August 2, 2013

Honorable Kimberly D. Bose, Secretary, and
Nathaniel J. Davis, Sr., Deputy Secretary
FEDERAL ENERGY REGULATORY COMMISSION
888 First Street, NE
Washington, DC 20426

Re: Rocky Reach Hydroelectric Project No. 2145
   License Article 406 – Final Entiatqua Trail Construction Drawings

Dear Ms. Bose and Mr. Davis:

On June 28, 2013, the Public Utility District No. 1 of Chelan County, Washington (Chelan PUD) filed with the Federal Energy Regulatory Commission (Commission) the Entiatqua Trail Contract Plans and Specifications. In accordance with our submittal to provide the U.S. Army Corps of Engineers permit upon receipt, Chelan PUD hereby files the permit with the Commission as supplemental information.

Please contact me if you have any questions or require additional information.

Sincerely,

Michelle Smith
Licensing & Compliance Manager
(509) 661-4180
michelle.smith@chelanpud.org

Attachment: U.S. Army Corps of Engineers Permit NWS-2012-1364

cc: Commission’s Director of Division of Dam Safety & Inspections (hard copy)
Commission’s Portland Regional Office (two hard copies)
Joe Cofransesco, FERC-DC (via electronic mail)
Ms. Waikelke Franz  
Chelan County P.U.D. No. 1  
P.O. Box 1231  
Wenatchee, Washington 98807

Reference:  NWS-2012-1364  
Chelan County P.U.D. No. 1  
(bank stabilization and  
Enteratqua Trail)

Dear Ms. Franz:

Enclosed is a Department of the Army permit which authorizes performance of the work described in your referenced application. You are cautioned that any change in the location or plans of the work will require submittal of revised plans to this office for approval prior to accomplishment. Deviation from the approved plans may result in imposition of criminal or civil penalties.

Your attention is drawn to General Condition 1 of the permit which specifies the expiration date for completion of the work. Upon completing the authorized work, please fill out and return the enclosed Certificate of Compliance with Department of the Army Permit form.

We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey form. This form and information about our program is available on our website at:  www.nws.usace.army.mil  select “Regulatory Branch, Permit Information” and then “Contact Us.” If you have any questions please contact Mr. Darren Habel at darren.habel@usace.army.mil or at (206) 764-6883.

Sincerely,

Michelle Walker  
Chief, Regulatory Branch

Enclosures
DEPARTMENT OF THE ARMY PERMIT

Permittee: Chelan County PUD No. 1

Permit No: NWS-2012-1364

Issuing Office: Seattle District

Post Office Box 1231
Wenatchee, Washington 98807

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To place 525 cubic yards of fill material waterward of the OHWM to construct four bioengineered bank protection structures consisting of Large Woody Material (LWM) held in place with 3-4 man ballast rock, streambed sediment and cobbles, and fill and coir logs to create riparian planting corridors. As part of the project, the applicant also proposes the construction of the Entiatqua Trail, a 1,776-lineal foot bike and pedestrian path located at the confluence of the Entiat and Columbia Rivers. The trail work will occur landward of the Ordinary High Water mark (OHWM) (in accordance with the plans and drawings dated December, 1 2012 attached hereto which are incorporated in and made a part of this permit). The purpose of the project is to provide a public accessible site which demonstrates bioengineered bank stabilization techniques including fish habitat enhancement in the Rocky Reach Reservoir to meet the requirements of the Federal Energy Regulatory Commission relicensing agreement for the Rocky Reach Hydroelectric project.

Project Location: At the confluence of the Entiat and Columbia Rivers at Entiat, near Entiat, Chelan County, Washington.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on JUL 3 1 2016. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in accordance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification to this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

7. After a detailed and careful review of all the conditions contained in this permit, the permittee acknowledges that, although said conditions were required by the Corps, nonetheless the permittee agreed to those conditions voluntarily to facilitate issuance of the permit; the permittee will comply fully with all the terms of all the permit conditions.

Special Conditions:

a. You must provide a copy of the permit transmittal letter, permit form, and drawings to all contractors performing any of the authorized work.

b. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

c. This U.S. Army Corps of Engineers (Corps) permit does not authorize you to take a threatened or endangered species, in particular the Puget Sound (PS) Chinook salmon, PS steelhead and bull trout. In order to legally take a listed species, you must have a separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 10 permit, or ESA Section 7 consultation Biological Opinion with non-discretionary “incidental take” provisions with which you must comply). The BO prepared by the National Marine Fisheries Service (NMFS) dated July 9, 2007 contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with the specified “incidental take” in the BO (NMFS Reference Number 2005/07435). Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the BO. These terms and conditions are incorporated by reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The NMFS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA.

