Lewis County
Department of Public Works
Engineering Division

CONTRACT PROVISIONS AND PLANS

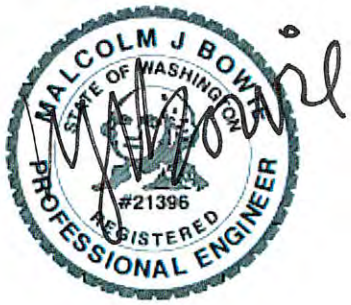
FOR THE:

MIDDLE FORK RD MP 7.07 (MF Newaukum R.) CULVERT REPLACEMENT PROJECT

COUNTY MAINTENANCE PROJECT NO. 1802

February 2019

Lewis County Public Works
2025 NE Kresky Ave.
Chehalis, WA 98532-2626



BOARD OF COUNTY COMMISSIONERS

Edna J. Fund, District No. 1
Robert C. Jackson, District No. 2
Gary Stamper, District No. 3

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INTRODUCTION

The following Amendments and Special Provisions shall be used in conjunction with the 2018 Standard Specifications for Road, Bridge, and Municipal Construction.

AMENDMENTS TO THE STANDARD SPECIFICATIONS

The following Amendments to the Standard Specifications are made a part of this contract and supersede any conflicting provisions of the Standard Specifications. For informational purposes, the date following each Amendment title indicates the implementation date of the Amendment or the latest date of revision.

Each Amendment contains all current revisions to the applicable section of the Standard Specifications and may include references which do not apply to this particular project.

Section 1-02, Bid Procedures and Conditions

April 2, 2018

1-02.6 Preparation of Proposal

Item number 1 of the second paragraph is revised to read:

1. A unit price for each item (omitting digits more than two places to the right of the decimal point),

In the third sentence of the fourth paragraph, "WSDOT Form 422-031" is revised to read "WSDOT Form 422-031U".

The following is inserted after the third sentence of the fourth paragraph:

Bidders shall submit a UDBE Broker Agreement documenting the fees or commissions charged by the Broker for any Broker listed on the UDBE Utilization Certification in accordance with the Special Provisions. Bidders shall submit a completed UDBE Trucking Credit Form for each UDBE Trucking firm listed on the UDBE Utilization Certification in accordance with the Special Provisions. WSDOT Form 272-058 is available for this purpose.

The following new paragraph is inserted before the last paragraph:

The Bidder shall submit with their Bid a completed Contractor Certification Wage Law Compliance form (WSDOT Form 272-009). Failure to return this certification as part of the Bid Proposal package will make this Bid Nonresponsive and ineligible for Award. A Contractor Certification of Wage Law Compliance form is included in the Proposal Forms.

1-02.13 Irregular Proposals

Item 1(h) is revised to read:

h. The Bidder fails to submit Underutilized Disadvantaged Business Enterprise Good Faith Effort documentation, if applicable, as required in Section 1-02.6, or if the documentation that is

submitted fails to demonstrate that a Good Faith Effort to meet the Condition of Award was made;

Item 1(i) is revised to read the following three items:

i. The Bidder fails to submit an Underutilized Disadvantaged Business Enterprise Trucking Credit Form, if applicable, as required in Section 1-02.6, or if the Form that is submitted fails to meet the requirements of the Special Provisions;

j. The Bidder fails to submit an Underutilized Disadvantaged Business Enterprise Broker Agreement, if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to demonstrate that the fee/commission is reasonable as determined by the Contracting Agency; or

k. The Bid Proposal does not constitute a definite and unqualified offer to meet the material terms of the Bid invitation.

SECTION 1-05, CONTROL OF WORK

April 2, 2018

1-05.9 Equipment

The following new paragraph is inserted before the first paragraph:

Prior to mobilizing equipment on site, the Contractor shall thoroughly remove all loose dirt and vegetative debris from drive mechanisms, wheels, tires, tracks, buckets and undercarriage. The Engineer will reject equipment from the site until it returns clean.

This section is supplemented with the following:

Upon completion of the Work, the Contractor shall completely remove all loose dirt and vegetative debris from equipment before removing it from the job site.

SECTION 1-07, LEGAL RELATIONS AND RESPONSIBILITIES TO THE PUBLIC

April 2, 2018

1-07.5 Environmental Regulations

This section is supplemented with the following new subsections:

1-07.5(5) U.S. Army Corps of Engineers

When temporary fills are permitted, the Contractor shall remove fills in their entirety and the affected areas returned to pre-construction elevations.

If a U.S. Army Corps of Engineers permit is noted in Section 1-07.6 of the Special Provisions, the Contractor shall retain a copy of the permit or the verification letter (in the case of a Nationwide Permit) on the worksite for the life of the Contract. The Contractor shall provide copies of the permit or verification letter to all subcontractors involved with the authorized work prior to their commencement of any work in waters of the U.S.

1-07.5(6) U.S. Fish/Wildlife Services and National Marine Fisheries Service

The Contracting Agency will provide fish exclusion and handling services if the Work dictates. However, if the Contractor discovers any fish stranded by the project and a Contracting Agency biologist is not available, they shall immediately release the fish into a flowing stream or open water.

1-07.5(1) General

The first sentence is deleted and replaced with the following:

No Work shall occur within areas under the jurisdiction of resource agencies unless authorized in the Contract.

The third paragraph is deleted.

1-07.5(2) State Department of Fish and Wildlife

This section is revised to read:

In doing the Work, the Contractor shall:

1. Not degrade water in a way that would harm fish, wildlife, or their habitat.
2. Not place materials below or remove them from the ordinary high water line except as may be specified in the Contract.
3. Not allow equipment to enter waters of the State except as specified in the Contract.
4. Revegetate in accordance with the Plans, unless the Special Provisions permit otherwise.
5. Prevent any fish-threatening silt buildup on the bed or bottom of any body of water.
6. Ensure continuous stream flow downstream of the Work area.
7. Dispose of any project debris by removal, burning, or placement above high-water flows.
8. Immediately notify the Engineer and stop all work causing impacts, if at any time, as a result of project activities, fish are observed in distress or a fish kill occurs.

If the Work in (1) through (3) above differs little from what the Contract requires, the Contracting Agency will measure and pay for it at unit Contract prices. But if Contract items do not cover those areas, the Contracting Agency will pay pursuant to Section 1-09.4. Work in (4) through (8) above shall be incidental to Contract pay items.

1-07.7(1) General

The first sentence of the third paragraph is revised to read:

When the Contractor moves equipment or materials on or over Structures, culverts or pipes, the Contractor may operate equipment with only the load-limit restrictions in Section 1-07.7(2).

The first sentence of the last paragraph is revised to read:

Unit prices shall cover all costs for operating over Structures, culverts and pipes.

1-07.9(2) Posting Notices

The second sentence of the first paragraph (up until the colon) is revised to read:

The Contractor shall ensure the most current edition of the following are posted:

In items 1 through 10, the revision dates are deleted.

1-07.11(2) Contractual Requirements

In this section, “creed” is revised to read “religion”.

Item numbers 1 through 9 are revised to read 2 through 10, respectively.

After the preceding Amendment is applied, the following new item number 1 is inserted:

1. The Contractor shall maintain a Work site that is free of harassment, humiliation, fear, hostility and intimidation at all times. Behaviors that violate this requirement include but are not limited to:

    a. Persistent conduct that is offensive and unwelcome.

    b. Conduct that is considered to be hazing.

    c. Jokes about race, gender, or sexuality that are offensive.

    d. Unwelcome, unwanted, rude or offensive conduct or advances of a sexual nature which interferes with a person’s ability to perform their job or creates an intimidating, hostile, or offensive work environment.

    e. Language or conduct that is offensive, threatening, intimidating or hostile based on race, gender, or sexual orientation.

    f. Repeating rumors about individuals in the Work Site that are considered to be harassing or harmful to the individual’s reputation.

1-07.11(5) Sanctions

This section is supplemented with the following:

Immediately upon the Engineer’s request, the Contractor shall remove from the Work site any employee engaging in behaviors that promote harassment, humiliation, fear or intimidation including but not limited to those described in these specifications.

1-07.11(6) Incorporation of Provisions

The first sentence is revised to read:

The Contractor shall include the provisions of Section 1-07.11(2) Contractual Requirements (1) through (5) and the Section 1-07.11(5) Sanctions in every subcontract including procurement of materials and leases of equipment.

1-07.18 Public Liability and Property Damage Insurance

Item number 1 is supplemented with the following new sentence:

This policy shall be kept in force from the execution date of the Contract until the Physical Completion Date.

1

INTRODUCTION

The following Special Provisions are made a part of this contract and supersede any conflicting provisions of the 2018 Standard Specifications for Road, Bridge, and Municipal Construction, and the foregoing Amendments to the Standard Specifications.

The said Standard Specifications and Amendments thereto, the WSDOT Standard Plans, and WSDOT Construction Manual, together with the Special Provisions and the attached plans hereinafter contained, covering all work specified under this contract are incorporated and hereby made a part of this contract. The Special Provisions hereinafter contained shall supersede any conflicting provisions of the Standard Specifications and Amendments thereto, the WSDOT Standard Plans, and WSDOT Construction Manual.

Several types of Special Provisions are included in this contract; General, Region, Bridges and Structures, and Project Specific. Special Provisions types are differentiated as follows:

(date)	General Special Provision
(******)	Notes a revision to a General Special Provision and also notes a Project Specific Special Provision.
(APWA GSP)	American Public Works Association General Special Provision

General Special Provisions are similar to Standard Specifications in that they typically apply to many projects, usually in more than one Region. Usually, the only difference from one project to another is the inclusion of variable project data, inserted as a "fill-in".

Project Specific Special Provisions normally appear only in the contract for which they were developed.

The following paragraph pertaining to the Standard Specifications shall obtain and be made a part of this contract:

> Wherever the word "State" or "Contracting Agency" is used it shall mean Lewis County; that wherever the words "Secretary (Secretary of Transportation)" are used they shall mean Lewis County Engineer; that wherever the words "State Treasurer" are used they shall mean Lewis County Treasurer; that wherever the words "State Auditor" are used they shall mean Lewis County Auditor; that wherever the words "Motor Vehicle Fund" are used they shall mean Lewis County Road Fund.

SPECIAL PROVISIONS

DIVISION 1
GENERAL REQUIREMENTS

1-01, DESCRIPTION OF WORK

(March 13, 1995)

This contract provides for the improvement of *** Middle Fork Road MP 7.07 (MF Newaukum R.) Culvert by installing a stream bypass, traffic detour, removing the existing CMP culvert, structure excavation, channel excavation, precast concrete split-box culvert installation, streambed restoration, road

restoration with HMA, guardrail, hydroseeding *** and other related work, all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications.

1-01.3 Definitions

(January 4, 2016 APWA GSP)

Delete the heading **Completion Dates** and the three paragraphs that follow it, and replace them with the following:

Dates

Bid Opening Date
The date on which the Contracting Agency publicly opens and reads the Bids.

Award Date
The date of the formal decision of the Contracting Agency to accept the lowest responsible and responsive Bidder for the Work.

Contract Execution Date
The date the Contracting Agency officially binds the Agency to the Contract.

Notice to Proceed Date
The date stated in the Notice to Proceed on which the Contract time begins.

Substantial Completion Date
The day the Engineer determines the Contracting Agency has full and unrestricted use and benefit of the facilities, both from the operational and safety standpoint, any remaining traffic disruptions will be rare and brief, and only minor incidental work, replacement of temporary substitute facilities, plant establishment periods, or correction or repair remains for the Physical Completion of the total Contract.

Physical Completion Date
The day all of the Work is physically completed on the project. All documentation required by the Contract and required by law does not necessarily need to be furnished by the Contractor by this date.

Completion Date
The day all the Work specified in the Contract is completed and all the obligations of the Contractor under the contract are fulfilled by the Contractor. All documentation required by the Contract and required by law must be furnished by the Contractor before establishment of this date.

Final Acceptance Date
The date on which the Contracting Agency accepts the Work as complete.

Supplement this Section with the following:

All references in the Standard Specifications, Amendments, or WSDOT General Special Provisions, to the terms “Department of Transportation”, “Washington State Transportation Commission”, “Commission”, “Secretary of Transportation”, “Secretary”, “Headquarters”, and “State Treasurer” shall be revised to read “Contracting Agency”.

All references to the terms “State” or “state” shall be revised to read “Contracting Agency” unless the reference is to an administrative agency of the State of Washington, a State statute or regulation, or the context reasonably indicates otherwise.

All references to “State Materials Laboratory” shall be revised to read “Contracting Agency designated location”.

All references to “final contract voucher certification” shall be interpreted to mean the Contracting Agency form(s) by which final payment is authorized, and final completion and acceptance granted.

Additive
A supplemental unit of work or group of bid items, identified separately in the Bid Proposal, which may, at the discretion of the Contracting Agency, be awarded in addition to the base bid.

Alternate
One of two or more units of work or groups of bid items, identified separately in the Bid Proposal, from which the Contracting Agency may make a choice between different methods or material of construction for performing the same work.

Business Day
A business day is any day from Monday through Friday except holidays as listed in Section 1-08.5.

Contract Bond
The definition in the Standard Specifications for “Contract Bond” applies to whatever bond form(s) are required by the Contract Documents, which may be a combination of a Payment Bond and a Performance Bond.

Contract Documents
See definition for “Contract”.

Contract Time
The period of time established by the terms and conditions of the Contract within which the Work must be physically completed.

Notice of Award
The written notice from the Contracting Agency to the successful Bidder signifying the Contracting Agency’s acceptance of the Bid Proposal.

Notice to Proceed
The written notice from the Contracting Agency or Engineer to the Contractor authorizing and directing the Contractor to proceed with the Work and establishing the date on which the Contract time begins.

Traffic
Both vehicular and non-vehicular traffic, such as pedestrians, bicyclists, wheelchairs, and equestrian traffic.

1-02, BID PROCEDURES AND CONDITIONS

1-02.1 Prequalification of Bidders

Delete this Section and replace it with the following:

1-02.1 Qualifications of Bidder
(January 24, 2011 APWA GSP)

Before award of a public works contract, a bidder must meet at least the minimum qualifications of RCW 39.04.350(1) to be considered a responsible bidder and qualified to be awarded a public works project.

1-02.2 Plans and Specifications
(******)

The first paragraph of section 1-02.2 is revised to read:

Copies of the plans and specifications are on file in the office of:

Lewis County Public Works Department
2025 N.E. Kresky Avenue
Chehalis, Washington 98532
(360) 740-2612

The second paragraph of section 1-02.2 is revised to read:

Prospective bidders may obtain plans and specifications from Lewis County Public Works Department in Chehalis, Washington or download from Lewis County Website at www.lewiscountywa.gov.

1-02.6 Preparation Of Proposal

(August 2, 2004)
The fifth and sixth paragraphs of Section 1-02.6 are deleted.

1-02.12 Public Opening Of Proposal
(******)

Section 1-02.12 is supplemented with the following:

Date and Time of Bid Opening
The Board of County Commissioners of Lewis County or designee, will open sealed proposals and publicly read them aloud on or after 11:00 a.m. on **March 5, 2019**, at the Lewis County Courthouse, Chehalis, Washington, for the Middle Fork Road MP 7.07 (MF Newaukum R.) Culvert Replacement Project, CMP 1802.

SEALED BIDS MUST BE DELIVERED BY OR BEFORE
11:00 A.M. on Tuesday, March 5, 2019
(Lewis County official time is displayed on Axxess Intertel phones in the office of the Board of County Commissioners. **Bids submitted after 11:00 AM will not be considered for this project**.)

Delivery and Marking of Sealed Bid Proposals
Sealed proposals must be delivered to the Clerk of the Board of Lewis County Commissioners (351 N.W. North Street, Room 210, CMS-01, Chehalis, Washington 98532) by or before **11:00 a.m.** on the date specified for opening, and in an envelope clearly marked: ***"SEALED BID FOR THE MIDDLE FORK ROAD MP 7.07 (MF NEWAUKUM R.) CULVERT REPLACEMENT PROJECT, CMP 1802, TO BE OPENED ON OR AFTER 11:00 A.M. ON MARCH 5, 2019".***

1-02.13 Irregular Proposals

(June 20, 2017 APWA GSP)

Delete this section and replace it with the following:

1. A Proposal will be considered irregular and will be rejected if:
   a. The Bidder is not prequalified when so required;
   b. The authorized Proposal form furnished by the Contracting Agency is not used or is altered;
   c. The completed Proposal form contains any unauthorized additions, deletions, alternate Bids, or conditions;
   d. The Bidder adds provisions reserving the right to reject or accept the award, or enter into the Contract;
   e. A price per unit cannot be determined from the Bid Proposal;
   f. The Proposal form is not properly executed;
   g. The Bidder fails to submit or properly complete a Subcontractor list, if applicable, as required in Section 1-02.6;
   h. The Bidder fails to submit or properly complete an Underutilized Disadvantaged Business Enterprise Certification, if applicable, as required in Section 1-02.6;
   i. The Bidder fails to submit written confirmation from each UDBE firm listed on the Bidder's completed UDBE Utilization Certification that they are in agreement with the bidder's UDBE participation commitment, if applicable, as required in Section 1-02.6, or if the written confirmation that is submitted fails to meet the requirements of the Special Provisions;
   j The Bidder fails to submit UDBE Good Faith Effort documentation, if applicable, as required in Section 1-02.6, or if the documentation that is submitted fails to demonstrate that a Good Faith Effort to meet the Condition of Award was made;
   k. The Bid Proposal does not constitute a definite and unqualified offer to meet the material terms of the Bid invitation; or
   l. More than one Proposal is submitted for the same project from a Bidder under the same or different names.

2. A Proposal may be considered irregular and may be rejected if:
   a. The Proposal does not include a unit price for every Bid item;
   b. Any of the unit prices are excessively unbalanced (either above or below the amount of a reasonable Bid) to the potential detriment of the Contracting Agency;
   c. Receipt of Addenda is not acknowledged;
   d. A member of a joint venture or partnership and the joint venture or partnership submit Proposals for the same project (in such an instance, both Bids may be rejected); or
   e. If Proposal form entries are not made in ink.

1-02.14 Disqualification of Bidders

(July 31, 2017 APWA GSP, Option B)

Delete this section and replace it with the following:

A Bidder will be deemed not responsible if the Bidder does not meet the mandatory bidder responsibility criteria in RCW 39.04.350(1), as amended; or does not meet Supplemental Criteria 1-7 listed in this Section.

The Contracting Agency will verify that the Bidder meets the mandatory bidder responsibility criteria in RCW 39.04.350(1), and Supplemental Criteria 1-2. Evidence that the Bidder meets Supplemental Criteria 3-7 shall be provided by the Bidder as stated later in this Section.

In addition, the Bidder shall submit to the Contracting Agency a signed "Certification of Compliance with Wage Payment Statutes" document where the Bidder under penalty of perjury verifies that the Bidder is in compliance with responsible bidder criteria in RCW 39.04.350 subsection (1)(g). A form appropriate for "Certification of Compliance with Wage Payment Statutes" will be provided by the Contracting Agency in the Bid Documents. The form provided in the Bid Documents shall be submitted with the Bid as stated in Section 1-02.9.

1. **Delinquent State Taxes**

   A Criterion: The Bidder shall not owe delinquent taxes to the Washington State Department of Revenue without a payment plan approved by the Department of Revenue.

   B. Documentation: The Bidder shall not be listed on the Washington State Department of Revenue's "Delinquent Taxpayer List" website: http://dor.wa.gov/content/fileandpaytaxes/latefiling/dtlwest.aspx , or if they are so listed, they must submit a written payment plan approved by the Department of Revenue, to the Contracting Agency by the deadline listed below.

2. **Federal Debarment**

   A Criterion: The Bidder shall not currently be debarred or suspended by the Federal government.

   B. Documentation: The Bidder shall not be listed as having an "active exclusion" on the U.S. government's "System for Award Management" database (www.sam.gov).

3. **Subcontractor Responsibility**

   A Criterion: The Bidder's standard subcontract form shall include the subcontractor responsibility language required by RCW 39.06.020, and the Bidder shall have an established procedure which it utilizes to validate the responsibility of each of its subcontractors. The Bidder's subcontract form shall also include a requirement that each of its subcontractors shall have and document a similar procedure to determine whether the sub-tier subcontractors with whom it contracts are also "responsible" subcontractors as defined by RCW 39.06.020.

   B. Documentation: The Bidder, if and when required as detailed below, shall submit a copy of its standard subcontract form for review by the Contracting Agency, and a written description of its procedure for validating the responsibility of subcontractors with which it contracts.

4. **Claims Against Retainage and Bonds**

   A Criterion: The Bidder shall not have a record of excessive claims filed against the retainage or payment bonds for public works projects in the three years prior to the bid submittal date, that demonstrate a lack of effective management by the Bidder of making timely and appropriate payments to its subcontractors, suppliers, and workers, unless

there are extenuating circumstances and such circumstances are deemed acceptable to the Contracting Agency.

B. Documentation: The Bidder, if and when required as detailed below, shall submit a list of the public works projects completed in the three years prior to the bid submittal date that have had claims against retainage and bonds and include for each project the following information:

- Name of project
- The owner and contact information for the owner;
- A list of claims filed against the retainage and/or payment bond for any of the projects listed;
- A written explanation of the circumstances surrounding each claim and the ultimate resolution of the claim.

5. **Public Bidding Crime**

A Criterion: The Bidder and/or its owners shall not have been convicted of a crime involving bidding on a public works contract in the five years prior to the bid submittal date.

B. Documentation: The Bidder, if and when required as detailed below, shall sign a statement (on a form to be provided by the Contracting Agency) that the Bidder and/or its owners have not been convicted of a crime involving bidding on a public works contract.

6. **Termination for Cause / Termination for Default**

A Criterion: The Bidder shall not have had any public works contract terminated for cause or terminated for default by a government agency in the five years prior to the bid submittal date, unless there are extenuating circumstances and such circumstances are deemed acceptable to the Contracting Agency.

B. Documentation: The Bidder, if and when required as detailed below, shall sign a statement (on a form to be provided by the Contracting Agency) that the Bidder has not had any public works contract terminated for cause or terminated for default by a government agency in the five years prior to the bid submittal date; or if Bidder was terminated, describe the circumstances. .

7. **Lawsuits**

A Criterion: The Bidder shall not have lawsuits with judgments entered against the Bidder in the five years prior to the bid submittal date that demonstrate a pattern of failing to meet the terms of contracts, unless there are extenuating circumstances and such circumstances are deemed acceptable to the Contracting Agency

B. Documentation: The Bidder, if and when required as detailed below, shall sign a statement (on a form to be provided by the Contracting Agency) that the Bidder has not had any lawsuits with judgments entered against the Bidder in the five years prior to the bid submittal date that demonstrate a pattern of failing to meet the terms of contracts, or shall submit a list of all lawsuits with judgments entered against the Bidder in the five years prior to the bid submittal date, along with a written explanation of the

circumstances surrounding each such lawsuit. The Contracting Agency shall evaluate these explanations to determine whether the lawsuits demonstrate a pattern of failing to meet of terms of construction related contracts

As evidence that the Bidder meets Supplemental Criteria 3-7 stated above, the apparent low Bidder must submit to the Contracting Agency by 12:00 P.M. (noon) of the second business day following the bid submittal deadline, a written statement verifying that the Bidder meets supplemental criteria 3-7 together with supporting documentation (sufficient in the sole judgment of the Contracting Agency) demonstrating compliance with Supplemental Criteria 3-7. The Contracting Agency reserves the right to request further documentation as needed from the low Bidder and documentation from other Bidders as well to assess Bidder responsibility and compliance with all bidder responsibility criteria. The Contracting Agency also reserves the right to obtain information from third-parties and independent sources of information concerning a Bidder's compliance with the mandatory and supplemental criteria, and to use that information in their evaluation. The Contracting Agency may consider mitigating factors in determining whether the Bidder complies with the requirements of the supplemental criteria.

The basis for evaluation of Bidder compliance with these mandatory and supplemental criteria shall include any documents or facts obtained by Contracting Agency (whether from the Bidder or third parties) including but not limited to: (i) financial, historical, or operational data from the Bidder; (ii) information obtained directly by the Contracting Agency from others for whom the Bidder has worked, or other public agencies or private enterprises; and (iii) any additional information obtained by the Contracting Agency which is believed to be relevant to the matter.

If the Contracting Agency determines the Bidder does not meet the bidder responsibility criteria above and is therefore not a responsible Bidder, the Contracting Agency shall notify the Bidder in writing, with the reasons for its determination. If the Bidder disagrees with this determination, it may appeal the determination within two (2) business days of the Contracting Agency's determination by presenting its appeal and any additional information to the Contracting Agency. The Contracting Agency will consider the appeal and any additional information before issuing its final determination. If the final determination affirms that the Bidder is not responsible, the Contracting Agency will not execute a contract with any other Bidder until at least two business days after the Bidder determined to be not responsible has received the Contracting Agency's final determination.

Request to Change Supplemental Bidder Responsibility Criteria Prior to Bid: Bidders with concerns about the relevancy or restrictiveness of the Supplemental Bidder Responsibility Criteria may make or submit requests to the Contracting Agency to modify the criteria. Such requests shall be in writing, describe the nature of the concerns, and propose specific modifications to the criteria. Bidders shall submit such requests to the Contracting Agency no later than five (5) business days prior to the bid submittal deadline and address the request to the Project Engineer or such other person designated by the Contracting Agency in the Bid Documents.

1-02.15 Pre Award Information
(August 14, 2013 APWA GSP)

Revise this section to read:

Before awarding any contract, the Contracting Agency may require one or more of these items or actions of the apparent lowest responsible bidder:

1. A complete statement of the origin, composition, and manufacture of any or all materials to be used,

2. Samples of these materials for quality and fitness tests,
3. A progress schedule (in a form the Contracting Agency requires) showing the order of and time required for the various phases of the work,
4. A breakdown of costs assigned to any bid item,
5. Attendance at a conference with the Engineer or representatives of the Engineer,
6. Obtain, and furnish a copy of, a business license to do business in the city or county where the work is located.
7. Any other information or action taken that is deemed necessary to ensure that the bidder is the lowest responsible bidder.

1-03, AWARD AND EXECUTION OF CONTRACT

1-03.3 Execution of Contract
(October 1, 2005 APWA GSP)

Revise this section to read:

Copies of the Contract Provisions, including the unsigned Form of Contract, will be available for signature by the successful bidder on the first business day following award. The number of copies to be executed by the Contractor will be determined by the Contracting Agency.

Within 15 calendar days after the award date, the successful bidder shall return the signed Contracting Agency-prepared contract, an insurance certification as required by Section 1-07.18, and a satisfactory bond as required by law and Section 1-03.4. Before execution of the contract by the Contracting Agency, the successful bidder shall provide any pre-award information the Contracting Agency may require under Section 1-02.15.

Until the Contracting Agency executes a contract, no proposal shall bind the Contracting Agency nor shall any work begin within the project limits or within Contracting Agency-furnished sites. The Contractor shall bear all risks for any work begun outside such areas and for any materials ordered before the contract is executed by the Contracting Agency.

If the bidder experiences circumstances beyond their control that prevents return of the contract documents within the calendar days after the award date stated above, the Contracting Agency may grant up to a maximum of 5 additional calendar days for return of the documents, provided the Contracting Agency deems the circumstances warrant it.

1-03.4 Contract Bond
(July 23, 2015 APWA GSP)

Delete the first paragraph and replace it with the following:

The successful bidder shall provide executed payment and performance bond(s) for the full contract amount. The bond may be a combined payment and performance bond; or be separate payment and performance bonds. In the case of separate payment and performance bonds, each shall be for the full contract amount. The bond(s) shall:

1. Be on Contracting Agency-furnished form(s);
2. Be signed by an approved surety (or sureties) that:
    a. Is registered with the Washington State Insurance Commissioner, and

b. Appears on the current Authorized Insurance List in the State of Washington published by the Office of the Insurance Commissioner,

3. Guarantee that the Contractor will perform and comply with all obligations, duties, and conditions under the Contract, including but not limited to the duty and obligation to indemnify, defend, and protect the Contracting Agency against all losses and claims related directly or indirectly from any failure:
   a. Of the Contractor (or any of the employees, subcontractors, or lower tier subcontractors of the Contractor) to faithfully perform and comply with all contract obligations, conditions, and duties, or
   b. Of the Contractor (or the subcontractors or lower tier subcontractors of the Contractor) to pay all laborers, mechanics, subcontractors, lower tier subcontractors, material person, or any other person who provides supplies or provisions for carrying out the work;
4. Be conditioned upon the payment of taxes, increases, and penalties incurred on the project under titles 50, 51, and 82 RCW; and
5. Be accompanied by a power of attorney for the Surety's officer empowered to sign the bond; and
6. Be signed by an officer of the Contractor empowered to sign official statements (sole proprietor or partner). If the Contractor is a corporation, the bond(s) must be signed by the president or vice president, unless accompanied by written proof of the authority of the individual signing the bond(s) to bind the corporation (i.e., corporate resolution, power of attorney, or a letter to such effect signed by the president or vice president).

1-05, CONTROL OF WORK

(March 13, 1995)

1-05.7 Removal Of Defective And unauthorized Work

(October 1, 2005 APWA GSP)

Supplement this section with the following:

If the Contractor fails to remedy defective or unauthorized work within the time specified in a written notice from the Engineer, or fails to perform any part of the work required by the Contract Documents, the Engineer may correct and remedy such work as may be identified in the written notice, with Contracting Agency forces or by such other means as the Contracting Agency may deem necessary.

If the Contractor fails to comply with a written order to remedy what the Engineer determines to be an emergency situation, the Engineer may have the defective and unauthorized work corrected immediately, have the rejected work removed and replaced, or have work the Contractor refuses to perform completed by using Contracting Agency or other forces. An emergency situation is any situation when, in the opinion of the Engineer, a delay in its remedy could be potentially unsafe, or might cause serious risk of loss or damage to the public.

Direct or indirect costs incurred by the Contracting Agency attributable to correcting and remedying defective or unauthorized work, or work the Contractor failed or refused to perform, shall be paid by the Contractor. Payment will be deducted by the Engineer from monies due, or to become due, the Contractor. Such direct and indirect costs shall include in particular, but without limitation, compensation for additional professional services required, and costs for repair and replacement of work of others destroyed or damaged by correction, removal, or replacement of the Contractor's unauthorized work.

No adjustment in contract time or compensation will be allowed because of the delay in the performance of the work attributable to the exercise of the Contracting Agency's rights provided by this Section.

The rights exercised under the provisions of this section shall not diminish the Contracting Agency's right to pursue any other avenue for additional remedy or damages with respect to the Contractor's failure to perform the work as required.

1-05.13 Superintendents, Labor and Equipment of Contractor

(August 14, 2013 APWA GSP)

Delete the sixth and seventh paragraphs of this section.

