

**Contractor's Bid Package**  
**FOR**  
**Piscoe Creek 80 Road Crossing Project:**  
**Bridge Placement**



**August 12, 2020**

**Prepared By:**

**Yakama Nation Fisheries - Klickitat Field Office**  
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**Critical Dates:**

Question Submission Deadline:	August 17, 2020 – 5:00 pm
Bid Submission Deadline:	August 26, 2020 – 12:00 pm
Tentative Award Selection:	August 28, 2020
Project Initiation (est):	September 21, 2020
Project Completion (est):	October 30, 2020

## TABLE OF CONTENTS

	ADVERTISEMENT FOR BIDS	3
I	GENERAL DESCRIPTION	3
II	PROJECT BACKGROUND	3
III	CONTRACT OVERVIEW	4
IV	CONTRACTORS' RESPONSIBILITIES	6
V	CONSTRUCTION OVERSIGHT	7
VI	SPECIFICATIONS	7
VII	ACCESS	7
VIII	CONSTRUCTION SCHEDULE	8
IX	INSURANCE	8
X	BID SCHEDULE & SELECTION	8
XI	ADDITIONAL CONDITIONS	9
XII	PAYMENT	9
XIII	BID SCHEDULE	11
	APPENDIX A – MAPS/PHOTOS	13
	APPENDIX B – WORK PLAN	17
	APPENDIX C – POLLUTION PREVENTION	29
	APPENDIX D -- GLOSSARY OF TERMS	31
	APPENDIX E -- INSURANCE REQUIREMENTS AND OTHER DOCUMENTS REQUIRING EXECUTION	32
	APPENDIX F -- ADDITIONAL CONDITIONS	34
	APPENDIX G -- PERMITS	38
	APPENDIX H -- FINAL RELEASE	45

## **ADVERTISEMENT FOR BIDS**

**NOTICE IS HEREBY GIVEN that email bid proposals will be received by:  
Yakima Klickitat Fisheries Project**

**David Lindley, [dlindley@ykfp.org](mailto:dlindley@ykfp.org)**

**Email Subject: Piscoe Creek 80 Road X-ing**

**UNTIL:**

**12:00 P.M. Pacific Daylight Time on August 26, 2020**

**No proposals will be accepted after the above-stated time. Immediately following the above stated time, all firms who submit a proposal will receive email verification, and a summary of bid results.**

### **I - GENERAL DESCRIPTION**

The **YAKAMA NATION, OWNER**, is soliciting bids for construction activities associated with replacement of two undersized culverts with a pre-fabricated bridge from Pacific Bridge and Construction. The project is intended to reconstruct the 80 road-xing of Piscoe Creek to alleviate chronic maintenance issues, allow upstream migration of all fish species and age classes, and facilitate the longitudinal movement of wood and sediment across a range of streamflow conditions.

The 80 road x-ing of Piscoe Creek is located approximately 0.34 miles upstream of the confluence with the Klickitat River (46.355950, -121.191116). The contributing watershed upstream of the crossing is 11.44 square miles. The project site is located within the Closed Area of the Yakama Nation Reservation. Forest road construction and historical logging throughout the watershed, and intensive grazing in the headwater meadow complex have influenced channel, riparian, and floodplain conditions. More recent and chronic impacts are related to frequent sediment deposition upstream of the existing culverts, resulting in decreased flow capacity, flanking, and overtopping of the road. Road crews regularly rebuild pushup berms to prevent flanking, and perform road repairs.

The existing crossing is composed of two four-foot diameter corrugated metal culverts. There are no upstream wing walls at the inlets and both culverts outfall into a 3- foot deep pool. The north culvert has a 1.5-foot drop into the downstream pool. The south culvert has a 0.5-foot drop.

### **II - PROJECT BACKGROUND**

Piscoe Creek is a 4th order tributary of the Klickitat River which Forest Road 80 crosses over less than half mile upstream of its confluence with the Klickitat River. The crossing has been a chronic road maintenance problem over the years because of frequent road washouts due to failed or blocked culverts during high flows. The original road design and maintenance required to re-open and maintain the crossing has often left conditions for upstream fish passage impaired

to most age classes of fish. The upper Klickitat and Piscoe Creek provide spawning and rearing habitat for mid-Columbia ESA-threatened steelhead and resident rainbow trout.

Much of the problem with the existing crossing condition can be attributed to poor culvert capacity, culvert blockage, or both. The crossing is also sited along an alluvial fan surface created by Piscoe Creek where it meets the flatter Klickitat River valley. As Piscoe Creek meets the Klickitat valley channel slope lowers, bedload transport is lost and the channel bed aggrades. In this way, alluvial fan channels develop a fan surface and migrate across it until or unless sediment supply is reduced enough in volume and/or size to maintain a single thread. The Forest Road 80 crossing is on the Piscoe alluvial fan surface and is within a zone of natural deposition. When combined with undersized or blocked culverts sediment transport is easily lost and rapid aggradation, road overtopping and road prism erosion occurs.

### **Project Goals**

The goal of the project is to provide a road crossing design that solves chronic maintenance problems, allows upstream migration of all fish species for all age classes, and facilitates the longitudinal movement of wood and sediment across a wide range of flow conditions.

### **Project Objectives**

- Remove existing undersized culverts under FR 80 and replace with a bridge by November 2020
- Raise road approaches near bridge to eliminate road sag and risk of overtopping by November 2020
- Raise and regrade portion of FR 80 to provide a dry and firm road base on the 80 road approach to the Piscoe stream crossing by November 2020

## **III - CONTRACT OVERVIEW**

To achieve a road crossing that solves chronic maintenance problems and provides passage for wood, sediment, peak flows and fish a 45' x 15' will be installed (Fig. 1).



**Figure 1.** Example of type of bridge to be installed (without guard rail).

The contractor will mobilize identified equipment (Section VII) to the site, unload and stockpile the bridge and abutments delivered to the site by manufacturer, prepare site, isolate instream work area with pump around for creek flow (~1-2 cfs), remove existing culverts, prepare bridge location, place bridge and structural backfill, raise road approach with material from borrow area (adjacent to site), apply top course to bridge approach and raise and improve 80 road approach (1,000 feet North of crossing). **One excavator must have a lift capacity that exceeds 14,500 pounds in order to facilitate the lift and placement of a 22.5 ft. long footing block.**

The contract will consist of three main components:

1. **Remove existing undersized culverts under FR 80 and replace with a 45' long bridge by 15' wide skewed bridge on 12.5' tall by 22.5' long abutments.** Minor edits to the streambed and banks will be made to align the channel appropriately. Structural bridge plans available on project website.
2. **Raise road approaches near bridge** to eliminate road sag. Import fill to raise road approach north of bridge for approximately 200 linear feet (450 CY).
3. **Regrade of the 80 road.** Raise road grade of 80 Road along approach road for approximately 300 linear feet (200 CY). Install two 12" culverts as cross drains. Subcontractor to provide two 12" x 20' corrugated metal pipe culverts.

**Table 1.** Quantity of cut and fill. CY = cubic yards.

CONSTRUCTION QUANTITIES			
SITE	CUT (CY)	FILL (CY)	
Northern Road Regrade Area	-	200	
Road Regrade at Bridge	-	450	
Borrow Area	450		
Bridge/Channel	400	200	20 CY BOULDERS

**Additional contract items include:** the mobilization of equipment, unloading of bridge and abutments, site preparation (work area isolation (cofferdam) and pump around), delivery of bridge backfill material, and loading and hauling of road top course (source 10 miles away).

Additional information can be found in Appendix A & B – Map, photos and work plan.

Awarding of the contract shall be based on a combination of price, equipment specified, project proposal and **CONTRACTOR** experience and background. The **OWNER** shall have the **SOLE** discretion and responsibility for choosing the responsive and responsible **CONTRACTOR**.

#### IV - CONTRACTORS' RESPONSIBILITIES

The **CONTRACTOR** shall be responsible for performing their work in a timely, professional manner, shall abide by all applicable tribal, state, and federal guidelines that govern this project, and shall implement all required permit conditions, see Appendix G.

The **CONTRACTOR** is **solely responsible** for maintaining safe working conditions near his/her equipment and for the safe operation of his/her equipment. If at any time the **CONTRACTOR** or his/her operators determine that instructions given by the **OWNER** would create a potentially unsafe working condition or would jeopardize the equipment, the **OWNER** shall be **immediately** notified of the problem. The **OWNER** will then work with the **CONTRACTOR** to find an acceptable alternative method to complete the required task.

The **CONTRACTOR** shall assume full financial and legal responsibility for any damage caused by their machinery and/or crews including but not limited to the following:

- 1- Any equipment becoming stuck due to unstable ground or operator error.
- 2- Any equipment that is damaged due to unstable ground or operator error.
- 3- Any environmental damage due to hydraulic, lubricant or coolant leaks.
- 4- Any damage outside the project area to culverts, bridges, paved roads or other property caused during operations.

**Payment**

Payment shall be considered full compensation for all equipment, labor, tools, materials, and incidentals necessary to complete this work as specified. Payment will be made in accordance with Section XII.

**V - CONSTRUCTION OVERSIGHT**

The **OWNER or OWNER'S DESIGNEE** shall be available during all construction activities to provide the **CONTRACTOR** with information as required to carry out the **CONTRACT**.

Except as noted in SECTION VI - ACCESS, the **OWNER** shall have full authority to direct **ALL** work. The **OWNER** must preapprove any deviation from specifications or instructions.

**VI – SPECIFICATIONS**

The **CONTRACTOR** shall propose the major pieces of equipment that are required to complete the work specified. Work could be accomplished via some combination of front end loader, excavator (s), dump trucks and dozer. The **CONTRACTOR** is responsible for assessing all other equipment needs and supplying such equipment.

The **CONTRACTOR** is responsible for providing operators experienced in the handling and placement of bridge structures, two 12" x 20' corrugated metal pipe culverts, all fuel and lubricants needed for the job.

See EXHIBIT A & B for additional detail.

**Industrial Fire Precaution Level (IFPL)**

Work shall be conducted in accordance with the current IFPL level. The IFPL of this project is Zone 680. Current IFPL level shall be determined by calling 1-800-527-3305 and/or visiting the following website: <https://www.dnr.wa.gov/ifpl>

**VII - ACCESS**

Prior to initiating work the **CONTRACTOR** and the **OWNER** shall review all access routes within the project site. Once the **CONTRACTOR** approves the sites, he/she shall thereafter be **SOLELY** responsible for material delivery, access route preparation and restoration of the access routes. See Section IV – **CONTRACTORS' RESPONSIBILITY** for further requirements.

**VIII - CONSTRUCTION SCHEDULE**

The work can be initiated as soon as a contract is in place. It is anticipated that work will begin no later than September 21, 2020 and be completed by November 15, 2020.

The **CONTRACTOR** has two weeks from the date when the notice to proceed is received to mobilize and commence work.

## **IX - INSURANCE**

**EACH CONTRACTOR** shall maintain insurance coverage at their cost from insurers and shall furnish certificates of insurance or self-insurance approved by the **OWNER**, giving evidence of such coverage to the **OWNER**, which satisfies the requirements as set forth in **APPENDIX D**.

## **X - BID SCHEDULE & SELECTION**

### **SELECTION PROCESS**

YKFP will award the Project contract to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. Provided that if there are multiple responsive low bids from responsible bidders, YKFP will give preference to and select the low bid received from:

- (1) A 100% Yakama owned business; or if there are no such bidders, then
- (2) A certified Indian owned business that is at least 51% Indian-owned; or if there are no such bidders, then
- (3) A non-Indian owned business.

The bidder to whom this contract is awarded must comply with Yakama Nation's Tribal Employment Rights Ordinance (TERO), including all applicable fees and Indian-preference subcontracting and hiring requirements.

Contract award shall be made to the qualified bidder (See conditions above) based on the lowest **responsive** and responsible bid for the **BID SCHEDULE**.

**Due to restricted access to the Closed Area of the Reservation and COVID considerations a site walk through will not be conducted. Aerial video footage and additional pictures can be viewed at the project website:**

**<https://yakamafish-nsn.gov/request-proposals-piscoe-creek-80-road-crossing-opens-810>**

**BIDDERS** who wish to discuss the site in greater detail can contact YKFP staff (David Lindley (509-830-0034, [dlindley@vkfp.org](mailto:dlindley@vkfp.org)). Relevant information discussed will be shared with all perspective **BIDDERS**.

Bids shall be considered **NON-RESPONSIVE** if they fail to provide satisfactory completeness of information requested in the Bid Schedule (Section XIII).



- I. Qualified Contractor Bids on the Bid Schedule shall be received in hand no later than 12:00 P.M. Pacific Daylight Time on August 26, 2020. Bids may be emailed to [dlindley@ykfp.org](mailto:dlindley@ykfp.org) with the subject line **Piscoe Creek 80 Road X-ing.**
- II. Immediately following the above stated time, all firms who submit a proposal will receive email verification, and a summary of bid results.
- III. Bid awards for the Bid Schedule shall be made no later than August 26, 2020.

## **PROSPECTIVE CONTRACTOR INQUIRIES**

Prospective Contractors may request clarification concerning information contained in this **CONTRACTORS BID PACKAGE** by submitting a written statement or question to the **OWNER** via E-mail ([dlindley@ykfp.org](mailto:dlindley@ykfp.org)) **no later than 5:00 P.M. Pacific Daylight Time, August 17, 2020.** The statement/question shall be answered in writing by the **OWNER no later than 1:00 P.M. Pacific Daylight Time, August 18, 2020.** The **OWNER'S** response shall become an **ADDENDA** to this **BID PACKAGE** and also shall be sent **by E-mail** to all contractors of record that have requested a copy of this **CONTRACTOR'S BID PACKAGE.**

**(Note: Prospective Contractors must provide their E-mail addresses to receive subsequent responses. Failure to receive any such ADDENDA(S) shall not relieve such Bidder of fulfilling the modifications contained therein).** The Bidder shall be responsible to ascertain prior to submittal of a Bid Proposal that all addenda issued have been received, and are acknowledged on the Bid Schedule.