d. You must implement and abide by the Endangered Species Act (ESA) requirements and/or agreements set forth in the Entiatqua Trail Biological Assessment, dated December 7, 2012, in its entirety. The U.S. Fish and Wildlife Service (USFWS) concurred with a finding of “may affect, not likely to adversely affect” based on this document on April 29, 2013 (USFWS Reference Number 13410-2013-I-0265). Both agencies will be informed of this permit issuance. Failure to comply with the commitments made in this document constitutes non-compliance with the ESA and your Corps permit. The USFWS/NMFS is the appropriate authority to determine compliance with ESA.

e. In order to meet the requirements of the Endangered Species Act and for the protection ESA-listed species, you may conduct the authorized activities from September 1 through November 15 in any year this permit is valid. You shall not conduct work authorized by this permit from November 16 through August 31 in any year this permit is valid.
Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:
   - ☒ Section 404 of the Clean Water Act (33 U.S.C. 1344).
   - ☐ Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C 1413).

2. Limits of this authorization.
   a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.
   b. This permit does not grant any property rights or exclusive privileges.
   c. This permit does not authorize any injury to the property or rights of others.
   d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
   a. Damages to the permitted project or uses thereof as a result of other permitted activities or from natural causes.
   b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
   c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
   d. Design or construction deficiencies associated with the permitted work.
   e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant’s Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require include, but are not limited to, the following:
   a. You fail to comply with the terms and conditions of the permit.
   b. The information provided by you in support of your application proves to have been false, incomplete, or inaccurate (See 4 above).
   c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and
revocation procedures contained in 33 Code of Federal Regulations (CFR), Part 325.7 or enforcement procedures such as those contained in 33 CFR, Parts 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR, Part 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Waikale Frantz  
Chelan County PUD No. 1

24 July 2013  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Bruce A. Estok  
Colonel, Corps of Engineers  
District Engineer

31 July 2013  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE)  
(DATE)
<table>
<thead>
<tr>
<th>ITEM DESCRIPTION</th>
<th>BELOW OHWM</th>
<th>ABOVE OHWM</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CUT (CY)</td>
<td>FILL (CY)</td>
</tr>
<tr>
<td>EXISTING SOIL</td>
<td>130</td>
<td></td>
</tr>
<tr>
<td>EXISTING ROCK</td>
<td>380</td>
<td>75</td>
</tr>
<tr>
<td>QUARRY SPALL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROCK FOR BASE/WALLS</td>
<td></td>
<td>160</td>
</tr>
<tr>
<td>STREAMBED COBBLE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STREAMBED SEDIMENT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BALLAST ROCK FOR COMPLEX WOOD STRUCTURE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SOIL BAGS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOP SOIL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>STRUCTURAL FILL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CRUSHED SURFACING BASE COURSE (CSBC)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>GABION BASKETS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHAIN LINK FENCE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RAIL FENCE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>COIR LOG</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTAL PROJECT CALCULATIONS: 510 525 4,500 5,960

MITIGATION (HABITAT IMPROVEMENTS)

<table>
<thead>
<tr>
<th>ITEM DESCRIPTION</th>
<th>LF</th>
<th>SF</th>
<th>EACH</th>
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</thead>
<tbody>
<tr>
<td>ABOVE OHWM - SHORELINE RIPARIAN ENHANCEMENT</td>
<td>625</td>
<td>2,500</td>
<td></td>
</tr>
<tr>
<td>BELOW OHWM - STREAMBED COBBLE &amp; SEDIMENT, WOOD STRUCTURE</td>
<td>625</td>
<td>6,340</td>
<td></td>
</tr>
<tr>
<td>18&quot; TO 30&quot; DIA. LOGS FOR COMPLEX WOOD STRUCTURE</td>
<td>625</td>
<td></td>
<td>250</td>
</tr>
<tr>
<td>ROOT WADS FOR COMPLEX WOOD STRUCTURE</td>
<td>625</td>
<td></td>
<td>8</td>
</tr>
</tbody>
</table>

NOTE: SEE SHEET 21 FOR PLANT QUANTITIES

REFERENCE: APPLICANT: CHelan COUNTY P.U.D.
PROPOSED PROJECT: ENTIAQUA TRAIL
LOCATION: ENTIAQUA, WA S17 T25N R21E
NOTE: CONTRACTOR TO PROVIDE TEMPORARY SILT FENCE BETWEEN RIVER AND TRAIL FROM STA 9+25 TO STA 14+00
SEE DETAIL 1/22
NOTE: CONTRACTOR TO PROVIDE
TEMPORARY SILT FENCE BETWEEN RIVER
AND TRAIL FROM STA 9+25 TO STA 14+00
SEE DETAIL 4/0911-5C1-0016

