



# HYDRAULIC PROJECT APPROVAL

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

Issued Date: March 09, 2023  
Project End Date: February 15, 2025

Permit Number: 2023-6-105+01  
FPA/Public Notice Number: N/A  
Application ID: 30366

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Town of Steilacoom ATTENTION: Mark Burlingame 1030 Roe Street Steilacoom, WA 98388	Town of Steilacoom ATTENTION: Tani Stafford 1030 Roe Street Steilacoom, WA 98388

**Project Name:** Sunnyside Beach Park Seawall Repair

**Project Description:** Replace 120 LF of collapsed seawall at the north end of the park and replace 140 LF of crumbling seawall at the south end of the park with a sheet pile wall material immediately landward of the original location of the seawall.

## PROVISIONS

### AUTHORIZED WORK TIMES

1. **TIMING LIMITATION:** You may begin the project immediately and you must complete the project by February 15, 2025. To protect fish and shellfish habitats at the job site, work below the ordinary high water line must occur from July 15 and September 30 of any year. Due to the lengthy spawning period for surf smelt pacific sand lance in this portion of Puget Sound work will also be allowed from October 1 through February 15 of any year if a biologist approved by the Department of Fish and Wildlife does not detect surf smelt or pacific sand lance eggs during a beach survey. Work must begin within seventy-two hours of survey and you must complete the work within two weeks of the survey. The biologist must follow the department-approved intertidal forage fish spawning protocol and use the standard department data sheets when conducting forage fish spawning beach surveys. A list of certified biologists, the approved protocol and data sheets are available on the department's web site [http://wdfw.wa.gov/licensing/hpa/technical\\_assistance.html](http://wdfw.wa.gov/licensing/hpa/technical_assistance.html). The biologist must submit the completed, data sheets to the department within seventy-two hours of completing the survey to WDFW by e-mail at [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov); mail to Post Office Box 43234, Olympia, Washington 98504-3234; or fax to (360) 902-2946. In addition, the biologist must preserve the winnowed portion of the sediment samples and retain them for a minimum of four weeks. The sediment samples must be provided to WDFW staff upon request.

2. **APPROVED PLANS:** Work must be accomplished per plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, entitled "Plans - Sunnyside Beach Park Seawall Repair.pdf," received December 2, 2022, "Geotech Report - Sunnyside Beach Seawall Replacement 2022.08.pdf," received January 4, 2023, except as modified by this Hydraulic Project Approval. You must have a copy of these plans available on site during all phases of the project construction.

### NOTIFICATION

3. **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](mailto: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.



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4. **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.

## STAGING, JOB SITE ACCESS AND EQUIPMENT

5. Clearly mark boundaries to establish the limit of work associated with site access and construction.
6. Establish the staging area (used for activities such as equipment storage, vehicle storage, fueling, servicing, and hazardous material storage) in a location and manner that will prevent contaminants like petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.
7. Limit the removal of native bankline vegetation to the minimum amount needed to construct the project.
8. Retain all natural habitat features on the beach larger than twelve inches in diameter including trees, stumps, and logs. These natural habitat features may be moved during construction but they must be placed near the preproject location before leaving the job site.
9. Check equipment daily for leaks and complete any required repairs before using the equipment in or near the water.
10. Lubricants composed of biodegradable base oils such as vegetable oils, synthetic esters, and polyalkylene glycols are recommended for use in equipment operated in or near water.
11. Restrict vessel operation to tidal elevations adequate to prevent propeller related damage to seagrass and kelp.
12. Do not deploy anchors or spuds in seagrass or kelp.
13. Maintain anchor cable tension, set and retrieve anchors vertically, and prevent mooring cables from dragging to avoid impacts to seagrass and kelp.

## CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

14. Do not conduct project activities when the work area is inundated by tidal waters.
15. Prevent contaminants from the project, 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.
16. Use tarps or other methods to prevent treated wood, sawdust, trimmings, drill shavings and other debris from contacting the bed or waters of the state.

## CONSTRUCTION MATERIALS

17. Do not use native bed material, other than material excavated for bulkhead footings or placement of bulkhead base rock, for project construction or fills.