1-05.15 Method of Serving Notices

(March 25, 2009 APWA GSP)
Revise the second paragraph to read:

All correspondence from the Contractor shall be directed to the Project Engineer. All correspondence from the Contractor constituting any notification, notice of protest, notice of dispute, or other correspondence constituting notification required to be furnished under the Contract, must be in paper format, hand delivered or sent via mail delivery service to the Project Engineer's office. Electronic copies such as e-mails or electronically delivered copies of correspondence will not constitute such notice and will not comply with the requirements of the Contract.

1-07, LEGAL RELATIONS AND RESPONSIBILITIES TO THE PUBLIC

1-07.2 State Taxes

Delete this section, including its sub-sections, in its entirety and replace it with the following:

1-07.2 State Sales Tax

(June 27, 2011 APWA GSP)

The Washington State Department of Revenue has issued special rules on the State sales tax. Sections 1-07.2(1) through 1-07.2(3) are meant to clarify those rules. The Contractor should contact the Washington State Department of Revenue for answers to questions in this area. The Contracting Agency will not adjust its payment if the Contractor bases a bid on a misunderstood tax liability.

The Contractor shall include all Contractor-paid taxes in the unit bid prices or other contract amounts. In some cases, however, state retail sales tax will not be included. Section 1-07.2(2) describes this exception.

The Contracting Agency will pay the retained percentage (or release the Contract Bond if a FHWA-funded Project) only if the Contractor has obtained from the Washington State Department of Revenue a certificate showing that all contract-related taxes have been paid (RCW 60.28.051). The Contracting Agency may deduct from its payments to the Contractor any amount the Contractor may owe the Washington State Department of Revenue, whether the amount owed relates to this contract or not. Any amount so deducted will be paid into the proper State fund.

1-07.2(1) State Sales Tax — Rule 171

WAC 458-20-171, and its related rules, apply to building, repairing, or improving streets, roads, etc., which are owned by a municipal corporation, or political subdivision of the state, or by the United States, and which are used primarily for foot or vehicular traffic. This includes storm or combined sewer systems within and included as a part of the street or road drainage system and power lines when such are part of the roadway lighting system. For work performed in such cases, the Contractor shall include Washington State Retail Sales Taxes in the various unit bid item prices, or other contract amounts, including those that the Contractor pays on the purchase of the materials, equipment, or supplies used or consumed in doing the work.

1-07.2(2) State Sales Tax — Rule 170

WAC 458-20-170, and its related rules, apply to the constructing and repairing of new or existing buildings, or other structures, upon real property. This includes, but is not limited to, the construction of streets, roads, highways, etc., owned by the state of Washington; water mains and their appurtenances; sanitary sewers and sewage disposal systems unless such sewers and disposal systems are within, and a part of, a street or road drainage system; telephone, telegraph, electrical power distribution lines, or other conduits or lines in or above streets or roads, unless such power lines become a part of a street or road lighting system; and installing or attaching of any article of tangible personal property in or to real property, whether or not such personal property becomes a part of the realty by virtue of installation.

For work performed in such cases, the Contractor shall collect from the Contracting Agency, retail sales tax on the full contract price. The Contracting Agency will automatically add this sales tax to each payment to the Contractor. For this reason, the Contractor shall not include the retail sales tax in the unit bid item prices, or in any other contract amount subject to Rule 170, with the following exception.

Exception: The Contracting Agency will not add in sales tax for a payment the Contractor or a subcontractor makes on the purchase or rental of tools, machinery, equipment, or consumable supplies not integrated into the project. Such sales taxes shall be included in the unit bid item prices or in any other contract amount.

1-07.2(3) Services

The Contractor shall not collect retail sales tax from the Contracting Agency on any contract wholly for professional or other services (as defined in Washington State Department of Revenue Rules 138 and 244).

1-07.5 Environmental Regulations

Section 1-07.5 is supplemented with the following:

(September 20, 2010)
Environmental Commitments

The following Provisions summarize the requirements, in addition to those required elsewhere in the Contract, imposed upon the Contracting Agency by the various documents referenced in the **Special Provision Permits and Licenses**. Throughout the work, the Contractor shall comply with the following requirements:

1-07.5(2) State Department of Fish and Wildlife

Section 1-07.5(2) is supplemented with the following:

(April 2, 2018)

The following Provisions summarize the requirements, in addition to those required elsewhere in the Contract, imposed upon the Contracting Agency by the Washington State Department of Fish and Wildlife. Throughout the work, the Contractor shall comply with the following requirements:

(April 2, 2018)
The Contractor may begin Work below the Ordinary High Water Line on ***July 1st*** and must complete all Work below ordinary high by ***August 30th***.

(April 2, 2018)
All costs to comply with this special provision are incidental to the Contract and are the responsibility of the Contractor. The Contractor shall include all related costs in the associated bid prices of the Contract.

Payment
(August 3, 2009)
All costs to comply with this special provision for the environmental commitments and requirements are incidental to the contract and are the responsibility of the Contractor. The Contractor shall include all related costs in the associated bid prices of the contract.

(******)
U.S. Army Corps of Engineers
Section 1-07.5(2) is supplemented with the following:

(April 2, 2018)
The following Provisions summarize the requirements, in addition to those required elsewhere in the Contract, imposed upon the Contracting Agency by the U.S. Army Corps of Engineers. Throughout the work, the Contractor shall comply with the following requirements:

(February 25, 2013)
The Contractor shall retain a copy of the most recent U.S. Army Corps of Engineers Nationwide Permit Verification Letter, conditions, and permit drawings on the worksite for the life of the Contract (See Special Provision titled Permits and Licenses). The Contractor shall provide copies of the items above listed to all Sub-Contractors involved with the authorized work prior to their commencement of any work.

(February 25, 2013)
Temporary structures and dewatering of areas under the jurisdiction of the U.S. Army Corps of Engineers must maintain normal downstream flows and prevent upstream and downstream flooding to the maximum extent practicable.

(February 25, 2013)
Any temporary fills placed must be removed in their entirety and the affected areas returned to their pre-construction elevation.

(April 2, 2018) 2
All costs to comply with this special provision are incidental to the Contract and are the responsibility of the Contractor. The Contractor shall include all related costs in the associated bid prices of the Contract.

1-07.6 Permits and Licenses
Section 1-07.6 is supplemented with the following:

(******)
The Contracting Agency will obtain the below-listed permit(s) for this project. A copy of in-water permit provisions are attached as Appendix F. Copies of these permits, including a copy of the Transfer of Coverage form, when applicable, are required to be onsite at all times. The Contractor shall comply with in-water work provisions in Appendix F. All costs to comply with these in-water work provisions shall be included in the applicable bid items for the work involved.

Contact with the permitting agencies, concerning the below-listed permit(s), shall be made through the Engineer with the exception of when the Construction Stormwater General Permit coverage is transferred to the Contractor, direct communication with the Department of Ecology is allowed. The Contractor shall be responsible for obtaining Ecology's approval for any Work requiring additional approvals (e.g. Request for Chemical Treatment Form). The Contractor shall obtain additional permits as necessary. All costs to obtain and comply with additional permits shall be included in the applicable Bid items for the Work involved.

(******)

NAME OF DOCUMENT	PERMITTING AGENCY	PERMIT REFERENCE NO.
Department of the Army Section 404 Nationwide 27 and 13	Corps of Engineers Seattle District	TBD
Section 401 Water Quality Certification	Department of Ecology	TBD
Erosivity Waiver Certification	Department of Ecology	TBD
Hydraulic Project Approval	Department of Fish & Wildlife	TBD

1-07.7 Load Limits

Section 1-07.7 is supplemented with the following:

(******)
If the source of materials provided by the Contractor necessitates hauling over roads other than Lewis County roads, the Contractor shall, at the Contractor's expense, make all arrangements for the use of the haul routes.

Any vehicle providing material paid for by the ton, on the project, will provide licensed tonnage for that vehicle.

1-07.9 Wages

General

Section 1-07.9(1) is supplemented with the following:

(******)
The State rates incorporated in this contract are applicable to all construction activities associated with this contract.

(April 2, 2007)

Application of Wage Rates for the Occupation of Landscape Construction
State prevailing wage rates for public works contracts are included in this contract and show a separate listing for the occupation:

Landscape Construction, which includes several different occupation descriptions such as: Irrigation and Landscape Plumbers, Irrigation and Landscape Power Equipment Operators, and Landscaping or Planting Laborers.

In addition, federal wage rates that are included in this contract may also include occupation descriptions in Federal Occupational groups for work also specifically identified with landscaping such as:

Laborers with the occupation description, Landscaping or Planting, or

Power Equipment Operators with the occupation description, Mulch Seeding Operator.

If Federal wage rates include one or more rates specified as applicable to landscaping work, then Federal wage rates for all occupation descriptions, specific or general, must be considered and compared with corresponding State wage rates. The higher wage rate, either State or Federal, becomes the minimum wage rate for the work performed in that occupation.

Contractors are responsible for determining the appropriate crafts necessary to perform the contract work. If a classification considered necessary for performance of the work is missing from the Federal Wage Determination applicable to the contract, the Contractor shall initiate a request for approval of a proposed wage and benefit rate. The Contractor shall prepare and submit Standard Form 1444, Request for Authorization of Additional Classification and Wage Rate available at http://www.wdol.gov/docs/sf1444.pdf , and submit the completed form to the Project Engineer's office. The presence of a classification wage on the Washington State Prevailing Wage Rates For Public Works Contracts does not exempt the use of form 1444 for the purpose of determining a federal classification wage rate.

1-07.11 Requirements For Nondiscrimination
Section 1-07.11 is supplemented with the following:

(August 5, 2013)
Requirement for Affirmative Action to Ensure Equal Employment Opportunity (Executive Order 11246)

1. The Contractor's attention is called to the Equal Opportunity Clause and the Standard Federal Equal Employment Opportunity Construction Contract Specifications set forth herein.

2. The goals and timetables for minority and female participation set by the Office of Federal Contract Compliance Programs, expressed in percentage terms for the Contractor's aggregate work force in each construction craft and in each trade on all construction work in the covered area, are as follows:

Women - Statewide

Timetable	Goal
Until further notice	6.9%

Minorities - by Standard Metropolitan Statistical Area (SMSA)

Spokane, WA:
SMSA Counties:
Spokane, WA 2.8
WA Spokane.
Non-SMSA Counties 3.0
WA Adams; WA Asotin; WA Columbia; WA Ferry; WA Garfield; WA Lincoln, WA Pend Oreille; WA Stevens; WA Whitman.

Richland, WA
SMSA Counties:
Richland Kennewick, WA 5.4
WA Benton; WA Franklin.
Non-SMSA Counties 3.6
WA Walla Walla.

Yakima, WA:
SMSA Counties:
Yakima, WA 9.7
WA Yakima.
Non-SMSA Counties 7.2
WA Chelan; WA Douglas; WA Grant; WA Kittitas; WA Okanogan.

Seattle, WA:
SMSA Counties:
Seattle Everett, WA 7.2
WA King; WA Snohomish.
Tacoma, WA 6.2
WA Pierce.
Non-SMSA Counties 6.1
WA Clallam; WA Grays Harbor; WA Island; WA Jefferson; WA Kitsap; WA Lewis; WA Mason; WA Pacific; WA San Juan; WA Skagit; WA Thurston; WA Whatcom.

Portland, OR:
SMSA Counties:
Portland, OR-WA 4.5
WA Clark.
Non-SMSA Counties 3.8
WA Cowlitz; WA Klickitat; WA Skamania; WA Wahkiakum.

These goals are applicable to each nonexempt Contractor's total on-site construction workforce, regardless of whether or not part of that workforce is performing work on a Federal, or federally assisted project, contract, or subcontract until further notice. Compliance with these goals and time tables is enforced by the Office of Federal Contract compliance Programs.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, in each construction craft and in each trade, and the Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goal shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Office of Federal Contract Compliance Programs (OFCCP) within 10 working days of award of any construction subcontract in excess of $10,000 or more that are Federally funded, at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the Subcontractor; employer identification number of the Subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed. The notification shall be sent to:

   U.S. Department of Labor
   Office of Federal Contract Compliance Programs Pacific Region
   Attn: Regional Director
   San Francisco Federal Building
   90 – 7th Street, Suite 18-300
   San Francisco, CA 94103(415) 625-7800 Phone
   (415) 625-7799 Fax

   Additional information may be found at the U.S. Department of Labor website:
   http://www.dol.gov/ofccp/TAguides/ctaguide.htm

4. As used in this Notice, and in the contract resulting from this solicitation, the Covered Area is as designated herein.

Standard Federal Equal Employment Opportunity Construction Contract Specifications (Executive Order 11246)

1. As used in these specifications:

   a. Covered Area means the geographical area described in the solicitation from which this contract resulted;

   b. Director means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority;

c. Employer Identification Number means the Federal Social Security number used on the Employer's Quarterly Federal Tax Return, U. S. Treasury Department Form 941;

d. Minority includes:

(1) Black, a person having origins in any of the Black Racial Groups of Africa.

(2) Hispanic, a fluent Spanish speaking, Spanish surnamed person of Mexican, Puerto Rican, Cuban, Central American, South American, or other Spanish origin.

(3) Asian or Pacific Islander, a person having origins in any of the original peoples of the Pacific rim or the Pacific Islands, the Hawaiian Islands and Samoa.

(4) American Indian or Alaskan Native, a person having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of $10,000 the provisions of these specifications and the Notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this contract resulted.

3. If the Contractor is participating (pursuant to 41 CFR 60-4.5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the Plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered Contractor's or Subcontractor's failure to take good faith effort to achieve the Plan goals and timetables.

4. The Contractor shall implement the specific affirmative action standards provided in paragraphs 7a through 7p of this Special Provision. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employees in the covered area. Covered construction contractors performing construction work in geographical areas where they do not have a Federal or federally assisted construction contract shall apply the minority and female goals established for the geographical area where the work is being performed. The Contractor is expected to make substantially uniform progress in meeting its goals in each craft during the period specified.

5. Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer either minorities or

women shall excuse the Contractor's obligations under these specifications, Executive Order 11246, or the regulations promulgated pursuant thereto.

6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.

7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its action. The Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:

    a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.

    b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor or its unions have employment opportunities available, and maintain a record of the organizations' responses.

    c. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefor, along with whatever additional actions the Contractor may have taken.

    d. Provide immediate written notification to the Director when the union or unions with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.

    e. Develop on-the-job training opportunity and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the U.S. Department of Labor. The Contractor shall provide notice of these programs to the sources compiled under 7b above.

    f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in

meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc.; by specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.

g. Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these items with on-site supervisory personnel such as Superintendents, General Foremen, etc., prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.

h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractor's EEO policy with other Contractors and Subcontractors with whom the Contractor does or anticipates doing business.

i. Direct its recruitment efforts, both oral and written to minority, female and community organizations, to schools with minority and female students and to minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations such as the above, describing the openings, screening procedures, and tests to be used in the selection process.

j. Encourage present minority and female employees to recruit other minority persons and women and where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's work force.

k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.

l. Conduct, at least annually, an inventory and evaluation of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.

m. Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.

n. Ensure that all facilities and company activities are nonsegregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.

o. Document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.

p. Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations.

8. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations (7a through 7p). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the Contractor is a member and participant, may be asserted as fulfilling any one or more of the obligations under 7a through 7p of this Special Provision provided that the Contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensure that the concrete benefits of the program are reflected in the Contractor's minority and female work-force participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrate the effectiveness of actions taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's and failure of such a group to fulfill an obligation shall not be a defense for the Contractor's noncompliance.

9. A single goal for minorities and a separate single goal for women have been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).

10. The Contractor shall not use the goals and timetables or affirmative action standards to discriminate against any person because of race, color, religion, sex, or national origin.

11. The Contractor shall not enter into any subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.

12. The Contractor shall carry out such sanctions and penalties for violation of these specifications and of the Equal Opportunity Clause, including suspensions, terminations and cancellations of existing subcontracts as may be imposed or ordered pursuant to Executive Order 11246, as amended, and its implementing regulations by the Office of Federal Contract Compliance Programs. Any Contractor who fails to carry out such sanctions and penalties shall be in violation of these specifications and Executive Order 11246, as amended.

13. The Contractor, in fulfilling its obligations under these specifications, shall implement specific affirmative action steps, at least as extensive as those standards prescribed in paragraph 7 of this Special Provision, so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of the Executive Order, the implementing regulations, or these specifications, the Director shall proceed in accordance with 41 CFR 60-4.8.

14. The Contractor shall designate a responsible official to monitor all employment related activity to ensure that the company EEO policy is being carried out, to submit reports relating to the provisions hereof as may be required by the government and to keep records. Records shall

at least include, for each employee, their name, address, telephone numbers, construction trade, union affiliation if any, employee identification number when assigned, social security number, race, sex, status (e.g., mechanic, apprentice, trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, the Contractors will not be required to maintain separate records.

15. Nothing herein provided shall be construed as a limitation upon the application of other laws which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).

16. Additional assistance for Federal Construction Contractors on contracts administered by Washington State Department of Transportation or by Local Agencies may be found at:

    Washington State Dept. of Transportation
    Office of Equal Opportunity
    PO Box 47314
    310 Maple Park Ave. SE
    Olympia WA
    98504-7314
    Ph: 360-705-7090
    Fax: 360-705-6801
    http://www.wsdot.wa.gov/equalopportunity/default.htm

1-07.17 Utilities And Similar Facilities

(April 2, 2007)

Section 1-07.17 is supplemented with the following:

Locations and dimensions shown in the Plan for existing facilities are in accordance with available information obtained without uncovering, measuring, or other verification.

The following addresses and telephone numbers of utility companies known or suspected of having facilities within the project limits are supplied for the Contractor's convenience:

Lewis County P.U.D. No. 1
321 NW Pacific Avenue
Chehalis, WA 98532
Telephone (360) 748-9261

TDS Telecom
Jared Paul
jared.pahl@tdstelecom.com
Telephone (541) 876-6723

The Contractor shall call the Underground locate service (800-424-5555) two to ten days prior to construction at each project site. The Contractor shall notify the Utility Owner of any utilities that are within two feet of the planned construction. The above list of Utility Owners may not be complete. As per RCW 19.122 it shall be the Contractors responsibility to contact the owners of utilities known or suspected of having services close to the project site.

1-07.18 Public Liability and Property Damage Insurance

Delete this section in its entirety, and replace it with the following:

1-07.18 Insurance

(January 4, 2016 APWA GSP)

1-07.18(1) General Requirements

A. The Contractor shall procure and maintain the insurance described in all subsections of section 1-07.18 of these Special Provisions, from insurers with a current A. M. Best rating of not less than A-: VII and licensed to do business in the State of Washington. The Contracting Agency reserves the right to approve or reject the insurance provided, based on the insurer's financial condition.

B. The Contractor shall keep this insurance in force without interruption from the commencement of the Contractor's Work through the term of the Contract and for thirty (30) days after the Physical Completion date, unless otherwise indicated below.

C. If any insurance policy is written on a claims made form, its retroactive date, and that of all subsequent renewals, shall be no later than the effective date of this Contract. The policy shall state that coverage is claims made, and state the retroactive date. Claims-made form coverage shall be maintained by the Contractor for a minimum of 36 months following the Completion Date or earlier termination of this Contract, and the Contractor shall annually provide the Contracting Agency with proof of renewal. If renewal of the claims made form of coverage becomes unavailable, or economically prohibitive, the Contractor shall purchase an extended reporting period ("tail") or execute another form of guarantee acceptable to the Contracting Agency to assure financial responsibility for liability for services performed.

D. The Contractor's Automobile Liability, Commercial General Liability and Excess or Umbrella Liability insurance policies shall be primary and non-contributory insurance as respects the Contracting Agency's insurance, self-insurance, or self-insured pool coverage. Any insurance, self-insurance, or self-insured pool coverage maintained by the Contracting Agency shall be excess of the Contractor's insurance and shall not contribute with it.

E. The Contractor shall provide the Contracting Agency and all additional insureds with written notice of any policy cancellation, within two business days of their receipt of such notice.

G. The Contractor shall not begin work under the Contract until the required insurance has been obtained and approved by the Contracting Agency

H. Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the Contracting Agency may, after giving five business days' notice to the Contractor to correct the breach, immediately terminate the Contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the Contracting Agency on demand, or at the sole discretion of the Contracting Agency, offset against funds due the Contractor from the Contracting Agency.

I. All costs for insurance shall be incidental to and included in the unit or lump sum prices of the Contract and no additional payment will be made.

1-07.18(2) Additional Insured

All insurance policies, with the exception of Workers Compensation, and of Professional Liability and Builder's Risk (if required by this Contract) shall name the following listed entities as additional insured(s) using the forms or endorsements required herein:

- the Contracting Agency and its officers, elected officials, employees, agents, and volunteers

The above-listed entities shall be additional insured(s) for the full available limits of liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this Contract, and irrespective of whether the Certificate of Insurance provided by the Contractor pursuant to 1-07.18(4) describes limits lower than those maintained by the Contractor.

For Commercial General Liability insurance coverage, the required additional insured endorsements shall be at least as broad as ISO forms CG 20 10 10 01 for ongoing operations and CG 20 37 10 01 for completed operations.

1-07.18(3) Subcontractors

The Contractor shall cause each Subcontractor of every tier to provide insurance coverage that complies with all applicable requirements of the Contractor-provided insurance as set forth herein, except the Contractor shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors.

The Contractor shall ensure that all Subcontractors of every tier add all entities listed in 1-07.18(2) as additional insureds, and provide proof of such on the policies as required by that section as detailed in 1-07.18(2) using an endorsement as least as broad as ISO CG 20 10 10 01 for ongoing operations and CG 20 37 10 01 for completed operations.

Upon request by the Contracting Agency, the Contractor shall forward to the Contracting Agency evidence of insurance and copies of the additional insured endorsements of each Subcontractor of every tier as required in 1-07.18(4) Verification of Coverage.

1-07.18(4) Verification of Coverage

The Contractor shall deliver to the Contracting Agency a Certificate(s) of Insurance and endorsements for each policy of insurance meeting the requirements set forth herein when the Contractor delivers the signed Contract for the work. Failure of Contracting Agency to demand such verification of coverage with these insurance requirements or failure of Contracting Agency to identify a deficiency from the insurance documentation provided shall not be construed as a waiver of Contractor's obligation to maintain such insurance.

Verification of coverage shall include:

1. An ACORD certificate or a form determined by the Contracting Agency to be equivalent.
2. Copies of all endorsements naming Contracting Agency and all other entities listed in 1-07.18(2) as additional insured(s), showing the policy number. The Contractor may submit a copy of any blanket additional insured clause from its policies instead of a separate endorsement.
3. Any other amendatory endorsements to show the coverage required herein.
4. A notation of coverage enhancements on the Certificate of Insurance shall <u>not</u> satisfy these requirements – actual endorsements must be submitted.

Upon request by the Contracting Agency, the Contractor shall forward to the Contracting Agency a full and certified copy of the insurance policy(s). If Builders Risk insurance is required on this

Project, a full and certified copy of that policy is required when the Contractor delivers the signed Contract for the work.

1-07.18(5) Coverages and Limits

The insurance shall provide the minimum coverages and limits set forth below. Contractor's maintenance of insurance, its scope of coverage, and limits as required herein shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the Contracting Agency's recourse to any remedy available at law or in equity.

All deductibles and self-insured retentions must be disclosed and are subject to approval by the Contracting Agency. The cost of any claim payments falling within the deductible or self-insured retention shall be the responsibility of the Contractor. In the event an additional insured incurs a liability subject to any policy's deductibles or self-insured retention, said deductibles or self-insured retention shall be the responsibility of the Contractor.

1-07.18(5)A Commercial General Liability

Commercial General Liability insurance shall be written on coverage forms at least as broad as ISO occurrence form CG 00 01, including but not limited to liability arising from premises, operations, stop gap liability, independent contractors, products-completed operations, personal and advertising injury, and liability assumed under an insured contract. There shall be no exclusion for liability arising from explosion, collapse or underground property damage.

The Commercial General Liability insurance shall be endorsed to provide a per project general aggregate limit, using ISO form CG 25 03 05 09 or an equivalent endorsement.

Contractor shall maintain Commercial General Liability Insurance arising out of the Contractor's completed operations for at least three years following Substantial Completion of the Work.

Such policy must provide the following minimum limits:

$1,000,000 Each Occurrence
$2,000,000 General Aggregate
$2,000,000 Products & Completed Operations Aggregate
$1,000,000 Personal & Advertising Injury each offence
$1,000,000 Stop Gap / Employers' Liability each accident

1-07.18(5)B Automobile Liability

Automobile Liability shall cover owned, non-owned, hired, and leased vehicles; and shall be written on a coverage form at least as broad as ISO form CA 00 01. If the work involves the transport of pollutants, the automobile liability policy shall include MCS 90 and CA 99 48 endorsements.

Such policy must provide the following minimum limit:

$1,000,000 Combined single limit each accident

1-07.18(5)C Workers' Compensation

The Contractor shall comply with Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

1-07.23, Public Convenience and Safety

1-07.23(1) Construction Under Traffic

Section 1-07.23(1) is supplemented with the following:

(January 2, 2012)

Work Zone Clear Zone

The Work Zone Clear Zone (WZCZ) applies during working and nonworking hours. The WZCZ applies only to temporary roadside objects introduced by the Contractor's operations and does not apply to preexisting conditions or permanent Work. Those work operations that are actively in progress shall be in accordance with adopted and approved Traffic Control Plans, and other contract requirements.

During nonworking hours equipment or materials shall not be within the WZCZ unless they are protected by permanent guardrail or temporary concrete barrier. The use of temporary concrete barrier shall be permitted only if the Engineer approves the installation and location.

During actual hours of work, unless protected as described above, only materials absolutely necessary to construction shall be within the WZCZ and only construction vehicles absolutely necessary to construction shall be allowed within the WZCZ or allowed to stop or park on the shoulder of the roadway.

The Contractor's nonessential vehicles and employees private vehicles shall not be permitted to park within the WZCZ at any time unless protected as described above.

Deviation from the above requirements shall not occur unless the Contractor has requested the deviation in writing and the Engineer has provided written approval.

Minimum WZCZ distances are measured from the edge of traveled way and will be determined as follows:

Regulatory Posted Speed	Distance From Traveled Way (Feet)
35 mph or less	10 *
40 mph	15
45 to 55 mph	20
60 mph or greater	30

* or 2-feet beyond the outside edge of sidewalk

Minimum Work Zone Clear Zone Distance

1-08, PROSECUTION AND PROGRESS

1-08.0 Preliminary Matters

(May 25, 2006 APWA GSP)

Add the following new section:

1-08.0(1) Preconstruction Conference

(October 10, 2008 APWA GSP)

Prior to the Contractor beginning the work, a preconstruction conference will be held between the Contractor, the Engineer and such other interested parties as may be invited. The purpose of the preconstruction conference will be:

1. To review the initial progress schedule;
2. To establish a working understanding among the various parties associated or affected by the work;
3. To establish and review procedures for progress payment, notifications, approvals, submittals, etc.;
4. To establish normal working hours for the work;
5. To review safety standards and traffic control; and
6. To discuss such other related items as may be pertinent to the work.

The Contractor shall prepare and submit at the preconstruction conference the following:

1. A breakdown of all lump sum items;
2. A preliminary schedule of working drawing submittals; and
3. A list of material sources for approval if applicable.

Add the following new section:

1-08.0(2) Hours of Work
(December 8, 2014 APWA GSP)

Except in the case of emergency or unless otherwise approved by the Engineer, the normal working hours for the Contract shall be any consecutive 8-hour period between 7:00 a.m. and 6:00 p.m. Monday through Friday, exclusive of a lunch break. If the Contractor desires different than the normal working hours stated above, the request must be submitted in writing prior to the preconstruction conference, subject to the provisions below. The working hours for the Contract shall be established at or prior to the preconstruction conference.

All working hours and days are also subject to local permit and ordinance conditions (such as noise ordinances).

If the Contractor wishes to deviate from the established working hours, the Contractor shall submit a written request to the Engineer for consideration. This request shall state what hours are being requested, and why. Requests shall be submitted for review no later than 3 working days prior to the day(s) the Contractor is requesting to change the hours.

If the Contracting Agency approves such a deviation, such approval may be subject to certain other conditions, which will be detailed in writing. For example:

1. On non-Federal aid projects, requiring the Contractor to reimburse the Contracting Agency for the costs in excess of straight-time costs for Contracting Agency representatives who worked during such times. (The Engineer may require designated representatives to be present during the work. Representatives who may be deemed necessary by the Engineer include, but are not limited to: survey crews; personnel from the Contracting Agency's material testing lab; inspectors; and other Contracting Agency employees or third party consultants when, in the opinion of the Engineer, such work necessitates their presence.)
2. Considering the work performed on Saturdays, Sundays, and holidays as working days with regard to the contract time.

3. Considering multiple work shifts as multiple working days with respect to contract time even though the multiple shifts occur in a single 24-hour period.
4. If a 4-10 work schedule is requested and approved the non-working day for the week will be charged as a working day.
5. If Davis Bacon wage rates apply to this Contract, all requirements must be met and recorded properly on certified payroll

1-08.1 Subcontracting

(February 16, 2018 APWA GSP)

The eighth and ninth paragraphs are revised to read:

On all projects, the Contractor shall certify to the actual amount received from the Contracting Agency and amounts paid to all firms that were used as Subcontractors, lower tier subcontractors, manufacturers, regular dealers, or service providers on the Contract. This includes all Disadvantaged, Minority, Small, Veteran or Women's Business Enterprise firms. This Certification shall be submitted to the Engineer on a monthly basis each month between Execution of the Contract and Physical Completion of the Contract using the application available at: https://wsdot.diversitycompliance.com. A monthly report shall be submitted for every month between Execution of the Contract and Physical Completion regardless of whether payments were made or work occurred.

The Contractor shall comply with the requirements of RCW 39.04.250, 39.76.011, 39.76.020, and 39.76.040, in particular regarding prompt payment to Subcontractors. Whenever the Contractor withholds payment to a Subcontractor for any reason including disputed amounts, the Contractor shall provide notice within 10 calendar days to the Subcontractor with a copy to the Contracting Agency identifying the reason for the withholding and a clear description of what the Subcontractor must do to have the withholding released. Retainage withheld by the Contractor prior to completion of the Subcontractors work is exempt from reporting as a payment withheld and is not included in the withheld amount. The Contracting Agency's copy of the notice to Subcontractor for deferred payments shall be submitted to the Engineer concurrently with notification to the Subcontractor.

Section 1-08.1 is supplemented with the following:

(October 12, 1998)

Prior to any subcontractor or lower tier subcontractor beginning work, the Contractor shall submit to the Engineer a certification (WSDOT Form 420-004) that a written agreement between the Contractor and the subcontractor or between the subcontractor and any lower tier subcontractor has been executed. This certification shall also guarantee that these subcontract agreements include all the documents required by the Special Provision **Federal Agency Inspection**.