TRAIL SECTION @ STA 1+05

EXISTING
GROUND SURFACE
AT STA 1+05

RIVER
GHW = 711 ▼

TOP OF TRAIL EDGE
ELEV 722.8

NEW TRAIL

6" CSBC

2% SLOPE

1/4"=1'-0"
TYP. SECTION FROM STA. 0+00 TO STA. 2+45

REFERENCE:
APPLICANT: CHELAN COUNTY P.U.D.
PROPOSED PROJECT: ENTIATQA TRAIL
LOCATION: ENTIAT, WA
NOTES:
1. CONTRACTOR SHALL PROTECT EXISTING VEGETATION THROUGH PLACEMENT OF SILT FENCE AND TEMPORARY DEPLOYMENT OF A MOVEABLE JERSEY BARRIER
2. TOP OF TRAIL EDGE ELEVATION VARIES
3. LOCK+LOAD RETAINING WALL BLOCKS TO BE SET AT CONSISTENT ELEVATION OVER LENGTH OF WALL. CONTRACTOR SHALL USE HALF BLOCKS ON TOP WHERE TOP OF TRAIL ELEVATION IS ONE INCH OR GREATER BELOW TOP BLOCK ELEVATION. ACTUAL NUMBER AND SIZES (FULL OR HALF) OF BLOCKS TO VARY OVER LENGTH OF WALL.
NOTES:
1. TREES AT EACH STRUCTURE SHALL BE THE SAME (DO NOT MIX)
2. IRRIGATION NOT SHOWN.
3. PLANT 10 COYOTE WILLOW LIVE STAKES ABOVE AND BELOW COIR LOG AS DIRECTED BY THE ENGINEER AT EACH STRUCTURE.

4 CONIFER OR 4 DECIDUOUS TREES
(PCC OR BO)
@ 12" O.C. TYP.
SEE SHEET 23

FOUR MAN STREAMBED BOULDER

TOP LOGS:
18 TO 24 INCH DIAMETER, 20 FEET LONG.

FOUR MAN STREAMBED BOULDER

ANCHOR BOULDER
(PARTIALLY BURIED)

STREAMBED COBBLE & SEDIMENT

FOUR MAN STREAMBED BOULDER

ROOT WAD (TYP.)
(WEDGE BETWEEN LOGS)
ROTATE SO ROOT WAD STICKS UP

FIVE MAN STREAMBED BOULDER

TYPICAL COMPLEX WOOD STRUCTURE PLAN DETAIL

REFERENCE:
APPLICATION: CHELAN COUNTY P.U.D.
PROPOSED PROJECT: ENTIATKA TRAIL
LOCATION: ENTIAT, WA
WOOD PILE

3/4 INCH REBAR PIN

LOG

FOR SINGLE ROCK ATTACHMENT

FOR DOUBLE ROCK ATTACHMENT

CABLE

NOTCH DEPTH 1 INCH MINIMUM

NOTCH

DOUBLE CABLE WRAP

TO ROCK

TO ROCK

TO ROCK

THREE CABLE CLAMPS REQUIRED FOR 5/8 INCH CABLE WITH ORIENTATION THE SAME WAY SPACED PER MANUFACTURER'S SPECIFICATIONS.

3 IN X 3 IN X 1/4 IN GALVANIZED SQUARE WASHERS FOR 3/4 INCH SCREW

5/8 INCH STAINLESS STEEL CABLE

THREE CABLE CLAMPS REQUIRED FOR 5/8 INCH CABLE WITH ORIENTATION THE SAME WAY SPACED PER MANUFACTURER'S SPECIFICATIONS.

SECTION VIEW SHOWING CABLE IN NOTCH

OPTIONAL BOLTED CONNECTION

DRILL 3/4 INCH HOLES THROUGH BOTH LOGS. CUT 4 FT X 4 FT X 3 IN DEEP INTO TOP LOG. INSERT 3/4 INCH GALVANIZED THREADED ROD AND ATTACH AT BOTH ENDS WITH WASHERS AND NUTS. MAINTAIN A MINIMUM 15 INCHES FROM END OF WOOD PILE TO PIN LOCATION.

REFERENCE:
APPLICATION: CHELAN COUNTY P.U.D.
PROPOSED PROJECT: ENTIAQUA TRAIL
LOCATION: ENTIAT, WA
5/8 INCH STAINLESS STEEL CABLE (6x19 CABLE)

HILTI HIT HY 150 POLYESTER RESIN ADHESIVE OR EQUAL

EURE A UNIFORM HOLE DIAMETER AND CLEAN OUT PARTICLES BEFORE USING EPOXY.