## **XI - ADDITIONAL CONDITIONS**

In addition to all of the requirements stated herein, and the conditions contained in appendices, **EACH PROPOSED BID** shall also be governed by the additional conditions listed in **APPENDIX E.**

Davis Bacon wage provisions and the Tribal Employment Rights Ordinance apply to this contract.

## **XII - PAYMENT**

Compensation for services shall be provided by the **OWNER** to the **CONTRACTOR** based on a combination of **LUMP-SUM and TIME** basis as specified in Section XIII.

Each day's work hours for each machine and labor crew shall be tallied at the end of **EACH** work day and submitted to the **DESIGNER** or **OWNER** for verification before the next work day commences. Bills may be submitted for payment bi-weekly or monthly. Payment processing shall be initiated once the **DESIGNER** or **OWNER** has verified that such work has occurred.

Bills may be submitted for payment once the **OWNER** has verified completion. Invoice for work completed in September 2020 shall be submitted to the **OWNER** no later than **9/30/2020** to facilitate YN fiscal year-end reporting.

Ten percent (10%) of the amount billed shall be retained until a **FINAL RELEASE** has been signed by the **CONTRACTOR** and delivered to the **OWNER** and all reclamation/restoration has been completed as outlined above.

### **XIII - BID SCHEDULE**

**REFERENCES** – list references of individuals with whom you’ve contracted to perform comparable work in the past

- 1) Name: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Nature of work: \_\_\_\_\_  
\_\_\_\_\_
- 2) Name: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Nature of work: \_\_\_\_\_  
\_\_\_\_\_

**MACHINERY** – list proposed machinery and equipment to be used:

**Machine #1**

List the make & model \_\_\_\_\_

**Machine #2**

List the make & model \_\_\_\_\_

**Machine #3**

List the make & model \_\_\_\_\_

**Machine #4**

List the make & model \_\_\_\_\_

**PROPOSAL** - briefly describe project approach:

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Element	Activity	Measure	Unit	Total
Mobilization	Mobilization and demobilization of all necessary equipment	LS	1	
Site Preperation and Bridge Unload	Clear constuction access (brush 80 road from 255 Rd (0.2 miles), prep construction site, unload and stockpile bridge and clear within earthwork footprint of channel construction and borrow area. Also include recontouring borrow area and placing salvaged topsoil once finished.	LS	1	
Environmental Controls	Isolate instream work site: place cofferdams, diverion, dewater and maintain pumps. Deploy BMPS to control surfacewater as needed and prepare and follow Spill Prevention Plan.	LS	1	
Temp erosion control	Erosion Controls and labor for seed and straw application on borrow area(s)	LS	1	
Removal of Structure and Obstruction	Remove existing culverts and depending upon conditon either place as overflow relief north of bridge or dispose	LS	1	
Earthwork	Structure and channel excavation includes grading the channel to the lines, grades and cross-sections shown in plans. Place wall backfill concurrently with channel grading. Cut 400 CY, fill 220 CY.	CY	620	
Structure placement	Install 45' x15' pre-fab bridge and abuments	LS	1	
Road regrade at Bridge and North of crossing	Import material from borrow pit and raise 80 road surface near 255 road and at bridge crossing. Furnish and place two 12' x 20' CMP culverts as cross drains	CY	650	
Haul and place road top course 3/4' minus	Haul, place and grade road top course gravel from YN stockpile 10 miles from site	CY	200	
	<b>Grand Total</b>			

All prices bid herein shall remain in effect through 11/30/2020.

**CONTRACTOR shall** be required to comply with the requirements as stated in the attached **CONTRACTOR'S BID PACKAGE**.

CONTRACTOR: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

LICENSE NUMBER: \_\_\_\_\_

BY: \_\_\_\_\_

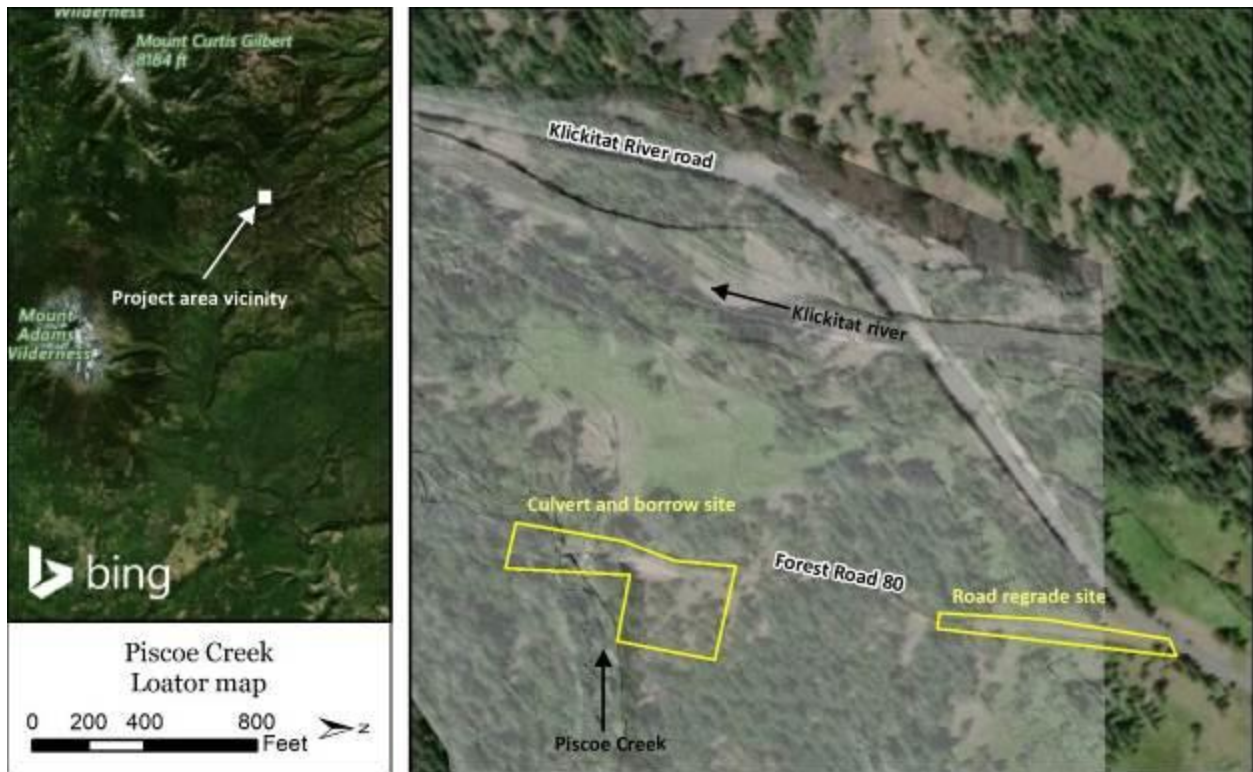
(Signature and Title)

DATE: \_\_\_\_\_

Phone No. \_\_\_\_\_ FAX No. \_\_\_\_\_ E-mail \_\_\_\_\_

## **APPENDIX A**

### **MAPS/PHOTOS**



**Figure 2.** Piscoe Creek 80 Road Crossing Location Map.



**Figure 3.** Piscoe Creek 80 Road Crossing current undersized culverts.





**Figure 4.** Borrow pit for structural backfill (as needed), 0.5 miles from project site.



**Figure 5.** Road top course stockpile, 10 miles from project site.



## **APPENDIX B**

### **WORK PLAN**

High resolution planset and additional project background can be found at:

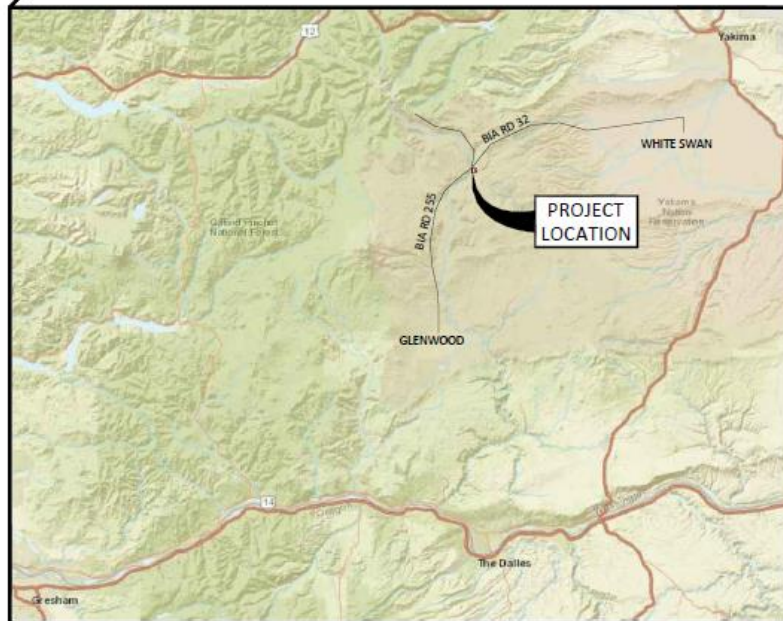
**<https://yakamafish-nsn.gov/request-proposals-piscoe-creek-80-road-crossing-opens-812>**



# PISCOE CREEK - 80 ROAD CROSSING

90% DESIGN

YAKIMA COUNTY, WASHINGTON  
March, 2020

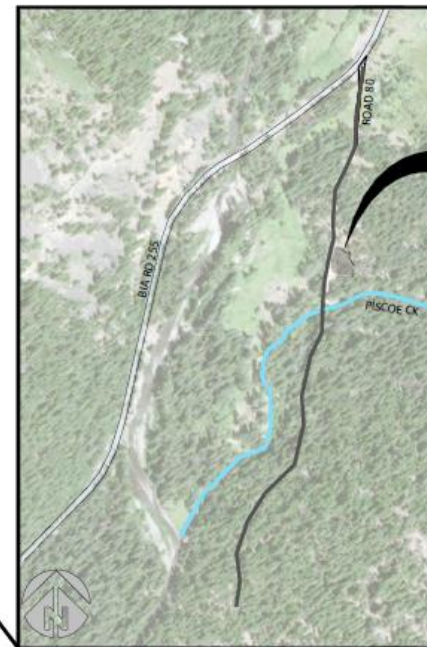


VICINITY MAP  
NO SCALE

COORDINATES:  
LATITUDE: 46°21'21" N  
LONGITUDE: 121°11'28" W

NE¼ NE¼ S16 T10N R13E

WATERBODY: PISCOE CREEK  
TRIBUTARY OF: KLIKITAT RIVER



SITE MAP  
NO SCALE

PROJECT LOCATION

## SHEET INDEX

- 1 - TITLE SHEET, MAP, SHEET INDEX
- 2 - GENERAL NOTES
- 3 - HIP-III CONSERVATION MEASURES (1 OF 2)
- 4 - HIP-III CONSERVATION MEASURES (2 OF 2)
- 5 - EXISTING CONDITIONS, SITE ACCESS
- 6 - DEWATERING & REWATERING PLAN
- 7 - BRIDGE INSTALLATION AREA PLAN AND PROFILE
- 8 - CHANNEL GRADING CROSS SECTIONS
- 9 - ROAD REGRADE (BRIDGE AREA)
- 10 - ROAD REGRADE (NORTH AREA)
- 11 - BORROW AREA
- ATTACHMENT - BRIDGE DRAWINGS



NO.	BY	DATE	REVISION DESCRIPTION

MM	MM	MM
DRAWN	DESIGNED	CHECKED
MM	08-10-2020	PROJECT
APPROVED	DATE	PROJECT

YAKAMA NATION FISHERIES PROGRAM  
PISCOE CREEK - 80 ROAD CROSSING



501 Portway Avenue, Suite 101  
Hood River, OR 97031  
541.386.9003  
www.interfluvio.com

TITLE SHEET, MAP,  
SHEET INDEX

SHEET  
1 OF 11

### EXCAVATION/BACKFILL

THIS INCLUDES EARTHWORK ASSOCIATED WITH STREAM CHANNEL, ROAD BED AND NEW BRIDGE INSTALLATION:

- EXCAVATING STREAMBANK MATERIALS TO ACHIEVE DESIGN GRADE.
- TRANSPORT EXCAVATED MATERIAL TO FILL AREAS.
- FILLING AND GRADING NEW ROAD PRISM.
- INSTALL BRIDGE AND BACKFILL WITH SELECT MATERIALS PER MANUFACTURER'S INSTRUCTIONS.

THESE DRAWINGS SHOW THE GENERAL EXTENTS OF EXCAVATION AND BACKFILL. SEGREGATE AND SEPARATELY STOCKPILE FINE MATERIAL (SAND AND GRAVEL) AND COARSE MATERIAL (COBBLE AND BOULDERS). ONLY TREES AND SHRUBS APPROVED AND DESIGNATED FOR REMOVAL BY THE OWNER'S REPRESENTATIVE MAY BE REMOVED TO COMPLETE THE CULVERT INSTALLATION.