A Subcontractor or lower tier Subcontractor will not be permitted to perform any work under the contract until the following documents have been completed and submitted to the Engineer:

1. Request to Sublet Work (Form 421-012), and
2. Contractor and Subcontractor or Lower Tier Subcontractor Certification for Federal-aid Projects (Form 420-004).

The Contractor's records pertaining to the requirements of this Special Provision shall be open to inspection or audit by representatives of the Contracting Agency during the life of the contract and for a period of not less than three years after the date of acceptance of the contract. The Contractor

shall retain these records for that period. The Contractor shall also guarantee that these records of all Subcontractors and lower tier Subcontractors shall be available and open to similar inspection or audit for the same time period.

1-08.1(1) Subcontract Completion and Return of Retainage Withheld
Section 1-08.1(1) is revised to read:

(June 27, 2011)
The following procedures shall apply to all subcontracts entered into as a part of this Contract:

Requirements

1. The Prime Contractor or Subcontractor shall make payment to the Subcontractor not later than ten (10) days after receipt of payment from the Contracting Agency for work satisfactorily completed by the Subcontractor, to the extent of each Subcontractor's interest therein.

2. Prompt and full payment of retainage from the Prime Contractor to the Subcontractor shall be made within 30 days after Subcontractor's Work is satisfactorily completed.

3. For purposes of this Section, a Subcontractor's work is satisfactorily completed when all task and requirements of the Subcontract have been accomplished and including any required documentation and material testing.

4. Failure by a Prime Contractor or Subcontractor to comply with these requirements may result in one or more of the following:

    a. Withholding of payments until the Prime Contractor or Subcontractor complies

    b. Failure to comply shall be reflected in the Prime Contractor's Performance Evaluation

    c. Cancellation, Termination, or Suspension of the Contract, in whole or in part

    d. Other sanctions as provided by the subcontractor or by law under applicable prompt pay statutes.

Conditions
This clause does not create a contractual relationship between the Contracting Agency and any Subcontractor as stated in Section 1-08.1. Also, it is not intended to bestow upon any Subcontractor, the status of a third-party beneficiary to the Contract between the Contracting Agency and the Contractor.

Payment
The Contractor will be solely responsible for any additional costs involved in paying retainage to the Subcontractors. Those costs shall be incidental to the respective Bid Items.

1-08.3(2)A Type A Progress Schedule
(March 13, 2012 APWA GSP)

Revise this section to read:

The Contractor shall submit $$ 3 $$ copies of a Type A Progress Schedule no later than one week before the preconstruction conference, or some other mutually agreed upon submittal time. The

schedule may be a critical path method (CPM) schedule, bar chart, or other standard schedule format. Regardless of which format used, the schedule shall identify the critical path. The Engineer will evaluate the Type A Progress Schedule and approve or return the schedule for corrections within 15 calendar days of receiving the submittal.

Contractor's Weekly Activities
(******)

The Contractor shall submit a weekly schedule to the Engineer. The schedule shall indicate the Contractor's proposed activities for the forthcoming week along with the hours of work. This will permit the Engineer to more effectively provide the contract engineering and inspection for the Contractor's operations.

The written weekly activity schedule shall be submitted to the Engineer or a designated assistant before the end of the last shift on the next to the last working day of the week preceding the indicated activities, or other mutually agreeable time.

If the Contractor proceeds with work not indicated on the weekly activity schedule, or in a sequence differing from that which has been shown on the schedule, the Engineer may require the Contractor to delay unscheduled activities until they are included on a subsequent weekly activity schedule.

Separately, and in addition to the weekly schedule, the Contractor shall submit weekly a summary of project activities to the Engineer. The summary of activities shall include a report of the nature and progress of each of the major activities that were advanced on the project within the previous week.

It shall be sufficiently detailed that a composite history of the project develops. The locations and approximate quantity guardrail and traffic control work shall be reported. Unusual activity, and conditions or events that may affect the course of the project shall also be reported.

1-08.4 Prosecution of Work

Delete this section and replace it with the following:

1-08.4 Notice to Proceed and Prosecution of Work

(July 23, 2015 APWA GSP)

Notice to Proceed will be given after the contract has been executed and the contract bond and evidence of insurance have been approved and filed by the Contracting Agency. The Contractor shall not commence with the work until the Notice to Proceed has been given by the Engineer. The Contractor shall commence construction activities on the project site within ten days of the Notice to Proceed Date, unless otherwise approved in writing. The Contractor shall diligently pursue the work to the physical completion date within the time specified in the contract. Voluntary shutdown or slowing of operations by the Contractor shall not relieve the Contractor of the responsibility to complete the work within the time(s) specified in the contract.

When shown in the Plans, the first order of work shall be the installation of high visibility fencing to delineate all areas for protection or restoration, as described in the Contract. Installation of high visibility fencing adjacent to the roadway shall occur after the placement of all necessary signs and traffic control devices in accordance with 1-10.1(2). Upon construction of the fencing, the Contractor shall request the Engineer to inspect the fence. No other work shall be performed on the site until

the Contracting Agency has accepted the installation of high visibility fencing, as described in the Contract.

1-08.5 Time for Completion
(September 12, 2016 APWA GSP, Option B)

Revise the third and fourth paragraphs to read:

Contract time shall begin on the first working day following the $$14 $$ calendar day after the Notice to Proceed date. If the Contractor starts work on the project at an earlier date, then contract time shall begin on the first working day when onsite work begins.

Each working day shall be charged to the contract as it occurs, until the contract work is physically complete. If substantial completion has been granted and all the authorized working days have been used, charging of working days will cease. Each week the Engineer will provide the Contractor a statement that shows the number of working days: (1) charged to the contract the week before; (2) specified for the physical completion of the contract; and (3) remaining for the physical completion of the contract. The statement will also show the nonworking days and any partial or whole day the Engineer declares as unworkable. Within 10 calendar days after the date of each statement, the Contractor shall file a written protest of any alleged discrepancies in it. To be considered by the Engineer, the protest shall be in sufficient detail to enable the Engineer to ascertain the basis and amount of time disputed. By not filing such detailed protest in that period, the Contractor shall be deemed as having accepted the statement as correct. If the Contractor is approved to work 10 hours a day and 4 days a week (a 4-10 schedule) and the fifth day of the week in which a 4-10 shift is worked would ordinarily be charged as a working day, then the fifth day of that week will be charged as a working day whether or not the Contractor works on that day.

Revise the sixth paragraph to read:

The Engineer will give the Contractor written notice of the completion date of the contract after all the Contractor's obligations under the contract have been performed by the Contractor. The following events must occur before the Completion Date can be established:

1. The physical work on the project must be complete; and
2. The Contractor must furnish all documentation required by the contract and required by law, to allow the Contracting Agency to process final acceptance of the contract. The following documents must be received by the Project Engineer prior to establishing a completion date:
   a. Certified Payrolls (per Section 1-07.9(5)).
   b. Material Acceptance Certification Documents
   c. Monthly Reports of Amounts Credited as DBE Participation, as required by the Contract Provisions.
   d. Final Contract Voucher Certification
   e. Copies of the approved "Affidavit of Prevailing Wages Paid" for the Contractor and all Subcontractors
   f. Property owner releases per Section 1-07.24

(******)
This project shall be physically completed within *** 50 *** working days. The first in-water working day shall be July 1, 2019 and all in-water work (work below the stream's ordinary high water mark) shall be completed by August 31, 2019.

1-08.9 Liquidated Damages

(******)

Revise the fourth paragraph to read:

When the Contract Work has progressed to Substantial Completion as defined in the Contract, the Engineer may determine that the work is Substantially Complete. The Engineer will notify the Contractor in writing of the Substantial Completion Date. For overruns in Contract time occurring after the date so established, the formula for liquidated damages shown above will not apply. For overruns in Contract time occurring after the Substantial Completion Date, liquidated damages shall be assessed on the basis of direct engineering and related costs or Environmental fines assignable to the project until the actual Physical Completion Date of all the Contract Work. The Contractor shall complete the remaining Work as promptly as possible. Upon request by the Project Engineer, the Contractor shall furnish a written schedule for completing the physical Work on the Contract.

1-09, MEASUREMENT AND PAYMENT

1-09.7 Mobilization

Section 1-08.5 is supplemented with the following:

(******)

The Contracting Agency shall provide a temporary staging site during construction of the project. The temporary staging area shall be staked in the field prior to use. The Contractor shall determine the best use of this area and shall disturb less than 50% of the staging area. After construction is completed, the Contractor shall remove all debris, rock, and wood to restore the staging area to the original field condition or as directed by the Engineer. All temporarily removed fencing shall be restored to a condition equal to or better than existing. The Contractor may submit alternate staging areas (within the APE) to the Engineer for review and written approval prior to any construction activities commencing at proposed staging area locations. Alternate staging areas shall be reviewed for compliance with County, State or Federal permitting requirements.

1-09.9 Payments

(March 13, 2012 APWA GSP)

Delete the first four paragraphs and replace them with the following:

The basis of payment will be the actual quantities of Work performed according to the Contract and as specified for payment.

The Contractor shall submit a breakdown of the cost of lump sum bid items at the Preconstruction Conference, to enable the Project Engineer to determine the Work performed on a monthly basis. A breakdown is not required for lump sum items that include a basis for incremental payments as part of the respective Specification. Absent a lump sum breakdown, the Project Engineer will make a determination based on information available. The Project Engineer's determination of the cost of work shall be final.

Progress payments for completed work and material on hand will be based upon progress estimates prepared by the Engineer. A progress estimate cutoff date will be established at the preconstruction conference.

The initial progress estimate will be made not later than 30 days after the Contractor commences the work, and successive progress estimates will be made every month thereafter until the Completion Date. Progress estimates made during progress of the work are tentative, and made only for the purpose of determining progress payments. The progress estimates are subject to change at any time prior to the calculation of the final payment.

The value of the progress estimate will be the sum of the following:

1. Unit Price Items in the Bid Form — the approximate quantity of acceptable units of work completed multiplied by the unit price.
2. Lump Sum Items in the Bid Form — based on the approved Contractor's lump sum breakdown for that item, or absent such a breakdown, based on the Engineer's determination.
3. Materials on Hand — 100 percent of invoiced cost of material delivered to Job site or other storage area approved by the Engineer.
4. Change Orders — entitlement for approved extra cost or completed extra work as determined by the Engineer.

Progress payments will be made in accordance with the progress estimate less:

1. Retainage per Section 1-09.9(1), on non FHWA-funded projects;
2. The amount of progress payments previously made; and
3. Funds withheld by the Contracting Agency for disbursement in accordance with the Contract Documents.

Progress payments for work performed shall not be evidence of acceptable performance or an admission by the Contracting Agency that any work has been satisfactorily completed. The determination of payments under the contract will be final in accordance with Section 1-05.1.

1-09.9(1) Retainage

Section 1-09.9(1) is supplemented with the following:

Retainage of 5 percent shall be as required by RCW 60.28.011.

1-09.11 Disputes and Claims

1-09.11(3) Time Limitation and Jurisdiction

(July 23, 2015 APWA GSP)

Revise this section to read*:*

For the convenience of the parties to the Contract it is mutually agreed by the parties that any claims or causes of action which the Contractor has against the Contracting Agency arising from the Contract shall be brought within 180 calendar days from the date of final acceptance (Section 1-05.12) of the Contract by the Contracting Agency; and it is further agreed that any such claims or causes of action shall be brought only in the Superior Court of the county where the Contracting Agency headquarters is located, provided that where an action is asserted against a county, RCW 36.01.05 shall control venue and jurisdiction. The parties understand and agree that the Contractor's failure to bring suit within the time period provided, shall be a complete bar to any such claims or causes of action. It is further mutually agreed by the parties that when any claims or causes of action which the Contractor asserts against the Contracting Agency arising from the

Contract are filed with the Contracting Agency or initiated in court, the Contractor shall permit the Contracting Agency to have timely access to any records deemed necessary by the Contracting Agency to assist in evaluating the claims or action.

1-09.13 Claims Resolution

1-09.13(3) Claims $250,000 or Less
(October 1, 2005 APWA GSP)

Delete this Section and replace it with the following:

The Contractor and the Contracting Agency mutually agree that those claims that total $250,000 or less, submitted in accordance with Section 1-09.11 and not resolved by nonbinding ADR processes, shall be resolved through litigation unless the parties mutually agree in writing to resolve the claim through binding arbitration.

1-09.13(3)A Administration of Arbitration
(July 23, 2015 APWA GSP)

Revise the third paragraph to read:

The Contracting Agency and the Contractor mutually agree to be bound by the decision of the arbitrator, and judgment upon the award rendered by the arbitrator may be entered in the Superior Court of the county in which the Contracting Agency's headquarters is located, provided that where claims subject to arbitration are asserted against a county, RCW 36.01.05 shall control venue and jurisdiction of the Superior Court. The decision of the arbitrator and the specific basis for the decision shall be in writing. The arbitrator shall use the Contract as a basis for decisions.

1-09.13(4) Claims in Excess of $250,000

Section 1-09.13(4) is hereby deleted and replaced with the following:

CLAIMS RESOLUTION
(******)

Any dispute arising from the contract shall be processed in accordance with Section 1-04.5 and Sections 1-09.11 through 1-09.13(1) of the Standard Specifications. The provisions of these sections must be complied with in full as a condition precedent to the Contractor's right to seek claims resolution through arbitration or litigation. The Contractor may file with the Engineer a request for binding arbitration; the Engineer's decision regarding that request shall be final and unappealable. Nothing in this paragraph affects or tolls the limitations period as set forth in Section 1-09.11(3) of the Standard Specifications. However, if the Contractor files a lawsuit raising any claim(s) arising from the contract, the parties shall, if the Engineer so directs, submit such claim(s) to binding arbitration, subject to the rights of any party thereto to file with the Lewis County Superior Court motions to dismiss or for summary judgment at any time. In any binding arbitration proceeding, the provisions of subparagraphs (a) and (b) shall apply.

a) Unless the parties otherwise agree, all disputes subject to arbitration shall be heard in a single arbitration hearing, and then only after completion of the contract. The parties shall be bound by Ch. 7.04 RCW generally, and by the arbitration rules hereafter stated, and shall, for purposes of administration of the arbitration, comply where applicable with the 1994 Lewis County Superior Court Mandatory Arbitration Rules

(LMAR) sections 1.1(b), 1.3, 2.3, 3.1, 3.2(a) and (b), 5.1, 5.2 (except as referenced to MAR 5.2), 5.3, 6.1, 6.2 (including the referenced MAR 6.2), and 8.6. There shall be one arbitrator, to be chosen by mutual agreement of the parties from the list provided by the Lewis County Superior Court Administrator. If the parties cannot agree on a person to serve as arbitrator, the matter shall be submitted for appointment of an arbitrator under LMAR 2.3. The arbitrator shall determine the scope and extent of discovery, except that the Contractor shall provide and update the information required by Section 1-09.11(2) of the Standard Specifications. Additionally, each party shall file a statement of proof with the other party and the arbitrator at least 20 calendar days before the scheduled arbitration hearing. The statement of proof shall include:

1. The name, business address and contact telephone number of each witness who will testify at the hearing.

2. For each witness to be offered as an expert, a statement of the subject matter and a statement of the facts, resource materials (not protected by privilege) and learned treatises upon which the expert is expected to testify and render an opinion(s), synopsis of the basis for such opinion(s), and a resume of the expert detailing his/her qualifications as an expert and pursuant to rendering such opinion(s). A list of documents and other exhibits the party intends to offer in evidence at the arbitration hearing. Either party may request a copy of any document listed, and a copy or description of any other exhibit listed. The party receiving the request shall provide the copies or description within five (5) calendar days. The parties or arbitrator may subpoena parties in accordance with the Superior Court Mandatory Arbitration Rules (MAR) of Washington, Rule 4.3, and witness fees and costs shall be provided for under Rule 6.4, thereof. The arbitrator may permit a party to call a witness or offer a document or other exhibit not included in the statement of proof only upon a showing of good cause.

b) The arbitration hearing shall be conducted at a location within Lewis County, Washington. The extent of application of the Washington Rules of Evidence shall be determined in the exercise of sound discretion of the arbitrator, except that such Rules should be liberally construed in order to promote justice. The parties should stipulate to the admission of evidence when there is no genuine issue as to its relevance or authenticity. The decision of the arbitrator and the specific grounds for the decision shall be in writing. The arbitrator shall use the contract as a basis for its decisions. The County and the Contractor agree to be bound by the decision of the arbitrator, subject to such remedies as are provided in Ch. 7.04 RCW. Judgment upon the award rendered by the arbitrator shall be entered as judgment before the presiding judge of the Superior Court for Lewis County. Each party shall bear its own costs in connection with the arbitration. Each party shall pay one-half of the arbitrator's fees and expenses.

1-10, TEMPORARY TRAFFIC CONTROL

1-10.2 Traffic Control Management

1-10.2(1) General

(December 1, 2008)

Section 1-10.2(1) is supplemented with the following:

(January 3, 2017)
Only training with WSDOT TCS card and WSDOT training curriculum is recognized in the State of Washington. The Traffic Control Supervisor shall be certified by one of the following:

The Northwest Laborers-Employers Training Trust
27055 Ohio Ave.
Kingston, WA 98346
(360) 297-3035

Evergreen Safety Council
12545 135th Ave. NE
Kirkland, WA 98034-8709
1-800-521-0778

The American Traffic Safety Services Association
15 Riverside Parkway, Suite 100
Fredericksburg, Virginia 22406-1022
Training Dept. Toll Free (877) 642-4637
Phone: (540) 368-1701

1-10.2(2) Traffic Control Plans
(******)
Section 1-10.2(2) is supplemented with the following:

The Contracting Agency has attached a Traffic Control Plan in Appendix A for traffic detour / control on this project. All signs and traffic control devices required for this project (as shown on the Traffic Control Plan) shall be the Contractors responsibility to furnish, erect, maintain, and remove immediately after construction. The Contractor shall adopt the Traffic Control Plan in writing to the Engineer or furnish a new plan for review. The Contractor shall conduct his operations on the roadway in a manner that two-way traffic is maintained at all times (outside the closure area), unless otherwise directed by the Engineer.

If determined by the Engineer that additional signing (not shown on the Traffic Control Plan) is needed, it shall be the Contractors responsibility to furnish, erect, and maintain these additional signs at no cost to the Contracting Agency.

1-10.2(3) Conformance to Established Standards
(******)
Section 1-10.2(3) is supplemented with the following:

The latest revision of the WSDOT Manual M54-44 “Work Zone Traffic Control Guidelines” (WZTCG) is hereby made a part of this contract by reference as if contained fully herein.

1-10.4 Measurement

1-10.4(1) Lump Sum Bid for Project (No Unit Items)
Section 1-10.4(1) is supplemented with the following:

(August 2, 2004)

The proposal contains the item "Project Temporary Traffic Control," lump sum. The provisions of Section 1-10.4(1) shall apply.

EXISTING SIGNS

(******)

During the life of the contract, the Contractor shall be responsible for all existing signs damaged or removed by construction operations.

Warning and regulatory signs may be temporarily relocated to portable sign stands for convenience of construction subject to the approval of the Engineer. The signs shall be located at or as near as practical to their original locations and shall have a minimum vertical clearance above the pavement in accordance with the Manual on Uniform Traffic Control Devices. Upon completion of construction in the area immediately surrounding the permanent sign location, the Contractor shall reinstall the sign and supports in their permanent locations.

Signs damaged or removed shall be replaced by the Contractor at no cost to the County.

All costs involved in removing, maintaining and resetting existing signing as specified shall be considered incidental to the project and included in the various bid items therein. No additional compensation will be allowed.

DIVISION 2
EARTHWORK

2-02, REMOVAL OF STRUCTURES AND OBSTRUCTIONS

2-02.1 Description
Section 2-02.1 is supplemented with the following:

(******)
This work shall consist of removing miscellaneous items and existing culvert items listed in the Contract Plans.

2-02.3 Construction Requirements
Section 2-02.3 is supplemented with the following:

(******)
Removing Miscellaneous Items

The following miscellaneous items shall be removed and disposed of:

*** Traffic items (including paint stripe) ***
*** Fencing ***

Remove existing 60-inch CMP culvert.

Removal of the existing culvert shall not commence until the approved stream diversion by-pass system has been fully implemented. Backfill after removal of the culvert within the roadway or roadway fill slopes

shall be select borrow material or native material meeting the select borrow material requirements under 9-03.14(2).

(******)

Requirements for Closing Road to Traffic Prior to Beginning Removal

The Contractor shall not close the existing road to traffic, and shall not begin culvert removal operations, until the following conditions are met:

1. The Contractor has received the Engineer's approval of the culvert removal plan.

2. The traffic control for the detour road shall be operational and opened to traffic prior to closure.

3. The Contractor shall furnish a report on the status of material delivery to the Engineer. The report shall specify the materials already available at the site, the materials yet to arrive at the site, and the scheduled delivery dates of the materials yet to arrive at the site.

4. The Contractor has received the Engineer's approval to proceed.

2-02.4 Measurement

No specific unit of measurement will apply to the lump sum item of "Removal of Structures and Obstructions". Removal and disposal of the existing 60-inch CMP culvert shall be considered incidental to this bid item.

2-02.5 Payment

Section 2-02.5 is supplemented with the following:

Payment will be made in accordance with Section 1-04.1, for the following Bid item when it is included in the Proposal:

"Removal of Structures and Obstructions", lump sum.

If pavements, sidewalks, curbs, or gutters lie within an excavation area, their removal will be paid for as part of the quantity removed in Roadway Excavation Incl. Haul.

2-03, ROADWAY EXCAVATION AND EMBANKMENT

(******)

2-03.3 Construction Requirements

2-03.3(7) Disposal of Surplus Material

Section 2-03.3(7) is supplemented with the following:

No waste site has been provided to the Contractor for the disposal of unsuitable and excess excavation material. The Contractor shall make his own arrangement to acquire a site for the disposal of unsuitable and excess excavation material.

The Contractor shall make his own arrangements to acquire a site and obtain all environmental permits required for the disposal of the unsuitable excavation material. The Contracting Agency must approve the waste site prior to it being utilized. Approval cannot be given until the Contracting Agency receives copies of all environmental approvals.

All costs for acquiring a disposal site and for the loading, hauling, and disposal of unsuitable and excess excavation material shall be considered incidental to the project and be included in the unit contract prices for the various items of work therein.

The contractor shall remove, stockpile and re-use the top 1.5-ft of native excavated material from Structure/Channel Excavation in wetland areas. Stockpiled wetland soil shall be placed within the top 1.5-feet of backfilled wetland areas.

2-03.3(14)M Excavation of Channels and Ditches

Section 2-03.3(14)M is supplemented with the following:

The Contractor shall protect existing vegetation and channel slopes outside the stream re-grade areas. All excavation and construction activities shall be conducted within the cut limits of the project staked by the Engineer, access roads through areas not designated for clearing shall not be permitted.

2-03.4 Measurement

Section 2-03.4 is supplemented with the following:

(March 13, 1995)

Only one determination of the original ground elevation will be made on this project. Measurement for roadway excavation and embankment will be based on the original ground elevations recorded previous to the award of this contract. Control stakes will be set during construction to provide the Contractor with all essential information for the construction of excavation and embankments.

Earthwork quantities will be computed, either manually or by means of electronic data processing equipment, by use of the average end area method or by the finite element analysis method utilizing digital terrain modeling techniques.

(******)

"Channel Excavation Incl. Haul" shall be measured per C.Y. Excavating, stockpiling and backfilling of the existing wetland areas with native wetland soil material is considered incidental to the bid item "Channel Excavation Incl. Haul". All Channel Excavation, equipment, labor, grading, stockpiling and hauling shall be included in the Cubic Yard price for "Channel Excavation Incl. Haul".

Saw cutting shall be considered incidental to "Roadway Excavation Incl. Haul".

2-03.5 Payment

Section 2-03.4 is supplemented with the following:

Excavating, stockpiling and backfilling of the existing wetland areas with native wetland soil material is considered incidental to the bid item "Channel Excavation Incl. Haul".

2-09, STRUCTURE EXCAVATION

2-09.1 Description

(******)

Section 2-09.1 is supplemented with the following:

Temporary Stream Diversion for Structure & Channel Excavation

Temporary Stream Diversion for Structure & Channel Excavation work shall consist of installation and maintenance of stream diversion/bypass for the creek during all in-water construction. Temporary Stream Diversion for Structure Excavation shall be conducted in a manner that does not violate State Water Quality Standards. All work in and adjacent to the stream shall be accomplished in strict accordance with the requirements of the WDFW HPA. This work also consists of adjustments to the location of the dewatering systems as deemed necessary by the Contractor to complete the project and comply with all environmental regulations, permits, specifications and special provisions for this project.

The Contracting Agency has designed a Temporary Stream Diversion Plan on Sheet 4 of 14 in the Contract Plans for the Contractor's approval. Due to the stream sensitivity and adjacent wetlands, pumps shall be monitored 24-hours per day while the stream bypass is in-place. To avoid continuous monitoring, the Contractor may submit an alternate gravity bypass plan or alternate plan for review and approval by the Engineer.

The Contractor shall supply, install and remove eco mats (or equivalent) for access to the upstream stream diversion equipment within the wetland areas upstream of Middle Fork Road. This eco mat access route shall be no wider than 10-feet and shall avoid existing vegetation as much as possible. If ruts or disturbance to the existing wetland areas are evident, the Contractor shall fill voids and smooth the surface as mats are pulled during removal of stream diversion equipment.

Upon completion of in-water construction, the Contractor shall promptly remove all stream diversion materials and equipment as directed by the Engineer. Disposal of surplus material and debris remaining from dewatering operations shall be incidental to and included in this item of work. The Stream Diversion Plan is an integral component of stormwater management for this site. If work is required above the ordinary high water mark after the in-water work window has expired, additional BMPs not shown in the Contract Plans shall be proposed by the Contractor for approval by the Engineer. BMPs installed and maintained after the in-water work window has expired shall control stormwater generated from the site during final construction activities. Payment for BMPs shall be per Contract Unit Bid prices or via Section 1-09.

Submittals

One week prior to beginning stream diversion/bypass and dewatering work, the Contractor shall submit the following in writing to the Engineer for approval:

1. Plans for the installation and commissioning of the dewatering system throughout the duration of the structure excavation.

    a) Drawings for Information: Show arrangement, locations, and details of temporary diversion structure, pump locations and discharge line, discharge point, temporary erosion control, and removal of stranded fish.
    b) Include a written report outlining control procedures to be adopted if stream bypass problems arise. Photograph or videotape, in sufficient detail, existing conditions of adjoining construction and site improvements that might be misconstrued as damage caused by stream bypass operations.
2. Method of stream diversion/bypass throughout the duration of the structure excavation.

Work shall not commence until the submittals are approved in writing by the Engineer.

2-09.3 Construction Requirements

(******)

Section 2-09.3 in supplemented with the following:

Preparation

Protect facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by stream diversion operations.

Install the stream diversion system to ensure minimum interference with the existing streambed, and other facilities surrounding the dewatering site.

Disturbance of the bed and banks should be limited to that necessary to place the structure, embankment protection, and any required channel modification associated with the installation. All disturbed areas should be protected from erosion within seven (7) calendar days of completion using vegetation or other means.

Isolation of the construction site from stream flow shall be accomplished using techniques such as:

By pumping the stream flow around the site.
The installation of a sheetpile or sandbag wall.
The use of a water-filled cofferdam.

Exception may be granted if siltation or turbidity is reduced to acceptable levels by means approved by the Engineer, the Washington Department of Fish and Wildlife (WDFW) and Washington Department of Ecology.

Installation

Install the stream diversion system utilizing pipes, pumps (with WDFW approved fish screens), culverts, flexible hose or similar methods complete with pump equipment, standby power and pumps, valves, appurtenances, water disposal, and surface-water controls.

It is anticipated that a pump bypass system will be utilized to by-pass stream around the excavation area.

Provide standby equipment on-site available for immediate operation, to maintain stream bypass on continuous basis if any part of system becomes inadequate or fails. At a minimum the Contractor shall provide and have on hand additional pumps as a backup to the stream bypass system. If stream bypass requirements are not satisfied due to inadequacy or failure of stream bypass system, restore damaged structures and foundation soils at no additional expense to the County.

Fish rescue shall be conducted within the zone of isolation. All fish shall be transferred downstream of the project site using Washington State Department of Transportation (WSDOT) fish exclusion protocols. Fish shall be removed from the project area using a seine net, dip net and five gallon buckets. When fish rescue is completed the site may be dewatered. Pumps shall draw down water at a slow rate so that fish remaining may be rescued and no fish stranding shall occur.

Any wastewater from project activities and dewatering shall be routed to an area outside the ordinary high water line to allow settling of fine sediments and other contaminants prior to being discharged back into the subject stream. Do not permit open-sump pumping that leads to loss of fines, soil piping, subgrade softening, and slope instability. Dewatering operations shall comply with regulatory water disposal requirements of authorities having jurisdiction. The stream diversion/bypass and shall be sufficiently maintained to avoid significant leaks that may result in flows through the work zone. All in-water work shall be in strict conformance with permits obtained for this project.

Remove and dispose of the stream bypass system from project site once the new stream channel has been constructed and approved by the Engineer. Upon decommissioning, flows shall be reintroduced gradually so as to minimize the mobilization of sediments.

2-09.3(1)C Removal of Unsuitable Base Material

(******)

Section 2-09.3(1)C is supplemented with the following:

The bottom of the excavation area shall be evaluated for stability upon completion of Structure Excavation Class A. The Engineer shall determine if the base material is adequate or unsuitable. If this material is deemed unsuitable by the Engineer, the Contractor shall remove unsuitable material below originally planned grade (not depicted in the Contract Plans) to a depth not to exceed 2-feet below the planned excavation limits. Unsuitable excavated material shall be disposed of and paid per the Contract unit price for Structure Excavation Class A Incl. Haul. The additional excavation area shall be backfilled with Quarry Spalls (also not depicted in the Contract Plans) and compacted prior to placing Crushed Surfacing Base Course for the concrete culvert and wingwall foundation.

Quarry Spalls for Unsuitable Base Material shall meet the requirements of Section 9-13.1(5) Quarry Spalls and compacted to the satisfaction of the Engineer. An estimated quantity of Quarry Spalls for Unsuitable Base Material if required has been entered into the Proposal, the conditions of Section 1-04.6 Variation in Estimated Quantities shall not apply.

2-09.3(1)E Backfilling

Section 2-03.3(1)E is supplemented with the following:

The contractor may elect to re-use Structure Excavation Class A material for backfill depicted on the Contract Plans if the testing is conducted to conclude the material meets the specified requirements.

The material used to perform general backfill for Culvert and Precast Wing Walls shall be Select Borrow meeting the requirements under 9-03.14(2).