## BULKHEAD - SHEET PILE

18. As shown in the approved plans, the length of the replacement bulkhead must not exceed 120 linear feet at the north end of the park (Wall 1), and 140 linear feet at the south end of the park (Wall 2).
19. Establish the waterward distance of each sheet pile bulkhead from a permanent benchmark(s) (fixed objects) before starting work on the project. The benchmarks must be located and shown on the approved plans, marked in the field, and protected to serve as a post-project reference for ten years.
20. Remove the existing bulkheads from the beach and deposit them in an upland area above the limits of extreme high tidal water.



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21. The waterward face of each bulkhead must be located no further waterward than the face of the existing functioning bulkhead (or previous footprint of failed bulkhead sections) as shown in the approved plans.
22. Bury the base of each bulkhead structure a minimum of 18 inches below the preproject natural beach grade.
23. Incorporate all upland drainage tight lines into the bulkhead near beach grade to prevent erosion of the bed.
24. Keep the use of equipment on the beach to a minimum, confined to a single access point, and limited to a 25-foot work corridor waterward of the base of the bulkhead. Construction material must not touch the beach outside this work corridor.
25. Do not stockpile excavated materials containing silt, clay, or fine-grained soil waterward of the ordinary high water line.
26. You may stockpile sand, gravel, and coarse excavated material waterward of the ordinary high water line provided the material is placed within the 25-foot work corridor waterward of the base rocks.
27. If sand, gravel, and other coarse excavated material is to be temporarily placed where it will come into contact with tidal waters, this material must be covered with filter fabric and adequately secured to prevent erosion and/or potential entrainment of fish.
28. Prior to tidal inundation, backfill all trenches, depressions, or holes created during construction waterward of the ordinary high water line.
29. Remove all stockpiled and excavated material from the beach within 72 hours of bulkhead construction.
30. Any sediment placed on the beach should be appropriately sized to provide forage fish spawning substrate following the provisions below: a. For sand lance spawning beaches, only sand material shall be used with at least 75 percent of the material by weight between 1/100-inch (.25mm) and 1/25-inch (1mm). b. For surf smelt spawning beaches, material placed must be in compliance with the following specifications: Sieve Size Percent passing by weight 5/8-inch 100 3/8-inch 90-100 1/16-inch 40-50 1/100-inch (.25mm) 0-5. c. Spread the material to a uniform depth. d. Do not use gravel, or crushed or angular rock. e. The mix must not contain fine silt or clay type soils. f. The mix must be placed within 72 hours following bulkhead construction.

Note: This project takes place in both surf smelt and pacific sand lance spawning habitat, so either mix listed above is appropriate for use.

## DEMOBILIZATION/CLEANUP

31. Reshape beach area depressions created during project activities to preproject beach level upon project completion.
32. Remove any debris scattered or abandoned outside the original design footprint from the bed and deposit at an upland area above the limits of extreme high tidal water.
33. Remove all trash and unauthorized fill in the project area, including concrete blocks or pieces, bricks, asphalt, metal, treated wood, glass, floating debris, and paper, that is waterward of the ordinary high water line and deposit upland.

LOCATION #1:	Site Name: Sunnyside Beach Park Sunnyside Beach Park, Steilacoom, WA 98388		
WORK START:	March 9, 2023	WORK END:	February 15, 2025
<u>WRIA</u>	<u>Waterbody:</u>	<u>Tributary to:</u>	
12 - Chambers - Clover	Other	Other	



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<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
NW 1/4	24	20 N	05 E	47.179447	-122.589254	Pierce

### Location #1 Driving Directions

From I-5, take exit 119 for Steilacoom-Dupont Rd. Turn Northwest from either exit onto Barksdale Ave. Travel to the intersection with and turn right onto Wilmington Dr. Travelling Northeast, Wilmington Dr. becomes Dupont-Steilacoom Rd which then becomes Union Ave. Turn right onto Lafayette St. Travel along Lafayette St which becomes Chambers Creek Rd. Turn left into the parking lot just after passing Western Rd.

## 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.

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.



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**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](mailto: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](mailto:HPAapplications@dfw.wa.gov). You should allow up to 45 days for the department to process your request.

## 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.



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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](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee 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](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Director's or designee's written decision in response to the informal appeal.

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

Habitat Biologist      Miles.Penk@dfw.wa.gov  
Miles Penk              360-480-2908

for Director  
WDFW