EXCAVATION AND BACKFILL QUANTITIES ARE MEASURED IN AUTOCAD AS IN-PLACE, AND ARE NOT FACTORED FOR EXPANSION, WATER CONTENT, CUTTING SIDE-SLOPES, OVERCUTTING, OR CLEANING OUT SLUMPED MATERIALS. IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO CALCULATE AND ANTICIPATE THE FINAL VOLUMES BASED ON THE NOTED CONDITIONS.

CONSTRUCTION QUANTITIES		
SITE	CUT (CY)	FILL (CY)
Northern Road Regrade Area	-	200
Road Regrade at Bridge	-	450
Borrow Area	450	
Bridge/Channel	400	200

20 CY BOULDERS

BRIDGE PLANS HEREIN ARE PRELIMINARY. THE CONTRACTOR SHALL USE BRIDGE PLANS AND SPECIFICATIONS PROVIDED BY BRIDGE MANUFACTURER, AT CONTRACTOR'S EXPENSE.



NO.	BY	DATE	REVISION DESCRIPTION

RP DESIGN	MM MB DESIGNED	MM MB CHECKED
MM MB APPROVED	08-10-2020 DATE	PROJECT

YAKAMA NATION FISHERIES PROGRAM  
PISCOE CREEK - 80 ROAD CROSSING



501 Portway Avenue, Suite 101  
Hood River, OR 97031  
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GENERAL NOTES

SHEET  
2 OF 11



# **HIP III GENERAL AQUATIC CONSERVATION MEASURES APPLICABLE TO ALL ACTIONS**

THE ACTIVITIES COVERED UNDER THE HIP III ARE INTENDED TO PROTECT AND RESTORE FISH AND WILDLIFE HABITAT WITH LONG-TERM BENEFITS TO ESA-LISTED SPECIES. TO MINIMIZE THESE SHORT-TERM ADVERSE EFFECTS AND MAKE THEM PREDICTABLE FOR THE PURPOSES OF PROGRAMMATIC ANALYSIS, BPA WILL INCLUDE IN ALL PROJECTS IMPLEMENTED UNDER THIS HIP III PROPOSED ACTION THE FOLLOWING GENERAL CONSERVATION MEASURES (DEVELOPED IN COORDINATION WITH USFWS AND NMFS).

## **PROJECT DESIGN AND SITE PREPARATION**

1) STATE AND FEDERAL PERMITS, ALL APPLICABLE REGULATORY PERMITS AND OFFICIAL PROJECT AUTHORIZATIONS WILL BE OBTAINED BEFORE PROJECT IMPLEMENTATION. THESE PERMITS AND AUTHORIZATIONS INCLUDE, BUT ARE NOT LIMITED TO, NATIONAL ENVIRONMENTAL POLICY ACT, NATIONAL HISTORIC PRESERVATION ACT, AND THE APPROPRIATE STATE AGENCY REMOVAL AND FILL PERMIT, USACE CLEAN WATER ACT (CWA) 404 PERMITS, AND CWA SECTION 401 WATER QUALITY CERTIFICATIONS.

2) TIMING OF IN-WATER WORK, APPROPRIATE STATE (OREGON DEPARTMENT OF FISH AND WILDLIFE (ODFW), WASHINGTON DEPARTMENT OF FISH AND WILDLIFE (WDFW), IDAHO DEPARTMENT OF FISH AND GAME (IDFG), AND MONTANA FISH WILDLIFE AND PARKS (MFWP)) GUIDELINES FOR TIMING OF IN-WATER WORK WINDOWS (IWW) WILL BE FOLLOWED.

A) BULL TROUT - WHILE UTILIZING THE APPROPRIATE STATE DESIGNATED IN-WATER WORK PERIOD WILL LESSEN THE RISK TO BULL TROUT, THIS ALONE MAY NOT BE SUFFICIENT TO ADEQUATELY PROTECT LOCAL BULL TROUT POPULATIONS. THIS IS ESPECIALLY TRUE IF WORK IS OCCURRING IN SPAWNING AND REARING AREAS BECAUSE EGGS, ALBIVIN, AND FRY ARE IN THE SUBSTRATE OR CLOSELY ASSOCIATED HABITATS NEARLY YEAR ROUND. SOME AREAS MAY NOT HAVE DESIGNATED IN-WATER WORK WINDOWS FOR BULL TROUT OR IF THEY DO, THEY MAY CONFLICT WITH WORK WINDOWS FOR SALMON AND STEELHEAD. IF THIS IS THE CASE, OR IF PROPOSED WORK IS TO OCCUR WITHIN BULL TROUT SPAWNING AND REARING HABITATS, PROJECT PROPOONENTS WILL CONTACT THE APPROPRIATE USFWS FIELD OFFICE TO INSURE THAT ALL REASONABLE IMPLEMENTATION MEASURES ARE CONSIDERED AND AN APPROPRIATE IN-WATER WORK WINDOW IS BEING USED TO MINIMIZE PROJECT EFFECTS.

B) LAIMPREY - THE PROJECT SPONSOR AND/OR THEIR CONTRACTORS WILL AVOID WORKING IN STREAM OR RIVER CHANNELS THAT CONTAIN PACIFIC LAIMPREY FROM MARCH 1 TO JULY 1 IN LOW TO MID ELEVATION REACHES (<5,000 FEET). IN HIGH ELEVATION REACHES (>5,000 FEET), THE PROJECT SPONSOR WILL AVOID WORKING IN STREAM OR RIVER CHANNELS FROM MARCH 1 TO AUGUST 1. IF EITHER TIMEFRAME IS INCOMPATIBLE WITH OTHER OBJECTIVES, THE AREA WILL BE SURVEYED FOR NESTS AND LAIMPREY PRESENCE, AND AVOIDED IF POSSIBLE. IF LAIMPREYS ARE KNOWN TO EXIST, THE PROJECT SPONSOR WILL UTILIZE DEWATERING AND SALVAGE PROCEDURES OUTLINED IN US FISH AND WILDLIFE SERVICE BEST MANAGEMENT PRACTICES TO MINIMIZE ADVERSE EFFECTS TO PACIFIC LAIMPREY (2010).

C) EXCEPTIONS TO ODFW, WDFW, MFWP, OR IDFG IN-WATER WORK WINDOWS WILL BE REQUESTED THROUGH THE VARIANCE PROCESS (PAGE 3).

3) CONTAMINANTS: THE PROJECT SPONSOR WILL COMPLETE A SITE ASSESSMENT WITH THE FOLLOWING ELEMENTS TO IDENTIFY THE TYPE, QUANTITY, AND EXTENT OF ANY POTENTIAL CONTAMINATION FOR ANY ACTION THAT INVOLVES EXCAVATION OF MORE THAN 20 CUBIC YARDS OF MATERIAL:

A) A REVIEW OF AVAILABLE RECORDS, SUCH AS FORMER SITE USE, BUILDING PLANS, AND RECORDS OF ANY PRIOR CONTAMINATION EVENTS;

B) A SITE VISIT TO INSPECT THE AREAS USED FOR VARIOUS INDUSTRIAL PROCESSES AND THE CONDITION OF THE PROPERTY;

C) INTERVIEWS WITH KNOWLEDGEABLE PEOPLE, SUCH AS SITE OWNERS, OPERATORS, AND OCCUPANTS, NEIGHBORS, OR LOCAL GOVERNMENT OFFICIALS; AND

D) A SUMMARY, STORED WITH THE PROJECT FILE THAT INCLUDES AN ASSESSMENT OF THE LIKELIHOOD THAT CONTAMINANTS ARE PRESENT AT THE SITE, BASED ON ITEMS 4(A) THROUGH 4(C).

4) SITE LAYOUT AND FLAGGING, PRIOR TO CONSTRUCTION, THE ACTION AREA WILL BE CLEARLY FLAGGED TO IDENTIFY THE FOLLOWING:

A) SENSITIVE RESOURCE AREAS, SUCH AS AREAS BELOW ORDINARY HIGH WATER, SPAWNING AREAS, SPRINGS, AND WETLANDS;

B) EQUIPMENT ENTRY AND EXIT POINTS;

C) ROAD AND STREAM CROSSING ALIGNMENTS;

D) STAGING, STORAGE, AND STOCKPILE AREAS; AND

E) NO-SPRAY AREAS AND BUFFERS.

5) TEMPORARY ACCESS ROADS AND PATHS:

A) EXISTING ACCESS ROADS AND PATHS WILL BE PREFERENTIALLY USED WHENEVER REASONABLE, AND THE NUMBER AND LENGTH OF TEMPORARY ACCESS ROADS AND PATHS THROUGH RIPARIAN AREAS AND FLOODPLAINS WILL BE MINIMIZED TO LESSEN SOIL DISTURBANCE AND COMPACTION, AND IMPACTS TO VEGETATION.

B) TEMPORARY ACCESS ROADS AND PATHS WILL NOT BE BUILT ON SLOPES WHERE GRADE, SOIL, OR OTHER FEATURES SUGGEST A LIKELIHOOD OF EXCESSIVE EROSION OR FAILURE. IF SLOPES ARE STEEPER THAN 30%, THEN THE ROAD WILL BE DESIGNED BY A CIVIL ENGINEER WITH EXPERIENCE IN STEEP ROAD DESIGN.

C) THE REMOVAL OF RIPARIAN VEGETATION DURING CONSTRUCTION OF TEMPORARY ACCESS ROADS WILL BE MINIMIZED. WHEN TEMPORARY VEGETATION REMOVAL IS REQUIRED, VEGETATION WILL BE CUT AT GROUND LEVEL (NOT GRUBBED).

D) AT PROJECT COMPLETION, ALL TEMPORARY ACCESS ROADS AND PATHS WILL BE OBLITERATED, AND THE SOIL WILL BE STABILIZED AND REVEGETATED. ROAD AND PATH OBLITERATION REFERS TO THE MOST COMPREHENSIVE DEGREE OF DECOMMISSIONING AND INVOLVES DECOMPACTING THE SURFACE AND DITCH PULLING THE FILL MATERIAL ONTO THE RUNNING SURFACE, AND RESHAPING TO MATCH THE ORIGINAL CONTOUR.

E) TEMPORARY ROADS AND PATHS IN WET AREAS OR AREAS PRONE TO FLOODING WILL BE OBLITERATED BY THE END OF THE IN-WATER WORK WINDOW.

## **6) TEMPORARY STREAM CROSSINGS**

A) EXISTING STREAM CROSSINGS WILL BE PREFERENTIALLY USED WHENEVER REASONABLE, AND THE NUMBER OF TEMPORARY STREAM CROSSINGS WILL BE MINIMIZED.

B) TEMPORARY BRIDGES AND CULVERTS WILL BE INSTALLED TO ALLOW FOR EQUIPMENT AND VEHICLE CROSSING OVER PERENNIAL STREAMS DURING CONSTRUCTION. TREATED WOOD SHALL NOT BE USED ON TEMPORARY BRIDGE CROSSINGS OR IN LOCATIONS IN CONTACT WITH OR OVER WATER.

C) EQUIPMENT AND VEHICLES WILL CROSS THE STREAM IN THE WET ONLY WHERE:

I. THE STREAMBED IS BEDROCK; OR

II. MATS OR OFF-SITE LOGS ARE PLACED IN THE STREAM AND USED AS A CROSSING.

D) VEHICLES AND MACHINERY WILL CROSS STREAMS AT RIGHT ANGLES TO THE MAIN CHANNEL WHEREVER POSSIBLE.

E) THE LOCATION OF THE TEMPORARY CROSSING WILL AVOID AREAS THAT MAY INCREASE THE RISK OF CHANNEL RE-ROUTING OR AVULSION.

F) POTENTIAL SPAWNING HABITAT (I.E., POOL TAILOUTS) AND POOLS WILL BE AVOIDED TO THE MAXIMUM EXTENT POSSIBLE.

G) NO STREAM CROSSINGS WILL OCCUR AT ACTIVE SPAWNING SITES, WHEN HOLDING ADULT LISTED FISH ARE PRESENT, OR WHEN EGGS OR ALBIVIN ARE IN THE GRAVEL. THE APPROPRIATE STATE FISH AND WILDLIFE AGENCY WILL BE CONTACTED FOR SPECIFIC TIMING INFORMATION.

H) AFTER PROJECT COMPLETION, TEMPORARY STREAM CROSSINGS WILL BE OBLITERATED AND THE STREAM CHANNEL AND BANKS RESTORED.

7) STAGING, STORAGE, AND STOCKPILE AREAS:

A) STAGING AREAS (USED FOR CONSTRUCTION EQUIPMENT STORAGE, VEHICLE STORAGE, FUELING, SERVICING, AND HAZARDOUS MATERIAL STORAGE) WILL BE 150 FEET OR MORE FROM ANY NATURAL WATER BODY OR WETLAND, OR ON AN ADJACENT, ESTABLISHED ROAD AREA IN A LOCATION AND MANNER THAT WILL PRECLUDE EROSION INTO OR CONTAMINATION OF THE STREAM OR FLOODPLAIN.

B) NATURAL MATERIALS USED FOR IMPLEMENTATION OF AQUATIC RESTORATION, SUCH AS LARGE WOOD, GRAVEL, AND Boulders, MAY BE STAGED WITHIN THE 100-YEAR FLOODPLAIN.

C) ANY LARGE WOOD, TOPSOIL, AND NATIVE CHANNEL MATERIAL DISPLACED BY CONSTRUCTION WILL BE STOCKPILED FOR USE DURING SITE RESTORATION AT A SPECIFICALLY IDENTIFIED AND FLAGGED AREA.