2-09.4 Measurement

(******)

Section 2-09.4 in supplemented with the following:

Crushed Surfacing Base Course (Approximately 70 ton) as shown in the Contract Plans below structure shall replace Gravel Backfill for Foundation as described in Section 2-09.4 of the Standard Specifications.

No specific unit of measurement will apply to “Temporary Stream Diversion”.

“Quarry Spalls for Unsuitable Base Material” shall be measured per ton.

2-09.5 Payment

(******)

Section 2-09.5 in supplemented with the following:

Payment will be made in accordance with Section 1-04.1 for the following bid item included in the proposal:

“Temporary Stream Diversion”, lump sum.

The lump sum contract price for "Temporary Stream Diversion" shall be full payment to perform the work as specified, including dewatering, stream diversion/bypass, eco mat installation/removal, fish rescue, and any sandbagging, pumping (with WDFW approved fish screens), fish exclusion, sediment removal, filtration or other materials necessary to complete the work.

"Quarry Spalls for Unsuitable Base Material" per ton shall be full payment for Quarry Spalls, hauling, placing, and compacting material.

DIVISION 3
PRODUCTION FROM QUARRY AND PIT SITES AND STOCKPILING

3-01 PRODUCTION FROM QUARRY AND PIT SITES

3-01.4 Contractor Furnished Material Sources

3-01.4(1) Acquisition and Development

(******)

Section 3-01.4(1) is supplemented with the following:

No source has been provided for any materials necessary for the construction of this project.

DIVISION 4
BASES

4-04, BALLAST AND CRUSHED SURFACING

4-04.3 Construction Requirements

4-04.3(5) Shaping and Compacting

(******)

Section 4-04.3(5) is supplemented with the following:

Shoulder Finishing

Shoulder finishing material shall not be placed until the abutting pavement has been completed, unless designated by the Engineer. Shoulder finishing material (Crushed Surfacing Top Course) shall be placed by a spreader box in one lift. Processing of the shoulder finishing material on the roadway shall not be permitted.

The existing shoulder material, as well as any additional crushed surfacing material required shall be placed, watered, and compacted against the vertical edge of the pavement, including road approaches. Hand work may be required in areas of road approaches and guardrail. The Contractor shall grade the shoulder material to a uniform slope, remove all debris (sod, large rocks, etc.) and dress all berms resulting from this operation to the satisfaction of the Engineer. The material shall be graded into place and compacted by wheel rolling a minimum of two passes with a motor grader or comparable piece of equipment in areas where the shoulder is narrow. All other areas shall be compacted to the satisfaction of the Engineer. In all areas where the shoulder is wide enough, as determined by the Engineer, a steel drum vibratory compactor shall be used. For compaction, water shall be applied as determined by the Engineer. Damage to the HMA mat due to the Contractor's operation shall be repaired at no cost to the Contracting Agency.

Following the placement of crushed surfacing material each day, the new mainline and shoulder pavement shall be cleaned of all dirt and debris to the satisfaction of the Engineer. Prior to commencing work on the Shoulder Finishing operation the Contractor shall submit the selected method of compaction and equipment to be used to the Engineer for approval.

4-04.4 Measurement

(******)

Section 4-04.4 is supplemented with the following:

"Shoulder Finishing" shall be measured per ton.

4-04.5 Payment

(******)

Section 4-04.5 is supplemented with the following:

The unit contract price per ton for "Shoulder Finishing" shall be full pay for furnishing crushed surfacing, hauling, grading existing material, placing additional material, watering, compacting and all other work as specified. Water for compaction of shoulder rock shall be considered incidental to this bid item.

DIVISION 5
SURACE TREATMENTS AND PAVEMENTS

(******)

5-04, HOT MIX ASPHALT

Section 5-04 is supplemented with the following:

Delete WSDOT Section 5-04, Hot Mix Asphalt as printed in the Standard Specifications for Road, Bridge and Municipal Construction, 2018 edition, and replace it with Section 5-04, Hot Mix Asphalt as printed in the Standard Specifications for Road, Bridge and Municipal Construction, 2016 edition.

5-04.1 Description

(******)

Section 5-04.1 is supplemented with the following:

Superintendents, Labor, and Equipment of Contractor

Section 5-04.1 is supplemented with the following:

The Contractor shall have a sufficient number of qualified personnel on the project to insure the following minimum crew size:

One paving superintendent
One paver operator
Two screed operators
Three roller operators
Two rakers

These workers shall be present and not assigned to dual activities that would stop them from fulfilling their assigned task while the paver is in operation. There will be one assigned supervisor who will be in charge of paving operations and who will be responsible for work performed.

5-04.3 Construction Requirements

(******)

Section 5-04.3 is supplemented with the following:

Sand and tack all edges, cold joints, and tapers which join existing asphalt, (such as asphalt concrete approaches, intersections, and curb and gutter).

5-04.3(3) Hot Mix Asphalt Pavers

(******)

Section 5-04.3(3) is supplemented with the following:

5-04.3(7) Preparation of Aggregates

5-04.3(7)A Mix Design

5-04.3(7)A1 General

(******)

Supplement Section 5-04.3(7)A1 with the following:

The maximum quantity of RAP allowable in all HMA used in a pavement course shall not exceed 20%.

The Engineer shall approve the RAP stockpile prior to use.

The Contractor shall submit four samples of the designed Hot Mix Asphalt mix to the Engineer's representative for ignition furnace calibration at least five (5) days prior to paving. Samples will be taken in conformance to WSDOT Test Method T 726.

5-04.3(7)A2 Statistical or Nonstatistical Evaluation

(******)

Delete this section and replace it with the following;

5-04.3(7)A2 Nonstatistical and Commercial Evaluation

Mix designs for HMA accepted by Nonstatistical or Commercial evaluation shall;

- Be submitted to the Project Engineer on WSDOT Form 350-042
- Have the aggregate structure and asphalt binder content determined in accordance with WSDOT Standard Operating Procedure 732 and meet the requirements of Sections 9- 03.8(2) and 9-03.8(6).
- Have anti-strip requirements, if any, for the proposed mix design determined in accordance with WSDOT Test Method T 718 or based on historic anti-strip and aggregate source compatibility from WSDOT lab testing. Anti-strip evaluation of HMA mix designs utilized that include RAP will be completed without the inclusion of the RAP.

  At or prior to the preconstruction meeting, the contractor shall provide one of the following mix design verification certifications for Contracting Agency review;
- The proposed mix design indicated on a WSDOT mix design/anti-strip report that is within one year of the approval date

- The proposed HMA mix design submittal (Form 350-042) with the seal and certification (stamp & signature) of a valid licensed Washington State Professional Engineer.
- The proposed mix design by a qualified City or County laboratory mix design report that is within one year of the approval date.

The mix design will be performed by a lab accredited by a national authority such as Laboratory Accreditation Bureau, L-A-B for Construction Materials Testing, The Construction Materials Engineering Council (CMEC's) ISO 17025 or AASHTO Accreditation Program (AAP) and shall supply evidence of participation in the AASHTO Material Reference Laboratory (AMRL) program.

At the discretion of the Engineer, agencies may accept mix designs verified beyond the one year verification period with a certification from the Contractor that the materials and sources are the same as those shown on the original mix design. Evaluation of anti-strip additives are to be provided as part of the mix design acceptance criteria. Acceptable anti-strip evaluations include 1.) a WSDOT validated mix design showing the validated anti-strip additive and dosage 2.) an historic anti-strip determination from WSDOT not greater than two (2) calendar years old or 3.) a passing TSR test at the anti-strip dosage proposed by the Contractor.

No paving shall begin prior to Contracting Agency approval of the Contractor provided mix design.

5-04.3(8)A1, General
(******)

Delete this section and replace it with the following:

5-04.3(8)A1, General

Acceptance of HMA shall be as defined under nonstatistical or commercial evaluation. Nonstatistical evaluation will be used for all HMA not designated as Commercial HMA in the contract documents.

The mix design will be the initial JMF for the class of HMA. The Contractor may request a change in the JMF. Any adjustments to the JMF will require the approval of the Project Engineer and must be made in accordance with Section 9-03.8(7).

Commercial evaluation may be used for Commercial HMA and for other classes of HMA in the following applications: sidewalks, road approaches, ditches, slopes, paths, trails, gores, prelevel, and pavement repair. Other nonstructural applications of HMA accepted by commercial evaluation shall be as approved by the Project Engineer. Sampling and testing of HMA accepted by commercial evaluation will be at the option of the Project Engineer. Commercial HMA can be accepted by a contractor certificate of compliance letter stating the material meets the HMA requirements defined in the contract.

5-04.3(8)A4, Definition of Sampling Lot and Sublot
(******)
Section 5-04.3(8)A4 is supplemented with the following:

For HMA in a structural application, sampling and testing for total project quantities less than 400 tons is at the discretion of the engineer. For HMA used in a structural application and with a total project quantity less than 800 tons but more than 400 tons, a minimum of one acceptance test shall be performed:

If test results are found to be within specification requirements, additional testing will be at the Engineer's discretion.
If test results are found not to be within specification requirements, additional testing as needed to determine a CPF shall be performed.

5-04.3(8)A5 Test Results

(******)

The first paragraph of this section is deleted.

5-04.3(8)A6 Test Methods

(******)

Delete this section and replace it with the following;

5-04.3(8)A6 Test Methods

Testing of HMA for compliance of Va will be at the option of the Contracting Agency. If tested, compliance of Va will be by WSDOT Standard Operating Procedure SOP 731. Testing for compliance of asphalt binder content will be by WSDOT FOP for AASHTO T 308. Testing for compliance of gradation will be by WAQTC FOP for AASHTO T 27/T 11.

5-04.3(9) Spreading and Finishing

(******)

Section 5-04.3(9) is supplemented with the following:

The Contractor shall meet with the Engineer or representative by the end of each working day to verify and confirm in writing and by signature the daily yields and quantities.

If the Contractor fails to follow this procedure, the Contractor accepts the Engineer's estimated quantities for the work completed that day.

5-04.3(10) Compaction

5-04.3(10)B Control

(******)

Section 5-04.3(10)B1 thru 5-04.3(10)B4 are deleted and replaced with:

HMA used in traffic lanes, including lanes for ramps, truck climbing, weaving, speed changes, and left turn channelization, and having a specified compacted course thickness is greater than 0.10 foot, shall be compacted to a specified level of relative density. The specified level of relative density shall be a Composite Pay Factor (CPF) of not less than .75, using a minimum of 92.0 percent of the reference maximum density as determined by WSDOT FOP for AASHTO T 209. The level of compaction attained will be determined as the average of not less than 3 nuclear density gauge tests taken on the day the mix is placed (after completion of the finish rolling) at randomly selected locations within each lot. The quantity of a lot shall be no greater than a single day's production or approximately 300 tons, whichever is less. The quantity represented by each sub-lot will be 100 tons or a portion of 100 tons within the lot.

A test section(s) shall be constructed for the purpose of determining if the mix is compactable, to establish a nuclear density gauge correlation factor, and meets the requirements of Sections 5-04.

The test section shall be constructed at the beginning of production paving for the project and will be at least 40 tons and a maximum of 60 tons. The first and last 25 feet of paving will not be included in the test section. No further paving will be performed for the remainder of the day, and the next two days following the test section, or as directed by the Engineer.

Construction of the test section shall be done using the equipment and rolling patterns that the Contractor expects to use in the paving operation. A test section will be considered to have established compactibility, based on the results of three density determinations, when the average of the three tests exceeds 93 percent or when all three tests individually exceed 92 percent of the maximum density determined by WSDOT FOP for AASHTO T209. This will require consideration of the presence of the correlation factor for the nuclear density gauge and may require resolution after the correlation factor is known. When results have demonstrated that the mix is not compactable, or not capable of meeting the requirements in Sections 5-04, the Contractor shall construct a new test section after appropriate adjustments to the mix have been made.

The HMA used for the test section shall be measured by the ton and paid for as part of its associated HMA bid item. All costs associated with constructing the test section or sections will be incidental to the cost of the HMA.

On the initial days' production with a new HMA mix a test section may be avoided if the Agency and Contractor agree to accept the compaction based on a nuclear gauge density correlation factor of 1.0 with 92 percent of maximum density nuclear gauge reading. Compaction results less than 92 percent of maximum density will be subject to a price adjustment in accordance with special provision 5-04.5(1)B. Subsequent compaction testing shall be completed and accepted using density correlation values determined in accordance with WSDOT SOP T 730 and nuclear gauge density readings conducted in a accordance with WSDOT FOP for WAQTC T 355

For compaction lots falling below a 1.00 pay factor and thus subject to price reduction or rejection, cores may be used as an alternate to the nuclear density gauge tests. When cores are requested by the Contractor the request shall be made by noon of the first working day following placement of the mix. The contractor shall be responsible for obtaining the core samples at the locations designated by the Engineer. The Contractor shall be responsible for providing traffic control. The Engineer shall be responsible for the testing of the core samples and the costs incurred. When the cores indicate the acceptable level of compaction within a lot has not been achieved, the cost for the testing will be deducted from any monies due or that may become due the contractor under the contract at the rate of $200 per core.

HMA, constructed under conditions other than listed above shall be compacted on the basis of a test point evaluation of the compaction train. The test point evaluation shall be performed in accordance with instruction from the Engineer. The number of passes with an approved compaction train, required to attain the maximum point density, shall be used on all subsequent paving.

The number of passes with an approved compaction train, required to attain the maximum test point density, shall be used on all subsequent paving.

In addition to the randomly selected locations for tests of the density, the Engineer may also isolate from a normal lot any area that is suspected of being defective in relative density. Such isolated material will not include an original sample location. A minimum of 5 randomly located

density tests will be taken. The isolated area will then be evaluated for price adjustment in accordance with the statistical evaluation section, considering it as a separate lot.

Control lots not meeting the prescribed density standard shall be removed and replaced with satisfactory material. At the option of the Engineer, non-complying material may be accepted at a reduced price. See 5-04.5(1)B of this Special Provision.

5-04.3(12) Joints

(******)

Section 5-04.3(12) is supplemented with the following:

Sealing Joints and Feather Ends

After placement of the HMA Pavement, the Contractor shall seal all joints, including longitudinal joints or any feathered ends with pavement grade asphalt and sand.

All costs associated with providing and placing the liquid asphalt as specified above shall be incidental to and included in the unit contract price per ton for the HMA.

5-04.4 Measurement

(******)

Section 5-04.4 is supplemented with the following:

"HMA 3/8 In. PG 58H-22" per Ton.

5-04.5 Payment

(******)

Section 5-04.5 is supplemented with the following:

5-04.5(1) Quality Assurance Price Adjustment

(******)

Delete the fourth sentence of Section 5-04.5(1).

Supplement Section 5-04.5(1) with the following:

In the event that test results indicate the HMA does not meet specifications, a change order will be issued for the price adjustments for Quality of HMA Mixture and Quality of HMA Compaction based upon these specifications.

5-04.5(1)B Price Adjustments for Quality of HMA Compaction

(******)

Delete this section and replace it with the following:

The maximum CPF of a compaction lot is 1.00.

For each compaction lot of HMA when the CPF is less than 1.00, a Nonconforming Compaction Factor (NCCF) will be determined. THE NCCF equals the algebraic difference of CPF minus 1.00 multiplied by 40 percent. The Compaction Price Adjustment will be calculated as the product of the NCCF, the quantity of HMA in the lot in tons and the unit contract price per ton of the mix.

(******)
The CPF shall be as follows:

Compaction	CPF
91.0% to 91.9%	95%
90.0% to 90.9%	90%
89.0% to 89.9%	80%
88.0% to 88.9%	75%
At or below 87.9%	Mix is removed

DIVISION 7
DRAINAGE STRUCTURES, STORM SEWERS, SANITARY SEWERS, WATER MAINS, AND CONDUITS

7-02 CULVERTS

7-02.2 Materials
Section 7-02.2 is supplemented with the following:

(******)
Precast Reinf. Conc. Split Box Culvert

Portland cement shall conform to Section 9-01.

Steel reinforcing bar, wire, and mesh shall conform to Section 9-07.

Concrete curing materials and admixtures shall conform to Section 9-23.

Water shall conform to Section 9-25.1.

Grout shall conform to Manufacturer's recommendations.

7-02.3 Construction Requirements
Section 7-02.3 is supplemented with the following:

(******)
Precast Reinf. Conc. Split Box Culvert
Design Criteria
The Contractor shall design the precast reinforced concrete split box culvert including all precast reinforced concrete attachments to the box culverts such as headwalls and wingwalls, in accordance with the AASHTO Standard Specifications for Highway Bridges, 17th Edition – 2002, Chapters 6 and 16, load factor design method. The box culvert structures shall support an AASHTO HL-93 loading with a maximum soil bearing pressure of 3,500 pounds per square foot. Precast units shall be connected using weld ties at 6-foot on center maximum or an approved equivalent. Precast concrete structures shall include wingwalls and headwalls per details in the Contract Plans.

Concrete for precast reinforced concrete split box culverts, including all precast reinforced concrete attachments to the box culverts, shall attain a minimum 28 day compressive strength of 7,000 psi.

The culvert design shall incorporate an attachment method for guardrail via WSDOT Standard Plan C-20.41-01 or an alternate method approved by Lewis County. Guardrail attachments shall be capable of supporting TL-2 (40 MPH speed limit).

Submittals

The Contractor shall submit two sets of shop drawings for the culvert and wingwalls and shall be stamped and certified by a Civil Engineer licensed in the State of Washington. Stamped Plans shall be provided to Lewis County within thirty working days of contract award. Plans shall include connection details, lifting details, assembly, and installation details, with two sets of supporting design calculations, to the Engineer in accordance with Sections 6-01.9 and 6-02.3(28)A. In addition to items 1 through 6 under the Section 6-02.3(28)A requirements for shop drawing content, the following shop drawing details shall also be submitted:

1. Erection and backfill procedure.

2. Complete, site specific, itemized bar list for all reinforcing steel.

Culvert Section Fabrication

The Manufacturer shall determine concrete wall/top/bottom thickness, split-box culvert dimensions/configuration and wingwall design to achieve interior culvert dimensions and required wingwall limits depicted in the Contract Plans. Plans depict estimated wall thicknesses, footing dimensions, etc. Note, proposed concrete split-box culvert base units shall incorporate interior side heights as depicted to allow placement of streambed material prior to placing top units.

The Contractor shall fabricate the precast elements of the precast reinforced concrete split box culvert (consisting of “U” shaped base elements with “lid” panels and staggered base and lid joints as shown in the Plans) in accordance with Section 6-02.3(28), and the shop drawings as approved by the Engineer.

Notification shall be given to Lewis County Public Works at least seven working days in advance of beginning fabrication of the precast elements for this project.

The Contractor shall pick, move, and store the precast reinforced concrete split box culvert elements in the cast position until the concrete reaches a minimum compressive strength equal to the final design strength specified in the shop drawing and design calculation submittal.

Prior to shipping, the precast reinforced concrete split box culvert fabricator shall furnish the Inspector a complete documentation package for each culvert component. The documentation package shall include the following information for each culvert component:

1. Concrete batch tickets

2. Concrete cylinder break results.

3. Material certifications.

4. Copies of all changes from the Plans and Specifications.

The following information shall be legibly and permanently marked on one inside face of each "U" shaped element by indentation, waterproof paint, or other means approved by the Engineer:

1. Box section span and rise dimensions, minimum and maximum design earth cover dimensions, and an AASHTO HL-93 loading.

2. Date of fabrication.

3. Name or trademark of the fabricator.

Culvert Erection

The Contractor shall erect and backfill precast reinforced concrete split box culverts in accordance with the erection sequence specified in the shop drawings as approved by the Engineer, and construction equipment shall not be place on the structure until grout has attained a minimum compressive strength of 2,500 psi.

7-02.4 Measurement

Section 7-02.4 is supplemented with the following:

(April 2, 2007)
"Precast Reinf. Conc. Split Box Culvert" shall not be measured.

7-02.5 Payment

Section 7-02.5 is supplemented with the following:

(April 2, 2007)
"Precast Reinf. Conc. Split Box Culvert", lump sum.
The lump sum contract price for "Precast Reinf. Conc. Split Box Culvert". The 24' Span x 8' Rise" x 40' Long, with 4 Wingwalls shall be full pay for performing the work as specified, including designing, fabricating, headwalls(if any), footings, wingwalls, delivery, erecting, and grouting the precast concrete elements for the culvert.

DIVISION 8
MISCELLANEOUS CONSTRUCTION

8-01, EROSION CONTROL AND WATER POLLUTION CONTROL

8-01.3 Construction Requirements

Section 8-01.3 is supplemented with the following:

8-01.3(2) Seeding, Fertilizing, and Mulching

8-01.3(2)B Seeding and Fertilizing

(******)
Section 8-01.3(2)B is supplemented with the following:

Seed Mix - Roadside: Grass seed, of the following composition, proportion, and quality shall be applied at the rate of ***See Contract Plans *** pounds of pure live seed per acre on all areas requiring permanent roadside seeding within the project limits.

After seeding the Contractor shall be responsible to ensure a healthy stand of grass, otherwise, the Contractor shall, restore eroded areas, clean up materials, and reapply the seed, at no cost to the Contracting Agency.

Seeds shall be certified "Weed Free," indicating there are no noxious or nuisance weeds in the seed.

8-01.3(2)D Mulching

(******)

Section 8-01.3(2)D is supplemented with the following:

Long-Term Wood Cellulose Fiber mulch shall be applied at a rate of 4,000 pounds per acre with all permanent seed mixes and shall conform to Section 9-14.4(2)A Long-Term Mulch of the Standard Specifications. No more than 2,000 pounds shall be applied in any single lift.

8-01.3(2)E Tackifiers

(******)

Section 8-01.3(2)E is supplemented with the following:

PAM shall be added to seed mixes at the time of hydraulic application. Application rates and methods shall conform to Section 8-01.3(2)E of the Standard Specifications.

8-01.3(7) Stabilized Construction Entrance

(******)

The first paragraph is revised to read:

Temporary stabilized construction entrance shall be constructed in accordance with the Standard Plan (I-80.10-02), prior to beginning any clearing, grubbing, embankment or excavation in the staging area. All quarry spall material used for stabilized construction entrance shall be free of extraneous materials that may cause or contribute to track out.

8-01.3(9)A Silt Fence

(******)

Section 8-01.3(9)A is supplemented with the following:

In areas designated in the Plans for the application of silt fence, or as directed by the Engineer, the Contractor shall install **high visibility orange colored silt fence**. High visibility orange silt fence shall meet the requirements of Section 9-33.2(1), Table 6.

High visibility silt fence shall be installed with the materials and equipment positioned and working from outside the sensitive area shown in the Plans or as staked in the field by the Engineer. If silt fence cannot be installed without intrusion into the sensitive area, hand installation will be required.

The Contractor shall remove high visibility silt fence after completion of the project and seeding has been accepted or as directed by the Engineer.

Approximate quantity of high visibility silt fence: 780 linear feet.
Approximate quantity of standard production color silt fence: 0 linear feet.

8-01.4 Measurement

(******)

Section 8-01.4 is supplemented with the following:

"Stabilized Construction Entrance" will be measured by the square yard for each entrance constructed. The work shall include all costs associated with constructing, material, operating, maintaining, removal of stabilized construction entrance, and return of the area to the condition prior to construction.

8-01.5 Payment

(******)

Section 8-01.5 is supplemented with the following:

"Stabilized Construction Entrance" per square yard.

The unit contract price per Linear Foot (L.F.) for "High Visibility Silt Fence" shall be full pay for all cost to obtain, install, maintain, and remove the fence as specified. Once removed, the fencing shall remain the property of the Contractor.

8-02 ROADSIDE RESTORATION

8-02.1 Description

Section 8-02.1 is supplemented with the following:

(******)

The work described in this section, regardless of the nature or type of the materials encountered, includes supplying plant material, planting and installing plant protectors as shown in the contract plans, staked in the field, and directed by the engineer. This work shall be accomplished in accordance with all environmental permits regulating the work.

8-02.3 Construction Requirements

Section 8-02.3 is supplemented with the following:

(******)

PLANTING MITIGATION CONSTRUCTION

The Contractor shall grade, plant, and otherwise construct mitigated planting areas as shown in the Contract Plans, staked in the field, and required by the Engineer. The planting of the enhancement sites shall be performed by a biologist, horticulturist, landscape architect or other similar professional. The credentials of the supervisor of this work shall be approved by the Engineer prior to beginning work on this item. All work shall be performed as outlined in the Contract Plans along with WSDOT Standard Plan H-10.10-00.

Planting Zones

See Contract Plan Sheets P01 – P03 for Plant List and Location

Planting zones shall be as follows:

Planting Zone	Scientific Name	Scientific Name	Size of Plants (Material)	Size of Plants (Material)	Proportion of Planting in Strata (%)	Number of Plants
Zone A: Disturbed Area Within Wetland and River	*Carex obnupta*	*Slough Sedge*	Seed	0.6 lbs / 1,000 SF	*27*	-
	Carex microptera	*Smallwing Sedge*	Seed		*25*	-
	Carex stipata	*Awlfruit Sedge*	Seed		*29.5*	-
	Eleocharis palustris	*Common Spikerush*	Seed		*15*	-
	Scirpus microcarpus	*Panicled Bulrush*	Seed		3	-
	Juncus tenuis	*Poverty Rush*	Seed		0.5	-
Area: 1,177 sf						
Zone B: Disturbed Area above Ordinary High Water	*Hordeum brachyantherum*	Meadow Barley	Seed	1 lbs. / 1,000 SF	38.5	-
	Bromus carinatus	California Brome	Seed		20	-
	Festuca rubra rubra	Native Red Fescue	Seed		12	-
	Glyceria occidentallis	Northwestern Mannagrass	Seed		10	-
	Rosa nutkana	Nootka Rose	Seed		5	-
	Symphoricarpos alba	Common Snowberry	Seed		5	-
	Mahonia aquifolium	Oregon Grape	Seed		4.5	-
	Deschampsia cespitosa	Tufted Hairgrass	Seed		3	-
	Agrostis exarata	Spike Bentgrass	Seed		1.5	-
	Holodiscus discolor	Oceanspray	Seed		0.5	-
Area: 1,164 sf						
Zone C: Disturbed Area from Grading and Construction Activities	*Elymus glaucus*	Blue Wildrye	Seed	1 lbs / 1,000 SF	43	-
	Hordeum brachyantherum	Meadow Barley	Seed		37	-
	Lolum multiflorum	Annual Ryegrass	Seed		11	-
	Festuca idahoensis	Idaho Fescue	Seed		7	-
	Festuca ovina	Sheep Fescue	Seed		1	-
	Deschampsia elongata	Slender Hairgrass	Seed		0.6	-
	Koeleria macrantha	Junegrass	Seed		0.4	-
Area: 33,472 sf						

Plant Establishment

(******)

The Contractor shall provide a one-year plant guarantee period from the date of final acceptance, in accordance with performance standards of local, state and federal permits. At the end of the one-year guarantee period, all dead and unacceptable plant materials shall be replaced by the Contractor at the Contractor's expense. The Contractor shall provide maintenance and monitoring efforts during the guarantee period.

8-02.4 Measurement

Section 8-02.4 is supplemented with the following:

(******)

"Planting Mitigation Construction" per Lump Sum.

No specific unit of measure will apply to this lump sum item. Items specified are approximate and are provided for estimating purposes only. The successful Contractor shall provide the Contracting Agency a lump sum breakdown of all items after bid award.

8-02.5 Payment

Section 8-02.5 is supplemented with the following:

"Planting Mitigation Construction"

The unit contract price per Lump Sum for "Planting Mitigation Construction" shall be full compensation for furnishing and installing all plants, specified seed mixes, mulch, and PAM, weed and grass control/removal immediately prior to seeding to produce the specified surface conditions, scarification of compacted areas, minor filling of ruts, and all material and equipment necessary and incidental to the approved application of the specified seed - as described in Special Provision and as depicted in the Plans and all other applicable requirements and regulations. Material descriptions and construction requirements are as described in this Special Provision. The long term monitoring and maintenance (after one-year plant guarantee period) shall be completed by others. The unit price per Lump Sum for "Planting Mitigation Construction" also includes the placement Top Soil Type B (Approximately 62 C.Y.) as depicted in the plans.

8-15 RIPRAP

8-15.2 Materials

(******)

Section 8-15.1 is supplemented with the following:

Streambed Boulder, Two-Man	9-03.11(3)
Streambed Sediment	9-03.11(1)
Streambed Cobbles	9-03.11(2)
Select Borrow	9-03.14(2)

Large Woody Debris

Large woody debris shall consist of logs with and without root wads attached as shown in the Plans. Trunk length and diameter shall be as shown in the Plans. Root wads shall consist of stout roots, minimum 2-inch diameter, that form a root wad diameter as listed on page D02 in the Contract Plans. Large woody debris shall be Douglas fir or Western Red Cedar species that are free from rot or decay.

8-15.3 Construction Requirements

(******)

Section 8-15.3 is supplemented with the following:

Streambed Boulder, Two-Man

Set streambed boulders within the culvert as directed by the Engineer during construction. The two man boulders shall be placed to form a 4-5 rock cluster barb at quarter points (alternating sides) inside the culvert. Two-man boulder barbs shall be higher at the culvert wall and embedded 40% to 60% in the streambed mix, as directed by the Engineer.

Large Woody Debris

This work consists of placing large woody debris along the toe of the stream channel slope where shown and as detailed in the Plans. Care should be taken when handling log materials to minimize damage such as abrasion, splitting, crushing and shearing to the tree trunk and root wads where intact and required.

Streambed Mix

Streambed Mix (Streambed Cobbles and Sediment) shall be mixed at the rock pit or on-site per the ratios stipulated in the Plans and as directed by the Engineer. Place Streambed Mix in the new stream channel and culvert as profiled and detailed in the Plans. Streambed mix shall be placed in approximately 18-inch lifts. Additional Streambed Sediment shall be placed on top of the Streambed Mix to provide stability to the cobble mix and be placed in area of voids and watered to create a uniform, non-porous bed. Applications of watering and infilling shall be repeated until all visible voids are filled with Streambed Sediment and the surface is sealed. This additional Streambed Sediment shall be paid as "Streambed Mix".

8-15.4 Measurement

(******)

Section 8-15.4 is supplemented with the following:

"Large Woody Debris" shall be measured per each installed regardless of length, diameter, or attached root wad.

"Streambed Mix" shall be measured per Ton. The provisions of Section 1-04.6 Variation in Estimated Quantities does not apply to this bid item.

"Streambed Boulder Two Man" shall be measured per Each. The provisions of Section 1-04.6 Variation in Estimated Quantities does not apply to this bid item.

8-15.5 Payment

(******)

Section 8-15.5 is supplemented with the following:

"Large Woody Debris", per each.
Payment for "Large Woody Debris" per each, shall be full pay for the Work described in this Section including excavation, backfilling, and compaction.

