



# HYDRAULIC PROJECT APPROVAL

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

Issue Date: 01/05/2026  
Project End Date: 01/04/2031

Permit Type: HPA - Standard  
Permit Number: 2026-4-6+01  
Application ID: 0046043

PERMITTEE	AUTHORIZED AGENT
ATTENTION Northwest Environmental Consulting Gardner Morelli 8326 Avalon Drive Mercer Island, WA 98040	ATTENTION Northwest Environmental Consulting Brad Thiele 3639 Palatine Ave N Seattle, WA 98103

**Project Name:** Mercer Island Beach Club Marina Reconfiguration Project

**Project Description:** The proposed reconfiguration is to construct a single point access marina to replace the fixed A, B, C, and D docks with a new hybrid marina consisting of a new fixed shoreward and floating seaward slip marina. The existing moorage configuration includes 7 docks (Piers A - F plus a floating day dock attached to the end of Dock C). No work will occur at Piers E or F. The existing docks A through D have a combined overwater footprint of 7,533 square feet (Sheet 4 of 27 in the plan set). Pier A is a combined swim dock and moorage dock. A cedar log boom surrounds the swim area at the south end of the marina. A boat ramp is present on the north side of the property between Piers E and F. Paddle craft racks are located near the boat ramp and members use the boat launch and adjacent areas to launch kayaks and paddleboards. The Piers A – D are old and located in water too shallow for boats along the shore to moor without bottoming out or causing propeller wash. In addition, swimmers and boats both currently access Pier A, which creates the potential for injury. The project would remove 4 moorage docks with a combined overwater footprint of 7,533 SF, and install 2 new mooring structures with a combined overwater footprint of 8,614 sf (Sheet 5 of 27 in the plan set). The project would also replace a log boom, remove 60 linear feet of rock and timber bulkhead, remove 8 cubic yards of debris, install 25 cubic yards of beach nourishment gravel, and install 2 trees and 3 shrubs from the RAP native plant list.

## PROVISIONS

### PROJECT APPROVALS

1. This STANDARD Hydraulic Project Approval (HPA) is issued for the redesign of the existing marina, to include:
  - A. Removal and disposal of the existing piers A (swim dock), B, C (wave attenuation float), and D to include:
    - i) Removal and disposal of approximately 7,533 square feet of wooden decking;
    - ii) Removal and disposal of existing structural and framing components;
    - iii) Removal and disposal of wooden skirting;
    - iv) Removal and disposal of eighty-two (82) 12-inch wooden structural piles;
    - v) Removal and disposal of thirty-five (35) 12-inch wooden moorage piles;
    - vi) Removal and disposal of cedar log floats;
    - vii) Removal of existing slide and lifeguard platform; AND
    - viii) Removal and disposal of five (5) cable crank boat lifts.
  - B. Removal of approximately 388 square feet of floating cedar log booms, to include:
    - i) Removal and disposal of four (4) 12-inch wooden piles;
    - ii) Removal and disposal of cedar log floats; AND



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iii) Removal and disposal of metal tie-up chains.

C. Installation of a new approximately 1,588 square feet swim pier and ramp to be 18-inches above the Ordinary High Water Line (OHWL), to include:

- i) Driving of eleven (11) 8-inch structural steel piles;
- ii) Installation of structural and framing components using ACZA-treated wood;
- iii) Installation of grated decking over entirety of the pier and ramp (to be a minimum of 40 percent open space); AND
- iv) Placement of existing slide and lifeguard platform.

D. Installation of a new approximately 3,079 square feet fixed moorage pier, ramp, and finger piers to be 18-inches above the Ordinary High Water Line (OHWL), to include:

- i) Driving of thirty-three (33) 8-inch structural steel piles;
- ii) Driving of ten (10) 8-inch steel mooring piles;
- iii) Installation of structural and framing components using ACZA-treated wood;
- iv) Installation of aluminum ramp walkway; AND
- v) Installation of grated decking over the entirety of the pier and ramp (to be a minimum of 40 percent open space).

