undisturbed portions of Ebright Creek. It is also intended to use the abandoned channel due to channel realignment as a floodplain habitat area accessible by high flow events.

Non-native vegetation will be removed from throughout the project area. Areas disturbed by the project through grading, construction activities, or any other activities that result in disturbance to existing vegetation will be revegetated according to a restoration plan utilizing native plantings. Supplemental native plantings will also occur in the project area outside of directly-disturbed areas.

Monitoring will occur over an extended period with contingencies identified and available to ensure that performance standards for fish passage and habitat improvements are being met over time.

6b. Describe the purpose of the project and why you want or need to perform it. [\[help\]](#)

The primary goal of the project is to benefit salmonid fish by restoring unimpeded access along Ebright Creek upstream of East Lake Sammamish Parkway SE. The existing crossing, WDFW Site ID #920108, is rated as 67 percent passable. Species to benefit include coho, steelhead, sockeye, including the critically depressed Lake Sammamish kokanee population, and cutthroat trout, including migratory and resident forms. The primary objective of this restoration project to meet the main goal is to carry out the replacement of the existing twin culverts with a fish-passable culvert that simulates natural stream channel dynamics. The proposed replacement of the culvert under East Lake Sammamish Parkway with a fully passable crossing will allow for unimpeded access to an additional mile of habitat along Ebright Creek for use as habitat by salmonid fish species. This project was identified in the *Blueprint for the Restoration and Enhancement of Lake Sammamish Kokanee Tributaries* (Lake Sammamish Kokanee Work Group, 2014. King County, WA.). Considering the current perilously vulnerable condition of the Lake Sammamish kokanee population, restoration of spawning access to one of its four primary spawning streams will help support resiliency of the kokanee population.

6c. Indicate the project category. (Check all that apply) [\[help\]](#)

- Commercial Residential Institutional Transportation Recreational
 Maintenance **Environmental Enhancement**

6d. Indicate the major elements of your project. (Check all that apply) [\[help\]](#)

<input type="checkbox"/> Aquaculture	<input checked="" type="checkbox"/> Culvert	<input type="checkbox"/> Float	<input type="checkbox"/> Retaining Wall (upland)
<input type="checkbox"/> Bank Stabilization	<input type="checkbox"/> Dam / Weir	<input type="checkbox"/> Floating Home	<input type="checkbox"/> Road
<input type="checkbox"/> Boat House	<input type="checkbox"/> Dike / Levee / Jetty	<input type="checkbox"/> Geotechnical Survey	<input type="checkbox"/> Scientific Measurement Device
<input type="checkbox"/> Boat Launch	<input type="checkbox"/> Ditch	<input type="checkbox"/> Land Clearing	<input type="checkbox"/> Stairs
<input type="checkbox"/> Boat Lift	<input type="checkbox"/> Dock / Pier	<input type="checkbox"/> Marina / Moorage	<input type="checkbox"/> Stormwater facility
<input type="checkbox"/> Bridge	<input type="checkbox"/> Dredging	<input type="checkbox"/> Mining	<input type="checkbox"/> Swimming Pool
<input type="checkbox"/> Bulkhead	<input type="checkbox"/> Fence	<input type="checkbox"/> Outfall Structure	<input type="checkbox"/> Utility Line
<input type="checkbox"/> Buoy	<input type="checkbox"/> Ferry Terminal	<input type="checkbox"/> Piling/Dolphin	
<input checked="" type="checkbox"/> Channel Modification	<input type="checkbox"/> Fishway	<input type="checkbox"/> Raft	

Other: Restoration planting

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

Following is the project construction sequence:

- **Utility relocations and temporary service as needed performed in advance for gas, communication lines, and overhead power.**
- **Divert traffic away from the work area.**
- **Install TESC measures.**
- **Complete modifications and enhancements located outside of the existing channel to the proposed upper channel section to the extent feasible without diverting stream flows. May include excavation, gravel placement, and wood placement.**
- **Conduct fish relocation and exclusion along the to-be-relocated channel section.**
- **Divert creek flows around the project site.**
- **Conduct excavations to accommodate the new box culvert structure.**
- **Relocate and provide temporary service for water and sewer utilities needed to accommodate the project.**
- **Place the primary new box culvert structure.**
- **Incorporate utilities as needed. Sanitary sewer will need to pass through the lower part of the box culvert (see accompanying plan set).**
- **Place streambed substrate materials including bank boulders within the culvert.**
- **Restore roadway surface to accommodate traffic.**
- **Conduct channel modifications according to the design.**
- **Complete wing walls and any other culvert structures which need to wait for or coordinate with stream channel modifications.**
- **Divert stream flows through the new culvert and connecting channel sections by removing any downstream coffer damming and then the remaining upstream earthen plug. The diversion process will be done slowly enough to allow for the capture and relocation of any stranded fish along abandoned channel sections.**
- **Decommission (fill and plug) the old culverts according to the plans.**
- **Revegetation will occur during the first dormant season following in-stream work.**

Construction equipment anticipated for use includes: excavators, trucks, crane, compactor, loader; pavement cutting, welding equipment, demolition and replacement equipment, equipment for filling

and abandonment of existing culverts; and other equipment normally associated with culvert replacement work.

6f. What are the anticipated start and end dates for project construction? (Month/Year) [\[help\]](#)

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start Date: June 2021 End Date: October 2021 See JARPA Attachment D

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [\[help\]](#)

Approximately \$1.6 million.

6h. Will any portion of the project receive federal funding? [\[help\]](#)

- If **yes**, list each agency providing funds.

Yes **No** Don't know

Part 7–Wetlands: Impacts and Mitigation

Check here if there are wetlands or wetland buffers on or adjacent to the project area.

(If there are none, skip to Part 8.) [\[help\]](#)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

Not applicable

One wetland (Wetland B) is located in the eastern (upstream) portion of the project area; another wetland (Wetland A) is located in the western (downstream) portion of the project area. The project avoids wetland impacts by excluding all of Wetland B and most of Wetland A from the project limits.

Because Wetland A is located immediately adjacent to Ebright Creek, approximately 119 square feet of temporary impacts to Wetland A will be required for project construction access for channel modifications to accommodate the alignment of the new culvert. The area of temporary impacts has been minimized to the extent feasible. The area of temporary impacts will be restored with wetland-appropriate native vegetation as part of the project.