"Streambed Mix" per Ton. The Unit Price "Streambed Mix" shall include the supply, delivery, mixing and placement of Streambed Mix including watering and filling voids with Streambed Sediment to seal the surface.

"Streambed Boulder Two Man", per Each.

8-23, TEMPORARY PAVEMENT MARKINGS

8-23.4 Measurement

Section 8-23.4 is revised to read:

(******)
No measurement will be made for Temporary Pavement Markings.

8-23.5 Payment

Section 8-23.5 is revised to read:

(******)
All costs for furnishing, installing, and maintaining Temporary Pavement Markings shall be included in the cost of the HMA.

DIVISION 9
MATERIALS

(******)

SECTION 9-02, BITUMINOUS MATERIALS

9-02.1 Asphalt Material, General

The second paragraph is revised to read:

The Asphalt Supplier of Performance Graded (PG) asphalt binder and emulsified asphalt shall have a Quality Control Plan (QCP) in accordance with WSDOT QC 2 "Standard Practice for Asphalt Suppliers That Certify Performance Graded and Emulsified Asphalts". The Asphalt Supplier's QCP shall be submitted and receive the acceptance of the WSDOT State Materials Laboratory. Once accepted, any change to the QCP will require a new QCP to be submitted for acceptance. The Asphalt Supplier of PG asphalt binder and emulsified asphalt shall certify through the Bill of Lading that the PG asphalt binder or emulsified asphalt meets the Specification requirements of the Contract.

9-02.1(4) Performance Graded Asphalt Binder (PGAB)

This section's title is revised to read:

Performance Graded (PG) Asphalt Binder

The first paragraph is revised to read:

PG asphalt binder meeting the requirements of AASHTO M 332 Table 1 of the grades specified in the Contract shall be used in the production of HMA. For HMA with greater than 20 percent RAP by total weight of HMA, or any amount of RAS, the new asphalt binder, recycling agent and recovered asphalt (RAP and/or RAS) when blended in the proportions of the mix design shall meet the PG asphalt binder requirements of AASHTO M 332 Table 1 for the grade of asphalt binder specified by the Contract.

The second paragraph, including the table, is revised to read:

In addition to AASHTO M 332 Table 1 specification requirements, PG asphalt binders shall meet the following requirements:

		Additional Requirements by Performance Grade (PG) Asphalt Binders					
Property	**Test Method**	**PG58S-22**	**PG58H-22**	**PG58V-22**	**PG64S-28**	**PG64H-28**	**PG64V-28**
RTFO Residue: Average Percent Recovery @ 3.2 kPa	AASHTO T 350[1]			30% Min.	20% Min.	25% Min.	30% Min.
[1]Specimen conditioned in accordance with AASHTO T 240 – RTFO.							

The third paragraph is revised to read:

The RTFO J_{nrdiff} and the PAV direct tension specifications of AASHTO M 332 are not required.

This section is supplemented with the following:

If the asphalt binder verification sample test results fail to meet AASHTO Test Method T 350 "Standard Method of Test for Multiple Stress Creep Recovery (MSCR) Test of Asphalt Binder Using a Dynamic Shear Rheometer (DSR)" for average percent recovery @ 3.2 kPa for the applicable grades of binder in accordance with Section 9-02.1(4), the Contracting Agency may elect to test the sample using AASHTO Test Method T 301 "Standard Method of Test for Elastic Recovery Test of Asphalt Materials by Means of a Ductilometer."

When AASHTO T 301 is used, a minimum of 65% elastic recovery (ER) will be required when tested at 25°C ± 0.5°C.

9-03 AGGREGATES

9-03.8 Aggregates for Hot Mix Asphalt

9-03.8 (2) HMA Test Requirements

(******)
Section 9-03.8(2) is supplemented with the following:

ESAL's

The number of ESAL's for the design and acceptance of the HMA for paving shall be *** 1*** million.

9-03.8(7) HMA Tolerances and Adjustments

(******)
Delete item 1 and replace it with the following:

1. **Job Mix Formula Tolerances**. After the JMF is determined as required in 5-04.3(7)A, the constituents of the mixture at the time of acceptance shall conform to the following tolerances:

	Nonstatistical Evaluation	**Commercial Evaluation**
Aggregate, percent passing 1", ¾", ½", and 3/8" sieves	±6%	±8%
U.S. No. 4 sieve	±6%	±8%
U.S. No. 8 sieve	±4%	±8%
U.S. No. 16 sieve	±4%	±8%
U.S. No. 30 sieve	±4%	±8%
U.S. No. 50 sieve	±4%	±8%
U.S. No. 100 sieve	±4%	±8%
U.S. No. 200 sieve	±2.0%	±3.0%
Asphalt Binder	±0.5%	±0.7%
VMA	1.5% below minimum value in 9-03.8(2)	
VFA	min. and max. as listed in 9-03.8(2)	
Va	2.5% minimum and 5.5% maximum	

These tolerance limits constitute the allowable limits as described in Section 1-06.2. The tolerance limit for aggregate shall not exceed the limits of the control points section, except the tolerance limits for sieves designated as 100% passing will be 99-100.

9-14 EROSION CONTROL AND ROADSIDE PLANTING

9-14.2 Seed

Seed type, mix and distribution are indicated within the Contract Plans.

9-14.3 Fertilizer

No fertilizers are to be used within this project.

9-14.4(7) Tackifier

Use organic tackifers only.

POWER EQUIPMENT

(******)

The successful bidder will be required to furnish the County a list of all equipment that they anticipate utilizing on this project.

The bidder's attention is directed to the attached Power Equipment Form, which the successful bidder will be required to complete and return with the contract documents. This information will enable hourly rental rates to be computed by the County, utilizing the "Rental Rate Blue Book for Construction Equipment". No payment for any force account work will be allowed until this form has been returned and accepted by the County.

E-VERIFY

(******)

“Effective June 21st, 2010, all contracts with a value of ≥ $100,000 shall require that the awarded contractor register with the Department of Homeland Security E-Verify program. Contractors shall have sixty days after the execution of the contract to register and enter into a Memorandum of Understanding (MOU) with the Department of Homeland Security (DHS) E-Verify program. After completing the MOU the contractor shall have an additional sixty days to provide a written record on the authorized employment status of their employees and those of any sub-contractor(s) currently assigned to the contract. Employees hired during the execution of the contract and after submission of the initial verification will be verified to the county within 30 days of hire, as reported from the E-Verify program. The contractor will continue to update the County on all corrective actions required and changes made during the performance of the contract.”

BOND

(******)

The Bidder's special attention is directed to the attached bond form, which the successful bidder will be required to execute and furnish the County. **NO OTHER BOND FORMS WILL BE ACCEPTED.** The bond shall be for the full amount of the contract.

LEWIS COUNTY ESTIMATES AND PAYMENT POLICY

(******)
Payment cutoff shall be the last day of each month, inclusive of that day. On or before the 5th day of each calendar month during the term of this contract, the Contracting Agency shall prepare monthly Progress Payments for work completed and material furnished. If the Contractor agrees, the Contractor will approve the Progress Payment and return the estimate to the Contracting Agency by the 10th day of that same calendar month. The Contracting Agency shall prepare a voucher based upon the approved Progress Payment and payment based thereon shall be due the Contractor near the 10th day of the next calendar month. Material Supply contracts involving delivery of prefabricated material or stockpile material only (no physical work on Contracting Agency property) may be reimbursed via Contractor generated invoices upon written approval by the Engineer. Reimbursement by invoice shall not be subject to late charges listed on the Contractor's standard invoice form.

When the Contractor reports the work is completed he/she shall then notify the Contracting Agency. The Contracting Agency shall inspect the work and report any deficiencies to the Contractor. When the Contracting Agency is satisfied the work has been completed in accordance with all plans and specifications, the Contracting Agency shall then accept the work.

Upon completion of all work described in this Contract, the Contracting Agency shall prepare a Final Progress Payment and Final Contract Voucher for approval by the Contractor and processing for final payment. Release of the Contract Bond will be 60 days following Contracting Agency Final Acceptance of Contract, provided the conditions of Section 1-03.4 and Section1-07.2 of these Special Provisions have been satisfied.

APPENDICES

(July 12, 1999)
The following appendices are attached and made a part of this contract:

****** APPENDIX A:
Traffic Control Plan

APPENDIX B:
Washington State Prevailing Wage Rates
Wage Rate Supplement
Wage Rate Benefit Code Key

APPENDIX C:
Bid Proposal Documents

APPENDIX D:
Contract Documents

APPENDIX E
Geotechnical Engineering Report

APPENDIX F:
Permit Documents

APPENDIX G:
Contract Plans ******

1
2
3

(January 7, 2019)
STANDARD PLANS

The State of Washington Standard Plans for Road, Bridge and Municipal Construction M21-01 transmitted under Publications Transmittal No. PT 16-048, effective August 6, 2018 is made a part of this contract.

The Standard Plans are revised as follows:

A-40.10
Section View, PCCP to HMA Longitudinal Joint, callout, was – "Sawed Groove ~ Width 3/16" (IN) MIN. to 5/16" (IN) MAX. ~ Depth 1" (IN) MIN. ~ see Std. Spec. 5-04.3(12)B" is revised to read; "Sawed Groove ~ Width 3/16" (IN) MIN. to 5/16" (IN) MAX. ~ Depth 1" (IN) MIN. ~ see Std. Spec. Section 5-04.3(12)A2"
Section View, Transverse Contraction Joint, dimension, was – "D/4" is revised to read: "D/3 to D/4"

A-50.10
Sheet 2 of 2, Plan, with Single Slope Barrier, reference C-14a is revised to C-70.10

A-50.20
Sheet 2 of 2, Plan, with Anchored Barrier, reference C-14a is revised to C-70.10

A-50.30
Sheet 2 of 2, Plan (top), reference C-14a is revised to C-70.1

B-10.60
DELETED

B-82.20
DELETED

B-90.40
Valve Detail - DELETED

C-2C
CASE 9A (typical of 2 callouts): The dimensions were "3'-0" MIN. ~ TO FACE OF GUARDRAIL". are now revised to read "5'-0" MIN ~ TO FACE OF GUARDRAIL".

C-4b
DELETED

C-4e
DELETED

C-4f
Sheet 1, BULLNOSE GRADING PLAN: Slopes shall be not steeper than 10H:1V for the bullnose guardrail system including slopes into the guardrail face to 1 foot behind the guardrail post.

Sheet 2, POST 1R & 1L, 2R & 2L, 3R TO 8R and 3L TO 8L, 9R TO 12 R and 9L TO 12L elevation view details: Slopes into the guardrail face to 1 foot behind the guardrail post shall not be steeper than 10H:1V.

Sheet 3, SECTION B, callout – was: "THE NUT SHALL BE ASTM A563D STEEL, AND GALVANIZED ACCORDING TO STANDARD SPEC. 9-16.3(3)." Is revised to read: "THE NUT SHALL BE ASTM A307 STEEL, AND GALVANIZED ACCORDING TO STANDARD SPEC. 9-16.3(3)."

C-20.14
CASE 3-31: The dimension was "5'-0" MIN" from the back of guardrail to the center of railroad signal support is now revised to "5'-0" MIN" from face of guardrail to the front edge of the railroad signal support.

Note 3, was – "The slope from the edge of the shoulder into the face of the guardrail cannot exceed 10H : 1V when the face of the guardrail is less than 12' – 0" from the edge of the shoulder." is revised to read: "The slope from the edge of the shoulder into the face of the guardrail cannot be steeper than 10H : 1V when the face of the guardrail is less than 12' – 0" from the edge of the shoulder. The slope from the edge of the shoulder into the face of the guardrail cannot be steeper than 6H : 1V when the guardrail is 12' – 0" or more from the edge of the shoulder."

C-20.18
ALL CASES: The dimensions were "3'-0" MIN" from the face of guardrail to the front edge of the fixed feature are now revised to "5'-0" MIN" from the face of guardrail to the front edge of the fixed feature.

Note 1, was – "The slope from the edge of the shoulder into the face of the guardrail should not exceed 10H : 1V when the guardrail is within 12' – 0" from the edge of the shoulder." Is revised to read: "The slope from the edge of the shoulder into the face of the guardrail should not be steeper than 10H : 1V when the guardrail is less than 12' – 0" from the edge of the shoulder. The slope from the edge of the shoulder into the face of the guardrail should not be steeper than 6H : 1V when the guardrail is 12' – 0" or more from the edge of shoulder."

C-22.14
DELETED

C-22.16
Note 3, formula, was: "Elevation G = (Elevation S – D x (0.1) + 31" is revised to read: "Elevation G = (Elevation S – D x (0.1) + 31/12"

C-22.40
PLAN VIEW, MSKT-SP-MGS (TL-3) SHOWN: The dimension was "4'-0" MIN" from the face of the terminal to the edge of the widened embankment is now revised to "4'-0" MIN" from the back of the terminal post to the edge of the widened embankment.

Elevation View, MSKT-SP-MGS (TL-3), dimension, MSKT-SP-MGS (TL-3) SYSTEM LENGTH = 50' – 0" , dimension is revised to read: 46' – 101/2"

Elevation View, SOFTSTOP (TL-3), dimension, SOFTSTOP (TL-3) SYSTEM LENGTH = 50' – 9 1/2", dimension is revised to read: 50' – 10 1/2"

Note 6, was – "…a maximum taper of 25.4 : 1 or flatter is allowed over the system length of 50' – 9 ½" with a maximum…" is revised to read: "…a maximum taper of 25.44 : 1 or flatter is allowed over the system length of 50' – 10 ½" with a maximum…"

C-22.45
PLAN VIEW, MSKT-SP-MGS (TL-2) SHOWN: The dimension was "4'-0" MIN" from the face of the terminal to the edge of the widened embankment is now revised to "4'-0" MIN" from the back of the terminal post to the edge of the widened embankment.

Elevation View, MSKT-SP-MGS (TL-2), dimension, MSKT-SP-MGS (TL-2) SYSTEM LENGTH = 25' – 0", dimension is revised to read 34' – 4 1/2"

Elevation View, SOFTSTOP (TL-2), dimension, SOFTSTOP (TL-2) SYSTEM LENGTH = 38' – 3 1/2", dimension is revised to read 38' – 4 1/2"

Note 6, was – "…flare of 38.29 : 1 or flatter is allowed over the system length of 38' – 3 ½" with a maximum…" is revised to read: "…flare of 38.38 : 1 or flatter is allowed over the system length of 38' – 4 ½" with a maximum…"

C-25.26
Elevation View, TYPE 23: The guardrail height dimension was 2'-8" from the top of the thrie beam to the top of the bridge curb is now revised to 2'-8" from the top of the thrie beam to the top of the ground line.

C-25.80
Plan View, callout, was – "12" (IN) BLOCKOUT" is revised to read; "12" (IN) or 8" (IN) BLOCKOUT (12" (IN) SHOWN)"
Elevation View, add labels to posts (below view); beginning at left side of view – Label Posts as follows; POST 1, POST 2 through POST 6".
General Notes, add Note 6. Note reads as follows; "6. Post 1 shall use an 8 inch blockout, and posts 2 through post 6 shall use 12 inch or 8 inch blockouts."

C-40.14
DELETED

C-90.10
DELETED

D-10.10
Wall Type 1 may be used if no traffic barrier is attached on top of the wall. Walls with traffic barriers attached on top of the wall are considered non-standard and shall be designed in accordance with the current WSDOT Bridge Design Manual (BDM) and the revisions stated in the 11/3/15 Bridge Design memorandum.

D-10.15
Wall Type 2 may be used if no traffic barrier is attached on top of the wall. Walls with traffic barriers attached on top of the wall are considered non-standard and shall be designed in accordance with the current WSDOT BDM and the revisions stated in the 11/3/15 Bridge Design memorandum.

D-10.20
Wall Type 3 may be used in all cases. The last sentence of Note 6 on Wall Type 3 shall be revised to read: The seismic design of these walls has been completed using a site adjusted (effective) peak ground acceleration of 0.32g.

D-10.25
Wall Type 4 may be used in all cases. The last sentence of Note 6 on Wall Type 4 shall be revised to read: The seismic design of these walls has been completed using a site adjusted (effective) peak ground acceleration of 0.32g.

D-10.30
Wall Type 5 may be used in all cases.

D-10.35
Wall Type 6 may be used in all cases.

D-10.40
Wall Type 7 may be used if no traffic barrier is attached on top of the wall. Walls with traffic barriers attached on top of the wall are considered non-standard and shall be designed in accordance with the current WSDOT BDM and the revisions stated in the 11/3/15 Bridge Design memorandum.

D-10.45
Wall Type 8 may be used if no traffic barrier is attached on top of the wall. Walls with traffic barriers attached on top of the wall are considered non-standard and shall be designed in accordance with the current WSDOT BDM and the revisions stated in the revisions stated in the 11/3/15 Bridge Design memorandum.

D-15.10
STD Plans D-15 series “Traffic Barrier Details for Reinforced Concrete Retaining Walls” are withdrawn. Special designs in accordance with the current WSDOT BDM are required in place of these STD Plans.

D-15.20
STD Plans D-15 series “Traffic Barrier Details for Reinforced Concrete Retaining Walls” are withdrawn. Special designs in accordance with the current WSDOT BDM are required in place of these STD Plans.

D-15.30
STD Plans D-15 series “Traffic Barrier Details for Reinforced Concrete Retaining Walls” are withdrawn. Special designs in accordance with the current WSDOT BDM are required in place of these STD Plans.

F-10.12
Section Title, was – “Depressed Curb Section” is revised to read: “Depressed Curb and Gutter Section”

F-10.40
“EXTRUDED CURB AT CUT SLOPE”, Section detail - Deleted

F-10.42
DELETE – “Extruded Curb at Cut Slope” View

H-70.20
Sheet 2, Spacing Detail, Mailbox Support Type 1, reference to Standard Plan I-70.10 is revised to H-70.10

I-30.30
8” Diameter Wattle Spacing Table, lower left corner, was –“Slope:1H : 1V, Maximum Spacing:10’ – 0”” is revised to read: “Slope:1H : 1V, Maximum Spacing:8’ – 0””.

J-10.21
Note 18, was – “When service cabinet is installed within right of way fence, see Standard Plan J-10.22 for details.” Is revised to read; “When service cabinet is installed within right of way fence, or the meter base is mounted on the exterior of the cabinet, see Standard Plan J-10.22 for details.”

J-10.22
Key Note 1, was – “Meter base per serving utility requirements~ as a minimum, the meter base shall be safety socket box with factory-installed test bypass facility that meets the requirements of EUSERC drawing 305.” Is revised to read; “Meter base per serving utility requirements~ as a minimum, the meter base shall be safety socket box with factory-installed test bypass facility that meets the requirements of EUSERC drawing 305. When the utility requires meter base to be mounted on the side or back of the service cabinet, the meter base enclosure shall be fabricated from type 304 stainless steel.”
Key Note 4, “Test with (SPDT Snap Action, Positive close 15 Amp – 120/277 volt “T” rated). Is revised to read: “Test Switch (SPDT snap action, positive close 15 amp – 120/277 volt “T” rated).”
Key Note 14, was – “Hinged dead front with ¼ turn fasteners or slide latch.” Is revised to read; “Hinged dead front with ¼ turn fasteners or slide latch. ~ Dead front panel bolts shall not extend into the vertical limits of the breaker array(s).”
Key Note 15, was – “Cabinet Main Bonding Jumper. Buss shall be 4 lug tinned copper. See Cabinet Main bonding Jumper detail, Standard Plan J-3b.“ is revised to read; “Cabinet Main Bonding Jumper Assembly ~ Buss shall be 4 lug tinned copper ~ See Standard Plan J-10.20 for Cabinet Main Bonding Jumper Assembly details.”
Note 1, was – “…socket box mounting detail, see Standard Plan J-3b.” is revised to read to read: “…socket box mounting detail, see Standard Plan J-10.20.”
Note 6, was – “…See door hinge detail, Standard Plan J-3b.” is revised to read: “…See door hinge detail, Standard Plan J-10.20.”

J-20.10
Add Note 5, “5. One accessible pedestrian signal assembly per pedestrian pushbutton post.”

J-20.11
Sheet 2, Foundation Detail, Elevation, callout – “Type 1 Signal Pole” is revised to read: “Type PS or Type 1 Signal Pole”
Sheet 2, Foundation Detail, Elevation, add note below Title, “(Type 1 Signal Pole Shown)”
Add Note 6, “6. One accessible pedestrian signal assembly per pedestrian pushbutton post.”

J-20.26
Add Note 1, “1. One accessible pedestrian pushbutton station per pedestrian pushbutton post.”

J-20.16
View A, callout, was – LOCK NIPPLE, is revised to read; CHASE NIPPLE

J-21.10
Sheet 1, Elevation View, Round Concrete Foundation Detail, callout – “ANCHOR BOLTS ~ ¾” (IN) x 30” (IN) FULL THREAD ~ THREE REQ’D. PER ASSEMBLY” IS REVISED TO READ: “ANCHOR BOLTS ~ ¾” (IN) x 30” (IN) FULL THREAD ~ FOUR REQ’D. PER ASSEMBLY”
Sheet 1 of 2, Elevation view (Round), add dimension depicting the distance from the top of the foundation to find 2 #4 reinforcing bar shown, to read; 3” CLR.. Delete “(TYP.)” from the 2 ½” CLR. dimension, depicting the distance from the bottom of the foundation to find 2 # 4 reinf. Bar.
Sheet 1 of 2, Elevation view (Square), add dimension depicting the distance from the top of the foundation to find 1 #4 reinforcing bar shown, to read; 3” CLR. Delete “(TYP.)” from the 2 ½” CLR. dimension, depicting the distance from the bottom of the foundation to find 1 # 4 reinf. Bar.
Sheet 2 of 2, Elevation view (Round), add dimension depicting the distance from the top of the foundation to find 2 #4 reinforcing bar shown, to read; 3” CLR. Delete “(TYP.)” from the 2 ½” CLR. dimension, depicting the distance from the bottom of the foundation to find 2 # 4 reinf. Bar.
Sheet 2 of 2, Elevation view (Square), add dimension depicting the distance from the top of the foundation to find 1 #4 reinforcing bar shown, to read; 3” CLR. Delete “(TYP.)” from the 2 ½” CLR. dimension, depicting the distance from the bottom of the foundation to find 1 # 4 reinf. Bar.
Detail F, callout, “Heavy Hex Clamping Bolt (TYP.) ~ 3/4” (IN) Diam. Torque Clamping Bolts (see Note 3)” is revised to read; “Heavy Hex Clamping Bolt (TYP.) ~ 3/4” (IN) Diam. Torque Clamping Bolts (see Note 1)”
Detail F, callout, “3/4” (IN) x 2’ – 6” Anchor Bolt (TYP.) ~ Four Required (See Note 4)” is revised to read; “3/4” (IN) x 2’ – 6” Anchor Bolt (TYP.) ~ Three Required (See Note 2)”

J-21.15
Partial View, callout, was – LOCK NIPPLE ~ 1 ½” DIAM., is revised to read; CHASE NIPPLE ~ 1 ½” (IN) DIAM.

J-21.16
Detail A, callout, was – LOCKNIPPLE, is revised to read; CHASE NIPPLE

J-22.15
Ramp Meter Signal Standard, elevation, dimension 4' - 6" is revised to read; 6'-0"
(2x) Detail A, callout, was – LOCK NIPPLE ~ 1 ½" DIAM. is revised to read; CHASE NIPPLE ~ 1 ½" (IN) DIAM.

J-40.10
Sheet 2 of 2, Detail F, callout, "12 – 13 x 1 ½" S.S. PENTA HEAD BOLT AND 12" S. S. FLAT WASHER" is revised to read; "12 – 13 x 1 ½" S.S. PENTA HEAD BOLT AND 1/2" (IN) S. S. FLAT WASHER"

J-60.14
All references to J-16b (6x) are revised to read; J-60.11

K-80.30
In the NARROW BASE, END view, the reference to Std. Plan C-8e is revised to Std. Plan K-80.35
Plan Title, was "ALTERNATIVE TEMPORARY CONC. BARRIER (F-SHAPE)" is revised to read: "CONCRETE BARRIER TYPE F"

The following are the Standard Plan numbers applicable at the time this project was advertised. The date shown with each plan number is the publication approval date shown in the lower right-hand corner of that plan. Standard Plans showing different dates shall not be used in this contract.

A-10.10-00.....8/7/07
A-10.20-00.....10/5/07
A-10.30-00.....10/5/07
A-20.10-00.....8/31/07
A-30.10-00.....11/8/07
A-30.30-01.....6/16/11
A-30.35-00.....10/12/07
A-40.00-00.....8/11/09
A-40.10-03.....12/23/14
A-40.15-00.....8/11/09
A-40.20-04.....1/18/17
A-40.50-02.....12/23/14
A-50.10-00…....11/17/08
A-50.20-01…....9/22/09
A-50.30-00…....11/17/08
A-50.40-00…....11/17/08
A-60.10-03.....12/23/14
A-60.20-03.....12/23/14
A-60.30-01.....6/28/18
A-60.40-00.....8/31/07

B-5.20-02.....1/26/17
B-5.40-02.....1/26/17
B-5.60-02.....1/26/17
B-10.20-02.....3/2/18
B-10.40-01.....1/26/17
B-10.70-00……1/26/17
B-15.20-01.....2/7/12
B-15.40-01.....2/7/12
B-15.60-02.....1/26/17
B-20.20-02.....3/16/12
B-20.40-04.....2/27/18
B-20.60-03.....3/15/12
B-25.20-02.....2/27/18
B-25.60-02.....2/27/18
B-30.10-03.....2/27/18
B-30.15-00……..2/27/18
B-30.50-03.....2/27/18
B-30.70-04.....2/27/18
B-30.80-01.....2/27/18
B-30.90-02.....1/26/17
B-35.20-00.....6/8/06
B-35.40-00.....6/8/06
B-40.20-00.....6/1/06
B-40.40-02.....1/26/17
B-45.20-01.....7/11/17
B-45.40-01.....7/21/17
B-50.20-00.....6/1/06
B-55.20-02.....2/27/18
B-60.20-01.....6/28/18
B-60.40-01.....2/27/18
B-65.20-01.....4/26/12
B-65.40-00.....6/1/06
B-75.20-02.....2/27/18
B-75.50-01.....6/10/08
B-75.60-00.....6/8/06
B-80.20-00.....6/8/06
B-80.40-00.....6/1/06
B-85.10-01.....6/10/08
B-85.20-00.....6/1/06
B-85.30-00.....6/1/06
B-85.40-00.....6/8/06
B-85.50-01.....6/10/08
B-90.10-00…....6/8/06
B-90.20-00.....6/8/06
B-90.30-00.....6/8/06
B-90.40-01.....1/26/17
B-90.50-00.....6/8/06
B-95.20-01.....2/3/09

B-30.20-04.....2/27/18
B-30.30-03.....2/27/18
B-30.40-03.....2/27/18
B-70.20-00.....6/1/06
B-70.60-01.....1/26/17
B-95.40-01.....6/28/18

C-1.....6/28/18
C-1a.....7/14/15
C-1b.....7/14/15
C-1d.....10/31/03
C-2c.....6/21/06
C-4f.....7/2/12
C-6a.....10/14/09
C-7.....6/16/11
C-7a.....6/16/11
C-8.....2/10/09
C-8a.....7/25/97
C-8b.....2/29/16
C-8e.....2/21/07
C-8f.....6/30/04
C-16a.....7/21/17
C-20.10-04.....7/21/17
C-20.11-00……..7/21/17
C-20.14-03.....6/11/14
C-20.15-02.....6/11/14
C-20.18-02.....6/11/14
C-20.19-02.....6/11/14
C-20.40-06.....7/21/17
C-20.41-01.....7/14/15
C-20.42-05.....7/14/15
C-20.45.01.....7/2/12
C-22.16-06.....7/21/17
C-22.40-06.....7/21/17
C-22.45-03.....7/21/17
C-23.60-04.....7/21/17
C.24.10-01.....6/11/14
C-25.20-06.....7/14/15
C-25.22-05.....7/14/15
C-25.26-03.....7/14/15
C-25.30-00…….6/28/18
C-25.80-04.....7/15/16
C-40.16-02.....7/2/12
C-40.18-03.....7/21/17
C-70.10-01.....6/17/14
C-75.10-01.....6/11/14
C-75.20-01.....6/11/14
C-75.30-01.....6/11/14
C-80.10-01.....6/11/14
C-80.20-01.....6/11/14
C-80.30-01.....6/11/14
C-80.40-01.....6/11/14
C-80.50-00.....4/8/12
C-85.10-00.....4/8/12
C-85.11-00.....4/8/12
C-85.14-01.....6/11/14
C-85.15-01.....6/30/14
C-85.16-01.....6/17/14
C-85-18-01.....6/11/14
C-85.20-01.....6/11/14

D-2.04-00.....11/10/05
D-2.06-01.....1/6/09
D-2.08-00.....11/10/05
D-2.14-00.....11/10/05
D-2.16-00.....11/10/05
D-2.18-00.....11/10/05
D-2.20-00.....11/10/05
D-2.32-00.....11/10/05
D-2.34-01.....1/6/09
D-2.36-03.....6/11/14
D-2.42-00.....11/10/05
D-2.44-00.....11/10/05
D-2.60-00.....11/10/05
D-2.62-00.....11/10/05
D-2.46-01.....6/11/14
D-2.48-00.....11/10/05
D-2.64-01.....1/6/09
D-2.66-00.....11/10/05
D-2.68-00.....11/10/05
D-2.80-00.....11/10/05
D-2.82-00.....11/10/05
D-2.84-00.....11/10/05
D-2.86-00.....11/10/05
D-2.88-00.....11/10/05
D-2.92-00.....11/10/05
D-3.09-00.....5/17/12
D-3.10-01……5/29/13
D-3.11-03……6/11/14
D-3.15-02……6/10/13
D-3.16-02……5/29/13
D-3.17-02……5/9/16
D-4.....12/11/98
D-6.....6/19/98
D-10.10-01.....12/2/08
D-10.15-01.....12/2/08
D-10.20-00.....7/8/08
D-10.25-00.....7/8/08
D-10.30-00.....7/8/08
D-10.35-00.....7/8/08
D-10.40-01.....12/2/08
D-10.45-01.....12/2/08
D-15.10-01.....12/2/08
D-15.20-03.....5/9/16
D-15.30-01.....12/02/08

E-1.....2/21/07
E-2.....5/29/98
E-4.....8/27/03
E-4a.....8/27/03

F-10.12-03.....6/11/14
F-10.16-00.....12/20/06
F-10.18-01.....7/11/17
F-10.40-03.....6/29/16
F-10.42-00.....1/23/07
F-10.62-02.....4/22/14
F-10.64-03.....4/22/14
F-30.10-03.....6/11/14
F-40.12-03.....6/29/16
F-40.14-03.....6/29/16
F-40.15-03.....6/29/16
F-40.16-03.....6/29/16
F-45.10-02.....7/15/16
F-80.10-04.....7/15/16