11/16 INCH DRILLED HOLE

PRESS EYE
5/8 INCH SS CABLE

RUN BOTTOM LOOP OF CABLE THROUGH HYDRAULIC HOSE, THEN THREAD THROUGH HOLE DRILLED IN BOULDER

DRILL 11/16-IN HOLE 9-IN DEEP. FILL HOLE WITH HILTI HIT HY150 OR SIMILAR. INSERT CABLE PER MANUFACTURER'S SPECIFICATIONS.
PLANTING NOTES:
1. PLACE SEED MIX AND OTHER PLANTS AS SHOWN ON DWG. 0911-50CI-051 ALONG ENTIRE LENGTH OF PLANTING CORRIDOR.
2. PLANT 80% OF LIVE STAKE LENGTH UNDER TOPSOIL.
3. THE PORTION OF LIVE STAKE EXPOSED SHALL CONTAIN 2 TO 5 BUD SCARS AND SHALL BE CUT SQUARE TO THE END.
4. THE BURIED END OF THE LIVE STAKE (BUCC-END) SHALL BE ANGLED CUT.
5. HARVEST AND PLANT STAKES DURING THE DORMANT SEASON (OCT 30 - NOV 30).
6. MAKE CLEAN CUTS AND DO NOT DAMAGE STAKES OR SPLIT ENDS DURING INSTALLATION, USE A PILOT BAR IN FIRM SOILS AND THROUGH SOIL BAGS.
7. SOAK CUTTINGS CONTINUOUSLY PRIOR TO INSTALLATION.
8. ONLY NURSERY GROWN STOCK SHALL BE USED. HARVESTING OF WILD PLANTS IS NOT ACCEPTABLE.
PLANT SCHEDULE

<table>
<thead>
<tr>
<th>SYMBOL</th>
<th>PLANT SPECIES (COMMON NAME)</th>
<th>SCIENTIFIC NAME</th>
<th>MATURE HEIGHT</th>
<th>QUANTITY</th>
<th>APPROX. SIZE</th>
<th>CONTAINER TYPE</th>
<th>SPACING</th>
</tr>
</thead>
<tbody>
<tr>
<td>CS</td>
<td>REDOSIER DOGWOOD</td>
<td>CORNUS SERICEA</td>
<td>8 FEET</td>
<td>100</td>
<td>1&quot; DIA. X 3'-0&quot; MIN.</td>
<td>LIVESTAKE</td>
<td>5'-0&quot; O.C.</td>
</tr>
<tr>
<td>RN</td>
<td>NOOTKA ROSE</td>
<td>RUSA NUTKANA</td>
<td>4 FEET</td>
<td>35</td>
<td>1'-0&quot; HEIGHT</td>
<td>2 GALLON</td>
<td>20'-0&quot; O.C.</td>
</tr>
<tr>
<td>RS</td>
<td>SALMONBERRY</td>
<td>RUBUS SPECTABILIS</td>
<td>6'-8 FEET</td>
<td>35</td>
<td>1'-0&quot; HEIGHT</td>
<td>2 GALLON</td>
<td>20'-0&quot; O.C.</td>
</tr>
<tr>
<td>SD</td>
<td>DOUGLAS SPIREA</td>
<td>SPIREA DOUGLASII</td>
<td>3-5 FEET</td>
<td>65</td>
<td>1'-0&quot; HEIGHT</td>
<td>1 GALLON</td>
<td>10'-0&quot; O.C.</td>
</tr>
<tr>
<td>PCC</td>
<td>SHORE PINE</td>
<td>PINUS CONTORTA CONTORTA</td>
<td>50 FEET</td>
<td>8</td>
<td>3'-4&quot; CAL. X 5'-6' HEIGHT</td>
<td>5 GALLON</td>
<td>SEE SHEET 17</td>
</tr>
<tr>
<td>BO</td>
<td>WATER BIRCH</td>
<td>BETULA OCCIDENTALIS</td>
<td>30 FEET</td>
<td>8</td>
<td>1&quot; CAL</td>
<td>5 GALLON</td>
<td>SEE SHEET 17</td>
</tr>
<tr>
<td>SE</td>
<td>COYOTE WILLOW</td>
<td>SALIX EXIGUA</td>
<td>15 FEET</td>
<td>40</td>
<td>1&quot; DIA. X 3'-0&quot; MIN.</td>
<td>LIVESTAKE</td>
<td>10 PER WOODY STRUCTURE</td>
</tr>
</tbody>
</table>

NOTE: SEE DETAIL AREA PLANS FOR LOCATIONS

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PLANTING CORRIDOR HYDRO-SEED MIX

<table>
<thead>
<tr>
<th>SCIENTIFIC NAME</th>
<th>COMMON NAME</th>
<th># PER ACRE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELYMUS GLAUCAS BUCKL</td>
<td>BLUE WILD RYE</td>
<td>24%</td>
</tr>
<tr>
<td>ELUMUS CINERUS</td>
<td>GREAT BASIN WILD RYE</td>
<td>55%</td>
</tr>
<tr>
<td>DESCHAMPSIA CAESPITOSA</td>
<td>TUFTED HAIRGRASS</td>
<td>15%</td>
</tr>
<tr>
<td>KOELERIA MACRANThA</td>
<td>PRAIRIE JUNEGRAss</td>
<td>11%</td>
</tr>
</tbody>
</table>

NOTES:
1. PLANT SO THAT TOP OF ROOTBALL IS EVEN WITH FINISHED GRADE
2. SCARIFY SIDES OF PLANTING PITS PRIOR TO BACKFILLING.