D) ANY MATERIAL NOT USED IN RESTORATION, AND NOT NATIVE TO THE FLOODPLAIN, WILL BE REMOVED TO A LOCATION OUTSIDE OF THE 100-YEAR FLOODPLAIN FOR DISPOSAL.

8) EQUIPMENT, MECHANIZED EQUIPMENT AND VEHICLES WILL BE SELECTED, OPERATED, AND MAINTAINED IN A MANNER THAT MINIMIZES ADVERSE EFFECTS ON THE ENVIRONMENT (E.G., MINIMALLY-SIZED, LOW PRESSURE TIRES; MINIMAL HARD-TURN PATHS FOR TRACKED VEHICLES; TEMPORARY MATS OR PLATES WITHIN WET AREAS OR ON SENSITIVE SOILS). ALL VEHICLES AND OTHER MECHANIZED EQUIPMENT WILL BE:

A) STORED, FUELED, AND MAINTAINED IN A VEHICLE STAGING AREA PLACED 150 FEET OR MORE FROM ANY NATURAL WATER BODY OR WETLAND OR ON AN ADJACENT, ESTABLISHED ROAD AREA;

B) REFUELED IN A VEHICLE STAGING AREA PLACED 150 FEET OR MORE FROM ANY NATURAL WATER BODY OR WETLAND, OR IN AN ISOLATED HARD ZONE, SUCH AS A PAVED PARKING LOT OR ADJACENT, ESTABLISHED ROAD (THIS MEASURE APPLIES ONLY TO GAS-POWERED EQUIPMENT WITH TANKS LARGER THAN 5 GALLONS);

C) BIODEGRADABLE LUBRICANTS AND FLUIDS SHALL BE USED ON EQUIPMENT OPERATING IN AND ADJACENT TO THE STREAM CHANNEL AND LIVE WATER.

D) INSPECTED DAILY FOR FLUID LEAKS BEFORE LEAVING THE VEHICLE STAGING AREA FOR OPERATION WITHIN 150 FEET OF ANY NATURAL WATER BODY OR WETLAND; AND

E) THOROUGHLY CLEANED BEFORE OPERATION BELOW ORDINARY HIGH WATER, AND AS OFTEN AS NECESSARY DURING OPERATION, TO REMAIN GREASE FREE.

9) EROSION CONTROL: EROSION CONTROL MEASURES WILL BE PREPARED AND CARRIED OUT, COMMENSURATE IN SCOPE WITH THE ACTION, THAT MAY INCLUDE THE FOLLOWING:

A) TEMPORARY EROSION CONTROLS:

I. TEMPORARY EROSION CONTROLS WILL BE IN PLACE BEFORE ANY SIGNIFICANT ALTERATION OF THE ACTION SITE AND APPROPRIATELY INSTALLED DOWNSLOPE OF PROJECT ACTIVITY WITHIN THE RIPARIAN BUFFER AREA UNTIL SITE REHABILITATION IS COMPLETE.

II. IF THERE IS A POTENTIAL FOR ERODED SEDIMENT TO ENTER THE STREAM, SEDIMENT BARRIERS WILL BE INSTALLED AND MAINTAINED FOR THE DURATION OF PROJECT IMPLEMENTATION.

III. TEMPORARY EROSION CONTROL MEASURES MAY INCLUDE FIBER MATS, SALT FENCES, JUTE MATTING, WOOD FIBER MULCH AND SOIL BINDER, OR GEOTEXTILES AND GEOSYNTHETIC FABRIC.

IV. SOIL STABILIZATION UTILIZING WOOD FIBER MULCH AND TACKIFIER (HYDRO-APPLIED) MAY BE USED TO REDUCE EROSION OF BARE SOIL IF THE MATERIALS ARE NOXIOUS WEED FREE AND NONTOXIC TO AQUATIC AND TERRESTRIAL ANIMALS, SOIL MICROORGANISMS, AND VEGETATION. SEDIMENT WILL BE REMOVED FROM EROSION CONTROLS ONCE IT HAS REACHED 1/3 OF THE EXPOSED HEIGHT OF THE CONTROL.

IV. ONCE THE SITE IS STABILIZED AFTER CONSTRUCTION, TEMPORARY EROSION CONTROL MEASURES WILL BE REMOVED.

B) EMERGENCY EROSION CONTROLS: THE FOLLOWING MATERIALS FOR EMERGENCY EROSION CONTROL WILL BE AVAILABLE AT THE WORK SITE:

I. A SUPPLY OF SEDIMENT CONTROL MATERIALS; AND

II. AN OIL-ABSORBING FLOATING BOOM WHENEVER SURFACE WATER IS PRESENT.

10) DUST ABATEMENT: THE PROJECT SPONSOR WILL DETERMINE THE APPROPRIATE DUST CONTROL MEASURES BY CONSIDERING SOIL TYPE, EQUIPMENT USAGE, PREVAILING WIND DIRECTION, AND THE EFFECTS CAUSED BY OTHER EROSION AND SEDIMENT CONTROL MEASURES. IN ADDITION, THE FOLLOWING CRITERIA WILL BE FOLLOWED:

A) WORK WILL BE SEQUENCED AND SCHEDULED TO REDUCE EXPOSED BARE SOIL SUBJECT TO WIND EROSION.

B) DUST-ABATEMENT ADDITIVES AND STABILIZATION CHEMICALS (TYPICALLY MAGNESIUM CHLORIDE, CALCIUM CHLORIDE SALTS, OR LIGNIN/SULFONATE) WILL NOT BE APPLIED WITHIN 25 FEET OF WATER OR A STREAM CHANNEL AND WILL BE APPLIED 50 AS TO MINIMIZE THE LIKELIHOOD THAT THEY WILL ENTER STREAMS. APPLICATIONS OF LIGNIN/SULFONATE WILL BE LIMITED TO A MAXIMUM RATE OF 0.5 GALLONS PER SQUARE YARD OF ROAD SURFACE, ASSUMING A 50:50 (LIGNIN/SULFONATE TO WATER) SOLUTION.

C) APPLICATION OF DUST ABATEMENT CHEMICALS WILL BE AVOIDED DURING OR JUST BEFORE WET WEATHER, AND AT STREAM CROSSINGS OR OTHER AREAS THAT COULD RESULT IN UNFILTERED DELIVERY OF THE DUST ABATEMENT MATERIALS TO A WATERBODY (TYPICALLY THESE WOULD BE AREAS WITHIN 25 FEET OF A WATERBODY OR STREAM CHANNEL. DISTANCES MAY BE GREATER WHERE VEGETATION IS SPARSE OR SLOPES ARE STEEP).

D) SPILL CONTAINMENT EQUIPMENT WILL BE AVAILABLE DURING APPLICATION OF DUST ABATEMENT CHEMICALS.

E) PETROLEUM-BASED PRODUCTS WILL NOT BE USED FOR DUST ABATEMENT.

11) SPILL PREVENTION, CONTROL, AND COUNTER MEASURES: THE USE OF MECHANIZED MACHINERY INCREASES THE RISK FOR ACCIDENTAL SPILLS OF FUEL, LUBRICANTS, HYDRAULIC FLUID, OR OTHER CONTAMINANTS INTO THE RIPARIAN ZONE OR DIRECTLY INTO THE WATER. ADDITIONALLY, UNCOURED CONCRETE AND FORM MATERIALS ADJACENT TO THE ACTIVE STREAM CHANNEL MAY RESULT IN ACCIDENTAL DISCHARGE INTO THE WATER. THESE CONTAMINANTS CAN DEGRADE HABITAT, AND INJURE OR KILL AQUATIC FOOD ORGANISMS AND ESA-LISTED SPECIES. THE PROJECT SPONSOR WILL ADHERE TO THE FOLLOWING MEASURES:

A) A DESCRIPTION OF HAZARDOUS MATERIALS THAT WILL BE USED, INCLUDING INVENTORY, STORAGE, AND HANDLING PROCEDURES WILL BE AVAILABLE ONSITE.

B) WRITTEN PROCEDURES FOR NOTIFYING ENVIRONMENTAL RESPONSE AGENCIES WILL BE POSTED AT THE WORK SITE.

C) SPILL CONTAINMENT KITS (INCLUDING INSTRUCTIONS FOR CLEANUP AND DISPOSAL) ADEQUATE FOR THE TYPES AND QUANTITY OF HAZARDOUS MATERIALS USED AT THE SITE WILL BE AVAILABLE AT THE WORK SITE.

D) WORKERS WILL BE TRAINED IN SPILL CONTAINMENT PROCEDURES AND WILL BE INFORMED OF THE LOCATION OF SPILL CONTAINMENT KITS.

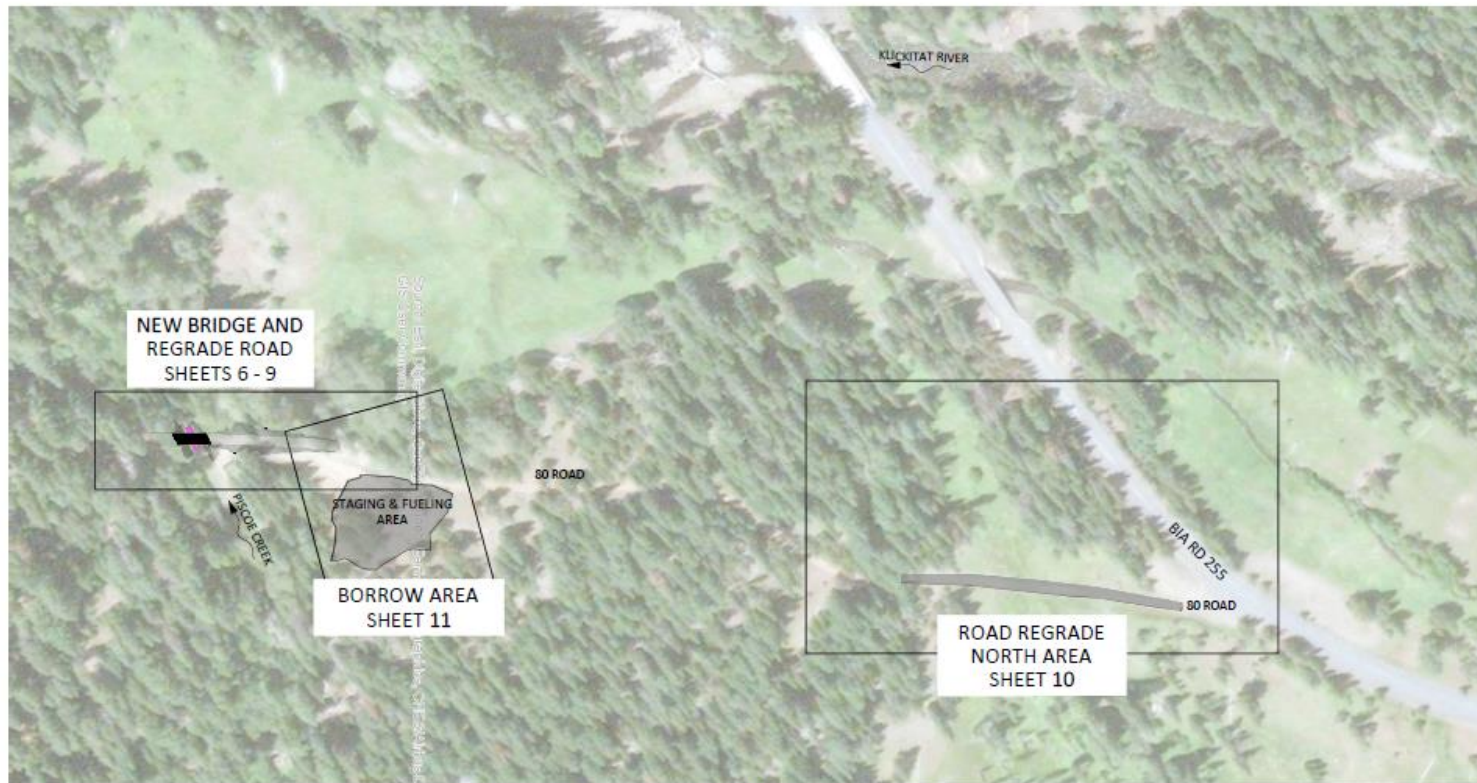
E) ANY WASTE LIQUIDS GENERATED AT THE STAGING AREAS WILL BE TEMPORARILY STORED UNDER AN IMPERVIOUS COVER, SUCH AS A TARPULIN, UNTIL THEY CAN BE PROPERLY TRANSPORTED TO AND DISPOSED OF AT A FACILITY THAT IS APPROVED FOR RECEIPT OF HAZARDOUS MATERIALS.