G-10.10-00.....9/20/07
G-20.10-02.....6/23/15
G-22.10-04.....6/28/18
G-24.10-00.....11/8/07
G-24.20-01.....2/7/12
G-24.30-02.....6/28/18
G-24.40-07.....6/28/18
G-24.50-04.....7/11/17
G-24.60-05.....6/28/18
G-25.10-04.....6/10/13
G-30.10-04.....6/23/15
G-50.10-03.....6/28/18
G-60.10-04.....6/28/18
G-60.20-02.....6/18/15
G-60.30-02.....6/18/15
G-70.10-03.....6/18/15
G-70.20-04.....7/21/17
G-70.30-04.....7/21/17
G-90.10-03……7/11/17
G-90.11-00……4/28/16
G-90.20-05……7/11/17
G-90.30-04……7/11/17
G-90.40-02……4/28/16
G-95.10-02.....6/28/18
G-95.20-03.....6/28/18
G-95.30-03.....6/28/18

H-10.10-00.....7/3/08
H-10.15-00.....7/3/08
H-30.10-00.....10/12/07
H-32.10-00.....9/20/07
H-60.10-01.....7/3/08
H-60.20-01.....7/3/08
H-70.10-01.....2/7/12
H-70.20-01.....2/16/12
H-70.30-02.....2/7/12

I-10.10-01.....8/11/09
I-30.10-02.....3/22/13
I-30.15-02.....3/22/13
I-30.16-00.....3/22/13
I-30.17-00.....3/22/13
I-30.20-00.....9/20/07
I-30.30-01.....6/10/13
I-30.40-01.....6/10/13
I-30.60-01.....3/7/18
I-40.10-00.....9/20/07
I-40.20-00.....9/20/07
I-50.20-01.....6/10/13
I-60.10-01.....6/10/13
I-60.20-01.....6/10/13
I-80.10-02.....7/15/16

J-10.....7/18/97
J-10.10-03……6/3/15
J-10.15-01.....6/11/14
J-10.16-00……6/3/15
J-10.17-00……6/3/15
J-10.18-00……6/3/15
J-10.20-01……6/1/16
J-10.21-00……6/3/15
J-10.22-00.....5/29/13
J-10.25-00……7/11/17
J-12.15-00……6/28/18
J-12.16-00……6/28/18
J-15.10-01.....6/11/14
J-15.15-02……7/10/15
J-20.10-03.....6/30/14
J-20.11-02.....6/30/14
J-20.15-03.....6/30/14
J-20.16-02.....6/30/14
J-20.20-02.....5/20/13
J-20.26-01.....7/12/12
J-21.10-04.....6/30/14
J-21.15-01.....6/10/13
J-21.16-01.....6/10/13
J-21.17-01.....6/10/13
J-21.20-01.....6/10/13
J-22.15-02.....7/10/15
J-22.16-03.....7/10/15
J-26.10-03…..7/21/16
J-28.22-00.....8/07/07
J-28.24-01.....6/3/15
J-28.26-01.....12/02/08
J-28.30-03.....6/11/14
J-28.40-02.....6/11/14
J-28.42-01.....6/11/14
J-28.43-01.....6/28/18
J-28.45-03.....7/21/16
J-28.50-03.....7/21/16
J-28.60-02.....7/21/16
J-28.70-03.....7/21/17
J-29.10-01.....7/21/16
J-29.15-01.....7/21/16
J-29.16-02.....7/21/16
J-30.10-00……6/18/15
J-40.05-00……7/21/16
J-40.10-04……4/28/16
J-40.20-03……4/28/16
J-40.30-04……4/28/16
J-40.35-01……5/29/13
J-40.36-02……7/21/17
J-40.37-02……7/21/17
J-40.38-01.....5/20/13
J-40.39-00……5/20/13
J-40.40-01……4/28/16
J-45.36-00……7/21/17
J-50.05-00……7/21/17
J-50.10-00…….6/3/11
J-50.25-00…….6/3/11
J-50.30-00…….6/3/11
J-60.05-01…….7/21/16
J-60.11-00…….5/20/13
J-60.12-00…….5/20/13
J-60.13-00…….6/16/10
J-60.14-00……6/16/10
J-75.10-02……7/10/15
J-75.20-01……7/10/15
J-75.30-02…….7/10/15
J-75.40-02……6/1/16
J-75.41-01……6/29/16
J-75.45-02……6/1/16
J-80.10-00……6/28/18
J-80.15-00……6/28/18
J-81.10-00……6/28/18
J-86.10-00……6/28/18
J-90.10-03…….6/28/18
J-90.20-03…….6/28/18
J-90.21-02……6/28/18
J-90.50-00……6/28/18

J-26.15-01…..5/17/12
J-26.20-01…..6/28/18
J-27.10-01…..7/21/16
J-27.15-00…..3/15/12
J-28.10-01.....5/11/11
J-50.11-01…….7/21/17
J-50.12-01…….7/21/17
J-50.15-01…….7/21/17
J-50.16-01…….3/22/13
J-50.20-00…….6/3/11

K-70.20-01.....6/1/16
K-80.10-01.....6/1/16
K-80.20-00.....12/20/06
K-80.30-00.....2/21/07
K-80.35-00.....2/21/07
K-80.37-00.....2/21/07

L-10.10-02.....6/21/12
L-20.10-03.....7/14/15
L-30.10-02.....6/11/14
L-40.10-02.....6/21/12
L-40.15-01.....6/16/11
L-40.20-02.....6/21/12
L-70.10-01.....5/21/08
L-70.20-01.....5/21/08

M-1.20-03.....6/24/14
M-1.40-02.....6/3/11
M-1.60-02.....6/3/11
M-1.80-03.....6/3/11
M-2.20-03.....7/10/15
M-2.21-00……7/10/15
M-3.10-03.....6/3/11
M-3.20-02.....6/3/11
M-3.30-03.....6/3/11
M-3.40-03.....6/3/11
M-3.50-02.....6/3/11
M-5.10-02.....6/3/11
M-7.50-01.....1/30/07
M-9.50-02.....6/24/14
M-9.60-00……..2/10/09
M-11.10-02.....7/11/17
M-12.10-01……6/28/18
M-15.10-01.....2/6/07
M-17.10-02.....7/3/08
M-20.10-02.....6/3/11
M-20.20-02.....4/20/15
M-20.30-04.....2/29/16
M-20.40-03.....6/24/14
M-20.50-02.....6/3/11
M-24.20-02.....4/20/15
M-24.40-02.....4/20/15
M-24.50-00.....6/16/11
M-24.60-04.....6/24/14
M-24.65-00……7/11/17
M-24.66-00……7/11/17
M-40.10-03.....6/24/14
M-40.20-00...10/12/07
M-40.30-01.....7/11/17
M-40.40-00.....9/20/07
M-40.50-00.....9/20/07
M-40.60-00.....9/20/07
M-60.10-01.....6/3/11
M-60.20-02.....6/27/11
M-65.10-02.....5/11/11
M-80.10-01.....6/3/11
M-80.20-00.....6/10/08
M-80.30-00.....6/10/08

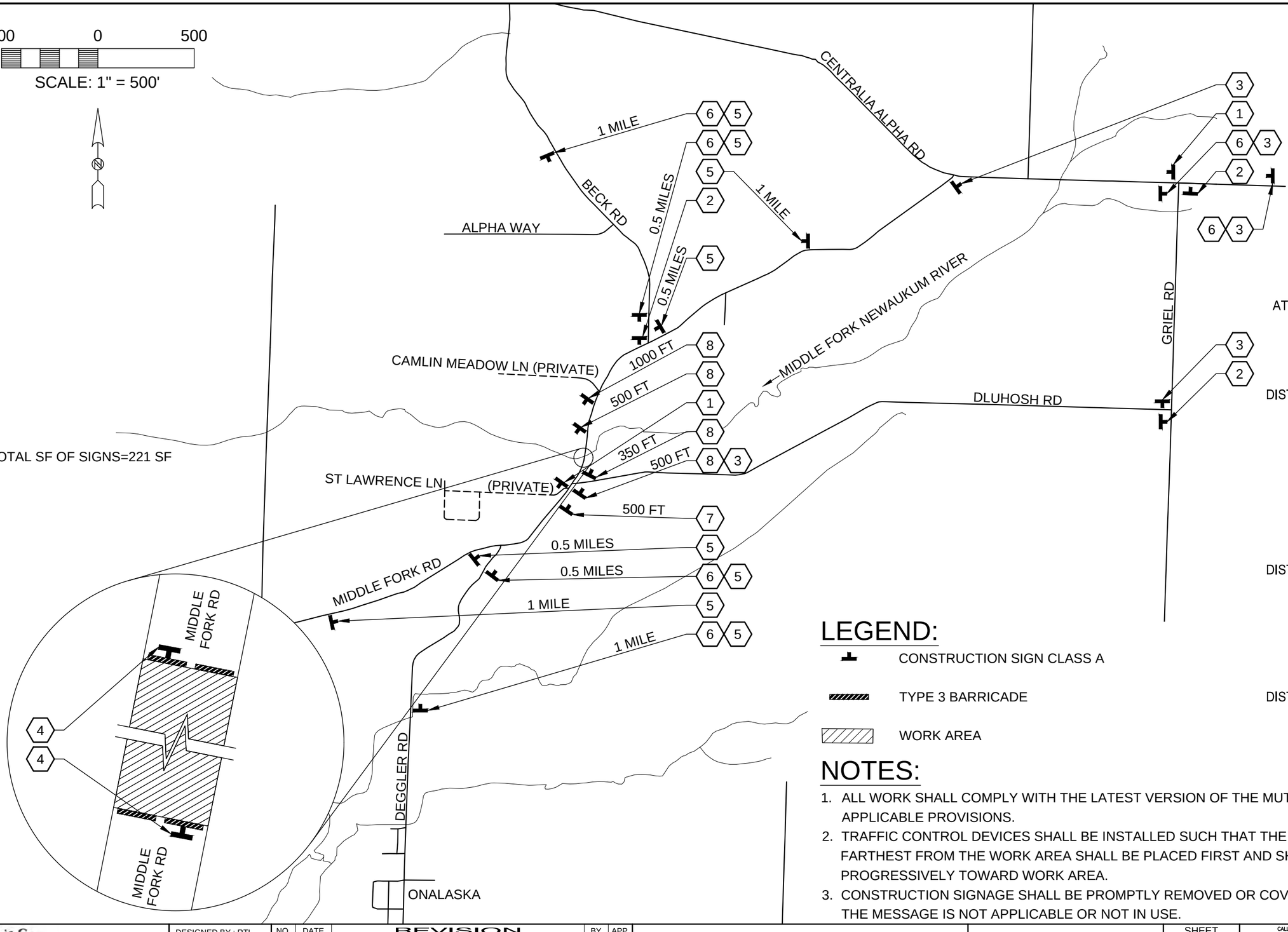
APPENDIX A

TRAFFIC CONTROL PLAN

500 0 500

SCALE: 1" = 500'

TOTAL SF OF SIGNS=221 SF



1 END DETOUR
M4-8a

2 DETOUR
M4-9L

3 DETOUR
M4-9R

4 ROAD CLOSED
R11-2
ATTACHED TO TYPE 3 BARRICADE (TYP.)

5 ROAD CLOSED X MILES AHEAD LOCAL TRAFFIC ONLY
R11-3a
DISTANCE SPECIFIED ALONG LEADER LINE

6 MIDDLE FORK ROAD
W16-8

7 DETOUR AHEAD XXXX FT
W20-2
DISTANCE SPECIFIED ALONG LEADER LINE

8 ROAD CLOSED XXXX FT
W20-3
DISTANCE SPECIFIED ALONG LEADER LINE

LEGEND:

CONSTRUCTION SIGN CLASS A

TYPE 3 BARRICADE

WORK AREA

NOTES:

1. ALL WORK SHALL COMPLY WITH THE LATEST VERSION OF THE MUTCD AND OTHER APPLICABLE PROVISIONS.
2. TRAFFIC CONTROL DEVICES SHALL BE INSTALLED SUCH THAT THE SIGN OR DEVICE FARTHEST FROM THE WORK AREA SHALL BE PLACED FIRST AND SHALL BE PLACED PROGRESSIVELY TOWARD WORK AREA.
3. CONSTRUCTION SIGNAGE SHALL BE PROMPTLY REMOVED OR COVERED WHENEVER THE MESSAGE IS NOT APPLICABLE OR NOT IN USE.

Lewis County Department of Public Works
2025 NE KRESKY AVE.
CHEHALIS WA 98532
PHONE # (360) 740-1123
FAX # (360) 740-2719

DESIGNED BY : RTL
DRAWN BY : WSR
CHECKED BY :
DATE : 02/04/2019

NO.	DATE	REVISION	BY	APP.

MIDDLE FORK ROAD MP 7.07
CULVERT REPLACEMENT PROJECT

COUNTY MAINTENANCE PROJECT NO: 15-1802

TRAFFIC CONTROL PLAN

SHEET 1 OF 1

CALL 48 HOURS BEFORE YOU DIG 1-800-424-5555 "It's the Law" Utilities Underground Location Center

Rodney Troy Lakey, P.E.
Senior Engineer
Design/ENV.

Date: 4 Feb 2019

RODNEY TROY LAKEY STATE OF WASHINGTON #39873 REGISTERED PROFESSIONAL ENGINEER

APPENDIX B

WASHINGTON STATE PREVAILING WAGE RATES

INCLUDING:

State Wage Rates

Wage Rate Supplements

Wage Rate Benefit Codes

State of Washington
Department of Labor & Industries
Prevailing Wage Section - Telephone 360-902-5335
PO Box 44540, Olympia, WA 98504-4540

Washington State Prevailing Wage

The PREVAILING WAGES listed here include both the hourly wage rate and the hourly rate of fringe benefits. On public works projects, worker's wage and benefit rates must add to not less than this total. A brief description of overtime calculation requirements are provided on the Benefit Code Key.

Journey Level Prevailing Wage Rates for the Effective Date: 2/11/2019

County	Trade	Job Classification	Wage	Holiday	Overtime	Note
Lewis	Asbestos Abatement Workers	Journey Level	$46.57	5D	1H	
Lewis	Boilermakers	Journey Level	$66.54	5N	1C	
Lewis	Brick Mason	Journey Level	$57.32	5A	1M	
Lewis	Brick Mason	Pointer-Caulker-Cleaner	$57.32	5A	1M	
Lewis	Building Service Employees	Janitor	$12.00		1	
Lewis	Building Service Employees	Shampooer	$12.00		1	
Lewis	Building Service Employees	Waxer	$12.00		1	
Lewis	Building Service Employees	Window Cleaner	$13.22		1	
Lewis	Cabinet Makers (In Shop)	Journey Level	$23.17		1	
Lewis	Carpenters	Acoustical Worker	$60.04	5D	4C	
Lewis	Carpenters	Bridge, Dock And Wharf Carpenters	$60.04	5D	4C	
Lewis	Carpenters	Carpenter	$60.04	5D	4C	
Lewis	Carpenters	Carpenters on Stationary Tools	$60.17	5D	4C	
Lewis	Carpenters	Creosoted Material	$60.14	5D	4C	
Lewis	Carpenters	Floor Finisher	$60.04	5D	4C	
Lewis	Carpenters	Floor Layer	$60.04	5D	4C	
Lewis	Carpenters	Scaffold Erector	$60.04	5D	4C	
Lewis	Cement Masons	Journey Level	$60.07	7A	4U	
Lewis	Divers & Tenders	Bell/Vehicle or Submersible Operator (Not Under Pressure)	$113.60	5D	4C	
Lewis	Divers & Tenders	Dive Supervisor/Master	$76.33	5D	4C	
Lewis	Divers & Tenders	Diver	$113.60	5D	4C	8V
Lewis	Divers & Tenders	Diver On Standby	$71.33	5D	4C	
Lewis	Divers & Tenders	Diver Tender	$64.71	5D	4C	
Lewis	Divers & Tenders	Manifold Operator	$64.71	5D	4C	
Lewis	Divers & Tenders	Manifold Operator Mixed Gas	$69.71	5D	4C	
Lewis	Divers & Tenders	Remote Operated Vehicle	$64.71	5D	4C	

		Operator/Technician				
Lewis	Divers & Tenders	Remote Operated Vehicle Tender	$60.29	5A	4C	
Lewis	Dredge Workers	Assistant Engineer	$56.44	5D	3F	
Lewis	Dredge Workers	Assistant Mate (Deckhand)	$56.00	5D	3F	
Lewis	Dredge Workers	Boatmen	$56.44	5D	3F	
Lewis	Dredge Workers	Engineer Welder	$57.51	5D	3F	
Lewis	Dredge Workers	Leverman, Hydraulic	$58.67	5D	3F	
Lewis	Dredge Workers	Mates	$56.44	5D	3F	
Lewis	Dredge Workers	Oiler	$56.00	5D	3F	
Lewis	Drywall Applicator	Journey Level	$58.48	5D	1H	
Lewis	Drywall Tapers	Journey Level	$59.32	5P	1E	
Lewis	Electrical Fixture Maintenance Workers	Journey Level	$12.00		1	
Lewis	Electricians - Inside	Cable Splicer	$71.81	5C	1G	
Lewis	Electricians - Inside	Journey Level	$67.31	5C	1G	
Lewis	Electricians - Inside	Lead Covered Cable Splicer	$76.31	5C	1G	
Lewis	Electricians - Inside	Welder	$71.81	5C	1G	
Lewis	Electricians - Motor Shop	Craftsman	$15.37		1	
Lewis	Electricians - Motor Shop	Journey Level	$14.69		1	
Lewis	Electricians - Powerline Construction	Cable Splicer	$79.43	5A	4D	
Lewis	Electricians - Powerline Construction	Certified Line Welder	$69.75	5A	4D	
Lewis	Electricians - Powerline Construction	Groundperson	$46.28	5A	4D	
Lewis	Electricians - Powerline Construction	Heavy Line Equipment Operator	$69.75	5A	4D	
Lewis	Electricians - Powerline Construction	Journey Level Lineperson	$69.75	5A	4D	
Lewis	Electricians - Powerline Construction	Line Equipment Operator	$59.01	5A	4D	
Lewis	Electricians - Powerline Construction	Meter Installer	$46.28	5A	4D	8W
Lewis	Electricians - Powerline Construction	Pole Sprayer	$69.75	5A	4D	
Lewis	Electricians - Powerline Construction	Powderperson	$52.20	5A	4D	
Lewis	Electronic Technicians	Journey Level	$43.19	6Z	1B	
Lewis	Elevator Constructors	Mechanic	$91.24	7D	4A	
Lewis	Elevator Constructors	Mechanic In Charge	$98.51	7D	4A	
Lewis	Fabricated Precast Concrete Products	Journey Level	$13.50		1	
Lewis	Fabricated Precast Concrete Products	Journey Level - In-Factory Work Only	$13.50		1	
Lewis	Fence Erectors	Fence Erector	$41.45	7A	3I	
Lewis	Fence Erectors	Fence Laborer	$41.45	7A	3I	
Lewis	Flaggers	Journey Level	$41.45	7A	3I	
Lewis	Glaziers	Journey Level	$63.06	7L	1Y	
Lewis	Heat & Frost Insulators And	Journeyman	$73.58	5J	4H	

	Asbestos Workers					
Lewis	Heating Equipment Mechanics	Journey Level	$82.51	7F	1E	
Lewis	Hod Carriers & Mason Tenders	Journey Level	$50.42	7A	3I	
Lewis	Industrial Power Vacuum Cleaner	Journey Level	$12.00		1	
Lewis	Inland Boatmen	Boat Operator	$61.41	5B	1K	
Lewis	Inland Boatmen	Cook	$56.48	5B	1K	
Lewis	Inland Boatmen	Deckhand	$57.48	5B	1K	
Lewis	Inland Boatmen	Deckhand Engineer	$58.81	5B	1K	
Lewis	Inland Boatmen	Launch Operator	$58.89	5B	1K	
Lewis	Inland Boatmen	Mate	$57.31	5B	1K	
Lewis	Inspection/Cleaning/Sealing Of Sewer & Water Systems By Remote Control	Cleaner Operator, Foamer Operator	$12.00		1	
Lewis	Inspection/Cleaning/Sealing Of Sewer & Water Systems By Remote Control	Grout Truck Operator	$12.00		1	
Lewis	Inspection/Cleaning/Sealing Of Sewer & Water Systems By Remote Control	Head Operator	$12.78		1	
Lewis	Inspection/Cleaning/Sealing Of Sewer & Water Systems By Remote Control	Technician	$12.00		1	
Lewis	Inspection/Cleaning/Sealing Of Sewer & Water Systems By Remote Control	Tv Truck Operator	$12.00		1	
Lewis	Insulation Applicators	Journey Level	$60.04	5D	4C	
Lewis	Ironworkers	Journeyman	$69.28	7N	1O	
Lewis	Laborers	Air, Gas Or Electric Vibrating Screed	$48.90	7A	3I	
Lewis	Laborers	Airtrac Drill Operator	$50.42	7A	3I	
Lewis	Laborers	Ballast Regular Machine	$48.90	7A	3I	
Lewis	Laborers	Batch Weighman	$41.45	7A	3I	
Lewis	Laborers	Brick Pavers	$48.90	7A	3I	
Lewis	Laborers	Brush Cutter	$48.90	7A	3I	
Lewis	Laborers	Brush Hog Feeder	$48.90	7A	3I	
Lewis	Laborers	Burner	$48.90	7A	3I	
Lewis	Laborers	Caisson Worker	$50.42	7A	3I	
Lewis	Laborers	Carpenter Tender	$48.90	7A	3I	
Lewis	Laborers	Caulker	$48.90	7A	3I	
Lewis	Laborers	Cement Dumper-paving	$49.81	7A	3I	
Lewis	Laborers	Cement Finisher Tender	$48.90	7A	3I	
Lewis	Laborers	Change House Or Dry Shack	$48.90	7A	3I	
Lewis	Laborers	Chipping Gun (under 30 Lbs.)	$48.90	7A	3I	
Lewis	Laborers	Chipping Gun(30 Lbs. And Over)	$49.81	7A	3I	
Lewis	Laborers	Choker Setter	$48.90	7A	3I	
Lewis	Laborers	Chuck Tender	$48.90	7A	3I	
Lewis	Laborers	Clary Power Spreader	$49.81	7A	3I	
Lewis	Laborers	Clean-up Laborer	$48.90	7A	3I	

Lewis	Laborers	Concrete Dumper/chute Operator	$49.81	7A	3I	
Lewis	Laborers	Concrete Form Stripper	$48.90	7A	3I	
Lewis	Laborers	Concrete Placement Crew	$49.81	7A	3I	
Lewis	Laborers	Concrete Saw Operator/core Driller	$49.81	7A	3I	
Lewis	Laborers	Crusher Feeder	$41.45	7A	3I	
Lewis	Laborers	Curing Laborer	$48.90	7A	3I	
Lewis	Laborers	Demolition: Wrecking & Moving (incl. Charred Material)	$48.90	7A	3I	
Lewis	Laborers	Ditch Digger	$48.90	7A	3I	
Lewis	Laborers	Diver	$50.42	7A	3I	
Lewis	Laborers	Drill Operator (hydraulic,diamond)	$49.81	7A	3I	
Lewis	Laborers	Dry Stack Walls	$48.90	7A	3I	
Lewis	Laborers	Dump Person	$48.90	7A	3I	
Lewis	Laborers	Epoxy Technician	$48.90	7A	3I	
Lewis	Laborers	Erosion Control Worker	$48.90	7A	3I	
Lewis	Laborers	Faller & Bucker Chain Saw	$49.81	7A	3I	
Lewis	Laborers	Fine Graders	$48.90	7A	3I	
Lewis	Laborers	Firewatch	$41.45	7A	3I	
Lewis	Laborers	Form Setter	$48.90	7A	3I	
Lewis	Laborers	Gabian Basket Builders	$48.90	7A	3I	
Lewis	Laborers	General Laborer	$48.90	7A	3I	
Lewis	Laborers	Grade Checker & Transit Person	$50.42	7A	3I	
Lewis	Laborers	Grinders	$48.90	7A	3I	
Lewis	Laborers	Grout Machine Tender	$48.90	7A	3I	
Lewis	Laborers	Groutmen (pressure)including Post Tension Beams	$49.81	7A	3I	
Lewis	Laborers	Guardrail Erector	$48.90	7A	3I	
Lewis	Laborers	Hazardous Waste Worker (level A)	$50.42	7A	3I	
Lewis	Laborers	Hazardous Waste Worker (level B)	$49.81	7A	3I	
Lewis	Laborers	Hazardous Waste Worker (level C)	$48.90	7A	3I	
Lewis	Laborers	High Scaler	$50.42	7A	3I	
Lewis	Laborers	Jackhammer	$49.81	7A	3I	
Lewis	Laborers	Laserbeam Operator	$49.81	7A	3I	
Lewis	Laborers	Maintenance Person	$48.90	7A	3I	
Lewis	Laborers	Manhole Builder-mudman	$49.81	7A	3I	
Lewis	Laborers	Material Yard Person	$48.90	7A	3I	
Lewis	Laborers	Motorman-dinky Locomotive	$49.81	7A	3I	
Lewis	Laborers	Nozzleman (concrete Pump, Green Cutter When Using Combination Of High Pressure Air & Water On Concrete &	$49.81	7A	3I	

		Rock, Sandblast, Gunite, Shotcrete, Water Bla				
Lewis	Laborers	Pavement Breaker	$49.81	7A	3I	
Lewis	Laborers	Pilot Car	$41.45	7A	3I	
Lewis	Laborers	Pipe Layer Lead	$50.42	7A	3I	
Lewis	Laborers	Pipe Layer/tailor	$49.81	7A	3I	
Lewis	Laborers	Pipe Pot Tender	$49.81	7A	3I	
Lewis	Laborers	Pipe Reliner	$49.81	7A	3I	
Lewis	Laborers	Pipe Wrapper	$49.81	7A	3I	
Lewis	Laborers	Pot Tender	$48.90	7A	3I	
Lewis	Laborers	Powderman	$50.42	7A	3I	
Lewis	Laborers	Powderman's Helper	$48.90	7A	3I	
Lewis	Laborers	Power Jacks	$49.81	7A	3I	
Lewis	Laborers	Railroad Spike Puller - Power	$49.81	7A	3I	
Lewis	Laborers	Raker - Asphalt	$50.42	7A	3I	
Lewis	Laborers	Re-timberman	$50.42	7A	3I	
Lewis	Laborers	Remote Equipment Operator	$49.81	7A	3I	
Lewis	Laborers	Rigger/signal Person	$49.81	7A	3I	
Lewis	Laborers	Rip Rap Person	$48.90	7A	3I	
Lewis	Laborers	Rivet Buster	$49.81	7A	3I	
Lewis	Laborers	Rodder	$49.81	7A	3I	
Lewis	Laborers	Scaffold Erector	$48.90	7A	3I	
Lewis	Laborers	Scale Person	$48.90	7A	3I	
Lewis	Laborers	Sloper (over 20")	$49.81	7A	3I	
Lewis	Laborers	Sloper Sprayer	$48.90	7A	3I	
Lewis	Laborers	Spreader (concrete)	$49.81	7A	3I	
Lewis	Laborers	Stake Hopper	$48.90	7A	3I	
Lewis	Laborers	Stock Piler	$48.90	7A	3I	
Lewis	Laborers	Tamper & Similar Electric, Air & Gas Operated Tools	$49.81	7A	3I	
Lewis	Laborers	Tamper (multiple & Self-propelled)	$49.81	7A	3I	
Lewis	Laborers	Timber Person - Sewer (lagger, Shorer & Cribber)	$49.81	7A	3I	
Lewis	Laborers	Toolroom Person (at Jobsite)	$48.90	7A	3I	
Lewis	Laborers	Topper	$48.90	7A	3I	
Lewis	Laborers	Track Laborer	$48.90	7A	3I	
Lewis	Laborers	Track Liner (power)	$49.81	7A	3I	
Lewis	Laborers	Traffic Control Laborer	$44.33	7A	3I	8R
Lewis	Laborers	Traffic Control Supervisor	$44.33	7A	3I	8R
Lewis	Laborers	Truck Spotter	$48.90	7A	3I	
Lewis	Laborers	Tugger Operator	$49.81	7A	3I	
Lewis	Laborers	Tunnel Work-Compressed Air Worker 0-30 psi	$107.60	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Compressed Air Worker 30.01-44.00 psi	$112.63	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Compressed Air Worker 44.01-54.00 psi	$116.31	7A	3I	8Q

Lewis	Laborers	Tunnel Work-Compressed Air Worker 54.01-60.00 psi	$122.01	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Compressed Air Worker 60.01-64.00 psi	$124.13	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Compressed Air Worker 64.01-68.00 psi	$129.23	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Compressed Air Worker 68.01-70.00 psi	$131.13	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Compressed Air Worker 70.01-72.00 psi	$133.13	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Compressed Air Worker 72.01-74.00 psi	$135.13	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Guage and Lock Tender	$50.52	7A	3I	8Q
Lewis	Laborers	Tunnel Work-Miner	$50.52	7A	3I	8Q
Lewis	Laborers	Vibrator	$49.81	7A	3I	
Lewis	Laborers	Vinyl Seamer	$48.90	7A	3I	
Lewis	Laborers	Watchman	$37.67	7A	3I	
Lewis	Laborers	Welder	$49.81	7A	3I	
Lewis	Laborers	Well Point Laborer	$49.81	7A	3I	
Lewis	Laborers	Window Washer/cleaner	$37.67	7A	3I	
Lewis	Laborers - Underground Sewer & Water	General Laborer & Topman	$48.90	7A	3I	
Lewis	Laborers - Underground Sewer & Water	Pipe Layer	$49.81	7A	3I	
Lewis	Landscape Construction	Landscape Laborer	$37.67	7A	3I	
Lewis	Landscape Construction	Landscape Operator	$62.51	7A	3C	8P
Lewis	Lathers	Journey Level	$58.48	5D	1H	
Lewis	Marble Setters	Journey Level	$57.32	5A	1M	
Lewis	Metal Fabrication (In Shop)	Fitter	$15.16		1	
Lewis	Metal Fabrication (In Shop)	Laborer	$12.00		1	
Lewis	Metal Fabrication (In Shop)	Machine Operator	$12.00		1	
Lewis	Metal Fabrication (In Shop)	Painter	$12.00		1	
Lewis	Metal Fabrication (In Shop)	Welder	$15.16		1	
Lewis	Millwright	Journey Level	$61.54	5D	4C	
Lewis	Modular Buildings	Cabinet Assembly	$12.00		1	
Lewis	Modular Buildings	Electrician	$12.00		1	
Lewis	Modular Buildings	Equipment Maintenance	$12.00		1	
Lewis	Modular Buildings	Plumber	$12.00		1	
Lewis	Modular Buildings	Production Worker	$12.00		1	
Lewis	Modular Buildings	Tool Maintenance	$12.00		1	
Lewis	Modular Buildings	Utility Person	$12.00		1	
Lewis	Modular Buildings	Welder	$12.00		1	
Lewis	Painters	Journey Level	$42.50	6Z	2B	
Lewis	Pile Driver	Crew Tender	$54.99	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 0-30.00 PSI	$74.87	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker -	$79.87	5D	4C	