SHRUB CONTAINER PLANTING
NOT TO SCALE
NOTES:

1. ANY DAMAGE WILL BE REPAIRED IMMEDIATELY.
2. IF THE GEOTEXTILE HAS DETERIORATED DUE TO ULTRAVIOLET BREAKDOWN, IT SHALL BE REPLACED.
3. INSTALL THE ENDS OF THE SILT FENCE TO POINT SLIGHTLY UP-SLOPE TO PREVENT SEDIMENT FROM FLOWING AROUND THE ENDS OF THE FENCE.
4. PERFORM MAINTENANCE IN ACCORDANCE WITH WSDOT STANDARD SPECIFICATIONS 8.01.3(9)(A) AND 8.01.3(15).

GEOTEXTILE FOR TEMPORARY SILT FENCE
~ SEE WSDOT STD. SPEC. 9-33.2(1), TABLE 6

INSTALL BACKUP SUPPORT FOR THE GEO TEXTILE
~ SEE WSDOT STD. SPEC. 8.01.3(9)(A)

POST ~ SEE WSDOT STD. SPEC. 8.01.3(9)(A)

GEO TEXTILE

BACKUP SUPPORT

COMPACTED NATIVE SOIL

FLOW

BURY GEO TEXTILE IN TRENCH

SECTION A

6'-0" MAX. SPACING WITHOUT BACKUP SUPPORT
10'-0" MAX. SPACING WITH BACKUP SUPPORT

TEMPORARY SILT FENCE DETAIL
June 13, 2012

Chelan County PUD No.1
Attention: Ms. Waikele Frantz
Post Office Box 1231
Wenatchee, WA 98807

RE: Water Quality Certification Order 9988 for Corps Public Notice NWS-2012-1364

Dear Ms. Frantz:

On December 14, 2012, Chelan County PUD No.1 submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) requesting a Section 401 Water Quality Certification.

The proposed project entails construction of a 1,776 lineal foot bike and pedestrian path located landward of the Ordinary High Water Mark (OHWM) at the confluence of the Entiat and Columbia Rivers. Trail construction includes placement of 525 cubic yards of fill material landward of the OHWM to construct four habitat improvement structures. Large Woody Material will be installed waterward of the OHWM held in place with 3-5 man ballast rock, streambed sediment and cobbles to enhance near shore aquatic habitat, and fill and coir logs to create a riparian planting corridor.

The project is located at the confluence of the Entiat and Columbia Rivers at Entiat, Chelan County, Washington, Section 17, Township 25N, Range 21 East of the Willamette Meridian, Water Resource Inventory Area (WRIA) Chelan #47.

A public notice for a proposed water quality certification from Ecology was distributed by the U.S. Army Corps of Engineers for the above-referenced project pursuant to the provisions Chapter 173-225 WAC on January 31, 2013.

On behalf of the State of Washington, Ecology certifies that the work described in the JARPA and the public notice complies with applicable provisions of Sections 301, 302, 303, 306 and 307 of the Clean Water Act, as amended and applicable state laws. This certification is subject to the conditions contained in the enclosed Order.
Chelan County PUD No.1
Attention: Ms. Waikele Frantz
Page 2 of 2
June 13, 2013

If you have any questions, please contact Andrea Jedel at (509) 454-4260. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Gary Graff
Regional Section Manager
Central Regional Office
Shorelands and Environmental Assistance Program

Enclosure

By certified mail: 7009 2250 0004 4951 1940

c: Darren Habel – U.S. Army Corps of Engineers

ecc: Susan Driver, City of Entiat
     Connie Iten – WDFW
     Lisa Graves – Chelan County PUD
     Loree’ Randall – Ecology HQ
     Chris Coffin – Ecology Central Regional Water Quality Unit Supervisor
     Andrea Jedel – Ecology Central Regional Federal Permit Coordinator
ecyrefedpermits@ecy.wa.gov
IN THE MATTER OF GRANTING A 
WATER QUALITY 
CERTIFICATION TO 
Chelan County PUD No. 1, in accordance with 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW 90.48.260 and Chapter 173-201A WAC

ORDER # 9988
Corps Reference No. NWS-2012-1364
Construction of a multi-use trail; placement of 525 cubic yard of fill material, four habitat improvement structures and riparian planting corridors.

TO: Chelan County PUD No.1
Post Office Box 1231
Wenatchee, WA 98807

On December 14, 2012, Chelan County PUD No.1 submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) requesting a Section 401 Water Quality Certification. A public notice for a proposed water quality certification from Ecology was distributed by the U.S. Army Corps of Engineers for the above-referenced project on January 31, 2013.