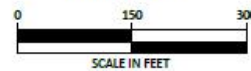
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## 21





AERIAL VIEW



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MM.MB APPROVED	08-10-2020 DATE	PROJECT

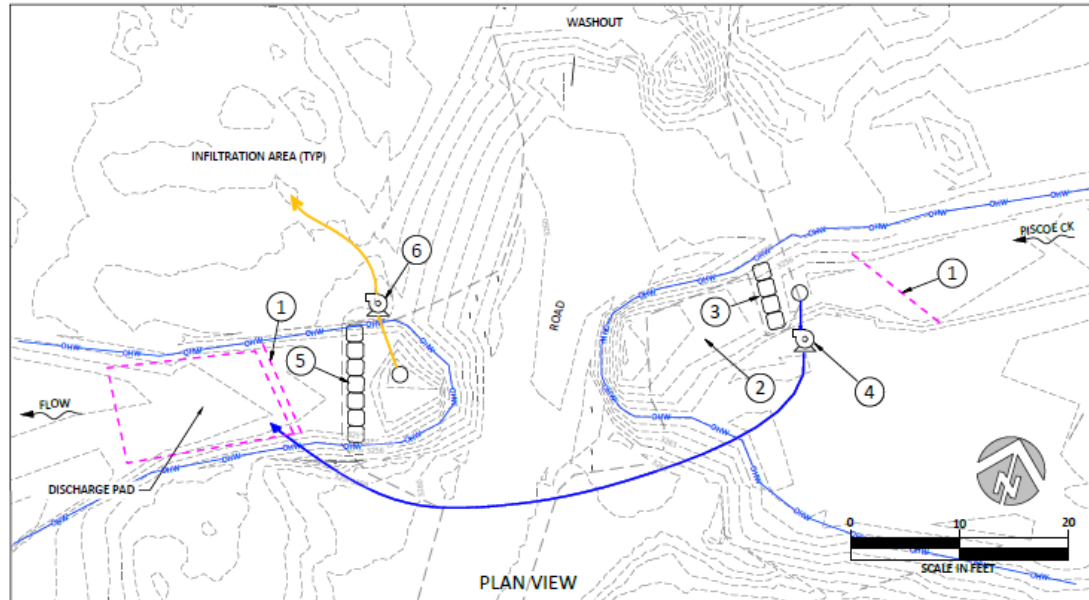
YAKAMA NATION FISHERIES PROGRAM  
PISCOE CREEK - 80 ROAD CROSSING



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EXISTING CONDITIONS,  
SITE ACCESS

SHEET  
5 OF 11



#### LEGEND

- EXISTING GROUND CONTOUR
- LIMITS OF DISTURBANCE
- OHW ORDINARY HIGH WATER

#### CULVERT AREA SITE PREPARATION

- 1 INSTALL FISH SCREENS
- 2 PERFORM FISH SALVAGE
- 3 INSTALL UPSTREAM COFFERDAM
- 4 INSTALL DIVERSION PUMP
- 5 INSTALL DOWNSTREAM COFFERDAM
- 6 INSTALL CONSTRUCTION WATER PUMP

#### CULVERT AREA CONSTRUCTION SEQUENCE

1. PREPARE SITE (CONTROLS, FISH RESCUE, DESCRIBED ABOVE).
2. MOBILIZE EXCAVATOR TO SITE (SHEET 7). TRUCKS CANNOT ACCESS UNTIL ROAD WASHOUT IS REPAIRED.
3. EXCAVATE TO REMOVE EXISTING CULVERTS. PRESERVE CULVERTS IF POSSIBLE. IF ONE OR BOTH CULVERTS ARE INTACT ONCE REMOVED, INSTALL THEM IN THE WASHOUT AND BACKFILL WITH MATERIALS SALVAGED FROM EXCAVATIONS. TRUCKS CAN NOW MOVE INTO SITE.
4. MONITOR CONSTRUCTION WATER DISCHARGE AREA. MOVE DISCHARGE LOCATION FREQUENTLY TO IMPROVE INFILTRATION. MONITOR FLOW PATHS. TURBIDITY SHALL NOT BE ALLOWED TO ENTER PISCOCREEK OR KLUKITTAT RIVER SIDE CHANNELS. INSTALL ADDITIONAL CONTROLS AS NEEDED TO ENSURE TURBIDITY IS BEING MANAGED EFFECTIVELY.
5. EXCAVATE TO BRIDGE INSTALLATION SUBGRADE. STOCKPILE MATERIALS AT BORROW SITE (SHEET 11). SEPARATE COARSE MATERIALS FROM FINE MATERIALS.
6. INSTALL NEW BRIDGE FOOTINGS AND WALLS PER MANUFACTURER'S INSTRUCTIONS. BEDDING AND BACKFILL SHALL BE PER MANUFACTURER'S INSTRUCTIONS. BACKFILL CHANNEL UTILIZING BOULDERS FROM NEARBY PIT AND SALVAGED STREAMBED MATERIALS FROM STOCKPILE. SHAPE TO LINES AND GRADED SHOWN IN PLANS.
7. GRADUALLY INTRODUCE STREAM FLOW BY DECREASING THROTTLE AT DIVERSION PUMP AND REMOVING A PORTION OF UPSTREAM COFFERDAM. CONTINUE RUNNING CONSTRUCTION WATER PUMP TO REMOVE TURBIDITY GENERATED BY RINSING FLOW. WHEN FLOW RUNS CLEAR, OPEN UPSTREAM COFFERDAM A LITTLE MORE WHILE CONTINUING TO PUMP CONSTRUCTION WATER.
8. REMOVE DOWNSTREAM COFFERDAM AND CONSTRUCTION WATER PUMP.
9. REMOVE UPSTREAM COFFERDAM AND DIVERSION PUMP.
10. INSTALL BRIDGE DECK AND RAILING.
11. REGRADE ROAD. SEE SHEET 9.



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DRAWN	DESIGNED	CHECKED
MM MB	08-10-2020	
APPROVED	DATE	PROJECT

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PISCOCREEK - 80 ROAD CROSSING

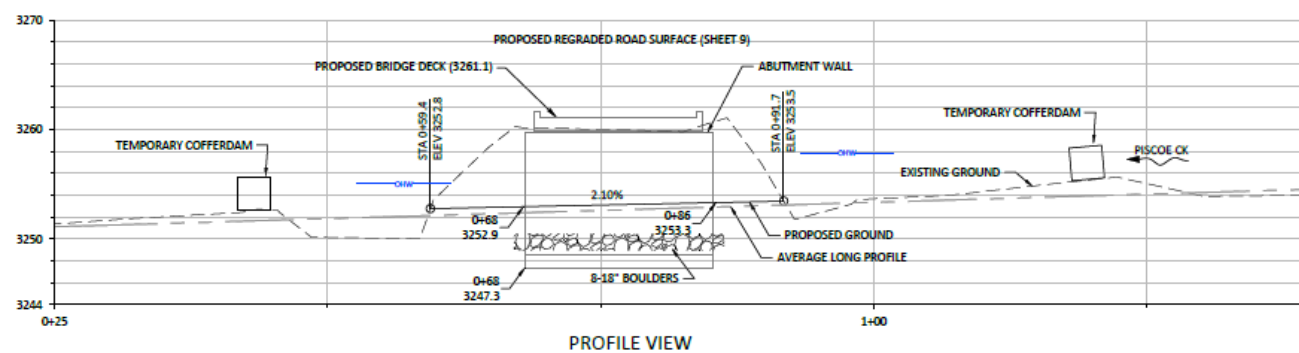
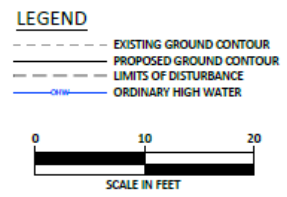
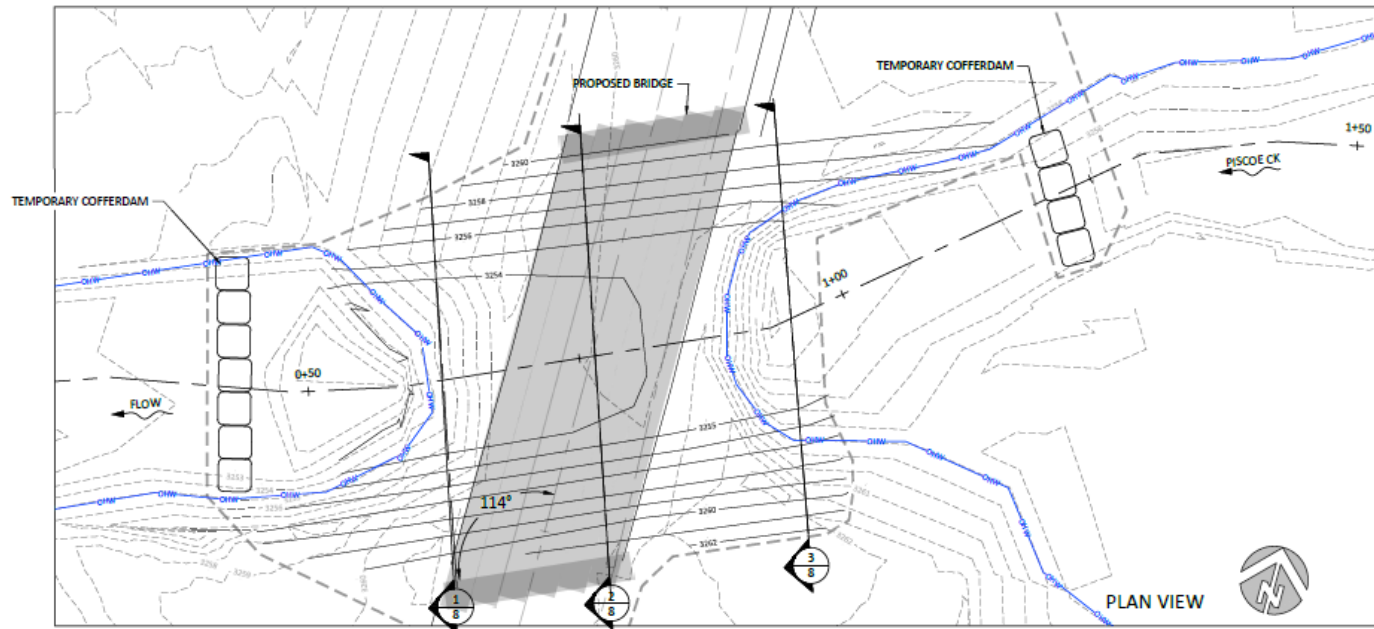



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DEWATERING & REWATERING  
PLAN

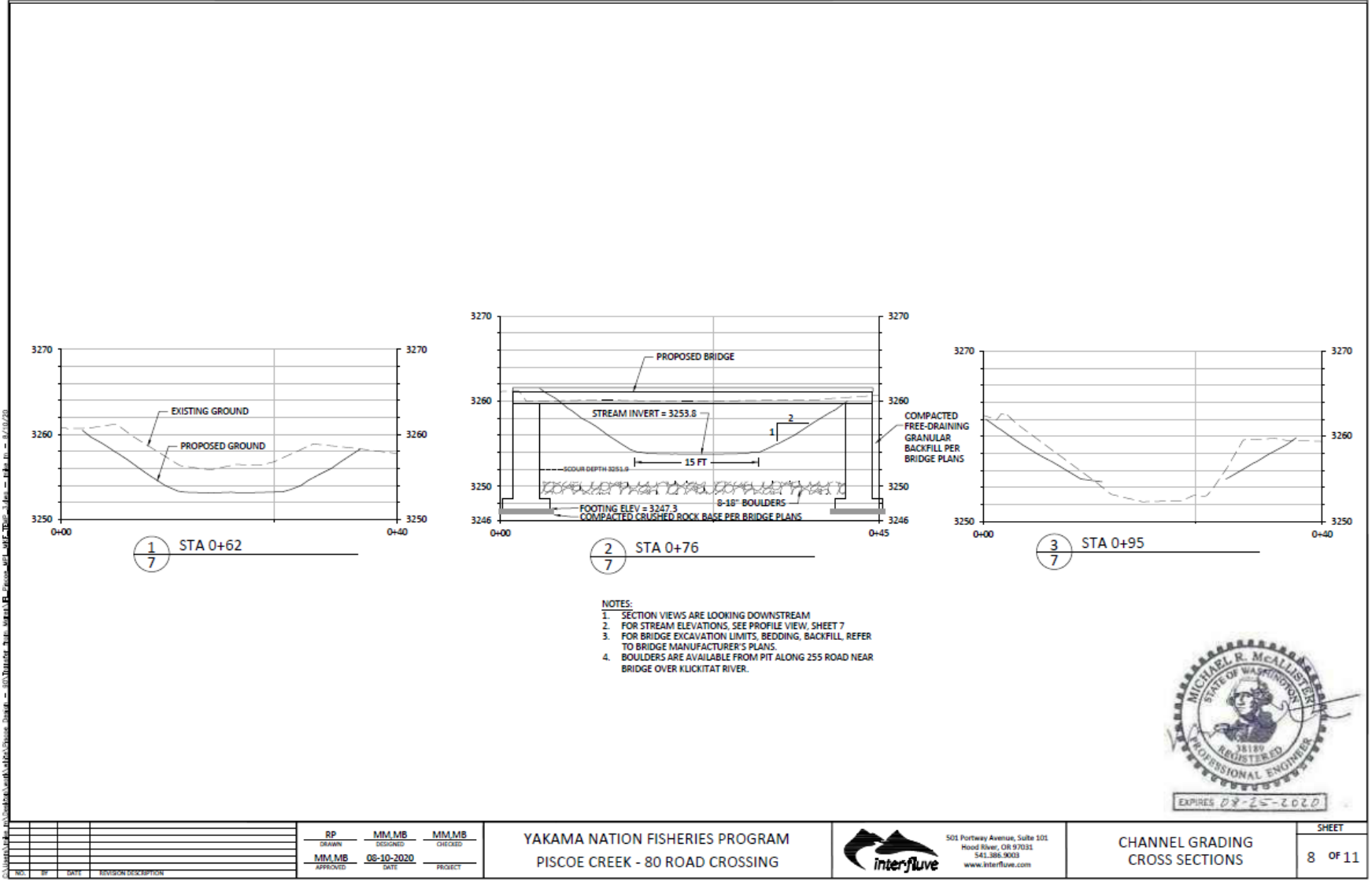
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6 OF 11