7b. Will the project impact wetlands? [\[help\]](#)

Yes No Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

Yes No Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If **Yes**, submit the report, including data sheets, with the JARPA package.

Yes No *****Please see submitted delineation report.**

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- **If Yes**, submit the wetland rating forms and figures with the JARPA package.

Yes **No** **Don't know** *****Please see submitted delineation report.**

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- **If Yes**, submit the plan with the JARPA package and answer 7g.
- **If No, or Not applicable**, explain below why a mitigation plan should not be required.

Yes **No** **Don't know**

This project is a restoration project. The primary goal of the project is to benefit salmonid fish by restoring unimpeded access along Ebright Creek upstream of East Lake Sammamish Parkway SE. The primary objective of this restoration project to meet the main goal is to carry out the replacement of the existing twin culverts with a fish-passable culvert that simulates natural stream channel dynamics. However, the project will restore habitat throughout the project limits, including the area of temporary impacts to Wetland A. The area of temporary impacts will be restored with wetland-appropriate native vegetation (see sheet 19 of the project plans). Restoration plantings will be subject to verification monitoring at the time of planting as well as performance monitoring over a period of at least 5 years.

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

Not applicable. See 7f, above.

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)
Construction access	Wetland A	Slope / III	119 SF	Approx. 5 months	E	119 SF
Planting	Wetland A	Slope / III	119 SF	Permanent	N/A	N/A

¹ If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

² Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

³ Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

⁴ Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: **Sheets 19 and 20**

7i. For all filling activities identified in 7h, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

Not applicable. No wetland filling proposed.

7j. For all excavating activities identified in 7h, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [\[help\]](#)

Not applicable. No wetland excavation proposed.

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, “waterbodies” refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

Not applicable

The project is intended to improve the aquatic environment by removing existing 30-inch twin round concrete culverts carrying Ebright Creek under East Lake Sammamish Parkway SE and replacing them with a fully fish-passable crossing. Culvert replacement will require realigning and reconstructing the stream channel for approximately 50 feet upstream and downstream of the replaced culvert. Efforts have been taken to minimize impacts to the existing stream channel by reducing the length of channel disturbed to the extent feasible. Measures to protect or improve stream habitat and habitat functions during design include adhering to Stream Simulation Culvert Design methodologies and requirements, including width, slope, gravel substrate composition and depth, and freeboard. Adjoining channel sections are designed to include a beneficial channel substrate, placement of log structures to form, maintain, and provide cover in pools, and revegetation with native plant species within the project area. During construction, fish will be safely captured and relocated out of the in-water work area prior to flow diversion. Best management practices will be utilized to prevent turbidity in the stream extending downstream of the work area.

8b. Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

Yes No

8c. Have you prepared a mitigation plan to compensate for the project’s adverse impacts to non-wetland waterbodies? [\[help\]](#)

- **If Yes**, submit the plan with the JARPA package and answer 8d.
- **If No, or Not applicable**, explain below why a mitigation plan should not be required.

Yes No Don't know

This project is a restoration project. The primary goal of the project is to benefit salmonid fish by restoring unimpeded access along Ebright Creek upstream of East Lake Sammamish Parkway SE. The primary objective of this restoration project to meet the main goal is to carry out the replacement of the existing twin culverts with a fish-passable culvert that simulates natural stream channel dynamics.

8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

Not applicable. See 8c, above.

8e. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Excavation	Ebright Creek	Within existing OHWM to be abandoned	Permanent	Approx. 100 CY	Approx. 600 SF
Excavation	Ebright Creek	Within proposed OHWM	Permanent	Approx. 500 CY	Approx. 1400 SF
Excavation	Ebright Creek	Adjacent (within 30' of OHWM)	Permanent	Approx. 1,200 CY	Approx. 4,000 SF
Fill	Ebright Creek	Within existing OHWM to be abandoned	Permanent	Approx. 60 CY	Approx. 600 SF
Fill	Ebright Creek	Within proposed OHWM	Permanent	Approx. 350 CY	Approx. 1,400 SF
Fill	Ebright Creek	Adjacent (within 30' of OHWM)	Permanent	Approx. 1,030 CY	Approx. 3,000 SF
Soil preparation for planting	Ebright Creek	Within existing OHWM to be abandoned	Permanent	Approx. 8 CY	Approx. 504 SF
Soil preparation for planting)	Ebright Creek	Adjacent proposed OHWM (within 170' of OHWM)	Permanent	Approx. 186 CY	Approx. 10,052 SF
Planting	Ebright Creek	Within existing OHWM to be abandoned	Permanent	N/A	Approx. 504 SF

Planting	Ebright Creek	Adjacent proposed OHWM (within 170' of OHWM)	Permanent	N/A	Approx. 10,052 SF
<p>¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.</p> <p>² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.</p> <p>³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.</p>					
<p>8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [help]</p>					
<p>Approximately 410 CY of fill will be placed by an excavator within the existing or proposed OHWM and 1,030 CY of fill will be placed adjacent to the OHWM. Approximately 200 CY of compost amended soil will be imported for establishing plantings. Fill materials will consist of commercially sourced soils, streambed sediment/ cobbles/ boulders, compost and mulch. Materials will be placed in construction areas and areas to be planted using standard earthworking equipment. For additional detail, see 8e. For detailed locations, see the project plans.</p>					
<p>8g. For all excavating or dredging activities identified in 8e, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [help]</p>					
<p>An excavator will be used to remove up to approximately 1,800 cubic yards of soil and streambed material and will be stockpiled, when feasible, for re-use. Excavation will consist of grading on-site soils using standard earthworking equipment (see 6e for construction equipment anticipated for use). For detailed amounts, see 8e. For detailed locations, see the project plans. Excess materials not re-used on-site will be exported off-site and disposed of properly as fill at a location and in a way which does not affect wetlands, streams, or their buffers.</p>					

Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

<p>9a. If you have already worked with any government agencies on this project, list them below. [help]</p>			
Agency Name	Contact Name	Phone	Most Recent Date of Contact
US Army Corps of Engineers	Matt Bennett Brandon Clinton	(206) 764-3428 (206) 316-3164	3/2/2020
Washington State Department of Ecology	Rebekah Padgett	(425) 649-7129	3/2/2020
Washington State Department of Fish and Wildlife	Miles Penk	(425) 677-1297	4/30/2020

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If **Yes**, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d>.