The proposed project entails construction of a 1,776 lineal foot bike and pedestrian path located landward of the Ordinary High Water Mark (OHWM) at the confluence of the Entiat and Columbia Rivers. Trail construction includes placement of 525 cubic yards of fill material waterward of the OHWM to construct four habitat improvement structures. Large Woody Material will be installed waterward of the OHWM held in place with 3-5 man ballast rock, streamed sediment and cobbles to enhance near shore aquatic habitat, and fill and coir logs to create a riparian planting corridor.

The project is located at the confluence of the Entiat and Columbia Rivers at Entiat, Chelan County, Washington, Section 17, Township 25N, Range 21 East of the Willamette Meridian, Water Resource Inventory Area (WRIA) Chelan #47.

AUTHORITIES:

In exercising authority under 33 U.S.C. 1341, RCW 90.48.120, and RCW 90.48.260, Ecology has examined this application pursuant to the following:

1. Conformance with applicable water quality-based, technology-based, and toxic or pretreatment effluent limitations as provided under 33 U.S.C. Sections 1311, 1312, 1313, 1316, and 1317 (FWPCA Sections 301,302, 303, 306 and 307);
2. Conformance with the state water quality standards contained in Chapter 173-201A WAC and authorized by 33 U.S.C. 1313 and by Chapter 90.48 RCW, and with other applicable state laws; and
3. Conformance with the provision of using all known, available and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.
WATER QUALITY CERTIFICATION CONDITIONS:

Through issuance of this Order, Ecology certifies that it has reasonable assurance that the activity as proposed and conditioned will be conducted in a manner that will not violate applicable water quality standards and other appropriate requirements of state law. In view of the foregoing and in accordance with 33 U.S.C. §1341, RCW 90.48.120, RCW 90.48.260 Chapter 173-200 WAC and Chapter 173-201A WAC, water quality certification is granted to the Applicant subject to the conditions within this Order.

Certification of this proposal does not authorize the Applicant to exceed applicable state water quality standards (Chapter 173-201A WAC), ground water standards (Chapter 173-200 WAC) or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this certification shall absolve the Applicant from liability for contamination and any subsequent cleanup of surface waters, ground waters or sediments occurring as a result of project construction or operations.

A. General Conditions:

1. For purposes of this Order, the term “Applicant” shall mean Chelan County PUD No.1, and their agents, assignees and contractors.

2. For purposes of this Order, all submittals required by its conditions shall be sent to Ecology’s Central Regional Office, Attn: Federal Permit Coordinator, SEA Program, 15 West Yakima Avenue, Suite 200, Yakima, Washington 98902. Any submittals shall reference Order No. 9988, and Corps No. NWS-2012-1364.

3. Work authorized by this Order is limited to the work described in the JARPA received by Ecology December 14, 2012. The Applicant will be out of compliance with this Order and must reapply with an updated application if the information contained in the JARPA is voided by subsequent changes to the project not authorized by this Order.

4. Within 30 days of receipt of an updated JARPA Ecology will determine if the revised project requires a new water quality certification and public notice or if a modification to this Order is required.

5. This Order shall be rescinded if the U.S. Army Corps of Engineers does not issue a Section 404 permit.

6. This Order does not exempt, and is provisional upon compliance with other statutes and codes administered by federal, state, and local agencies.

7. Copies of this Order shall be kept on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and lead workers, and state and local government inspectors.
8. The Applicant shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.

9. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if additional impacts due to project construction or operation are identified (e.g., violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect water quality.

10. The Applicant shall ensure that all appropriate project engineers and contractors at the project site have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order. The Applicant shall provide Ecology a signed statement from each project engineer and contractor that they have read and understand the conditions of this Order and the above-referenced permits, plans, documents and approvals. These statements shall be provided to Ecology before construction begins at the project.

11. This Order does not authorize direct, indirect, permanent, or temporary impacts to waters of the state or related aquatic resources, except as specifically provided for in conditions of this Order.

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

B. No Further Impairment of Existing Water Quality:

1. This Order does not authorize temporary exceedances of water quality standards beyond the limits established in WAC 173-201A-200 (1)(e)(i). Furthermore, nothing in this certification shall absolve the Applicants from liability for contamination and any subsequent cleanup of surface waters or sediments occurring as a result of project construction or operations.

C. Timing:

1. This Order is valid until June 13th, 2018.

2. In-water work shall be subject to the timing limitations imposed by the most current Hydraulic Project Approval (HPA) issued by the Washington Department of Fish and Wildlife's (WDFW) for this project.

D. Notification Conditions:

1. The Applicant shall provide written notification (FAX, e-mail or mail) to Ecology's Central Regional Office Federal Permit Coordinator in writing at least three (3) days prior to the start of dredge and fill at the project site.
2. The Applicant shall provide written notification to Ecology’s Central Regional Office Federal Permit Coordinator in annually, writing within fourteen (14) days after completion of dredge and fill.