E. Installation of a new approximately 6,842 square feet floating moorage pier, ramp, and finger floats, to include:

- i) Driving of twenty-one (21) 16-inch structural steel piles;
- ii) Driving of sixteen (16) 8-inch steel mooring piles;
- iii) Installation of structural and framing components using ACZA-treated wood;
- iv) Installation of two (2) 48-inch diameter steel pontoon floats and "I" beam spreader under the entirety of the float;
- v) Installation of two (2) polyethylene float tubs under each finger float;
- vi) Installation of aluminum ramp walkway; AND
- vii) Installation of grated decking over the entirety of the moorage float and finger floats (to be a minimum of 40 percent open space).

F. Installation of approximately 568 square feet of new log boom, to include:

- i) Driving of three (3) 8-inch structural steel piles;
- ii) Installation of nine (9) 24-inch HDPE log boom tubes;
- iii) Installation of stainless-steel chain and manta ray soil anchors, as needed; AND
- iv) Installation of float line.

G. Installation of six (6) free standing dual jet ski lifts.

H. Installation of shoreline enhancement, to include:

- i) Removal and disposal of sixteen (16) pile stubs, one (1) steel pile, one (1) anchor, one (1) tree stump, and one (1) 2-inch metal standpipe;
- ii) Removal and disposal of approximately eight (8) cubic yards of miscellaneous debris in the water;
- iii) Removal and disposal of approximately 1.7 acres of milfoil;
- iv) Installation of three (3) large woody material clusters; AND
- v) Installation of fish screening on existing outfalls.

I. Installation and regrading of nearshore enhancement, to include:

- i) Removal of invasive species, including blackberry, bamboo, and English laurel;
- ii) Removal and disposal of approximately 150 linear feet of creosote timber bulkhead;
- iii) Removal and disposal of approximately twelve (12) cubic yards rockery;
- iv) Installation of approximately 62 linear feet of retaining wall and concrete steps, to be setback approximately 15 feet from the OHWL;
- v) Removal and disposal of soils to create approximately 1,116 square feet of beach cove;
- vi) Installation of two (2) cobble walkways, to be composed of gravel, wood chips, or pavers;
- vii) Installation of native trees to include two (2) Douglas Fir and three (3) Vine Maple;
- viii) Installation of native shrubs to include three (3) Red Flowering Currant and three (3) Snowberry; AND



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ix) Installation of approximately twenty-five (25) cubic yards of spawning gravel and beach nourishment gravels.

NOTE: This project occurs on Lake Washington, where chinook, coho, steelhead, sockeye, and kokanee salmon are known to occur.

2. Work must be accomplished per the plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, entitled "[ProjectPlanDrawings MERCER ISLAND BEACH CLUB - A-PLANSET REVISED - 10-17-2025](#)", dated November 25, 2025, emails entitled "[46043 MercerIslandBCMarina Emails](#)", dated December 5, 2025, 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.

## AUTHORIZED WORK TIMES

3. You may begin the project on immediately and you must complete the project by January 4, 2031, provided all work below the OHWL is conducted between July 16 and September 30 of a given year. Pile driving, sediment placement below the OHWL, Large Woody Material Clusters, and bulkhead replacement must occur within the in-water work window listed above. All other project actions may occur throughout the year.

NOTE: This project is located within a documented sockeye spawning area.

## INVASIVE SPECIES CONTROL

4. Follow Method 1 for low-risk locations (i.e., clean/drain/rinse/dry). Thoroughly remove visible dirt and debris from all equipment and gear—including vessels, boots, waders, drive mechanisms, wheels, tires, tracks, buckets, and undercarriage—before arriving at and leaving the job site to prevent the transport and introduction of aquatic invasive species. For contaminated or high-risk sites, refer to the Method 2 Decontamination protocol. Clean, rinse, and dry all decontamination equipment used and properly dispose of any water and chemicals used for cleaning. For additional decontamination details, including specific protocols for freshwater, marine, and estuarine environments, refer to the Washington Department of Fish and Wildlife Invasive Species Management Protocols, available online at <https://wdfw.wa.gov/species-habitats/invasive/prevention/clean-drain-dry#decontamination>

## NOTIFICATION REQUIREMENTS

5. PRE- AND POST-CONSTRUCTION NOTIFICATION: You or your agent 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 fourteen (14) 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.
6. 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.