Yes No

• **Ebright Creek – Bioassessment**

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [\[help\]](#)

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

17110012

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up> to find the WRIA #.

WRIA 8

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [\[help\]](#)

- Go to <https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria> for the standards.

Yes No Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [\[help\]](#)

- If you don't know, contact the local planning department.
- For more information, go to: <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases>.

N/A

Urban Natural Aquatic Conservancy Other: _____

9g. What is the Washington Department of Natural Resources Water Type? [\[help\]](#)

- Go to <http://www.dnr.wa.gov/forest-practices-water-typing> for the Forest Practices Water Typing System.

Shoreline **Fish** Non-Fish Perennial Non-Fish Seasonal

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [\[help\]](#)

- If **No**, provide the name of the manual your project is designed to meet.

Yes **No**

Name of manual: **Samamish Addendum to the 2016 King County Surface Water Design Manual**

9i. Does the project site have known contaminated sediment? [\[help\]](#)

- If **Yes**, please describe below.

Yes **No**

9j. If you know what the property was used for in the past, describe below. [\[help\]](#)

The project area is located, from east to west, on a private property, in the East Lake Sammamish Parkway SE right-of-way, and on a King County property that contains the East Lake Sammamish Trail (ELST). The King County property that contains the ELST was formerly used as a rail corridor. Burlington National Santa Fe Railway, the final rail operator on the corridor, sold the corridor to the Cascade Land Conservancy and King County in 1997. Based on a review of historic aerial photos going back to 1991, past uses of the private property and the East Lake Sammamish Parkway SE right-of-way appear generally similar to the current uses.

9k. Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If Yes, attach it to your JARPA package.

Yes No ***Please see submitted cultural resource survey.

9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

Species listed under the federal Endangered Species Act with the potential to occur in the project action area are indicated in the following table.

SPECIES	ESU / REGION / DPS	FEDERAL STATUS	CRITICAL HABITAT DESIGNATED?
Chinook salmon <i>Oncorhynchus tshawytscha</i>	Puget Sound	Threatened	Yes
Steelhead trout <i>Oncorhynchus mykiss</i>	Puget Sound	Threatened	Yes
Bull trout <i>Salvelinus confluentus</i>	Coastal-Puget Sound	Threatened	Yes
North American Wolverine <i>Gulo gulo luscus</i>	Contiguous United States	Proposed Threatened	No
Gray wolf <i>Canis lupus</i>	Contiguous United States DPS	Proposed Endangered	No
Marbled murrelet <i>Brachyramphus marmoratus</i>	Pacific Region	Threatened	Yes
Yellow-billed cuckoo <i>Coccyzus americanus</i>	Western United States DPS	Threatened	No*
Streaked Horned lark <i>Eremophila alpestris strigata</i>	Pacific Region	Threatened	Yes

* Critical habitat is proposed, but is not yet finalized, for yellow-billed cuckoo.

9m. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [\[help\]](#)

The following table indicates species that might be affected by the proposed work according to PHS on the Web (accessed May 9, 2020).

COMMON NAME	SCIENTIFIC NAME
Coho	<i>Oncorhynchus kisutch</i>
Kokanee	<i>Oncorhynchus nerka</i>
Resident Coastal Cutthroat	<i>Oncorhynchus clarki</i>
Sockeye	<i>Oncorhynchus nerka</i>
Winter Steelhead	<i>Oncorhynchus mykiss</i>

Part 10–SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.oria.wa.gov/opas/>.
- Governor’s Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

<p>10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [help]</p> <ul style="list-style-type: none"> • For more information about SEPA, go to https://ecology.wa.gov/regulations-permits/SEPA-environmental-review. <p><input type="checkbox"/> A copy of the SEPA determination or letter of exemption is included with this application.</p> <p><input type="checkbox"/> A SEPA determination is pending with _____ (lead agency). The expected decision date is _____.</p> <p><input checked="" type="checkbox"/> I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]</p> <p><input type="checkbox"/> This project is exempt (choose type of exemption below).</p> <p><input type="checkbox"/> Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt? _____</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> SEPA is pre-empted by federal law.</p>
<p>10b. Indicate the permits you are applying for. (Check all that apply.) [help]</p> <p style="text-align: center;">LOCAL GOVERNMENT</p> <p>Local Government Shoreline permits:</p> <p><input type="checkbox"/> Substantial Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Shoreline Exemption Type (explain): _____</p> <p>Other City/County permits:</p>

- Floodplain Development Permit Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

- Hydraulic Project Approval (HPA) **Fish Habitat Enhancement Exemption** – [Attach Exemption Form](#)

Washington Department of Natural Resources:

- Aquatic Use Authorization
Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.
Do not send cash.

Washington Department of Ecology:

- Section 401 Water Quality Certification** Non-Federally Regulated Waters

FEDERAL AND TRIBAL GOVERNMENT

United States Department of the Army (U.S. Army Corps of Engineers):

- Section 404** (discharges into waters of the U.S.) Section 10 (work in navigable waters)

United States Coast Guard:

For projects or bridges over waters of the United States, contact the U.S. Coast Guard at: d13-pf-d13bridges@uscg.mil

- Bridge Permit Private Aids to Navigation (or other non-bridge permits)

United States Environmental Protection Agency:

Section 401 Water Quality Certification (discharges into waters of the U.S.) on tribal lands where tribes do not have treatment as a state (TAS)

Tribal Permits: (Check with the tribe to see if there are other tribal permits, e.g., Tribal Environmental Protection Act, Shoreline Permits, Hydraulic Project Permits, or other in addition to CWA Section 401 WQC)

Section 401 Water Quality Certification (discharges into waters of the U.S.) where the tribe has treatment as a state (TAS).

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. _____ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. _____ (initial)

Applicant Printed Name

Applicant Signature

Date

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

Mark J. Daniel, AICP

Authorized Agent Printed Name



Authorized Agent Signature

April 30, 2020

Date

11c. Property Owner Signature (if not applicant) [\[help\]](#)

Not required if project is on existing rights-of-way or easements (provide copy of easement with JARPA).