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				RP DRAWN	MM,MB DESIGNED	MM,MB CHECKED	YAKAMA NATION FISHERIES PROGRAM PISCOE CREEK - 80 ROAD CROSSING	 <div>501 Portway Avenue, Suite 101 Hood River, OR 97031 541.386.9003 www.interfluv.com</div>	BRIDGE INSTALLATION AREA PLAN AND PROFILE	SHEET
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NO.	BY	DATE	REVISION DESCRIPTION							





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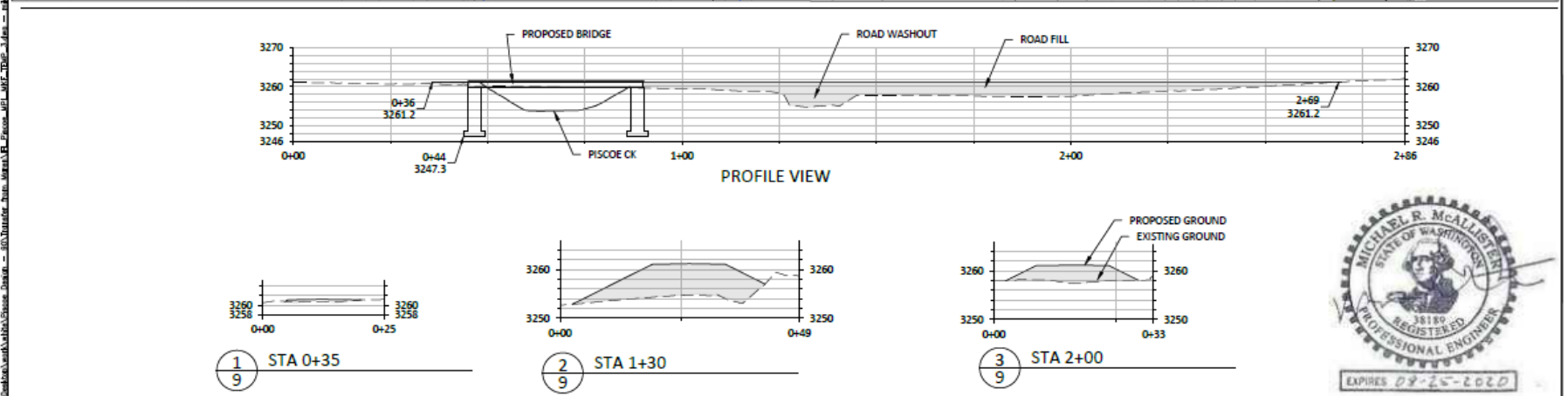
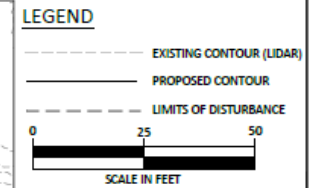
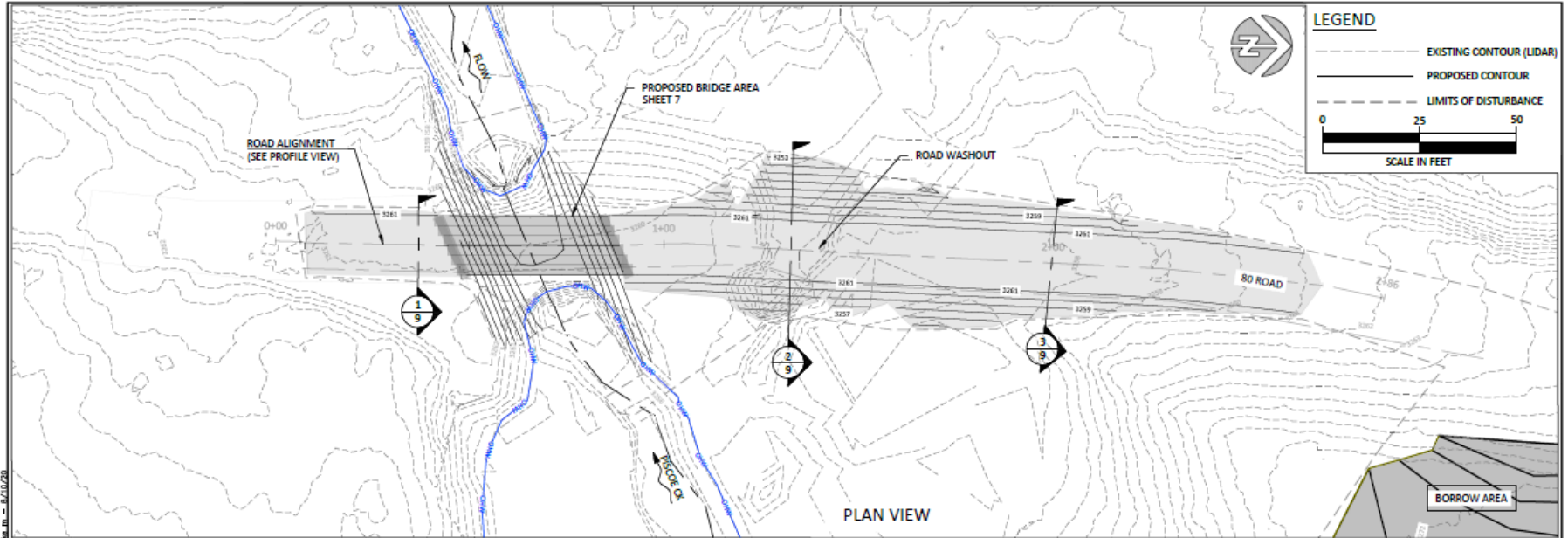
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**YAKAMA NATION FISHERIES PROGRAM**  
**PISCOE CREEK - 80 ROAD CROSSING**

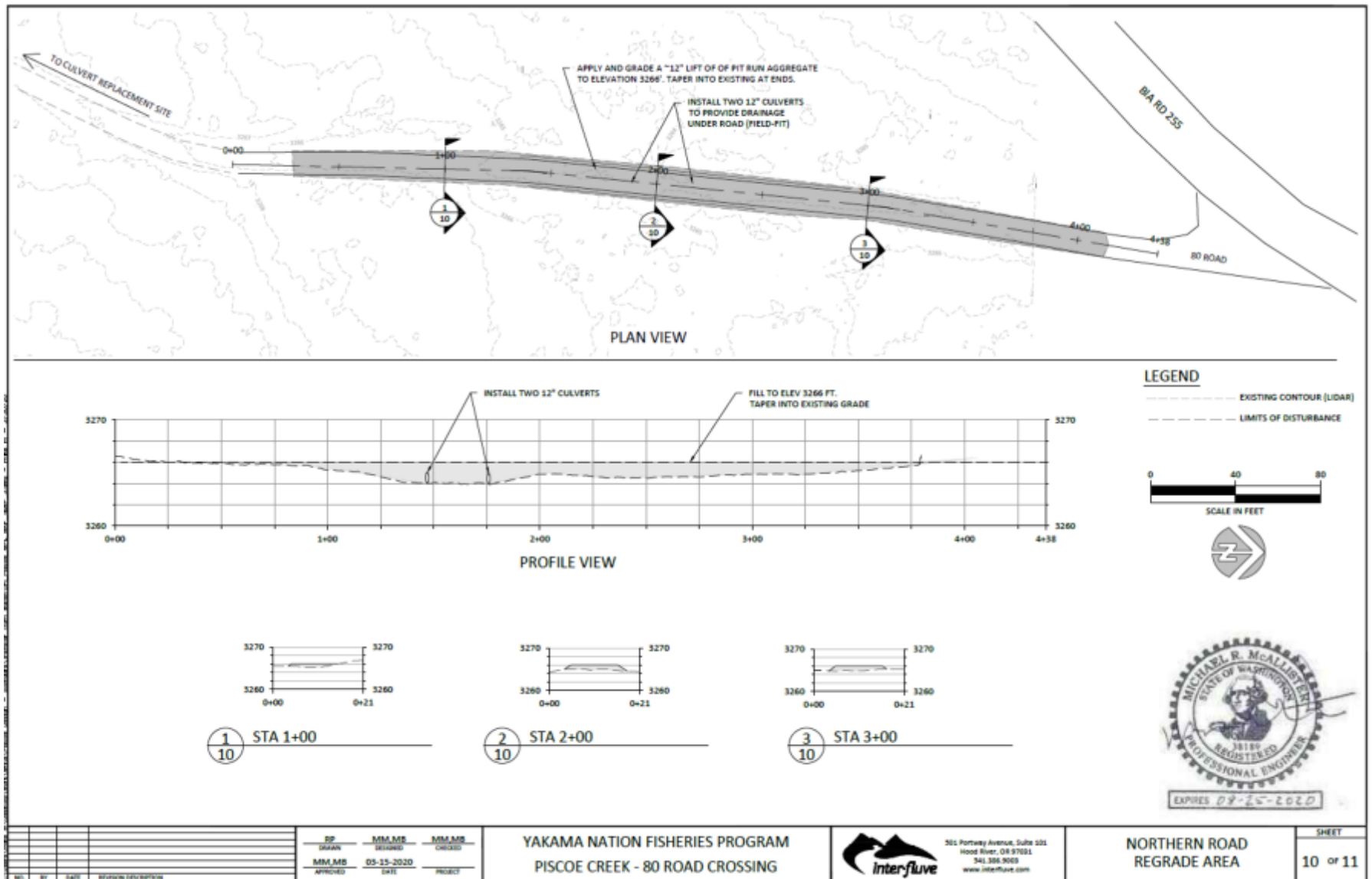
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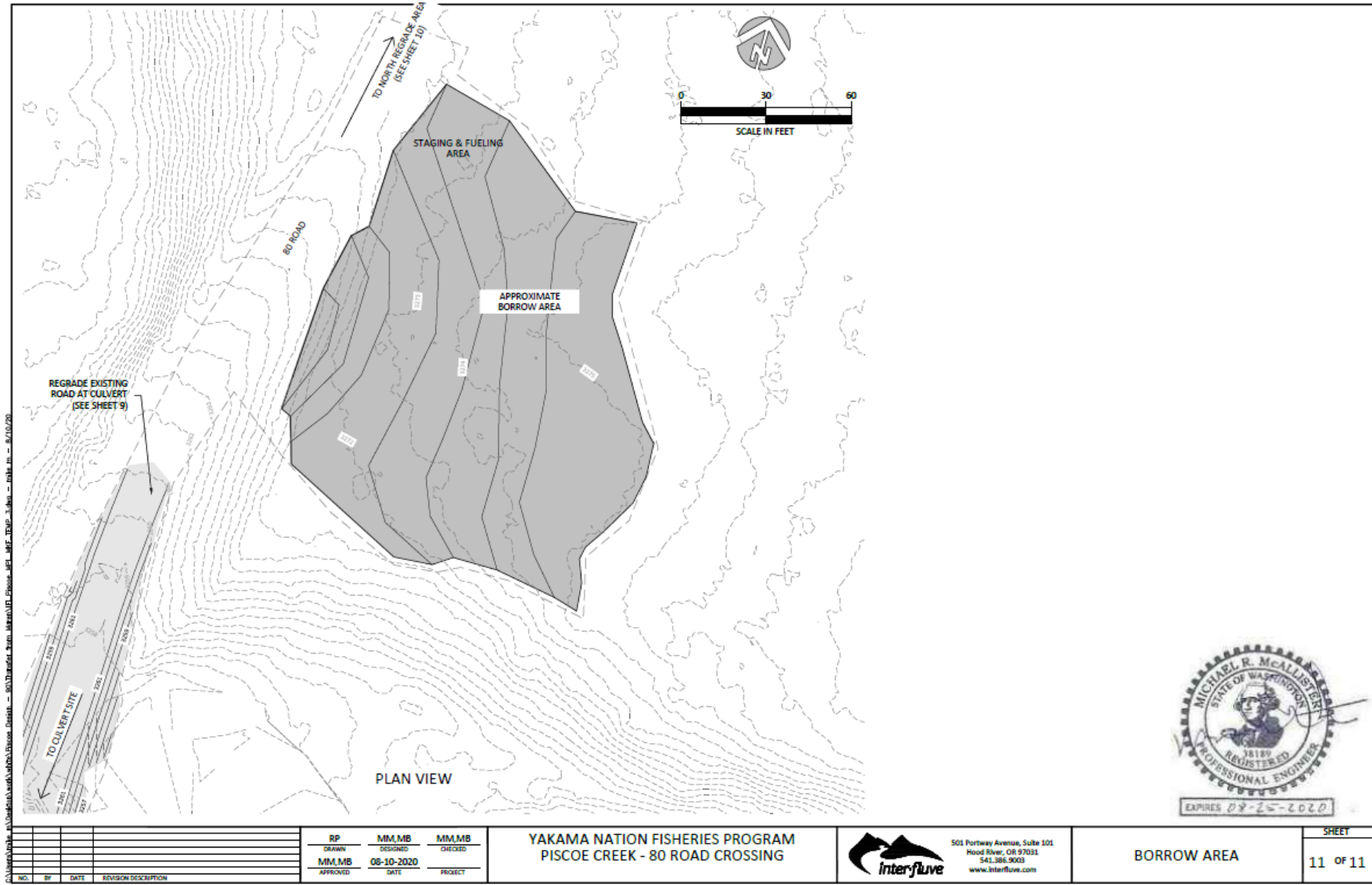
**CHANNEL GRADING**  
**CROSS SECTIONS**


**SHEET**  
**8 OF 11**



				YAKAMA NATION FISHERIES PROGRAM PISCOC CREEK - 80 ROAD CROSSING		 <p>501 Portway Avenue, Suite 101 Hood River, OR 97031 541.386.9003 www.interfluve.com</p>	ROAD REGRADE (BRIDGE AREA)	SHEET 9 OF 11
NO.	BY	DATE	REVISION DESCRIPTION	RP DRAWN	MM MB DESIGNED			
				MM MB APPROVED	08-10-2020 DATE	PROJECT		





				YAKAMA NATION FISHERIES PROGRAM		 501 Portway Avenue, Suite 101 Hood River, OR 97031 541.386.9003 www.interfluve.com	BORROW AREA	SHEET 11 of 11
NO.	BY	DATE	REVISION DESCRIPTION	RP DRAWN MM.MB APPROVED	MM.MB DESIGNED 08-10-2020 DATE	MM.MB CHECKED PROJECT		

**APPENDIX C**

**POLLUTION PREVENTION**

## **POLLUTION PREVENTION: TESC and SPCC PLANS and IMPLEMENTATION**

### **Description**

This work shall provide for preparation, implementation, and removal of a Temporary Erosion Sediment Control (TESC) plan and for the preparation and implementation of a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with specifications in Exhibit B, page 3.