## REPORTING REQUIREMENTS

7. 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.

## STAGING, JOB SITE ACCESS, AND EQUIPMENT

8. Establish staging areas (used for activities such as 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.



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9. Clearly mark boundaries to establish the limit of work associated with site access and construction.
10. Station and operate equipment used for this project landward of the ordinary high water line or on a barge.
11. Check equipment daily for leaks and complete any required repairs in an upland location before using the equipment in or near the water.
12. Equipment used in or near water must use environmentally acceptable lubricants composed of biodegradable base oils. These are vegetable oils, synthetic esters, and polyalkylene glycols.

## SEDIMENT, EROSION, AND POLLUTION CONTAINMENT

13. 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.
14. 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.
15. Do not stockpile construction material waterward of the ordinary high water line, unless it is contained on a barge.
16. Store all construction and deconstruction material in a location and manner that will prevent contaminants such as petroleum products, hydraulic fluid, fresh cement, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.
17. 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.
18. If flow conditions arise that will result in erosion or siltation of waters of the state, stop all hydraulic project activities except those needed to control erosion and siltation.
19. Install turbidity curtain or containment boom in a manner that surrounds the construction area for the duration of the project.

## CONSTRUCTION MATERIALS

20. Do not use wood treated with oil-type preservative (creosote, pentachlorophenol) in any hydraulic project. Wood treated with waterborne preservative chemicals (ACZA, ACQ) may be used if the Western Wood Preservers Institute has approved the waterborne chemical for use in the aquatic environment. The manufacturer must follow the Western Wood Preservers Institute guidelines and the best management practices to minimize the preservative migrating from treated wood into aquatic environments. To minimize leaching, wood treated with a preservative by someone other than a manufacturer must follow the field treating guidelines. These guidelines and best management practices are available at [www.wwpinstitute.org](http://www.wwpinstitute.org).
21. Use of treated wood for decking is not authorized, but may be used for structural elements. Treated wood subject to abrasion by vessels, floats, or other objects must incorporate approved design features such as rub strips to minimize abrasion of the wood. Use of tires is not approved unless proper post-treatment for aquatic environments is performed.
22. Attach rubbing strips made of ultra high molecular weight (UHMW) type plastic, or high density polyethylene (HDPE) type plastic to the replacement fender system. Do not use rubber tires for the fender system. If vertical fenders are selected, install at a minimum spacing of four feet on center.
23. Fully enclose and contain flotation for the structure in a shell (tub) or 20 - 25 mm polyethylene or polyurethane wrap. The shell or wrap must prevent breakup or loss of the flotation material into the water. The shell or wrap must not be readily subject to damage by ultraviolet radiation and abrasion.
24. To prevent leaching, construct forms to contain any wet concrete. Place impervious material over any exposed wet concrete that will come in contact with waters of the state. Forms and impervious materials must remain in place until the concrete is cured.
25. As specified in the approved plans, seventy-seven (77) pilings must be 8 – inch diameter steel pilings and twenty-one (21) pilings must be 16 – inch diameter steel pilings.

## FISH LIFE

26. To avoid attracting fish to artificial light at night, limit activity, such as pile driving and removal, to daylight hours whenever feasible.

## FISH PASSAGE AND SCREENING



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27. Screen the intake/outfalls by one of the following:

1. Perforated plate: 0.094 inch (maximum opening diameter);
2. Profile bar: 0.069 inch (maximum width opening); or
3. 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. Maintain fish screens to prevent injury or entrapment of fish.

## HABITAT FEATURES

28. Limit the removal of native bankline vegetation to the minimum amount needed to construct the project.
29. The installation of twenty-five (25) cubic yards of beach gravel in nearshore area is required as part of this project.
30. Nourishment gravels must be clean, well-rounded, and placed extending from the bulkhead waterward 15 feet. The spawning gravel specification (2-inch minus) is 100% less than 2 inches, 85% less than 1 inch, and greater than 40% between 0.25 and 0.75 inch.
31. Do not drag large woody material. Suspend large woody material during placement, repositioning, or removal so it does not damage the bed or banks.
32. Use of fir, cedar, or other coniferous species is recommended for large woody material key pieces.
33. When repositioning or removing large woody material, minimize releasing bedload, logs, or debris into Lake Washington.