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Property Owner Printed Name

Property Owner Signature

Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-011 rev. 09/2018



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) [\[help\]](#)



AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

TO BE COMPLETED BY APPLICANT [\[help\]](#)

Project Name: Ebright Creek Fish Passage Project

Location Name (if applicable): _____

Attachment A:
For additional property owner(s) [\[help\]](#)

Use this attachment only if you have more than one property owner. Complete one attachment for each additional property owner impacted by the project.

Signatures of property owners are not needed for repair or maintenance activities on existing rights-of-way or easements.

Use black or blue ink to enter answers in white spaces below.

1. Name (Last, First, Middle) and Organization (if applicable)			
<i>Auld, Gina K</i>		<i>King County</i>	
2. Mailing Address (Street or PO Box)			
<i>201 South Jackson Street, Suite 700</i>			
3. City, State, Zip			
<i>Seattle</i>		<i>Washington 98104-3854</i>	
4. Phone (1)	5. Phone (2)	6. Fax	7. E-mail
<i>206.724.1296</i>			<i>gina.auld@kingcounty.gov</i>
Address or tax parcel number of property you own:			
322506-9015			
Signature of Property Owner			
I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.			
<i>Gina K Auld</i>		<i>Gina K Auld</i>	
Printed Name		Signature	

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-012 rev. 10/2016



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) [\[help\]](#)



US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

TO BE COMPLETED BY APPLICANT [\[help\]](#)

Project Name: Ebright Creek Fish Passage
 Project _____

Location Name (if applicable): _____

Attachment A:
For additional property owner(s) [\[help\]](#)

Use this attachment only if you have more than one property owner. Complete one attachment for each additional property owner impacted by the project.

Signatures of property owners are not needed for repair or maintenance activities on existing rights-of-way or easements.

Use black or blue ink to enter answers in white spaces below.

1. Name (Last, First, Middle) and Organization (if applicable)			
PEREYRA, WALTER THOMAS			
2. Mailing Address (Street or PO Box)			
148 E. LK. SAMMAMISH PKWY. SE			
3. City, State, Zip			
SAMMAMISH, WA 98074			
4. Phone (1)	5. Phone (2)	6. Fax	7. E-mail
206-915-0667			DRFISH148@AOL.com
Address or tax parcel number of property you own:			
322506-9030			
Signature of Property Owner			
I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.			
 WALTER T. PEREYRA		 WT Pereyra	
Printed Name		Signature	

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-012 rev. 10/2016



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) [\[help\]](#)



US Army Corps
of Engineers®
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

Attachment C:
Contact information for adjoining
property owners. [\[help\]](#)

TO BE COMPLETED BY APPLICANT [\[help\]](#)

Project Name: Ebright Creek Fish Passage
Project

Location Name (if applicable): _____

Use this attachment only if you have more than four adjoining property owners.

Use black or blue ink to enter answers in white spaces below.

1. Contact information for all adjoining property owners. [help]		
Name	Mailing Address	Tax Parcel # (if known)
PECK STEVE+APRIL	109 E LAKE SAMMAMISH PK SE	3225069241
	SAMMAMISH WA 98074	
LAWRENCE DOUGLAS C+RAMONA J	200 EAST LAKE SAMMAMISH PKWY NE	3225069239
	SAMMAMISH WA 98074	

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-014 rev. 10/2016

Application for Streamlined Processing of FISH HABITAT ENHANCEMENT PROJECTS

Addition to the Joint Aquatic Resources Permit Application (JARPA)

Page 1

Under RCW 77.55.181 you may qualify for a streamlined permit process with no local government fees if your project is designed to enhance fish habitat. If your project meets the requirements below, you are entitled to the streamlined Hydraulic Project Approval (HPA) process, exemption from the State Environmental Policy Act (SEPA), and exemption from all local government permits and fees. To apply for the exemption process, you must provide, on the same day, a complete application package to: the Department of Fish and Wildlife (WDFW) and all applicable local government planning and permitting departments. Local governments have 15 days to provide comments to WDFW to aid it in deciding whether your project qualifies (see below for details).

To QUALIFY for the fish habitat enhancement exemption you must check at least one each from A and B and provide a letter of approval from one of the agencies listed in B. It is highly recommended you discuss your proposal with the local Habitat Biologist prior to submitting your application.

A) My project (check all that apply):

- Removes a human-made or caused fish passage barrier.
- Restores an eroded or unstable stream bank using bioengineering techniques.
- Places woody debris or other in-stream structures that benefit naturally reproducing fish stocks.
- Restores native kelp or eelgrass beds, or native oysters.

B) My project is approved by (check all that apply):

- WDFW's Salmon Enhancement, or Volunteer Cooperative Fish and Wildlife Enhancement Programs.
- The sponsor of a watershed restoration plan as provided in chapter 89.08RCW.
- WDFW, as a department-sponsored fish enhancement or restoration project.
- Conservation District, where the project complies with design standards established by the Conservation Commission through interagency agreement with the United States Fish and Wildlife Service and the Natural Resource Conservation Service.
- A formal grant program established by the legislature or the Department of Fish and Wildlife for fish habitat enhancement or restoration.
- The Washington State Department of Transportation's environmental retrofit program as a stand-alone fish passage barrier correction project.
- A local, state, or federally approved fish barrier removal grant program designed to assist local governments in implementing stand-alone fish passage barrier corrections.
- A city or county for a stand-alone fish passage barrier correction project funded by the city or county.

To APPLY for the Exemption, submit a complete application package consisting of the following documents to the local government planning department and WDFW.

Place a check in each of the following boxes when you have collected each of these required application materials:

- This addition to the JARPA.
- A completed JARPA (use the most recent version of JARPA).
- Project plan drawings (no larger than 11 x 17 format).
- Letter of approval for your specific project from the agency selected in B, above.
- A copy of, or link to an online version of, the watershed restoration plan, if submitting an approved watershed restoration project.