1. The Contractor shall submit a TESC for the project to the Owner for approval. The TESC must satisfy the requirements of the Washington Department of Ecology NPDES Stormwater General Permit for Construction Activity and all other applicable permits. The TESC included in the Drawings and described herein is intended to provide a baseline for sediment and erosion control and does not ensure that the standards established by any applicable permits will be met. The Contractor may use these measures or alternative measures of his own design to ensure satisfactory performance and that the erosion control requirements of all applicable permits are met. The contractor shall be named as the permit holder. The contractor shall be responsible for implementing, inspecting and filing reports, maintaining, replacing, and removing TESC and SPCC measures. The plan shall include the name, address and 24-hour contact number of the person responsible for erosion prevention and sediment control measures.
2. A spill Containment Kit shall be on site and crews shall be trained in its use. Measurement "TESC, SPCC Plan and Implementation," including the above amendments to the item will be measured by lump sum.

## **APPENDIX D**

### **Glossary of Terms**

#### **CONTRACTOR**

Contractor to be selected for the performance of work under this Bid Package.

#### **Contractor Responsibilities**

See Section II of this Contractor's Bid Package.

#### **Equipment Requirements**

See Section IV of this Contractor's Bid Package.

#### **FINAL RELEASE**

See last page of this Contractor's Bid Package.

#### **Fish Window**

The in-water work window specified under "Timing Limitations" in the YN Hydraulic Project Approval, shall apply.

#### **Indian Preference Requirements**

See Appendix E.

#### **Mobilization**

Arrival of all equipment and personnel at work site in working order.

#### **OWNER**

Yakama Nation

#### **Permits**

Tribal permits that list conditions under which the work can be performed. These include, but are not necessarily limited to, the permits identified in Appendix F.

#### **Personnel Requirements**

See Section IV of this Contractor's Bid Package.

## APPENDIX E

### Insurance Requirements and Other Documents Requiring Execution

1. Required Insurance: Contractor, at its sole cost and expense (including the cost of all deductibles), shall procure and maintain in force while performing services for Yakama Nation the following insurance:
  - a. Workers Compensation Insurance, covering applicable statutory benefits in the State where the work is being performed; Employer's Liability Insurance in an amount of not less than \$1,000,000 and (when applicable) the policy will be endorsed to cover benefits.
  - b. Commercial General Liability Insurance, on a per occurrence basis, endorsed to cover on the premises operations, products/completed operations, personal injury and the contractual indemnity obligations of this agreement with limits of not less than \$2,000,000 per occurrence.
  - c. Automobile Liability Insurance, including Liability insurance coverage for vehicles which may be used by Contractor in connection with this contract, with Limits of Liability of not less than \$1,000,000 per occurrence.
  - d. Should the Services supplied under this Agreement include waste disposal operations, Pollution or Environmental Impairment Liability Insurance, with limits of not less than \$1,000,000 per occurrence. Should Federal, State or local regulatory body require insurance with higher limits, then such requirements shall apply in lieu of the specified \$1,000,000 limits.

The Workers Compensation/Employers Liability Insurance Policy will be endorsed to waive all rights of subrogation against the Yakama Nation.

The aforesaid policies will be endorsed to provide the Yakama Nation thirty (30) days written notice prior to cancellation or reduction in coverage required by this agreement. The insurance policy shall be issued by insurance companies with a Bests rating of 'B' or better or equivalent and shall be subject to Buyer's approval, such approval not to be unreasonably withheld.

Contractor shall require all Subcontractors performing services under this contract to maintain in force insurance of the types and amounts specified herein.



2. Other Documents Requiring Execution: The bidder must comply with these conditions and must submit with their bid the following signed documents:
- a. Insurance Certificates: Prior to the execution of the Contract, the Bidder shall furnish in a form satisfactory to the Yakama Nation Insurance Certificates covering the faithful performance of the Contract and the payment of all obligations arising thereunder.
  - b. Power of Attorney: Attorneys-in-fact who sign Bid Bonds or Contract Bonds must file with each bond a certified and effectively dated copy of the Power of Attorney

## **APPENDIX F**

### **Additional Conditions**

#### **I. Tribal Employment Rights Ordinance (TERO)**

Contractor shall not discriminate in the performance of this agreement against any person because of handicap, race, age, religion or gender. Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their handicap, race, age, religion or gender.

Notwithstanding the above paragraph, contractor shall comply with the Yakama Nation Tribal Employment Rights Ordinance (TERO) and, to the extent feasible and consistent with the efficient performance of this agreement, shall provide employment and training opportunities to Indians that are not fully qualified to perform under this agreement. Further, contractor may be required to submit a TERO compliance plan. For specific details on TERO compliance, the bidder should contact the Yakama Nation TERO Director, P.O. Box 151, Toppenish, Washington, 98948 (Telephone 509-865-5121 ext. 479).

## APPENDIX G

### Permits

#### Permit List

Local, State, and Federal permits that govern the performance of the work include but are not necessarily limited to the following:

NOAA Fisheries/USFWS	HIP III
Tribal Historic Preservation Office	SEC 106
Yakama Nation	Hydraulic Permit

**HIP III**  
**PROJECT NOTIFICATION FORM**  
**HIP III No: 2020043**

NMFS Tracking #: 2013/9724		Statutory Authority: <input checked="" type="checkbox"/> ESA & EFH <input type="checkbox"/> ESA		USFWS Tracking #: 01EOFW00-2013-F-0199	
Date of Request:	4/15/2020				
Project Title:	Piscoc Creek Culvert Replacement Project				
BPA Project #:	1997-056-00	Contract #:	56662 a		
BPA EC Lead:	Claire McClory	Project Sponsor:	David Lindley, YKFP		
NMFS Branch Office:	Columbia Basin Branch				
USFWS Field Office:	NA				
Lat/Long: (in decimal degrees, WGS84)	46.355950, -121.191116	County:	YAKIMA, WA		

Project Start Date:	9/1/2020	Project End Date:	10/30/2020	Completed Form Due Date:	11/30/2020
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*(Project Completion Form (PCF) and/or Herbicide Use Form (HUF) due ≤ 30-days after Project End Date)*

Does the project consist of Invasive Plant Control only?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Does the project require work area isolation/fish salvage?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Does the project require a variance?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

RISK LEVEL		
LOW	MED	HIGH
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



### **Project Description**

*List the project activities and describe the intended result(s); tell when the project is to occur; describe how the activities will be implemented; provide any other pertinent information.*

#### **J:184. Install Fish Passage Structure**

Construct the 80 road-xing of Piscoe Creek to alleviate chronic maintenance issues, allow upstream migration of all fish species and age classes, and facilitate the longitudinal movement of wood and sediment across a range of streamflow conditions.

Piscoe Creek is a 4th order tributary of the Klickitat River which Forest Road 80 crosses over approximately 0.34 miles upstream of its confluence with the Klickitat River. The project area is located on the Yakama Indian Reservation. The crossing has been a chronic road maintenance problem over the years because of frequent road washouts due to failed or blocked culverts during high flows. The original road design and maintenance required to re-open and maintain the crossing has often left conditions for upstream fish passage impaired to most age classes. The upper Klickitat and Piscoe Creek provide spawning and rearing habitat for mid-Columbia ESA-threatened steelhead and resident rainbow trout. The goal of the project is to provide a road crossing design that solves chronic maintenance problems and allows upstream migration of all fish species for all age classes.

The existing crossing is composed of two four-foot corrugated metal culverts. There are no upstream wing walls at the inlets and both culverts outfall into a 3- foot deep pool. The north culvert has a 1.5 drop into the downstream pool. The south culvert has a 0.5 - foot drop. Much of the problem with the existing crossing condition can be attributed to poor culvert capacity, culvert blockage, or both. The crossing is also sited along an alluvial fan surface created by Piscoe Creek where it meets the flatter Klickitat River valley. Forest road construction within the watershed and historical logging are the past impacts to channel, riparian, and floodplain conditions. More recent and chronic impacts are related to frequent sediment deposition upstream of the existing culverts, resulting in decreased flow capacity, flanking, and overtopping of the road. Road crews regularly rebuild pushup berms to prevent flanking, and perform road repairs.

The undersized culverts will be replaced with a Bridge.

Project will be constructed under low flow conditions September-October 2020.

As a condition of funding, I acknowledge my responsibility to ensure that the project as described will meet all of the applicable general and activity specific conservation measures found in the HIP Handbook, in addition to all the applicable terms and conditions of the HIP III Biological Opinion, unless NMFS and/or USFWS has approved a variance request.

Date: 4/15/2020

Sponsor Signature:



**Variance Request**

NA

**NMFS Species/Critical Habitat Present in Action Area:***Anadromous Fish:*

- |                                                                     |                                                                |
|---------------------------------------------------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> Lower Columbia River Chinook               | <input type="checkbox"/> Upper Willamette River Chinook        |
| <input type="checkbox"/> Lower Columbia River coho                  | <input type="checkbox"/> Upper Willamette River steelhead      |
| <input type="checkbox"/> Lower Columbia River steelhead             | <input type="checkbox"/> Snake River spring/summer-run Chinook |
| <input checked="" type="checkbox"/> Middle Columbia River steelhead | <input type="checkbox"/> Snake River fall-run Chinook          |
| <input type="checkbox"/> Upper Columbia River spring-run Chinook    | <input type="checkbox"/> Snake River Basin steelhead           |
| <input type="checkbox"/> Upper Columbia River steelhead             | <input type="checkbox"/> Snake River sockeye                   |
| <input type="checkbox"/> Columbia River chum                        | <input type="checkbox"/> Pacific eulachon                      |
| <input type="checkbox"/> Green sturgeon                             |                                                                |

*Essential Fish Habitat Species:*

- |                                                         |                                                                      |
|---------------------------------------------------------|----------------------------------------------------------------------|
| <input type="checkbox"/> Salmon (West Coast Salmon FMP) | <input type="checkbox"/> Estuarine Composite (Ground fish, pelagics) |
|---------------------------------------------------------|----------------------------------------------------------------------|

**USFWS Species/Critical Habitat Present in Action Area:**

NA

**Types of Action:***Identify the types of action(s) proposed.***1. Fish Passage Restoration (Profile Discontinuities)**

- ☐ a. Dams, Water Control or Legacy Structure Removal
- ☐ b. Consolidate, or Replace Existing Irrigation Diversions
- ☐ c. Headcut and Grade Stabilization
- ☐ d. Low Flow Consolidation
- ☐ e. Providing Fish Passage at an Existing Facility

**Fish Passage Restoration (Transportation Infrastructure)**

- ☒ f. Bridge and Culvert Removal or Replacement
- ☐ g. Bridge and Culvert Maintenance
- ☐ h. Installation of Fords

**2. River, Stream, Floodplain, and Wetland Restoration**

- ☐ a. Improve Secondary Channel and Wetland Habitats
- ☐ b. Set-back or Removal of Existing Berms, Dikes, and Levees
- ☐ c. Protect Streambanks Using Bioengineering Methods
- ☐ d. Install Habitat-Forming Natural Material Instream Structures (Large Wood, Boulders, and Spawning Gravel)
- ☒ e. Riparian Vegetation Planting
- ☐ f. Channel Reconstruction \*

**3. Invasive and Non-Native Plant Control**

- ☐ a. Manage Vegetation using Physical Controls
- ☐ b. Manage Vegetation using Herbicides

**4. Piling Removal.**

- ☐ Piling Removal

**5. Road and Trail Erosion Control, Maintenance, and Decommissioning**

- ☒ a. Maintain Roads
- ☐ b. Decommission Roads

**6. In-channel Nutrient Enhancement**

- ☐ In-channel Nutrient Enhancement

**7. Irrigation and Water Delivery/Management Actions**

- ☐ a. Convert Delivery System to Drip or Sprinkler Irrigation
- ☐ b. Convert Water Conveyance from Open Ditch to Pipeline or Line Leaking Ditches or Canals
- ☐ c. Convert from Instream Diversions to Groundwater Wells for Primary Water Sources
- ☐ d. Install or Replace Return Flow Cooling Systems



- ☐ e. Install Irrigation Water Siphon Beneath Waterway
- ☐ f. Livestock Watering Facilities
- ☐ g. Install New or Upgrade/Maintain Existing Fish Screens
- 8. Fisheries, Hydrologic, and Geomorphologic Surveys
  - ☐ Fisheries, Hydrologic, and Geomorphologic Surveys
- 9. Special Actions (Terrestrial Species)
  - ☐ a. Install/develop Wildlife Structures
  - ☐ b. Fencing Construction for Livestock Control
  - ☐ c. Implement Erosion Control Practices
  - ☒ d. Plant Vegetation
  - ☐ e. Tree Removal for LW Projects

### **USFWS Terrestrial Species Review**

*Does the project require confirmation of NLAA Effects determination for:*

USFWS CONTACT

Mammalian Species	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Approval Date: DATE
Invertebrate Species	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Approval Date: DATE
Avian Species	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Approval Date: DATE
Plant Species	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Approval Date: DATE

### **HIP Review**

*Does the project require project review and approval:*

REVIEWER  
Doug Knapp

BPA Engineering Review	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Approval Date: 4/1/2020
NMFS Engineering Review	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Approval Date: 3/10/2020
NMFS Interagency Review	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Approval Date: DATE
USFWS Interagency Review	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Approval Date: DATE

Aaron Beavers

### **BPA Determination of Consistency**

*The BPA must certify that the proposed project is consistent with all requirements and applicable terms and conditions of the HIP III Consultation.*

BPA EC Lead: *Claire McClary*

Date of Certification: 4/16/2020

HIP Program Lead:





Date of Certification: 4/21/2020



MEMORANDUM

TO: Culture Committee

THROUGH: Philip Rigdon, Deputy Director, DNR 

FROM: Kate Valdez, Tribal Historic Preservation Officer 

DATE: November 26, 2019

SUBJECT: Cultural Resources Survey for Piscoe Creek 80 Road Crossing

The Tribal Historic Preservation Office has reviewed the Cultural Resources Survey for Piscoe Creek 80 Road Crossing Project, completed by Serafina Ferri, Fisheries Archaeologist. The survey and inventory report has been completed, per our responsibilities to taken into account the adverse effect ground disturbing activities may have on Archaeological Resources, per T-66-84, T-92-87, Section 110 of the National Environmental Policy Act, and partial fulfillment of Section 106 of the National Historic Preservation Act.