## PLANTING

34. Complete replanting of riparian vegetation during the first dormant season (late fall through late winter) 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.
35. Ensure the job site was planted with the native plant species composition and planting densities shown in the approved plan entitled, "[ProjectPlanDrawings MERCER ISLAND BEACH CLUB - A-PLANSET REVISED - 10-17-2025](#)", received November 25, 2024 and "[MitigationPlan Additional Mitigation Techmemo](#)", received November 25, 2025.
36. Replace native riparian zone and aquatic vegetation, and wetland vascular plants (except noxious weeds) damaged or destroyed by construction using a proven methodology.

## PROJECT DESIGN

37. The length of the marina pier and float structure must not exceed 182 feet as shown in the approved plans. The length of the swim pier must not exceed 130 feet as shown in the approved plans.
38. The marina and pier structures must not exceed the widths stated in the approved plans entitled "[ProjectPlanDrawings MERCER ISLAND BEACH CLUB - A-PLANSET REVISED - 10-17-2025](#)" received November 25, 2024.
39. The structure must include functional grating. The grating material's open area must be at least forty percent and cover the entire deck area. Any objects that are not part of the structure on, above, or below the grating should not block light penetration.
40. Design the pier to maximize height over the bed to improve light transmission. The bottom of the pier must be at least 18" above the OHWL.
41. Use low-intensity lights that are located and shielded to prevent light from reaching the water surface.
42. Do not construct skirting including batter fencing around piers, docks, and/or floats.
43. Fit all pilings with devices to prevent perching by fish-eating birds.
44. Incorporate features, such as steel, plastic or rubber collars, fendering or other systems to prevent or minimize the abrasion of the treated wood by floats, ramps or vessels. Do not use rubber tires for the fender system.
45. Install the anchoring system for the floating structures in a manner that will not damage the bed as a result of anchor or chain movement.



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46. Design the mooring buoy anchoring system to prevent the anchor or anchor lines from shifting or dragging along the bed.
47. Design the watercraft lift/dual jet ski lifts to minimize shading caused by the structure.
48. Use the minimum number of footings needed to support the watercraft lift/dual jet ski lifts.

## PROJECT IMPLEMENTATION

49. Prior to construction, re-establish the pier and marina centerline using the same methodology used to establish the centerline on the construction drawings to avoid shading native aquatic vegetation.
50. The use of a vibratory hammer, impact hammer, and water jet is authorized for piling installation under this HPA. However, a vibratory hammer is preferred.
51. Piling removal:
  1. Use a vibratory system to dislodge piling whenever feasible;
  2. Place the piling on a construction barge or other dry storage site after the piling is removed. The piling must not be shaken, hosed off, left hanging to dry or any other action intended to clean or remove adhering material from the piling;
  3. If a treated wood piling breaks during extraction, remove the stump from the water column by fully extracting the stump or cutting it three feet below the substrate and cap all buried stumps with clean sediment that matches the native material;
  4. Fill holes left by piling extraction with clean sediment that matches the native material whenever feasible.
  5. When removing creosote piling, containment booms and absorbent booms (or other oil absorbent fabric) must be placed around the perimeter of the work area to capture wood debris, oil, and other materials released into fresh waters as a result of construction activities to remove creosote pilings. All accumulated debris must be collected and disposed upland at an approved disposal site.
  6. Creosote piling must be fully suspended during removal so no portion of the log drags through the water or onto the bed.
52. Use appropriate sound attenuation when driving or proofing steel piling with a vibratory hammer.
  1. For driving or proofing steel piling, 10 inches in diameter or less, install a 6 inch thick wood block, plastic or rubber between the piling and the impact hammer during impact pile driving operations or install a pile sleeve or bubble curtain around the piling during impact pile driving operations that distributes air bubbles around 100% of the perimeter of the piling over the full depth of the water column.
  2. For driving or proofing steel piling greater than 10 inches in diameter, install a bubble curtain around the pile during piling impact driving operations that distributes air bubbles around 100% of the perimeter of the piling over the full depth of the water column.
53. Sound attenuation methods are required for the driving or proofing of steel piles with an impact hammer below the ordinary high water line. For impact driving of steel piles that exceed the following criteria, a bubble curtain or other Washington Department of Fish and Wildlife approved sound attenuation device must be used. The specific criteria include sound pressure levels of:
  - a. Greater than or equal to 206 dB (one micropascal squared per second) peak;
  - b. Greater than or equal to 187 dB (one micropascal squared per second) accumulated sound exposure level (SEL) for fish greater than or equal to 2 grams;
  - c. Greater than or equal to 183 dB (one micropascal squared per second) (SEL) for fish less than 2 grams;
  - d. Install a bubble curtain around the pile during all driving operations to ensure proper sound attenuation. The bubble curtain must distribute air bubbles around 100 percent of the perimeter of the piling over the full length of the pile in the water column.