I am sending my application to the following local government planning department:

City of Sammamish Department of Community Development

on: xx/xx/20xx
05/05/2020 (Date)

Continued on back of page



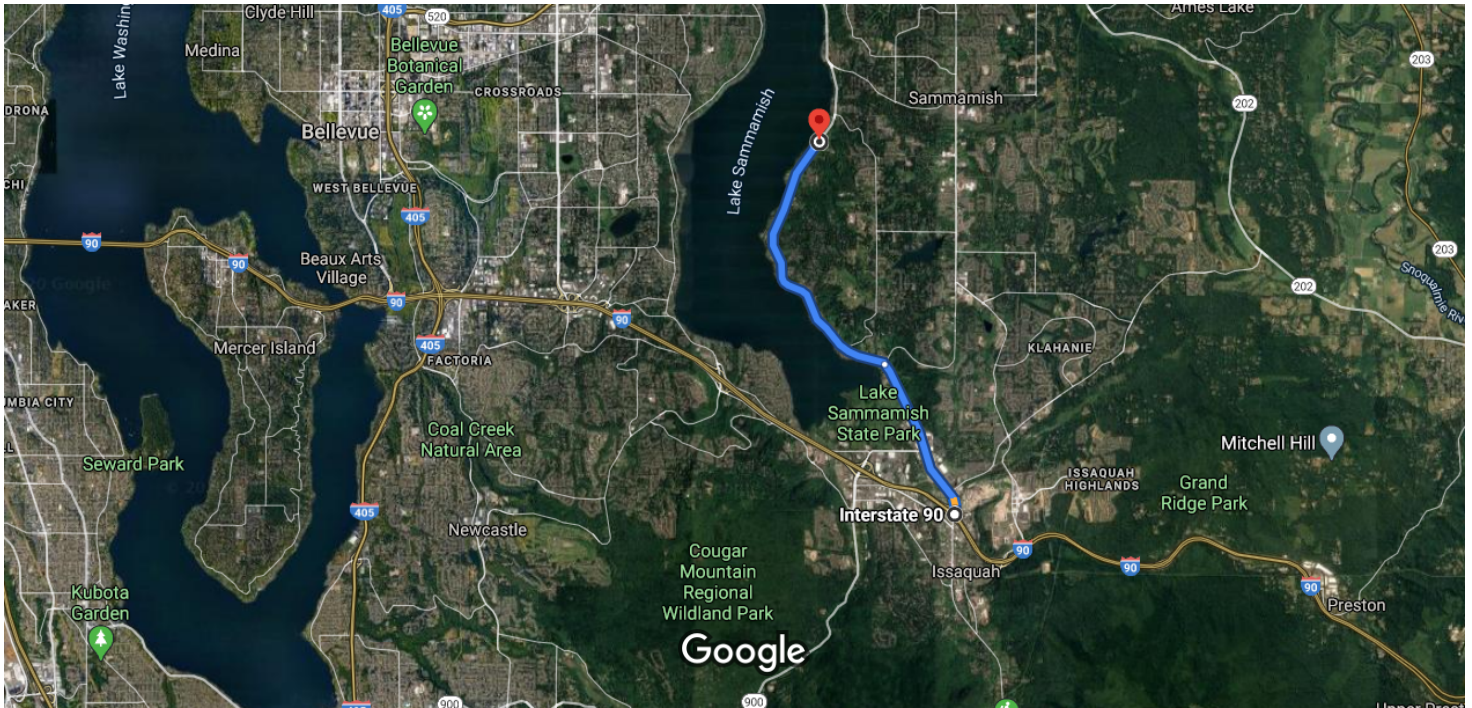
**Application for Streamlined Processing of
FISH HABITAT ENHANCEMENT PROJECTS
Addition to the Joint Aquatic Resources Permit Application (JARPA)**

Page 2

PLEASE NOTE:

- In addition to applying for this streamlined processing, you need to apply for all other applicable Federal and State permits identified in the JARPA.
- If WDFW determines that your project meets the fish habitat enhancement exemption criteria, SEPA and all local government permits and fees are waived. WDFW will process your HPA within 45 days of receiving your complete application.
- If significant concerns are raised during the 15-day comment period regarding adverse impacts from your project that cannot be addressed through HPA conditions, WDFW may determine that the project does not qualify for the exemption process. If WDFW makes that decision, you may re-apply to WDFW, the applicable local government, and any other applicable permitting agency for approval under the full permitting process. If WDFW determines that your project does NOT qualify for the exemption, or if your application is incomplete, you and the local government planning department will be notified.

Applicant Name: Stephanie Sullivan, City of Sammamish Public Works Department



Imagery ©2020 TerraMetrics, Map data ©2020 Google 1 mi

I-90

Issaquah, WA 98027

- ↑ 1. Head north on Front St N
_____ 446 ft
- ↑ 2. Continue onto E Lake Sammamish Pkwy SE
_____ 2.0 mi
- 📍 3. At the traffic circle, continue straight to stay on E Lake Sammamish Pkwy SE
 - 📘 Destination will be on the left
_____ 3.7 mi

Sammamish

Washington

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: June 23, 2020
Project End Date: June 22, 2025

Permit Number: 2020-4-449+01
FPA/Public Notice Number: N/A
Application ID: 21701

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
City of Sammamish Public Works Department ATTENTION: Stephanie Sullivan 801- 228th Avenue SE Sammamish, WA 98075	The Watershed Company ATTENTION: Mark Daniel 750 6th St S Kirkland, WA 98033-6715

Project Name: Ebright Creek Fish Passage Project

Project Description: The project will remove existing 30-inch twin round concrete culverts carrying Ebright Creek under East Lake Sammamish Parkway SE and replace them with a fully fish-passable crossing. The proposed replacement culvert is a 4-sided concrete box culvert, 55 feet in length, with inside dimensions of 14 feet wide and approximately 9 feet high. Approximately 5.4 feet of streambed substrate material (gravel) will be placed inside the culvert, leaving approximately 3.7 feet of height above the substrate for the passage of flow and debris. A series of individual boulders (not clusters) will be placed within the proposed culvert along each of the inside walls to prevent flows from concentrating along either side of the culvert. Log structures to form, maintain, and provide cover in pools will be placed along the short,

PROVISIONS

1. This FISH HABITAT ENHANCEMENT PROJECT (FHEP) Hydraulic Project Approval (HPA) is issued for:
 - a. Replacement of two existing, 30-inch diameter, concrete (PCC) culverts on East Lake Sammamish Parkway with a new 14-foot-wide, by 9-foot-tall, by 55-foot-long pre-cast concrete (PCC) box culvert;
 - b. Realignment of approximately 50 linear feet of channel mainstem both upstream and downstream of the East Lake Sammamish Parkway Crossing to include;
 - i. Excavation of approximately 500 cubic yards within the proposed Ordinary High Water Line (OHWL) of Ebright Creek;
 - ii. Placement of approximately 350 cubic yards of approved streambed substrate;
 - iii. Installation of large woody material structures to be located at and waterward of the OHWL; and
 - e. Implementation of site restoration and enhancement to consist of invasive species removal and subsequent control including installation of native shrubs and trees.