3. The applicant shall install all mitigation components concurrently with the construction of the project.

4. The applicant shall submit an as built report to Ecology within 30 days of project completion. The as built report shall include photographs of all of authorized structural components and mitigation.

NOTE: These notifications shall include the Applicant’s name, project name, Order No. 9988, Corps Reference No. NWS-2012-1364, project location, contact and contact’s phone number.

E. Water Quality Monitoring and Reporting Conditions:

1. During and immediately after project construction, the Applicant or their contractor shall visually monitor for turbidity discharges at the point of compliance established in WAC 173-201A-200(1)(e)(i). If water quality exceedances are observed outside of the point of compliance, work shall cease immediately and the Applicant or the contractor shall assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further water quality turbidity exceedances. The Applicant or their contractor shall notify Ecology’s Central Regional Office Federal Permit Coordinator at (509) 454-4260 of the exceedances.

2. If the results of the monitoring show that the water quality standards or project performance standards are not being met additional monitoring and mitigation may be required.

3. Any changes to the monitoring requirements must be approved in writing by Ecology.

F. Construction:

1. Work in or near waters of the state shall be done so as to minimize turbidity, erosion, and other water quality impacts. Construction stormwater, sediment, and erosion control, and best management practices suitable to prevent exceedances of state water quality standards (e.g., hay bales, detention areas, silt fences, etc.), shall be in place before starting clearing, filling, and grading work at the impact sites.

2. Prior to clearing and grading in wetlands, the adjacent wetlands shall be protected from construction impacts. Construction fencing or flagging (using brightly colored tape at no less than twenty-five foot (25’) intervals) of the existing wetlands and stream channels to be protected shall be completed prior to clearing. All project staff shall be trained to recognize construction fencing or flagging that identifies wetland boundaries. Equipment shall not be moved into or operated in wetlands or stream channels that are not authorized to be filled.
2. During clearing and filling at the various project sites, the Applicant shall take all necessary measures to minimize the alteration or disturbance of existing wetland and upland vegetation.

3. No existing shoreline or lake material (i.e., logs, rocks, gravel, cobbles, woody debris or other riverbed material,) shall be used as bulkhead armor, or for any other purposes, except that work described in the JARPA received by Ecology on December 14, 2012.

4. Additional dredge spoils will be deposited upland, according to the plans provided to Ecology prior to the start of construction activity. Dredge spoils are not be allowed to enter OHWM or the wetted perimeter of the Entiat River and the Columbia River.

5. All equipment must be clean and free of oils, hydraulic fluid, and other contaminants prior to entering all areas below the OHWM of the Entiat River and the Columbia River.

6. Wash water containing oils, grease, or other hazardous materials resulting from wash down of equipment or working areas shall be contained for proper disposal, and shall not be discharged into state waters or storm drains.

7. Clean Fill Criteria: The Applicant shall ensure that fill placed for the proposed project does not contain toxic materials in toxic amounts.

G. Riparian Mitigation Conditions


2. The Applicant shall get review and written approval from Ecology of any plan changes required if problems arise during construction and planting of the riparian mitigation site.

3. Within 30 days after completing construction and planting of the mitigation sites, the Applicant shall submit to Ecology an as-built report, including plan sheets, documenting site conditions at Year Zero.

4. The Applicant shall monitor the mitigation site for a minimum of 10 years.

5. The Applicant shall submit to Ecology monitoring reports documenting mitigation site conditions for years 1, 2, 3, 5, 7, and 10.

   a) Be submitted by December 31 of each monitoring year. Include one hard copy and one electronic file.

6. If the Applicant has not met all conditions and performance standards for the mitigation site at the end of the monitoring period, Ecology may require additional monitoring, additional mitigation, or both.

7. If irrigation systems are used for watering mitigation plantings, the Applicant shall remove any and all irrigation system components at the earliest opportunity following the
cessation of necessary irrigation. The applicant shall remove the irrigation system components before the growth of vegetation hampers the removal to minimize damage to the mitigation plantings. All irrigation components shall be removed prior to the end of the monitoring period.

NOTE: These mitigation monitoring plans shall include the Applicant’s name, project name, Order No. 9988, Corps Reference No. NWS-2012-1364, project location, contact and contact’s phone number.

H. Emergency/Contingency Measures:

1. In the event the Applicant is unable to comply with any of the permit terms and conditions due to any cause, the Applicant shall:
   (i) Immediately take action to stop, contain, and clean up unauthorized discharges or otherwise stop the violation and correct the problem.
   (ii) Notify Ecology of the failure to comply. Spill events shall be reported immediately to Ecology’s 24-Hour Spill Response Team at (509) 575-2490, and within 24 hours to Ecology’s Federal Permit Coordinator at (509) 454-4260.
   (iii) Submit a detailed written report to Ecology within five days that describes the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of any samples taken, and any other pertinent information.