		Compressed Air Worker 30.01 - 44.00 PSI				
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 44.01 - 54.00 PSI	$83.87	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 54.01 - 60.00 PSI	$88.87	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 60.01 - 64.00 PSI	$91.37	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 64.01 - 68.00 PSI	$96.37	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 68.01 - 70.00 PSI	$98.37	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 70.01 - 72.00 PSI	$100.37	5D	4C	
Lewis	Pile Driver	Hyperbaric Worker - Compressed Air Worker 72.01 - 74.00 PSI	$102.37	5D	4C	
Lewis	Pile Driver	Journey Level	$60.29	5D	4C	
Lewis	Plasterers	Journey Level	$56.54	7Q	1R	
Lewis	Playground & Park Equipment Installers	Journey Level	$12.00		1	
Lewis	Plumbers & Pipefitters	Journey Level	$71.42	5A	1G	
Lewis	Power Equipment Operators	Asphalt Plant Operator	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Assistant Engineers	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Barrier Machine (zipper)	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Batch Plant Operator: Concrete	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Bobcat	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Brokk - Remote Demolition Equipment	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Brooms	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Bump Cutter	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Cableways	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Chipper	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Compressor	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Concrete Pump: Truck Mount With Boom Attachment Over 42m	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Concrete Finish Machine - laser Screed	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Concrete Pump - Mounted Or Trailer High Pressure Line Pump, Pump High Pressure	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Concrete Pump: Truck Mount With Boom Attachment Up To 42m	$63.01	7A	3C	8P

Lewis	Power Equipment Operators	Conveyors	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Cranes, 100 Tons - 199 Tons, Or 150 Ft Of Boom (including Jib With Attachments)	$64.20	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: 20 Tons Through 44 Tons With Attachments	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: 200 tons to 299 tons, or 250' of boom (including jib with attachments)	$64.86	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: 300 tons and over, or 300' of boom (including jib with attachments)	$65.50	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: 45 Tons Through 99 Tons, Under 150' Of Boom (including Jib With Attachments)	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: A-frame - 10 Tons And Under	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: Friction 200 tons and over. Tower Cranes: over 250' in height from base to boom.	$65.50	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: Friction cranes through 199 tons	$64.86	7A	3C	8P
Lewis	Power Equipment Operators	Cranes: Through 19 Tons With Attachments A-frame Over 10 Tons	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Crusher	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Deck Engineer/deck Winches (power)	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Derricks, On Building Work	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Dozers D-9 & Under	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Drill Oilers: Auger Type, Truck Or Crane Mount	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Drilling Machine	$64.20	7A	3C	8P
Lewis	Power Equipment Operators	Elevator And Man-lift: Permanent And Shaft Type	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Finishing Machine, Bidwell And Gamaco & Similar Equipment	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Forklift: 3000 Lbs And Over With Attachments	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Forklifts: Under 3000 Lbs. With Attachments	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Grade Engineer: Using Blueprints, Cut Sheets,etc.	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Gradechecker/stakeman	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Guardrail punch/Auger	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Hard Tail End Dump Articulating Off- Road Equipment 45 Yards. & Over	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Hard Tail End Dump Articulating Off-road Equipment Under 45 Yards	$63.01	7A	3C	8P

Lewis	Power Equipment Operators	Horizontal/directional Drill Locator	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Horizontal/directional Drill Operator	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Hydralifts/Boom Trucks Over 10 Tons	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Hydralifts/boom Trucks, 10 Tons And Under	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Loader, Overhead 8 Yards. & Over	$64.20	7A	3C	8P
Lewis	Power Equipment Operators	Loader, Overhead, 6 Yards. But Not Including 8 Yards	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Loaders, Overhead Under 6 Yards	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Loaders, Plant Feed	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Loaders: Elevating Type Belt	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Locomotives, All	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Material Transfer Device	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Mechanics, All (Leadmen - $0.50 Per Hour Over Mechanic)	$64.20	7A	3C	8P
Lewis	Power Equipment Operators	Motor patrol graders	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Mucking Machine, Mole, Tunnel Drill, Boring, Road Header And/or Shield	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Oil Distributors, Blower Distribution & Mulch Seeding Operator	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Outside Hoists (elevators And Manlifts), Air Tuggers,strato	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Overhead, Bridge Type Crane: 20 Tons Through 44 Tons	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Overhead, Bridge Type: 100 Tons And Over	$64.20	7A	3C	8P
Lewis	Power Equipment Operators	Overhead, Bridge Type: 45 Tons Through 99 Tons	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Pavement Breaker	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Pile Driver (other Than Crane Mount)	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Plant Oiler - Asphalt, Crusher	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Posthole Digger, Mechanical	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Power Plant	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Pumps - Water	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Quad 9, HD 41, D10 And Over	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Quick Tower - No Cab, Under 100 Feet In Height Based To Boom	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Remote Control Operator On Rubber Tired Earth Moving Equipment	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Rigger And Bellman	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Rigger/Signal Person,	$62.51	7A	3C	8P

		Bellman (Certified)				
Lewis	Power Equipment Operators	Rollagon	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Roller, Other Than Plant Mix	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Roller, Plant Mix Or Multi-lift Materials	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Roto-mill, Roto-grinder	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Saws - Concrete	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Scraper, Self Propelled Under 45 Yards	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Scrapers - Concrete & Carry All	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Scrapers, Self-propelled: 45 Yards And Over	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Service Engineers - Equipment	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Shotcrete/gunite Equipment	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Shovel , Excavator, Backhoe, Tractors Under 15 Metric Tons.	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Shovel, Excavator, Backhoe: Over 30 Metric Tons To 50 Metric Tons	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Shovel, Excavator, Backhoes, Tractors: 15 To 30 Metric Tons	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Shovel, Excavator, Backhoes: Over 50 Metric Tons To 90 Metric Tons	$64.20	7A	3C	8P
Lewis	Power Equipment Operators	Shovel, Excavator, Backhoes: Over 90 Metric Tons	$64.86	7A	3C	8P
Lewis	Power Equipment Operators	Slipform Pavers	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Spreader, Topsider & Screedman	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Subgrader Trimmer	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Tower Bucket Elevators	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Tower crane over 175' through 250' in height, base to boom	$64.86	7A	3C	8P
Lewis	Power Equipment Operators	Tower Crane Up: To 175' In Height, Base To Boom	$64.20	7A	3C	8P
Lewis	Power Equipment Operators	Transporters, All Track Or Truck Type	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Trenching Machines	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Truck Crane Oiler/driver - 100 Tons And Over	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Truck Crane Oiler/driver Under 100 Tons	$62.51	7A	3C	8P
Lewis	Power Equipment Operators	Truck Mount Portable Conveyor	$63.01	7A	3C	8P
Lewis	Power Equipment Operators	Welder	$63.56	7A	3C	8P
Lewis	Power Equipment Operators	Wheel Tractors, Farmall Type	$59.79	7A	3C	8P
Lewis	Power Equipment Operators	Yo Yo Pay Dozer	$63.01	7A	3C	8P

Lewis	Power Equipment Operators-Underground Sewer & Water	Asphalt Plant Operator	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Assistant Engineers	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Barrier Machine (zipper)	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Batch Plant Operator: Concrete	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Bobcat	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Brokk - Remote Demolition Equipment	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Brooms	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Bump Cutter	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cableways	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Chipper	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Compressor	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Concrete Pump: Truck Mount With Boom Attachment Over 42m	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Concrete Finish Machine - laser Screed	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Concrete Pump - Mounted Or Trailer High Pressure Line Pump, Pump High Pressure	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Concrete Pump: Truck Mount With Boom Attachment Up To 42m	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Conveyors	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes, 100 Tons - 199 Tons, Or 150 Ft Of Boom (including Jib With Attachments)	$64.20	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes, 200 tons to 299 tons, or 250' of boom (including jib with attachments)	$64.86	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes, Over 300 Tons, Or 300' Of Boom Including Jib With Attachments	$65.50	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes: 20 Tons Through 44 Tons With Attachments	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	cranes: 300 tons and over, or 300' of boom (including jib with attachments)	$65.50	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes: 45 Tons Through 99 Tons, Under 150' Of Boom (including Jib With Attachments)	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-	Cranes: A-frame - 10 Tons	$59.79	7A	3C	8P

	Underground Sewer & Water	And Under				
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes: Friction 200 tons and over. Tower Cranes: over 250' in height from base to boom.	$65.50	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes: Friction cranes through 199 tons	$64.86	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Cranes: Through 19 Tons With Attachments A-frame Over 10 Tons	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Crusher	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Deck Engineer/deck Winches (power)	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Derricks, On Building Work	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Dozers D-9 & Under	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Drill Oilers: Auger Type, Truck Or Crane Mount	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Drilling Machine	$64.20	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Elevator And Man-lift: Permanent And Shaft Type	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Finishing Machine, Bidwell And Gamaco & Similar Equipment	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Forklift: 3000 Lbs And Over With Attachments	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Forklifts: Under 3000 Lbs. With Attachments	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Grade Engineer: Using Blueprints, Cut Sheets,etc.	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Gradechecker/stakeman	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Guardrail punch/Auger	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Hard Tail End Dump Articulating Off- Road Equipment 45 Yards. & Over	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Hard Tail End Dump Articulating Off-road Equipment Under 45 Yards	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Horizontal/directional Drill Locator	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Horizontal/directional Drill Operator	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Hydralifts/Boom Trucks Over 10 Tons	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Hydralifts/boom Trucks, 10 Tons And Under	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Loader, Overhead 8 Yards. & Over	$64.20	7A	3C	8P
Lewis	Power Equipment Operators-	Loader, Overhead, 6 Yards.	$63.56	7A	3C	8P

	Underground Sewer & Water	But Not Including 8 Yards				
Lewis	Power Equipment Operators-Underground Sewer & Water	Loaders, Overhead Under 6 Yards	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Loaders, Plant Feed	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Loaders: Elevating Type Belt	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Locomotives, All	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Material Transfer Device	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Mechanics, All (Leadmen - $0.50 Per Hour Over Mechanic)	$64.20	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Motor patrol graders	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Mucking Machine, Mole, Tunnel Drill, Boring, Road Header And/or Shield	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Oil Distributors, Blower Distribution & Mulch Seeding Operator	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Outside Hoists (elevators And Manlifts), Air Tuggers,strato	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Overhead, Bridge Type Crane: 20 Tons Through 44 Tons	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Overhead, Bridge Type: 100 Tons And Over	$64.20	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Overhead, Bridge Type: 45 Tons Through 99 Tons	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Pavement Breaker	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Pile Driver (other Than Crane Mount)	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Plant Oiler - Asphalt, Crusher	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Posthole Digger, Mechanical	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Power Plant	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Pumps - Water	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Quad 9, HD 41, D10 And Over	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Quick Tower - No Cab, Under 100 Feet In Height Based To Boom	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Remote Control Operator On Rubber Tired Earth Moving Equipment	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Rigger And Bellman	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-	Rigger/Signal Person,	$62.51	7A	3C	8P

	Underground Sewer & Water	Bellman (Certified)				
Lewis	Power Equipment Operators-Underground Sewer & Water	Rollagon	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Roller, Other Than Plant Mix	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Roller, Plant Mix Or Multi-lift Materials	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Roto-mill, Roto-grinder	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Saws - Concrete	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Scraper, Self Propelled Under 45 Yards	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Scrapers - Concrete & Carry All	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Scrapers, Self-propelled: 45 Yards And Over	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Service Engineers - Equipment	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Shotcrete/gunite Equipment	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Shovel , Excavator, Backhoe, Tractors Under 15 Metric Tons.	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Shovel, Excavator, Backhoe: Over 30 Metric Tons To 50 Metric Tons	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Shovel, Excavator, Backhoes, Tractors: 15 To 30 Metric Tons	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Shovel, Excavator, Backhoes: Over 50 Metric Tons To 90 Metric Tons	$64.20	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Shovel, Excavator, Backhoes: Over 90 Metric Tons	$64.86	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Slipform Pavers	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Spreader, Topsider & Screedman	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Subgrader Trimmer	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Tower Bucket Elevators	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Tower crane over 175' through 250' in height, base to boom	$64.86	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Tower Crane: Up To 175' In Height, Base To Boom	$64.20	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Transporters, All Track Or Truck Type	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Trenching Machines	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Truck Crane Oiler/driver - 100 Tons And Over	$63.01	7A	3C	8P

Lewis	Power Equipment Operators-Underground Sewer & Water	Truck Crane Oiler/driver Under 100 Tons	$62.51	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Truck Mount Portable Conveyor	$63.01	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Welder	$63.56	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Wheel Tractors, Farmall Type	$59.79	7A	3C	8P
Lewis	Power Equipment Operators-Underground Sewer & Water	Yo Yo Pay Dozer	$63.01	7A	3C	8P
Lewis	Power Line Clearance Tree Trimmers	Journey Level In Charge	$49.96	5A	4A	
Lewis	Power Line Clearance Tree Trimmers	Spray Person	$47.37	5A	4A	
Lewis	Power Line Clearance Tree Trimmers	Tree Equipment Operator	$49.96	5A	4A	
Lewis	Power Line Clearance Tree Trimmers	Tree Trimmer	$44.57	5A	4A	
Lewis	Power Line Clearance Tree Trimmers	Tree Trimmer Groundperson	$33.60	5A	4A	
Lewis	Refrigeration & Air Conditioning Mechanics	Journey Level	$70.71	5A	1G	
Lewis	Residential Brick Mason	Journey Level	$57.32	5A	1M	
Lewis	Residential Carpenters	Journey Level	$45.05	5D	4C	
Lewis	Residential Cement Masons	Journey Level	$60.07	7A	4U	
Lewis	Residential Drywall Applicators	Journey Level	$45.05	5D	4C	
Lewis	Residential Drywall Tapers	Journey Level	$45.19	5P	1E	
Lewis	Residential Electricians	Journey Level	$32.28	5A	1B	
Lewis	Residential Glaziers	Journey Level	$63.06	7L	1Y	
Lewis	Residential Insulation Applicators	Journey Level	$45.05	5D	4C	
Lewis	Residential Laborers	Journey Level	$36.68	7A	1H	
Lewis	Residential Marble Setters	Journey Level	$57.32	5A	1M	
Lewis	Residential Painters	Journey Level	$42.50	6Z	2B	
Lewis	Residential Plumbers & Pipefitters	Journey Level	$44.34	5A	1G	
Lewis	Residential Refrigeration & Air Conditioning Mechanics	Journey Level	$41.01	5A	1G	
Lewis	Residential Sheet Metal Workers	Journey Level (Field or Shop)	$50.01	7F	1R	
Lewis	Residential Soft Floor Layers	Journey Level	$49.43	5A	3J	
Lewis	Residential Sprinkler Fitters (Fire Protection)	Journey Level	$34.76	7J	1R	
Lewis	Residential Stone Masons	Journey Level	$57.32	5A	1M	
Lewis	Residential Terrazzo Workers	Journey Level	$52.61	5A	1M	
Lewis	Residential Terrazzo/Tile Finishers	Journey Level	$43.44	5A	1B	
Lewis	Residential Tile Setters	Journey Level	$52.61	5A	1M	
Lewis	Roofers	Journey Level	$51.12	5A	2O	
Lewis	Roofers	Using Irritable Bituminous Materials	$54.12	5A	2O	

Lewis	Sheet Metal Workers	Journey Level (Field or Shop)	$82.51	7F	1E	
Lewis	Sign Makers & Installers (Electrical)	Journey Level	$18.04		1	
Lewis	Sign Makers & Installers (Non-Electrical)	Journey Level	$48.90	7A	3I	
Lewis	Soft Floor Layers	Journey Level	$49.43	5A	3J	
Lewis	Solar Controls For Windows	Journey Level	$12.00		1	
Lewis	Sprinkler Fitters (Fire Protection)	Journey Level	$61.68	7J	1R	
Lewis	Stage Rigging Mechanics (Non Structural)	Journey Level	$13.23		1	
Lewis	Stone Masons	Journey Level	$57.32	5A	1M	
Lewis	Street And Parking Lot Sweeper Workers	Journey Level	$16.00		1	
Lewis	Surveyors	Chain Person	$58.95	7A	3C	
Lewis	Surveyors	Instrument Persion	$59.49	7A	3C	
Lewis	Surveyors	Party Chief	$60.49	7A	3C	
Lewis	Telecommunication Technicians	Journey Level	$43.19	6Z	1B	
Lewis	Telephone Line Construction - Outside	Cable Splicer	$41.22	5A	2B	
Lewis	Telephone Line Construction - Outside	Hole Digger/Ground Person	$23.12	5A	2B	
Lewis	Telephone Line Construction - Outside	Installer (Repairer)	$39.53	5A	2B	
Lewis	Telephone Line Construction - Outside	Special Aparatus Installer I	$41.22	5A	2B	
Lewis	Telephone Line Construction - Outside	Special Apparatus Installer II	$40.41	5A	2B	
Lewis	Telephone Line Construction - Outside	Telephone Equipment Operator (Heavy)	$41.22	5A	2B	
Lewis	Telephone Line Construction - Outside	Telephone Equipment Operator (Light)	$38.36	5A	2B	
Lewis	Telephone Line Construction - Outside	Telephone Lineperson	$38.36	5A	2B	
Lewis	Telephone Line Construction - Outside	Television Groundperson	$21.92	5A	2B	
Lewis	Telephone Line Construction - Outside	Television Lineperson/Installer	$29.13	5A	2B	
Lewis	Telephone Line Construction - Outside	Television System Technician	$34.68	5A	2B	
Lewis	Telephone Line Construction - Outside	Television Technician	$31.18	5A	2B	
Lewis	Telephone Line Construction - Outside	Tree Trimmer	$38.36	5A	2B	
Lewis	Terrazzo Workers	Journey Level	$52.61	5A	1M	
Lewis	Tile Setters	Journey Level	$52.61	5A	1M	
Lewis	Tile, Marble & Terrazzo Finishers	Finisher	$43.44	5A	1B	
Lewis	Traffic Control Stripers	Journey Level	$45.53	7A	1K	
Lewis	Truck Drivers	Asphalt Mix Over 16 Yards	$54.30	5D	3A	8L
Lewis	Truck Drivers	Asphalt Mix To 16 Yards	$53.46	5D	3A	8L

Lewis	Truck Drivers	Dump Truck	$53.46	5D	3A	8L
Lewis	Truck Drivers	Dump Truck & Trailer	$54.30	5D	3A	8L
Lewis	Truck Drivers	Other Trucks	$54.30	5D	3A	8L
Lewis	Truck Drivers - Ready Mix	Journey Level	$37.70	6I	2H	
Lewis	Well Drillers & Irrigation Pump Installers	Irrigation Pump Installer	$18.18		1	
Lewis	Well Drillers & Irrigation Pump Installers	Oiler	$12.00		1	
Lewis	Well Drillers & Irrigation Pump Installers	Well Driller	$18.00		1	

Washington State Department of Labor and Industries
Policy Statement
(Regarding the Production of "Standard" or "Non-standard" Items)

Below is the department's (State L&I's) list of criteria to be used in determining whether a prefabricated item is "standard" or "non-standard". For items not appearing on WSDOT's predetermined list, these criteria shall be used by the Contractor (and the Contractor's subcontractors, agents to subcontractors, suppliers, manufacturers, and fabricators) to determine coverage under RCW 39.12. The production, in the State of Washington, of non-standard items is covered by RCW 39.12, and the production of standard items is not. The production of any item outside the State of Washington is not covered by RCW 39.12.

1. Is the item fabricated for a public works project? If not, it is not subject to RCW 39.12. If it is, go to question 2.

2. Is the item fabricated on the public works jobsite? If it is, the work is covered under RCW 39.12. If not, go to question 3.

3. Is the item fabricated in an assembly/fabrication plant set up for, and dedicated primarily to, the public works project? If it is, the work is covered by RCW 39.12. If not, go to question 4.

4. Does the item require any assembly, cutting, modification or other fabrication by the supplier? If not, the work is not covered by RCW 39.12. If yes, go to question 5.

5. Is the prefabricated item intended for the public works project typically an inventory item which could reasonably be sold on the general market? If not, the work is covered by RCW 39.12. If yes, go to question 6.

6. Does the specific prefabricated item, generally defined as standard, have any unusual characteristics such as shape, type of material, strength requirements, finish, etc? If yes, the work is covered under RCW 39.12.

Any firm with questions regarding the policy, WSDOT's Predetermined List, or for determinations of covered and non-covered workers shall be directed to State L&I at (360) 902-5330.

WSDOT's
Predetermined List for
Suppliers - Manufactures - Fabricator

Below is a list of potentially prefabricated items, originally furnished by WSDOT to Washington State Department of Labor and Industries, that may be considered non-standard and therefore covered by the prevailing wage law, RCW 39.12. Items marked with an X in the "YES" column should be considered to be non-standard and therefore covered by RCW 39.12. Items marked with an X in the "NO" column should be considered to be standard and therefore not covered. Of course, exceptions to this general list may occur, and in that case shall be evaluated according to the criteria described in State and L&I's policy statement.

	ITEM DESCRIPTION	YES	NO
1.	Metal rectangular frames, solid metal covers, herringbone grates, and bi-directional vaned grates for Catch Basin Types 1, 1L, 1P, and 2 and Concrete Inlets. See Std. Plans		X
2.	Metal circular frames (rings) and covers, circular grates, and prefabricated ladders for Manhole Types 1, 2, and 3, Drywell Types 1, 2, and 3 and Catch Basin Type 2. See Std. Plans		X
3.	Prefabricated steel grate supports and welded grates, metal frames and dual vaned grates, and Type 1, 2, and 3 structural tubing grates for Drop Inlets. See Std. Plans.		X
4.	Concrete Pipe - Plain Concrete pipe and reinforced concrete pipe Class 2 to 5 sizes smaller than 60 inch diameter.		X
5.	Concrete Pipe - Plain Concrete pipe and reinforced concrete pipe Class 2 to 5 sizes larger than 60 inch diameter.		X
6.	Corrugated Steel Pipe - Steel lock seam corrugated pipe for culverts and storm sewers, sizes 30 inch to 120 inches in diameter. May also be treated, 1 thru 5.		X
7.	Corrugated Aluminum Pipe - Aluminum lock seam corrugated pipe for culverts and storm sewers, sizes 30 inch to 120 inches in diameter. May also be treated, #5.		X

	ITEM DESCRIPTION	YES	NO
8.	Anchor Bolts & Nuts - Anchor Bolts and Nuts, for mounting sign structures, luminaries and other items, shall be made from commercial bolt stock. See Contract Plans and Std. Plans for size and material type.		X
9.	Aluminum Pedestrian Handrail - Pedestrian handrail conforming to the type and material specifications set forth in the contract plans. Welding of aluminum shall be in accordance with Section 9-28.14(3).	X	
10.	Major Structural Steel Fabrication - Fabrication of major steel items such as trusses, beams, girders, etc., for bridges.	X	
11.	Minor Structural Steel Fabrication - Fabrication of minor steel Items such as special hangers, brackets, access doors for structures, access ladders for irrigation boxes, bridge expansion joint systems, etc., involving welding, cutting, punching and/or boring of holes. See Contact Plans for item description and shop drawings.	X	
12.	Aluminum Bridge Railing Type BP - Metal bridge railing conforming to the type and material specifications set forth in the Contract Plans. Welding of aluminum shall be in accordance with Section 9-28.14(3).		X
13.	Concrete Piling--Precast-Prestressed concrete piling for use as 55 and 70 ton concrete piling. Concrete to conform to Section 9-19.1 of Std. Spec..	X	
14.	Precast Manhole Types 1, 2, and 3 with cones, adjustment sections and flat top slabs. See Std. Plans.		X
15.	Precast Drywell Types 1, 2, and with cones and adjustment Sections. See Std. Plans.		X
16.	Precast Catch Basin - Catch Basin type 1, 1L, 1P, and 2 With adjustment sections. See Std. Plans.		X

	ITEM DESCRIPTION	YES	NO
17.	Precast Concrete Inlet - with adjustment sections, See Std. Plans		X
18.	Precast Drop Inlet Type 1 and 2 with metal grate supports. See Std. Plans.		X
19.	Precast Grate Inlet Type 2 with extension and top units. See Std. Plans		X
20.	Metal frames, vaned grates, and hoods for Combination Inlets. See Std. Plans		X
21.	Precast Concrete Utility Vaults - Precast Concrete utility vaults of various sizes. Used for in ground storage of utility facilities and controls. See Contract Plans for size and construction requirements. Shop drawings are to be provided for approval prior to casting		X
22.	Vault Risers - For use with Valve Vaults and Utilities X Vaults.		X
23.	Valve Vault - For use with underground utilities. See Contract Plans for details.		X
24.	Precast Concrete Barrier - Precast Concrete Barrier for use as new barrier or may also be used as Temporary Concrete Barrier. Only new state approved barrier may be used as permanent barrier.		X
25.	Reinforced Earth Wall Panels – Reinforced Earth Wall Panels in size and shape as shown in the Plans. Fabrication plant has annual approval for methods and materials to be used. See Shop Drawing. Fabrication at other locations may be approved, after facilities inspection, contact HQ. Lab.	X	
26.	Precast Concrete Walls - Precast Concrete Walls - tilt-up wall panel in size and shape as shown in Plans. Fabrication plant has annual approval for methods and materials to be used	X	

	ITEM DESCRIPTION	YES	NO
27.	Precast Railroad Crossings - Concrete Crossing Structure Slabs.	X	
28.	12, 18 and 26 inch Standard Precast Prestressed Girder – Standard Precast Prestressed Girder for use in structures. Fabricator plant has annual approval of methods and materials to be used. Shop Drawing to be provided for approval prior to casting girders. See Std. Spec. Section 6-02.3(25)A	X	
29.	Prestressed Concrete Girder Series 4-14 - Prestressed Concrete Girders for use in structures. Fabricator plant has annual approval of methods and materials to be used. Shop Drawing to be provided for approval prior to casting girders. See Std. Spec. Section 6-02.3(25)A .	X	
30.	Prestressed Tri-Beam Girder - Prestressed Tri-Beam Girders for use in structures. Fabricator plant has annual approval of methods and materials to be used. Shop Drawing to be provided for approval prior to casting girders. See Std. Spec. Section 6-02.3(25)A	X	
31.	Prestressed Precast Hollow-Core Slab – Precast Prestressed Hollow-core slab for use in structures. Fabricator plant has annual approval of methods and materials to be used. Shop Drawing to be provided for approval prior to casting girders. See Std. Spec. Section 6-02.3(25)A.	X	
32.	Prestressed-Bulb Tee Girder - Bulb Tee Prestressed Girder for use in structures. Fabricator plant has annual approval of methods and materials to be used. Shop Drawing to be provided for approval prior to casting girders. See Std. Spec. Section 6-02.3(25)A	X	
33.	Monument Case and Cover See Std. Plan.		X

	ITEM DESCRIPTION	YES	NO
34.	Cantilever Sign Structure - Cantilever Sign Structure fabricated from steel tubing meeting AASHTO-M-183. See Std. Plans, and Contract Plans for details. The steel structure shall be galvanized after fabrication in accordance with AASHTO-M-111.	X	
35.	Mono-tube Sign Structures - Mono-tube Sign Bridge fabricated to details shown in the Plans. Shop drawings for approval are required prior to fabrication.	X	
36.	Steel Sign Bridges - Steel Sign Bridges fabricated from steel tubing meeting AASHTO-M-138 for Aluminum Alloys. See Std. Plans, and Contract Plans for details. The steel structure shall be galvanized after fabrication in accordance with AASHTO-M-111.	X	
37.	Steel Sign Post - Fabricated Steel Sign Posts as detailed in Std Plans. Shop drawings for approval are to be provided prior to fabrication		X
38.	Light Standard-Prestressed - Spun, prestressed, hollow concrete poles.	X	
39.	Light Standards - Lighting Standards for use on highway illumination systems, poles to be fabricated to conform with methods and materials as specified on Std. Plans. See Specia Provisions for pre-approved drawings.	X	
40.	Traffic Signal Standards - Traffic Signal Standards for use on highway and/or street signal systems. Standards to be fabricated to conform with methods and material as specified on Std. Plans. See Special Provisions for pre-approved drawings	X	
41.	Precast Concrete Sloped Mountable Curb (Single and DualFaced) See Std. Plans.		X

	ITEM DESCRIPTION	YES	NO
42.	Traffic Signs - Prior to approval of a Fabricator of Traffic Signs, the sources of the following materials must be submitted and approved for reflective sheeting, legend material, and aluminum sheeting. **NOTE:** *** Fabrication inspection required. Only signs tagged "Fabrication Approved" by WSDOT Sign Fabrication Inspector to be installed	**X**	**X**
		Custom Message	Std Signing Message
43.	Cutting & bending reinforcing steel		**X**
44.	Guardrail components	**X**	**X**
		Custom End Sec	Standard Sec
45.	Aggregates/Concrete mixes	Covered by WAC 296-127-018	
46.	Asphalt	Covered by WAC 296-127-018	
47.	Fiber fabrics		**X**
48.	Electrical wiring/components		**X**
49.	treated or untreated timber pile		**X**
50.	Girder pads (elastomeric bearing)	**X**	
51.	Standard Dimension lumber		**X**
52.	Irrigation components		**X**

ITEM DESCRIPTION	YES	NO
53. Fencing materials		X
54. Guide Posts		X
55. Traffic Buttons		X
56. Epoxy		X
57. Cribbing		X
58. Water distribution materials		X
59. Steel "H" piles		X
60. Steel pipe for concrete pile casings		X
61. Steel pile tips, standard		X
62. Steel pile tips, custom	X	

Prefabricated items specifically produced for public works projects that are prefabricated in a county other than the county wherein the public works project is to be completed, the wage for the offsite prefabrication shall be the applicable prevailing wage for the county in which the actual prefabrication takes place.

It is the manufacturer of the prefabricated product to verify that the correct county wage rates are applied to work they perform.

See RCW 39.12.010
(The definition of "locality" in RCW 39.12.010(2) contains the phrase "wherein the physical work is being performed." The department interprets this phrase to mean the actual work site.