Note: This project occurs on Ebright Creek, a fish bearing stream known to support or with the potential to support Chinook, Sockeye, Coho, Steelhead, Cutthroat Trout, and Resident Trout. This project will replace one mapped Fish Passage and Diversion Screening Inventory (FPDSI) barrier: 920108.

2. TIMING - PLANS - INVASIVE SPECIES CONTROL

3. TIMING LIMITATION: You may begin the project immediately and you must complete the project by June 22, 2025, provided, all work below the ordinary high water line be completed between July 1 and September 30 of a given year.



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
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Project End Date: June 22, 2025

FPA/Public Notice Number: N/A

Application ID: 21701

Work outside of the ordinary high water line may be conducted year round provided measures to prevent turbidity and sedimentation within the creek are in place and functioning properly.

4. APPROVED PLANS: You must accomplish the work per plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, entitled, 'CITY OF SAMMAMISH EBRIGHT CREEK FISH PASSAGE,' dated March 13, 2020, the technical report, 'Ebright Creek Fish Passage PRELIMINARY ENGINEERING DESIGN REPORT,' dated March 2020,' and all supporting documents and communications uploaded to the Aquatic Protection Permitting System (APPS) project file; except as modified by this HPA. You must have a copy of these plans available on site during all phases of the project.

5. INVASIVE SPECIES CONTROL: Follow Level 1 Decontamination protocol for low risk locations. Thoroughly remove visible dirt and organic debris from all equipment and gear (including drive mechanisms, wheels, tires, tracks, buckets and undercarriage) before arriving and leaving the job site to prevent the transport and introduction of invasive species. Properly dispose of any water and chemicals used to clean gear and equipment. For contaminated or high risk sites please refer to the Level 2 Decontamination protocol. You can find this and additional information in the Washington Department of Fish and Wildlife's Invasive Species Management Protocols (November 2012), available online at <http://wdfw.wa.gov/publications/01490/wdfw01490.pdf>.

6. NOTIFICATION REQUIREMENTS

7. PRE- AND POST-CONSTRUCTION NOTIFICATION: You, your agent, or contractor must contact the Washington Department of Fish and Wildlife by e-mail at HPAapplications@dfw.wa.gov; mail to Post Office Box 43234, Olympia, Washington 98504-3234; or fax to (360) 902-2946 at least three business days before starting work, and again within seven days after completing the work. The notification must include the permittee's name, project location, starting date for work or date the work was completed, and the permit number. The Washington Department of Fish and Wildlife may conduct inspections during and after construction; however, the Washington Department of Fish and Wildlife will notify you or your agent before conducting the inspection.

8. PHOTOGRAPHS: You, your agent, or contractor must take photographs of the job site before the work begins and after the work is completed. You must upload the photographs to the post-permit requirement page in the Aquatic Protection Permitting System (APPS) or mail them to Washington Department of Fish and Wildlife at Post Office Box 43234, Olympia, Washington 98504-3234 within 30-days after the work is completed.

9. FISH KILL/ WATER QUALITY PROBLEM NOTIFICATION: If a fish kill occurs or fish are observed in distress at the job site, immediately stop all activities causing harm. Immediately notify the Washington Department of Fish and Wildlife of the problem. If the likely cause of the fish kill or fish distress is related to water quality, also notify the Washington Military Department Emergency Management Division at 1-800-258-5990. Activities related to the fish kill or fish distress must not resume until the Washington Department of Fish and Wildlife gives approval. The Washington Department of Fish and Wildlife may require additional measures to mitigate impacts.

10. STAGING, JOB SITE ACCESS, AND EQUIPMENT

11. Equipment may operate within the ordinary high water line of the stream only after all fish exclusion has been completed and water bypass systems are in place and functioning properly.

12. Establish staging areas (used for equipment storage, vehicle storage, fueling, servicing, and hazardous material storage) in a location and manner that will prevent contaminants such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.

13. Design and locate new temporary access roads and/or paths to prevent erosion and sediment delivery to waters of the state.

14. Clearly mark boundaries to establish the limit of work associated with site access and construction.

15. This Hydraulic Project Approval authorizes the temporary removal of large woody material during construction, as shown in the approved plans and outlined in the application materials. In accordance with sheet 8 of the approved plans, any removed large woody material must be replaced at or below the OHWL prior to completion of the project.