The survey design and methodology for the report conform to accepted professional standards, containing all expected information. One Isolate was identified and documented. It is recommended the isolate be protected in place. Additionally, one Archaeological Site was identified and documented. Due to the location of the site within the road and the nature of the project two recommended solutions are suggested for consideration and approval.

1. The cultural material be moved to a nearby secure location just off the road with a datum provided  
or
2. The material be left in place and capped with fill when the road is leveled out.

It is the recommendation of the Tribal Historic Preservation Office that the cultural material be moved to a nearby secure location just off the road with a datum provided for future relocation if needed. This alternative allows for re-access to the site and is less invasive then being capped with fill material. However, there is always the potential of finding additional cultural material not only in this specific area, but throughout the entire project area. Therefore, our office concurs with the recommendation of monitoring of all ground disturbing activities.

A Cultural Committee Action has been attached for the approval of this report. Upon approval please return the original report and a copy of the committee action to the Tribal Historic Preservation Office for filing.

If you have any questions regarding this memo please feel free to contact me at 509-865-1068.

Cc: THPO File CRP-2020-005

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**YAKAMA NATION**  
**WATER CODE ADMINISTRATION**  
**HYDRAULIC PERMIT**  
**#H-2020-03**

**Details of Application:**

Date of Application:	May 22, 2020
Applicant Name:	Yakama Klickitat Fisheries Project
Contact Person:	Dave Lindley
Mailing Address	PO Box 215 Klickitat, WA 98628
Email Address	dlindley@yfkfp.org
Phone:	Cell: (509) 830-0034 Work: (509) 369-3565

**Details of Proposal:**

Location Information:	NE ¼ NE ¼ S16 T10N R13E
Coordinates:	Latitude: 46°21'20.85"N, Longitude: 121°11'28.19"W
Trust Land/ Allotment No(s):	NA: Closed Area
Water Body:	Piscoe Creek

**Proposed Activity:**

The Yakama Klickitat Fisheries Project proposes to construct a bridge over Piscoe Creek on the 80 Road to alleviate chronic maintenance issues, allow upstream migration of all fish species and age classes, and facilitate the longitudinal movement of wood and sediment across a range of streamflow conditions.

**Project objectives:**

- Remove existing undersized culverts under FR 80 and replace with a 45' long bridge by 15' wide skewed bridge on 12.5' tall by 22.5' long abutments. Minor modifications to the streambed and banks will be made to align the channel appropriately. The road bed approaches will be raised, to be level (no sag) with vertical curves at end points to taper into the existing road by September 2021
- Raise road approaches near to eliminate road sag and risk of overtopping by September 2021.
- Raise and regrade portion of FR 80 to provide a dry and firm road base on the 80 road approach to stream crossing by September by 2021.

**Decision:**

Application to the Yakama Nation Water Code Administration for a Hydraulic Project permit secures agreement by the applicant, Dave Lindley that this permit is issued under the jurisdiction of the Yakama

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Nation.

Note: This Hydraulic Project Approval permit pertains only to the provisions of the Yakama Nation Hydraulic Code and Water Code. It is the permittee's responsibility to apply for and obtain any additional permits from other permitting agencies Yakama Nation or United States government that may be necessary for this project.

**Provisions:**

1. **NOTIFICATION REQUIREMENT:** The permittee or his/her agent or contractor shall notify the Water Code Administration of the intent to begin work. Notification shall be received by the WCA at least three working days prior to the start of construction activities. The notification shall be submitted on the YNWCA-provided notification form, and shall include the permittee's name, project location, starting date of work, and the permit number for the Hydraulic Project Approval. Submission of the 72-hour notification form may be done one or more of the following methods. : 1) Fax to 509-877-1064; 2) Mail to Water Code Administration, P.O. Box 151, Toppenish, WA 98948; 3) Hand delivery to Water Code Administration during regular business hours, 214 Ivy St., Wapato, WA; or 4) Email to Shyanne Pinkham, [shyanne\\_pinkham@yakama.com](mailto:shyanne_pinkham@yakama.com).
2. This permit authorizes the following activities:
  - Clear and grub vegetation at road crossing and to borrow area
  - Dewatering of creek/stream isolation to allow for bridge construction
  - Installation of temporary pump(s) around diversion
  - Demolition and removal of existing culvert crossing
  - Installation of 45' x 15' bridge and abutments and two(2) 12" culverts
  - Raising of road bed approaches
  - General riparian habitat improvements adjacent to project
3. The applicant is responsible to supply the contractor(s) with a copy of this permit and the contractor(s) must have a copy of the permit on the job site at all times.
4. Plans and specifications provided in application dated 5/22/2020 and supplementary environmental documentation and permits and included 80 Road at Piscoe Creek Culvert Replacement plans shall be adhered to.
5. **Instream Work Window:** Instream work in fish-bearing streams shall be completed during the In-water work window September 1-October 31. A time extension must be approved in writing by the WC Director.
6. Instream work below Ordinary High Water (OHWM) is authorized for the following activities, excavator may enter the creek channel during the instream work window described in provision 5 only for purposes of constructing/placing abutments, removing existing culverts and underlying road crossing structures, and other applicable duties that cannot be accessed from above the OHWM.
7. Fish exclusion within the in-water work isolation areas shall be conducted by qualified staff and in accordance with provision 4.
8. Construction is authorized year round on structures as long as work is done above the surface water in a contained environment (i.e. catchment structure).
9. Equipment is not authorized to enter the wetted channel with the exception of activities

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authorized in provision 6.

- All equipment shall be maintained in good working order, free of fluid leaks such as engine oil, hydraulic fluid, grease, weed seeds etc. No petroleum products, hydraulic fluid, chemicals, or any other deleterious materials shall enter or leak into the stream or any other water source.
  - Washing and cleaning of work equipment and machinery shall be done in a location where wash water will not enter the riparian zone of creek channel.
  - All portable refueling storage tanks shall be provided with secondary containment facilities equal to 100% of the fuel capacity of those vessels contained.
  - Permittee/contractor is to have spill kits available on site and staff trained in the use of kits and spill response.
10. Removal or repositioning of bed load material (e.g. gravels) is authorized by this HPA but is limited to the minimum necessary to perform the approved activities in provision 2.
  11. The use of explosives is not authorized.
  12. Erosion control methods such as but not limited to filter fabric, silt fences, straw bales, straw waddles, ecology blocks and other applicable erosion control techniques shall be temporarily utilized to prevent silt laden water and other deleterious materials from entering the channel.
  13. Erosion control structures shall be monitoring regularly during normal operations and during and after rain events. If any issues or failures occur with sediment barriers and structures, they are to be repaired within 24 hours.
  14. Removal of temporary structures shall be done in a manner that ensures materials will not enter the channel.
  15. If a high water event occurs during construction, work will cease until water levels recede.
  16. All earthen waste material such as construction debris, silt, excess dirt or overburden resulting from the project shall be deposited in an approved and designated upland site.
  17. Demolition debris and other refuse including but not limited to concrete and asphalt waste, metal, and trash shall be disposed of properly off site at a landfill or recycling center.
  18. Alteration or disturbance of the bank and bank vegetation shall be limited to that necessary to accomplish the approved activities listed in provision 2. Root structures of woody vegetation shall be retained to allow for regrowth when possible. Clearing and grubbing is not authorized except for the minimum that is required to clean/grub the immediate work area and channel bank and to remove soil from borrow area.
  19. Restoration of stream bed, and revegetation shall be completed prior to the expiration of this permit.
  20. Restoration and vegetation establishment shall be monitored and maintained for five years to ensure survivability.
  21. Best Management Practices shall be adhered to prevent any toxic or deleterious materials from entering or leaking into the creek or other water source.
  22. This Hydraulic Project Approval (HPA) is for work involving this project area only. This HPA does not authorize trespass onto property not owned by the permittee. It is the permittee's responsibility to obtain permission to enter property owned by others.
  23. Under no circumstances shall a blockage to stream flow or fish passage be created.
  24. If at any time, as a result of this project, fish are observed to be in distress, a fish kill occurs, or water quality problems (including equipment leaks or spills) develop, operation shall cease and Water Code Administration must be immediately notified at (509)865-5121 ext.6122 or 6125.

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Work shall not resume until further approval is given.

25. Water withdrawal for use during construction (i.e. dust abatement) is authorized.

- Water withdrawal must be taken from behind a 3/32 screen if water is taken from Piscoe Creek or the Klickitat River.

26. WCA retains the authority to ingress and egress the site for legitimate purposes, such as, collection of water samples, measurement of water levels, construction monitoring and so forth.

***Other tribal programs such as YN Cultural Resources, YN Fisheries and YN Wildlife shall be granted access to monitor construction activities.***

27. Hydraulic permit **H-2020-02** is valid for one (1) year from date of issuance. All additional HPA work plans shall be cleared and approved through the Yakama Nation Water Code Administration prior to the start of any construction activities. A time extension may be added depending upon site specific circumstances. Request must be in writing and approved by WCA Director prior to any extensions.

***Failure to comply with the terms, conditions, and scope of this permit may result in the cancellation of this permit and/or civil penalties as listed in the YN Law and Order Code Title 60. This Interim Hydraulic permit is to be available on the job site at all times and its provisions followed by the permittee and operator performing the work.***

***I have read, understand and will comply with the conditions of this permit. Noncompliance can result in civil fines, requests to cease and desist and denial of permit.***

Applicant Initial DL

***Please read carefully, sign and date this agreement. Your signature indicates that you understand and agree to the conditions set forth in this agreement. Project activities may commence when exact date is given, and sign and date this agreement.***

**Water Code Director**

X

Director

Date: 6/17/2020

***I have read the foregoing permit and agree to comply with all conditions and measures set forth, in exchange for the Yakama Nation's permission to proceed with hydraulic modifications.***

**Permit Applicant**

X

Permit Applicant

Date: 6/17/20

**Permit Expiration Date:** \_\_\_\_\_

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## APPENDIX H

### RELEASE

That \_\_\_\_\_

of \_\_\_\_\_, hereinafter  
called CONTRACTOR, hereby acknowledges receipt of payment by

\_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_, hereinafter called OWNER, of the

total sum of \_\_\_\_\_ (\$ \_\_\_\_\_) and does  
hereby accept such sum in full payment, satisfaction and discharge of all amounts due and owing  
to the CONTRACTOR under that certain contract between  
the CONTRACTOR and the OWNER dated \_\_\_\_\_, and any amendments,  
changes, or additions thereto and for all extra work in connection with said contract, or arising  
out of or in connection with

\_\_\_\_\_  
\_\_\_\_\_  
In consideration of said payment and other good and valuable consideration, CONTRACTOR  
hereby releases and forever discharges the OWNER, his officers, agents, servants, and employees  
of and from any and all claims, demands, actions, causes of action, obligations, and liabilities of  
every kind and character whatsoever, in law or equity, arising from this Agreement, which  
CONTRACTOR may have or assert against the OWNER, his officer, agents, servants, and  
employees.

In further consideration of said payment and other good and valuable consideration,  
CONTRACTOR hereby undertakes and agrees to indemnify and hold harmless the OWNER,  
his officers, agents, servants, and employees, of and from any and all claims, demands actions,  
and causes of actions for damages to property or injury to persons, debts, liens, obligations, and  
liabilities of every kind and character whatsoever, in law and equity, which any person or  
persons, corporation, partnership, or association may have or assert against the OWNER, his  
officers, agents, servants, and employees, arising out of, resulting from, or in connection with the  
performance of said work by CONTRACTOR, or any act or omission by CONTRACTOR in  
the performance of the aforesaid Agreement.

\_\_\_\_\_  
CONTRACTOR

\_\_\_\_\_  
LICENSE NUMBER

\_\_\_\_\_  
DATE