## PROJECT LOCATION

54. The bottom of the dual jet ski lifts must be at least one foot above the bed at all times.



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**DEMOBILIZATION AND CLEANUP**

- 55. Deposit all trash from the project at an appropriate upland disposal location.
- 56. Upon completion of the project, remove all materials or equipment from the site and dispose of all excess spoils and waste materials in an upland area above the limits of anticipated floodwater.
- 57. Prior to high water or wave action, backfill all trenches, depressions, or holes created during construction waterward of the ordinary high water line.
- 58. Remove temporary erosion and sediment control methods after job site is stabilized or within three months of project completion, whichever is sooner.
- 59. Remove the existing pier, float, dock, piles, and bulkhead structures, including associated materials, from waters of the state. Do not relocate the structure within waters of the state without written authorization from Washington Department of Fish and Wildlife.
- 60. Upon completion of the project, restore the disturbed bed, banks, and riparian zone to preproject condition to the extent possible.

**PROJECT LOCATION(S)**

Location		
Mercer Island Beach Club		
Latitude	Longitude	County
47.527640000000000	-122.222970000000000	King
WRIA	Waterbody	Tributary to
WRIA	Lake Washington/Ship Canal	Lake Washington/Ship Canal

**APPLIES TO ALL HYDRAULIC PROJECT APPROVALS**

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



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Failure to comply with the provisions of this Hydraulic Project Approval could result in a 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 a fine and/or imprisonment.

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

**MINOR MODIFICATIONS TO THIS HYDRAULIC PROJECT APPROVAL (HPA):** You may request approval of minor modifications to the required work timing or 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 the 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 do not alter the project's impact to fish life or habitat and do 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 <https://hpa.wdfw.wa.gov/s>. If you did not use APPS you must submit a written request for a minor modification to an existing HPA. Written requests must include the name of the permittee, the name of the authorized agent if applicable, the APP ID or HPA number, 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 email to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov), or by mail to Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You should allow up to 45 days for the Department to process your request.

**MAJOR MODIFICATIONS TO THIS HYDRUALIC PROJECT APPROVAL (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 the 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 <https://hpa.wdfw.wa.gov/s>. If you did not use APPS you must submit a written request for a major modification to an existing HPA. Written requests must include the name of the permittee, the name of the authorized agent if applicable, the APP ID or HPA number, 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 email to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov) or by mail to Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. 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), the Washington Department of Fish and Wildlife (WDFW) recommends that you first contact the WDFW employee who issued, denied, or conditioned 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



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formal appeal. The informal appeal process includes a review by WDFW 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.

- 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](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the WDFW Habitat Program, Natural Resources Building, 1111 Washington St SE, Olympia, Washington 98501. 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 Habitat Program 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 Habitat Program, Natural Resources Building, 1111 Washington St SE, Olympia, Washington 98501. 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 Habitat Program 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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A handwritten signature in black ink that reads "Maria McNaughton".

For Director  
DFW