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: June 23, 2020

Permit Number: 2020-4-449+01

Project End Date: June 22, 2025

FPA/Public Notice Number: N/A

Application ID: 21701

-
16. Remove soil or debris from the drive mechanisms (wheels, tires, tracks, etc.) and undercarriage of equipment prior to operating the equipment waterward of the ordinary high water line.
 17. If wet or muddy conditions exist, in or near a riparian zone or wetland area, use equipment or techniques that reduce ground pressure.
 18. Check equipment daily for leaks and complete any required repairs in an upland location before using the equipment in or near the water.
 19. Use environmentally acceptable lubricants composed of biodegradable base oils such as vegetable oils, synthetic esters, and polyalkylene glycols in equipment operated in or near the water.
 20. CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT
 21. Work in the dry watercourse (when no natural flow is occurring in the channel, or when flow is diverted around the job site).
 22. Stop all hydraulic project activities except those needed to control erosion and siltation, if flow conditions arise that will result in erosion or siltation of waters of the state.
 23. Protect all disturbed areas from erosion. Maintain erosion and sediment control until all work and cleanup of the job site is complete. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.
 24. Prevent project contaminants, such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials, from entering or leaching into waters of the state.
 25. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.
 26. Straw used for erosion and sediment control must be certified free of noxious weeds and their seeds.
 27. Route construction water (wastewater) from the project to an upland area above the limits of anticipated floodwater. Remove fine sediment and other contaminants before discharging the construction water to waters of the state.
 28. Deposit waste material from the project, such as construction debris, silt, excess dirt, or overburden, in an upland area above the limits of anticipated floodwater unless the material is approved by the Washington Department of Fish and Wildlife for reuse in the project.
 29. CONSTRUCTION MATERIALS
 30. Do not stockpile construction material waterward of the ordinary high water line.
 31. Use only clean, suitable material as fill material (no trash, debris, car bodies, tires, asphalt, concrete, etc.).
 32. FISH LIFE REMOVAL AND BLOCK NETS
 33. All persons participating in capture and removal must have training, knowledge, and skills in the safe handling of fish life.
 34. Capture and safely move fish life from the work area to the nearest suitable free-flowing water.
 35. If electrofishing is conducted, a person with electrofishing training must be on-site to conduct or direct all electrofishing activities.
 36. Isolate fish from the work area by using block nets.
 37. Place block nets upstream and downstream of the in-water work area before capturing and removing fish life. Install block nets at an angle to the direction of flow (not perpendicular to the flow) to avoid entrapping fish in the nets. To anchor block nets, place bags filled with clean rounded gravel along the bottom of the nets. Secure block nets along both banks and the channel bottom to prevent failure from debris accumulation, high flows, and/or flanking.
 38. Do not install block nets at sites with heavy vegetation, large cobble or boulders, undercut banks, or deep pools unless you can secure and maintain them.



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39. Install block nets at sites with reduced flow volume or velocity, uniform depth, and good accessibility.
 40. Check block nets at least three times a day for entangled fish and accumulated debris.
 41. To keep fish out of the job site, leave block nets in place until the work is complete and conditions are suitable for fish.
 42. IN-WATER WORK AREA ISOLATION USING A TEMPORARY BYPASS
 43. Isolate fish from the work area by using either a total or partial bypass to reroute the stream through a temporary channel or pipe.
 44. Sequence the work to minimize the duration of dewatering.
 45. Use the least-impacting feasible method to temporarily bypass water from the work area. Consider the physical characteristics of the site and the anticipated volume of water flowing through the work area.
 46. During all phases of bypass installation and decommissioning, maintain flows downstream of the project site to ensure survival of all downstream fish.
 47. Install the temporary bypass before starting other construction work in the wetted perimeter using a method approved by the Washington Department of Fish and Wildlife.
 48. If the diversion inlet is a gravity diversion that provides fish passage, place the diversion outlet where it facilitates gradual and safe reentry of fish into the stream channel.
 49. If the bypass is a pumped diversion, once started it must run continuously until it is no longer necessary to bypass flows. This requires back-up pumps on-site and twenty-four-hour monitoring for overnight operation.
 50. The pump intake structure must have a fish screen installed, operated, and maintained in accordance with RCW 77.57.010 and 77.57.070. Screen the pump intake with one of the following: a) Perforated plate: 0.094 inch (maximum opening diameter); b) Profile bar: 0.069 inch (maximum width opening); or c) Woven wire: 0.087 inch (maximum opening in the narrow direction). The minimum open area for all types of fish screens is twenty-seven percent. The screened intake facility must have enough surface area to ensure that the velocity through the screen is less than 0.4 feet per second.
 51. The fish screen must remain in place whenever water is being withdrawn from the stream through the pump intake.
 52. Return diverted water to the channel immediately downstream of the work area. Dissipate flow energy from the diversion to prevent scour or erosion of the channel and bank.
 53. CULVERT
 54. Remove or plug the existing culvert in the dry or in isolation from the stream flow.
 55. If removed, all components and associated materials of the existing culvert must be disposed of at an approved upland location.
 56. Establish the culvert invert elevation with reference point(s) or benchmark(s) created before starting work on the project. Clearly mark and preserve the reference point(s).
 57. The authorized culvert is a stream simulation design
 58. The length of the culvert must not exceed 55 feet.
 59. The width of the channel-bed inside a stream simulation culvert at the elevation of the stream bed must be equal to or greater than 12.3 feet, which is 1.2 times the average channel bed width plus two feet.
 60. Set the stream simulation culverts at the same gradient as the prevailing stream gradient. As stated in the uploaded application materials the prevailing channel gradient of the realigned stream channel will be 2.1 - 2.2%.
 61. The approved gradation for the streambed mix for this project is WSDOT specification 9-03.11(2) 4-inch Cobbles: 100 percent less than 4-inches, 70-90 percent less than 3-inches, 20-50 percent less than 1.5-inches, and up to 10



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percent less than 0.75-inch. Any deviations from the approved streambed mix must first be reviewed and approved by the Washington Department of Fish and Wildlife permitting biologist prior to construction.

62. This Hydraulic Project Approval authorizes the installation of habitat boulders and coarse rock bands in the locations and configurations shown on sheet 12 of the approved plans. Angular rock is not permitted within the channel or culvert.

63. Countersink the stream simulation culvert a minimum of thirty percent and a maximum of fifty percent of the culvert rise, but not less than two feet. This criterion applies through the full length of the culvert.

64. The streambed through the culverts must include a sinuous low-flow channel expected under common conditions in the reach and a high-flow bench on both sides of the culvert.

65. Protect structural fill associated with the culvert installations from erosion to the 100-year peak flow.

66. Approach material must be structurally stable and composed of material that if eroded into the water will not harm fish life.

67. The owner(s) must maintain the culvert to ensure it provides continued, unimpeded fish passage. If the culvert becomes a hindrance to fish passage, the owner(s) must obtain a Hydraulic Project Approval and provide prompt repair.

68. STORMWATER OUTFALL

69. Stormwater outfalls (points of discharge) associated with this project must be landward of the OHWL of Ebright Creek.

70. Stormwater outfalls must utilize approved energy dissipation structures and methods to prevent potential scour of associated watercourses. These include use of tee diffusers, bubble up structures, rounded rock energy dissipation pads, installation of biodegradable linings and matting, installation of live stakes, or combinations thereof.