2. Compliance with this condition does not relieve the Applicant from responsibility to maintain continuous compliance with the terms and conditions of this Order or the resulting liability from failure to comply.

3. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into state waters. No refueling of equipment shall occur over, or within 100 feet of creeks, rivers, lakes, or wetlands.

H. Your Right to Appeal

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. “Date of receipt” is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of this Order:

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

### Address and Location Information

<table>
<thead>
<tr>
<th>Street Addresses</th>
<th>Mailing Addresses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Department of Ecology</strong></td>
<td><strong>Department of Ecology</strong></td>
</tr>
<tr>
<td>Attn: Appeals Processing Desk</td>
<td>Attn: Appeals Processing Desk</td>
</tr>
<tr>
<td>300 Desmond Drive SE</td>
<td>PO Box 47608</td>
</tr>
<tr>
<td>Lacey, WA 98503</td>
<td>Olympia, WA 98504-7608</td>
</tr>
<tr>
<td><strong>Pollution Control Hearings Board</strong></td>
<td><strong>Pollution Control Hearings Board</strong></td>
</tr>
<tr>
<td>1111 Israel Rd SW</td>
<td>PO Box 40903</td>
</tr>
<tr>
<td>STE 301</td>
<td>Olympia, WA 98504-0903</td>
</tr>
<tr>
<td>Tumwater, WA 98501</td>
<td></td>
</tr>
</tbody>
</table>

### Contact Information

Please direct all questions about this Order to:

Andrea Jedel  
Department of Ecology  
Central Regional Office  
15 West Yakima Avenue, Suite 200  
Yakima, WA 98902  
509-454-4260  
andrea.jedel@ecy.wa.gov

### More Information

- **Pollution Control Hearings Board Website**  
  [www.eho.wa.gov/Boards_PCHB.aspx](http://www.eho.wa.gov/Boards_PCHB.aspx)

- **Chapter 43.21B RCW - Environmental Hearings Office – Pollution Control Hearings Board**  

- **Chapter 371-08 WAC – Practice And Procedure**  

- **Chapter 34.05 RCW – Administrative Procedure Act**  
  [http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05](http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05)

- **Chapter 90.48 RCW – Water Pollution Control**  
Chapter 173.204 WAC – Sediment Management Standards
www.ecy.wa.gov/biblio/wac173204.html

Chapter 173-200 WAC – Water Quality Standards for Ground Waters of the State of Washington
www.ecy.wa.gov/biblio/wac173200.html

Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington
www.ecy.wa.gov/biblio/wac173201A.html

DATED this 13th day of June, 2013 at Yakima, Washington.

Gary Graff, PWS
Regional Section Manager
Shorelands & Environmental Assistance Program
Central Regional Office – Ecology
State of Washington
ATTACHMENT A

Carefully read the entire Water Quality Certification Order, sign, date, and return the completed document to Ecology’s Central Regional Office, Attn: Andrea Jedel, Federal Permit Coordinator, SEA Program, 15 West Yakima Avenue, Suite 200, Yakima, Washington 98902

Chelan County PUD No.1

Statement of Understanding of Water Quality Certification Order #9988

I ___________________________ have read and understand all conditions of the Washington State Department of Ecology Section 401 Water Quality Certification Order #9988, and the applicable permits and approvals referenced therein which pertain to the project-related work for which I am responsible.

___________________________  __________________________
Signature                        Date

___________________________
Title

I ___________________________, as the authorized agent or contractor for the construction at the Chelan County PUD No.1 property, have read and understand all of the relevant conditions of the Washington State Department of Ecology Section 401 Water Quality Certification Order #9988, and the applicable permits and approvals referenced therein which pertain to the project-related work for which I am responsible.

___________________________  __________________________
Signature                        Date

___________________________
Title

___________________________
Company
CERTIFICATE OF COMPLIANCE
WITH DEPARTMENT OF THE ARMY PERMIT

Permit Number: NWS-2012-1364
Name of Permittee: Chelan County PUD No. 1
Date of Issuance: JUL 3 1 2013

Upon completion of the activity authorized by this permit, please check the applicable boxes below, date and sign this certification, and return it to the following address:

Department of the Army
U.S. Army Corps of Engineers
Seattle District, Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of your authorization, your permit may be subject to suspension, modification, or revocation.

| ☐ | The work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of this permit. Date work complete: ____________________________ |
| ☐ | Photographs and as-built drawings of the authorized work (OPTIONAL, unless required as a Special Condition of the permit). |

| ☐ | If applicable, the mitigation required (e.g., construction and plantings) in the above-referenced permit has been completed in accordance with the terms and conditions of this permit (not including future monitoring). Date work complete: ____________________________ |
| ☐ | Photographs and as-built drawings of the mitigation (OPTIONAL, unless required as a Special Condition of the permit). |

Printed Name: ____________________________________________
Signature: ________________________________________________
Date: ___________________________________________________