71. Any stormwater outfall energy dissipation pads that will be partially at or waterward of the OHWL of the associated watercourse must use bioengineered methods including rounded rock and live stakes. Angular rock is not permitted to be installed at or waterward of the OHWL.

72. CHANNEL RELOCATION AND REALIGNMENT

73. During construction, isolate the new channel from the flowing watercourse.

74. Permanent new channel must be similar in length, width, depth, flood plain configuration, and gradient to the reference channel(s). The new channel must incorporate habitat components, bed materials, channel morphology, and native or other approved vegetation to provide equal or better habitat compared to that which previously existed in the old channel. There must be no vertical drops in the streambed within the project area greater than 0.5 feet.

75. The streambed must include a low-flow channel expected under common conditions in the reach and a high-flow bench on both sides of the channel.

76. Place a 2-foot (minimum) deep layer of rounded, uniformly-graded streambed substrate with a size composition in accordance with the uploaded application materials throughout the entirety of the constructed stream channel (WSDOT specification 9-03.11(2) 4-inch Cobbles). Angular rock is not permitted to be placed within the channel

77. This permit authorizes installation, placement, and repositioning of large woody material, procured on site and/or brought to site in accordance with the details and specifications of the uploaded plans and application materials.

78. Use fir, cedar, or other coniferous species to construct the log and rootwad fish habitat structures.

79. Do not drag large woody material. Suspend large woody material during placement, repositioning, or removal so it does not damage the bed or banks. Full suspension can be achieved with hand-operated or heavy equipment.

80. Place spoils from the new channel in an upland area above the limits of anticipated floodwater.

81. If, following project completion and the return of flow to the constructed stream, the water goes subsurface at any



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point, the owner(s) will take steps to address the problem, including the addition of fines or small, rounded gravels, to the extent necessary to seal the bed and return the flow to the surface.

82. RIPARIAN ENHANCEMENT AND RESTORATION

83. Replant the job site with the plant species composition and planting densities approved by the Washington Department of Fish and Wildlife and as shown on the approved plansets.

84. Complete plantings during the appropriate season (fall or spring for potted stock, winter for bare-root seedlings, fall through spring for whips and cuttings) after project completion per the approved plan. Maintain plantings for at least three years to ensure at least eighty percent of the plantings survive. Failure to achieve the eighty percent survival in year three will require you to submit a plan with follow-up measures to achieve requirements or reasons to modify requirements.

85. DEMOBILIZATION AND CLEAN-UP

86. Return water flow slowly to the in-water work areas to prevent the downstream release of sediment laden water.

87. Remove all materials and equipment from the site and dispose of all excess spoils and waste materials in an upland area above the limits of anticipated floodwater.

88. Remove any temporary erosion and sediment control methods after job site is stabilized or within three months of project completion, whichever is sooner.

LOCATION #1: , , WA						
WORK START: June 23, 2020			WORK END: June 22, 2025			
<u>WRIA</u>		<u>Waterbody:</u>			<u>Tributary to:</u>	
08 - Cedar - Sammamish		Unknown Stream Number			Unknown	
<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
	32	25 N	06 E	47.6084	-122.07236	King
<u>Location #1 Driving Directions</u>						
See JARPA						

APPLY TO ALL HYDRAULIC PROJECT APPROVALS

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

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



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This Hydraulic Project Approval does not authorize trespass.

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

Failure to comply with the provisions of this Hydraulic Project Approval could result in civil action against you, including, but not limited to, a stop work order or notice to comply, and/or a gross misdemeanor criminal charge, possibly punishable by fine and/or imprisonment.

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

MINOR MODIFICATIONS TO THIS HPA: You may request approval of minor modifications to the required work timing or to the plans and specifications approved in this HPA unless this is a General HPA. If this is a General HPA you must use the Major Modification process described below. Any approved minor modification will require issuance of a letter documenting the approval. A minor modification to the required work timing means any change to the work start or end dates of the current work season to enable project or work phase completion. Minor modifications will be approved only if spawning or incubating fish are not present within the vicinity of the project. You may request subsequent minor modifications to the required work timing. A minor modification of the plans and specifications means any changes in the materials, characteristics or construction of your project that does not alter the project's impact to fish life or habitat and does not require a change in the provisions of the HPA to mitigate the impacts of the modification. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a minor modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are seeking a minor modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234, or by email to HPAapplications@dfw.wa.gov. You should allow up to 45 days for the department to process your request.

MAJOR MODIFICATIONS TO THIS HPA: You may request approval of major modifications to any aspect of your HPA. Any approved change other than a minor modification to your HPA will require issuance of a new HPA. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a major modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send your written request by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You may email your request for a major modification to HPAapplications@dfw.wa.gov. You should allow up to 45 days for the department to process your request.



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APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), Washington Department of Fish and Wildlife (WDFW) recommends that you first contact the department employee who issued or denied the HPA to discuss your concerns. Such a discussion may resolve your concerns without the need for further appeal action. If you proceed with an appeal, you may request an informal or formal appeal. WDFW encourages you to take advantage of the informal appeal process before initiating a formal appeal. The informal appeal process includes a review by department management of the HPA or denial and often resolves issues faster and with less legal complexity than the formal appeal process. If the informal appeal process does not resolve your concerns, you may advance your appeal to the formal process. You may contact the HPA Appeals Coordinator at (360) 902-2534 for more information.

A. INFORMAL APPEALS: WAC 220-660-460 is the rule describing how to request an informal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee may conduct an informal hearing or review and recommend a decision to the Director or designee. If you are not satisfied with the results of the informal appeal, you may file a request for a formal appeal.

B. FORMAL APPEALS: WAC 220-660-470 is the rule describing how to request a formal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete formal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request a formal appeal of that action. You must send your request for a formal appeal to the clerk of the Pollution Control Hearings Boards and serve a copy on WDFW within 30 days from the date you receive notice of the decision. You may serve WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Director's or designee's written decision in response to the informal appeal.

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



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Habitat Biologist

Miles.Penk@dfw.wa.gov

A handwritten signature in black ink, appearing to read "Miles Penk".

for Director

Miles Penk

425-677-1297

WDFW