WSDOT's List of State Occupations not applicable to Heavy and Highway Construction Projects

This project is subject to the state hourly minimum rates for wages and fringe benefits in the contract provisions, as provided by the state Department of Labor and Industries.
The following list of occupations, is comprised of those occupations that are not normally used in the construction of heavy and highway projects.
When considering job classifications for use and / or payment when bidding on, or building heavy and highway construction projects for, or administered by WSDOT, these Occupations will be excepted from the included "Washington State Prevailing Wage Rates For Public Work Contracts" documents.

- Building Service Employees
- Electrical Fixture Maintenance Workers
- Electricians - Motor Shop
- Heating Equipment Mechanics
- Industrial Engine and Machine Mechanics
- Industrial Power Vacuum Cleaners
- Inspection, Cleaning, Sealing of Water Systems by Remote Control
- Laborers - Underground Sewer & Water
- Machinists (Hydroelectric Site Work)
- Modular Buildings
- Playground & Park Equipment Installers
- Power Equipment Operators - Underground Sewer & Water
- Residential *** ALL ASSOCIATED RATES ***
- Sign Makers and Installers (Non-Electrical)
- Sign Makers and Installers (Electrical)
- Stage Rigging Mechanics (Non Structural)

The following occupations may be used only as outlined in the preceding text concerning "WSDOT's list for Suppliers - Manufacturers - Fabricators"

- Fabricated Precast Concrete Products
- Metal Fabrication (In Shop)

Definitions for the Scope of Work for prevailing wages may be found at the Washington State Department of Labor and Industries web site and in WAC Chapter 296-127.

Washington State Department of Labor and Industries
Policy Statements
(Regarding Production and Delivery of Gravel, Concrete, Asphalt, etc.)

WAC 296-127-018 Agency filings affecting this section

Coverage and exemptions of workers involved in the production and delivery of gravel, concrete, asphalt, or similar materials.

(1) The materials covered under this section include but are not limited to: Sand, gravel, crushed rock, concrete, asphalt, or other similar materials.

(2) All workers, regardless of by whom employed, are subject to the provisions of chapter 39.12 RCW when they perform any or all of the following functions:

(a) They deliver or discharge any of the above-listed materials to a public works project site:

(i) At one or more point(s) directly upon the location where the material will be incorporated into the project; or

(ii) At multiple points at the project; or

(iii) Adjacent to the location and coordinated with the incorporation of those materials.

(b) They wait at or near a public works project site to perform any tasks subject to this section of the rule.

(c) They remove any materials from a public works construction site pursuant to contract requirements or specifications (e.g., excavated materials, materials from demolished structures, clean-up materials, etc.).

(d) They work in a materials production facility (e.g., batch plant, borrow pit, rock quarry, etc.,) which is established for a public works project for the specific, but not necessarily exclusive, purpose of supplying materials for the project.

(e) They deliver concrete to a public works site regardless of the method of incorporation.

(f) They assist or participate in the incorporation of any materials into the public works project.

(3) All travel time that relates to the work covered under subsection (2) of this section requires the payment of prevailing wages. Travel time includes time spent waiting to load, loading, transporting, waiting to unload, and delivering materials. Travel time would include all time spent in travel in support of a public works project whether the vehicle is empty or full. For example, travel time spent returning to a supply source to obtain another load of material for use on a public works site or returning to the public works site to obtain another load of excavated material is time spent in travel that is subject to prevailing wage. Travel to a supply source, including travel from a public works site, to obtain materials for use on a private project would not be travel subject to the prevailing wage.

(4) Workers are not subject to the provisions of chapter 39.12 RCW when they deliver materials to a stockpile.

(a) A "stockpile" is defined as materials delivered to a pile located away from the site of incorporation such that the stockpiled materials must be physically moved from the stockpile and transported to another location on the project site in order to be incorporated into the project.

(b) A stockpile does not include any of the functions described in subsection (2)(a) through (f) of this section; nor does a stockpile include materials delivered or distributed to multiple locations upon the project site; nor does a stockpile include materials dumped at the place of incorporation, or adjacent to the location and coordinated with the incorporation.

(5) The applicable prevailing wage rate shall be determined by the locality in which the work is performed. Workers subject to subsection (2)(d) of this section, who produce such materials at an off-site facility shall be paid the applicable prevailing wage rates for the county in which the off-site facility is located. Workers subject to subsection (2) of this section, who deliver such materials to a public works project site shall be paid the applicable prevailing wage rates for the county in which the public works project is located.

[Statutory Authority: Chapter 39.12 RCW, RCW 43.22.051 and 43.22.270. 08-24-101, § 296-127-018, filed 12/2/08, effective 1/2/09. Statutory Authority: Chapters 39.04 and 39.12 RCW and RCW 43.22.270. 92-01-104 and 92-08-101, § 296-127-018, filed 12/18/91 and 4/1/92, effective 8/31/92.]

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Overtime Codes

Overtime calculations are based on the hourly rate actually paid to the worker. On public works projects, the hourly rate must be not less than the prevailing rate of wage minus the hourly rate of the cost of fringe benefits actually provided for the worker.

1. ALL HOURS WORKED IN EXCESS OF EIGHT (8) HOURS PER DAY OR FORTY (40) HOURS PER WEEK SHALL BE PAID AT ONE AND ONE-HALF TIMES THE HOURLY RATE OF WAGE.

B. All hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. All hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

C. The first two (2) hours after eight (8) regular hours Monday through Friday and the first ten (10) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All other overtime hours and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

D. The first two (2) hours before or after a five-eight (8) hour workweek day or a four-ten (10) hour workweek day and the first eight (8) hours worked the next day after either workweek shall be paid at one and one-half times the hourly rate of wage. All additional hours worked and all worked on Sundays and holidays shall be paid at double the hourly rate of wage.

E. The first two (2) hours after eight (8) regular hours Monday through Friday and the first eight (8) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All other hours worked Monday through Saturday, and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

F. The first two (2) hours after eight (8) regular hours Monday through Friday and the first ten (10) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All other overtime hours worked, except Labor Day, shall be paid at double the hourly rate of wage. All hours worked on Labor Day shall be paid at three times the hourly rate of wage.

G. The first ten (10) hours worked on Saturdays and the first ten (10) hours worked on a fifth calendar weekday in a four-ten hour schedule, shall be paid at one and one-half times the hourly rate of wage. All hours worked in excess of ten (10) hours per day Monday through Saturday and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

H. All hours worked on Saturdays (except makeup days if work is lost due to inclement weather conditions or equipment breakdown) shall be paid at one and one-half times the hourly rate of wage. All hours worked Monday through Saturday over twelve (12) hours and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

I. All hours worked on Sundays and holidays shall also be paid at double the hourly rate of wage.

J. The first two (2) hours after eight (8) regular hours Monday through Friday and the first ten (10) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked over ten (10) hours Monday through Saturday, Sundays and holidays shall be paid at double the hourly rate of wage.

K. All hours worked on Saturdays and Sundays shall be paid at one and one-half times the hourly rate of wage. All hours worked on holidays shall be paid at double the hourly rate of wage.

M. All hours worked on Saturdays (except makeup days if work is lost due to inclement weather conditions) shall be paid at one and one-half times the hourly rate of wage. All hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

N. All hours worked on Saturdays (except makeup days) shall be paid at one and one-half times the hourly rate of wage. All hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

Overtime Codes Continued

1. O. The first ten (10) hours worked on Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked on Sundays, holidays and after twelve (12) hours, Monday through Friday and after ten (10) hours on Saturday shall be paid at double the hourly rate of wage.

P. All hours worked on Saturdays (except makeup days if circumstances warrant) and Sundays shall be paid at one and one-half times the hourly rate of wage. All hours worked on holidays shall be paid at double the hourly rate of wage.

Q. The first two (2) hours after eight (8) regular hours Monday through Friday and up to ten (10) hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. All hours worked in excess of ten (10) hours per day Monday through Saturday and all hours worked on Sundays and holidays (except Christmas day) shall be paid at double the hourly rate of wage. All hours worked on Christmas day shall be paid at two and one-half times the hourly rate of wage.

R. All hours worked on Sundays and holidays shall be paid at two times the hourly rate of wage.

S. The first two (2) hours after eight (8) regular hours Monday through Friday and the first eight (8) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked on holidays and all other overtime hours worked, except Labor Day, shall be paid at double the hourly rate of wage. All hours worked on Labor Day shall be paid at three times the hourly rate of wage.

U. All hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. All hours worked on Sundays and holidays (except Labor Day) shall be paid at two times the hourly rate of wage. All hours worked on Labor Day shall be paid at three times the hourly rate of wage.

V. All hours worked on Sundays and holidays (except Thanksgiving Day and Christmas day) shall be paid at one and one-half times the hourly rate of wage. All hours worked on Thanksgiving Day and Christmas day shall be paid at double the hourly rate of wage.

W. All hours worked on Saturdays and Sundays (except make-up days due to conditions beyond the control of the employer)) shall be paid at one and one-half times the hourly rate of wage. All hours worked on holidays shall be paid at double the hourly rate of wage.

X. The first four (4) hours after eight (8) regular hours Monday through Friday and the first twelve (12) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked over twelve (12) hours Monday through Saturday, Sundays and holidays shall be paid at double the hourly rate of wage. When holiday falls on Saturday or Sunday, the day before Saturday, Friday, and the day after Sunday, Monday, shall be considered the holiday and all work performed shall be paid at double the hourly rate of wage.

Y. All hours worked outside the hours of 5:00 am and 5:00 pm (or such other hours as may be agreed upon by any employer and the employee) and all hours worked in excess of eight (8) hours per day (10 hours per day for a 4 x 10 workweek) and on Saturdays and holidays (except labor day) shall be paid at one and one-half times the hourly rate of wage. (except for employees who are absent from work without prior approval on a scheduled workday during the workweek shall be paid at the straight-time rate until they have worked 8 hours in a day (10 in a 4 x 10 workweek) or 40 hours during that workweek.) All hours worked Monday through Saturday over twelve (12) hours and all hours worked on Sundays and Labor Day shall be paid at double the hourly rate of wage.

Z. All hours worked on Saturdays and Sundays shall be paid at one and one-half times the hourly rate of wage. All hours worked on holidays shall be paid the straight time rate of pay in addition to holiday pay.

Overtime Codes Continued

2. ALL HOURS WORKED IN EXCESS OF EIGHT (8) HOURS PER DAY OR FORTY (40) HOURS PER WEEK SHALL BE PAID AT ONE AND ONE-HALF TIMES THE HOURLY RATE OF WAGE.

   B. All hours worked on holidays shall be paid at one and one-half times the hourly rate of wage.

   C. All hours worked on Sundays shall be paid at one and one-half times the hourly rate of wage. All hours worked on holidays shall be paid at two times the hourly rate of wage.

   F. The first eight (8) hours worked on holidays shall be paid at the straight hourly rate of wage in addition to the holiday pay. All hours worked in excess of eight (8) hours on holidays shall be paid at double the hourly rate of wage.

   G. All hours worked on Sunday shall be paid at two times the hourly rate of wage. All hours worked on paid holidays shall be paid at two and one-half times the hourly rate of wage including holiday pay.

   H. All hours worked on Sunday shall be paid at two times the hourly rate of wage. All hours worked on holidays shall be paid at one and one-half times the hourly rate of wage.

   O. All hours worked on Sundays and holidays shall be paid at one and one-half times the hourly rate of wage.

   R. All hours worked on Sundays and holidays and all hours worked over sixty (60) in one week shall be paid at double the hourly rate of wage.

   U. All hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. All hours worked over 12 hours in a day or on Sundays and holidays shall be paid at double the hourly rate of wage.

   W. The first two (2) hours after eight (8) regular hours Monday through Friday and the first eight (8) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All other hours worked Monday through Saturday, and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage. On a four-day, ten-hour weekly schedule, either Monday thru Thursday or Tuesday thru Friday schedule, all hours worked after ten shall be paid at double the hourly rate of wage. The first eight (8) hours worked on the fifth day shall be paid at one and one-half times the hourly rate of wage. All other hours worked on the fifth, sixth, and seventh days and on holidays shall be paid at double the hourly rate of wage.

3. ALL HOURS WORKED IN EXCESS OF EIGHT (8) HOURS PER DAY OR FORTY (40) HOURS PER WEEK SHALL BE PAID AT ONE AND ONE-HALF TIMES THE HOURLY RATE OF WAGE.

   A. Work performed in excess of eight (8) hours of straight time per day, or ten (10) hours of straight time per day when four ten (10) hour shifts are established, or forty (40) hours of straight time per week, Monday through Friday, or outside the normal shift, and all work on Saturdays shall be paid at time and one-half the straight time rate. Hours worked over twelve hours (12) in a single shift and all work performed after 6:00 pm Saturday to 6:00 am Monday and holidays shall be paid at double the straight time rate of pay. Any shift starting between the hours of 6:00 pm and midnight shall receive an additional one dollar ($1.00) per hour for all hours worked that shift. The employer shall have the sole discretion to assign overtime work to employees. Primary consideration for overtime work shall be given to employees regularly assigned to the work to be performed on overtime situations. After an employee has worked eight (8) hours at an applicable overtime rate, all additional hours shall be at the applicable overtime rate until such time as the employee has had a break of eight (8) hours or more.

   C. Work performed in excess of eight (8) hours of straight time per day, or ten (10) hours of straight time per day when four ten (10) hour shifts are established, or forty (40) hours of straight time per week, Monday through Friday, or outside the normal shift, and all work on Saturdays shall be paid at one and one-half times the hourly rate of wage. All work performed after 6:00 pm Saturday to 5:00 am Monday and Holidays shall be paid at double the hourly rate of wage. After an employee has worked eight (8) hours at an applicable overtime rate, all additional hours shall be at the applicable overtime rate until such time as the employee has had a break of eight (8) hours or more.

Overtime Codes Continued

3. E. All hours worked Sundays and holidays shall be paid at double the hourly rate of wage. Each week, once 40 hours of straight time work is achieved, then any hours worked over 10 hours per day Monday through Saturday shall be paid at double the hourly wage rate.

F. All hours worked on Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked on Sunday shall be paid at two times the hourly rate of wage. All hours worked on paid holidays shall be paid at two and one-half times the hourly rate of wage including holiday pay.

H. All work performed on Sundays between March 16th and October 14th and all Holidays shall be compensated for at two (2) times the regular rate of pay. Work performed on Sundays between October 15th and March 15th shall be compensated at one and one half (1-1/2) times the regular rate of pay.

I. All hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. In the event the job is down due to weather conditions during a five day work week (Monday through Friday,) or a four day-ten hour work week (Tuesday through Friday,) then Saturday may be worked as a voluntary make-up day at the straight time rate. However, Saturday shall not be utilized as a make-up day when a holiday falls on Friday. All hours worked Monday through Saturday over twelve (12) hours and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

J. All hours worked between the hours of 10:00 pm and 5:00 am, Monday through Friday, and all hours worked on Saturdays shall be paid at a one and one-half times the hourly rate of wage. All hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

4. ALL HOURS WORKED IN EXCESS OF EIGHT (8) HOURS PER DAY OR FORTY (40) HOURS PER WEEK SHALL BE PAID AT ONE AND ONE-HALF TIMES THE HOURLY RATE OF WAGE.

A. All hours worked in excess of eight (8) hours per day or forty (40) hours per week shall be paid at double the hourly rate of wage. All hours worked on Saturdays, Sundays and holidays shall be paid at double the hourly rate of wage.

B. All hours worked over twelve (12) hours per day and all hours worked on holidays shall be paid at double the hourly rate of wage.

C. On Monday through Friday, the first four (4) hours of overtime after eight (8) hours of straight time work shall be paid at one and one half (1-1/2) times the straight time rate of pay, unless a four (4) day ten (10) hour workweek has been established. On a four (4) day ten (10) hour workweek scheduled Monday through Thursday, or Tuesday through Friday, the first two (2) hours of overtime after ten (10) hours of straight time work shall be paid at one and one half (1-1/2) times the straight time rate of pay. On Saturday, the first twelve (12) hours of work shall be paid at one and one half (1-1/2) times the straight time rate of pay, except that if the job is down on Monday through Friday due to weather conditions or other conditions outside the control of the employer, the first ten (10) hours on Saturday may be worked at the straight time rate of pay. All hours worked over twelve (12) hours in a day and all hours worked on Sunday and Holidays shall be paid at two (2) times the straight time rate of pay.

Overtime Codes Continued

4. D. All hours worked in excess of eight (8) hours per day or forty (40) hours per week shall be paid at double the hourly rate of wage. All hours worked on Saturday, Sundays and holidays shall be paid at double the hourly rate of pay. Rates include all members of the assigned crew.

EXCEPTION:
On all multipole structures and steel transmission lines, switching stations, regulating, capacitor stations, generating plants, industrial plants, associated installations and substations, except those substations whose primary function is to feed a distribution system, will be paid overtime under the following rates:

The first two (2) hours after eight (8) regular hours Monday through Friday of overtime on a regular workday, shall be paid at one and one-half times the hourly rate of wage. All hours in excess of ten (10) hours will be at two (2) times the hourly rate of wage. The first eight (8) hours worked on Saturday will be paid at one and one-half (1-1/2) times the hourly rate of wage. All hours worked in excess of eight (8) hours on Saturday, and all hours worked on Sundays and holidays will be at the double the hourly rate of wage.

All overtime eligible hours performed on the above described work that is energized, shall be paid at the double the hourly rate of wage.

E. The first two (2) hours after eight (8) regular hours Monday through Friday and the first eight (8) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All other hours worked Monday through Saturday, and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

On a four-day, ten-hour weekly schedule, either Monday thru Thursday or Tuesday thru Friday schedule, all hours worked after ten shall be paid at double the hourly rate of wage. The Monday or Friday not utilized in the normal four-day, ten hour work week, and Saturday shall be paid at one and one half (1½) times the regular shift rate for the first eight (8) hours. All other hours worked Monday through Saturday, and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

F. All hours worked between the hours of 6:00 pm and 6:00 am, Monday through Saturday, shall be paid at a premium rate of 20% over the hourly rate of wage. All hours worked on Sundays shall be paid at one and one-half times the hourly rate of wage. All hours worked on holidays shall be paid at double the hourly rate of wage.

G. All hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. All hours worked Monday through Saturday over twelve (12) hours and all hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

H. The first two (2) hours after eight (8) regular hours Monday through Friday and the first eight (8) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All other overtime hours worked, except Labor Day, and all hours on Sunday shall be paid at double the hourly rate of wage. All hours worked on Labor Day shall be paid at three times the hourly rate of wage.

I. The First eight (8) hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. All hours worked in excess of eight (8) per day on Saturdays shall be paid at double the hourly rate of wage. All hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

J. The first eight (8) hours worked on a Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked in excess of eight (8) hours on a Saturday shall be paid at double the hourly rate of wage. All hours worked over twelve (12) in a day, and all hours worked on Sundays and Holidays shall be paid at double the hourly rate of wage.

K. All hours worked on a Saturday shall be paid at one and one-half times the hourly rate of wage, so long as Saturday is the sixth consecutive day worked. All hours worked over twelve (12) in a day Monday through Saturday, and all hours worked on Sundays and Holidays shall be paid at double the hourly rate of wage.

4. L. The first twelve (12) hours worked on a Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked on a Saturday in excess of twelve (12) hours shall be paid at double the hourly rate of pay. All hours worked over twelve (12) in a day Monday through Friday, and all hours worked on Sundays shall be paid at double the hourly rate of wage. All hours worked on a holiday shall be paid at one and one-half times the hourly rate of wage, except that all hours worked on Labor Day shall be paid at double the hourly rate of pay.

M. All hours worked on Sunday and Holidays shall be paid at double the hourly rate. Any employee reporting to work less than nine (9) hours from their previous quitting time shall be paid for such time at time and one-half times the hourly rate.

N. All hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage. All hours worked on Sundays and holidays, and all work performed between the hours of midnight (12:00 AM) and eight AM (8:00 AM) every day shall be paid at double the hourly rate of wage.

O. All hours worked between midnight Friday to midnight Sunday shall be paid at one and one-half the hourly rate of wage. After an employee has worked in excess of eight (8) continuous hours in any one or more calendar days, all additional hours shall be at the applicable overtime rate until such time as the employee has had a break of six (6) hours or more. All hours worked on Holidays shall be paid at double the hourly rate of wage.

P. All hours worked on Holidays shall be paid at one and one-half times the hourly rate of wage.

Q. The first four (4) hours after eight (8) regular hours Monday through Friday and the first eight (8) hours on Saturday shall be paid at one and one-half times the hourly rate of wage. All hours worked over twelve (12) hours Monday through Saturday shall be paid at double the hourly rate. All hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

R. All hours worked on Saturdays shall be paid at one and one-half times the hourly rate of wage, so long as Saturday is the sixth consecutive day worked. All hours worked on Sundays and holidays shall be paid at double the hourly rate of wage.

R. Placeholder

Holiday Codes

5. A. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, and Christmas Day (7).

B. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, the day before Christmas, and Christmas Day (8).

C. Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, And Christmas Day (8).

Holiday Codes Continued

5. D. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday and Saturday after Thanksgiving Day, And Christmas Day (8).

H. Holidays: New Year's Day, Memorial Day, Independence Day, Thanksgiving Day, the Day after Thanksgiving Day, And Christmas (6).

5. I. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day (6).

J. Holidays: New Year's Day, Memorial Day, Independence Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Eve Day, And Christmas Day (7).

K. Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday After Thanksgiving Day, The Day Before Christmas, And Christmas Day (9).

L. Holidays: New Year's Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, And Christmas Day (8).

N. Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, The Friday After Thanksgiving Day, And Christmas Day (9).

P. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday And Saturday After Thanksgiving Day, The Day Before Christmas, And Christmas Day (9). If A Holiday Falls On Sunday, The Following Monday Shall Be Considered As A Holiday.

Q. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day (6).

R. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day After Thanksgiving Day, One-Half Day Before Christmas Day, And Christmas Day. (7 1/2).

S. Paid Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, And Christmas Day (7).

T. Paid Holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, The Friday After Thanksgiving Day, Christmas Day, And The Day Before Or After Christmas (9).

Z. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the Friday after Thanksgiving Day, And Christmas Day (8).

6. A. Paid Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, And Christmas Day (8).

E. Paid Holidays: New Year's Day, Day Before Or After New Year's Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, and a Half-Day On Christmas Eve Day. (9 1/2).

G. Paid Holidays: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, and Christmas Eve Day (11).

H. Paid Holidays: New Year's Day, New Year's Eve Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday After Thanksgiving Day, Christmas Day, The Day After Christmas, And A Floating Holiday (10).

I. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday After Thanksgiving Day, And Christmas Day (7).

Holiday Codes Continued

6. T. Paid Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, The Friday After Thanksgiving Day, The Last Working Day Before Christmas Day, And Christmas Day (9).

   Z. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, And Christmas Day (7). If a holiday falls on Saturday, the preceding Friday shall be considered as the holiday. If a holiday falls on Sunday, the following Monday shall be considered as the holiday.

7. A. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday and Saturday after Thanksgiving Day, And Christmas Day (8). Any Holiday Which Falls On A Sunday Shall Be Observed As A Holiday On The Following Monday. If any of the listed holidays falls on a Saturday, the preceding Friday shall be a regular work day.

   B. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday and Saturday after Thanksgiving Day, And Christmas Day (8). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

   C. Holidays: New Year's Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, And Christmas Day (8). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

   D. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the Friday after Thanksgiving Day, And Christmas Day (8). Unpaid Holidays: President's Day. Any paid holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any paid holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

   E. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, And Christmas Day (7). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

   F. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, the last working day before Christmas day and Christmas day (8). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

   G. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day (6). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday.

   H. Holidays: New Year's Day, Martin Luther King Jr. Day, Independence Day, Memorial Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, the Last Working Day before Christmas Day and Christmas Day (9). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

Holiday Codes Continued

   I. Holidays: New Year's Day, President's Day, Independence Day, Memorial Day, Labor Day, Thanksgiving Day, The Friday After Thanksgiving Day, The Day Before Christmas Day And Christmas Day (9). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be

observed as a holiday on the preceding Friday.

7. J. Holidays: New Year's Day, Independence Day, Memorial Day, Labor Day, Thanksgiving Day and Christmas Day (6). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

K. Holidays: New Year's Day, Memorial Day, Independence Day, Thanksgiving Day, the Friday and Saturday after Thanksgiving Day, And Christmas Day (8). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

L. Holidays: New Year's Day, Memorial Day, Labor Day, Independence Day, Thanksgiving Day, the Last Work Day before Christmas Day, And Christmas Day (7). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

M. Paid Holidays: New Year's Day, The Day after or before New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, And the Day after or before Christmas Day (10). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

N. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, And Christmas Day (7). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. When Christmas falls on a Saturday, the preceding Friday shall be observed as a holiday.

P. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, And Christmas Day (7). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday.

Q. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, the Last Working Day before Christmas Day and Christmas Day (8). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. If any of the listed holidays falls on a Saturday, the preceding Friday shall be a regular work day.

R. Paid Holidays: New Year's Day, the day after or before New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, and the day after or before Christmas Day (10). If any of the listed holidays fall on Saturday, the preceding Friday shall be observed as the holiday. If any of the listed holidays falls on a Sunday, the day observed by the Nation shall be considered a holiday and compensated accordingly.

S. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Day, the Day after Christmas, and A Floating Holiday (9). If any of the listed holidays falls on a Sunday, the day observed by the Nation shall be considered a holiday and compensated accordingly.

T. Paid Holidays: New Year's Day, the Day after or before New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, and The Day after or before Christmas Day. (10). If any of the listed holidays falls on a Sunday, the day observed by the Nation shall be considered a holiday and compensated accordingly. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

V. Holidays: New Year's Day, President's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, the day before or after Christmas, and the day before or after New Year's Day. If any of the above listed holidays falls on a Sunday, the day observed by the Nation shall be considered a holiday and compensated accordingly.

Holiday Codes Continued

7. W. Holidays: New Year's Day, Day After New Year's, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Eve Day, Christmas Day, the day after Christmas, the day before New Year's Day, and a Floating Holiday.

X. Holidays: New Year's Day, Day before or after New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day, and the day before or after Christmas day. If a holiday falls on a Saturday or on a Friday that is the normal day off, then the holiday will be taken on the last normal workday. If the holiday falls on a Monday that is the normal day off or on a Sunday, then the holiday will be taken on the next normal workday.

Y. Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, and Christmas Day. (8) If the holiday falls on a Sunday, then the day observed by the federal government shall be considered a holiday and compensated accordingly.

Z. Holidays: New Year's Day, President's Day, Independence Day, Memorial Day, Labor Day, Thanksgiving Day, The Friday After Thanksgiving Day, And Christmas Day (8). Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday. Any holiday which falls on a Saturday shall be observed as a holiday on the preceding Friday.

15. A. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, the day before Christmas Day and Christmas Day. (8) Any holiday which falls on a Sunday shall be observed as a holiday on the following Monday.

B. Holidays: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. (9)

C. Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, the day before Christmas Day and Christmas Day. (8)

D Holidays: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, Christmas Day, and the day after Christmas.

Note Codes

8. D. Workers working with supplied air on hazmat projects receive an additional $1.00 per hour.

L. Workers on hazmat projects receive additional hourly premiums as follows -Level A: $0.75, Level B: $0.50, And Level C: $0.25.

M. Workers on hazmat projects receive additional hourly premiums as follows: Levels A & B: $1.00, Levels C & D: $0.50.

N. Workers on hazmat projects receive additional hourly premiums as follows -Level A: $1.00, Level B: $0.75, Level C: $0.50, And Level D: $0.25.

Note Codes Continued

8. P. Workers on hazmat projects receive additional hourly premiums as follows -Class A Suit: $2.00, Class B Suit: $1.50, Class C Suit: $1.00, And Class D Suit $0.50.

Q. The highest pressure registered on the gauge for an accumulated time of more than fifteen (15) minutes during the shift shall be used in determining the scale paid.

R. Effective August 31, 2012 – A Traffic Control Supervisor shall be present on the project whenever flagging or spotting or other traffic control labor is being utilized. A Traffic Control Laborer performs the setup, maintenance and removal of all temporary traffic control devices and construction signs necessary to control vehicular, bicycle, and pedestrian traffic during construction operations. Flaggers and Spotters shall be posted where shown on approved Traffic Control Plans or where directed by the Engineer. All flaggers and spotters shall possess a current flagging card issued by the State of Washington, Oregon, Montana, or Idaho. These classifications are only effective on or after August 31, 2012.

S. Effective August 31, 2012 – A Traffic Control Supervisor shall be present on the project whenever flagging or spotting or other traffic control labor is being utilized. Flaggers and Spotters shall be posted where shown on approved Traffic Control Plans or where directed by the Engineer. All flaggers and spotters shall possess a current flagging card issued by the State of Washington, Oregon, Montana, or Idaho. This classification is only effective on or after August 31, 2012.

T. Effective August 31, 2012 – A Traffic Control Laborer performs the setup, maintenance and removal of all temporary traffic control devices and construction signs necessary to control vehicular, bicycle, and pedestrian traffic during construction operations. Flaggers and Spotters shall be posted where shown on approved Traffic Control Plans or where directed by the Engineer. All flaggers and spotters shall possess a current flagging card issued by the State of Washington, Oregon, Montana, or Idaho. This classification is only effective on or after August 31, 2012.

U. Workers on hazmat projects receive additional hourly premiums as follows – Class A Suit: $2.00, Class B Suit: $1.50, And Class C Suit: $1.00. Workers performing underground work receive an additional $0.40 per hour for any and all work performed underground, including operating, servicing and repairing of equipment. The premium for underground work shall be paid for the entire shift worked. Workers who work suspended by a rope or cable receive an additional $0.50 per hour. The premium for work suspended shall be paid for the entire shift worked. Workers who do “pioneer” work (break open a cut, build road, etc.) more than one hundred fifty (150) feet above grade elevation receive an additional $0.50 per hour.

V. In addition to the hourly wage and fringe benefits, the following depth and enclosure premiums shall be paid. The premiums are to be calculated for the maximum depth and distance into an enclosure that a diver reaches in a day. The premiums are to be paid one time for the day and are not used in calculating overtime pay.

Depth premiums apply to depths of fifty feet or more. Over 50' to 100' - $2.00 per foot for each foot over 50 feet. Over 101' to 150' - $3.00 per foot for each foot over 101 feet. Over 151' to 220' - $4.00 per foot for each foot over 220 feet. Over 221' - $5.00 per foot for each foot over 221 feet.

Enclosure premiums apply when divers enter enclosures (such as pipes or tunnels) where there is no vertical ascent and is measured by the distance travelled from the entrance. 25’ to 300’ - $1.00 per foot from entrance. 300’ to 600’ - $1.50 per foot beginning at 300’. Over 600’ - $2.00 per foot beginning at 600’.

W. Meter Installers work on single phase 120/240V self-contained residential meters. The Lineman/Groundmen rates would apply to meters not fitting this description.

APPENDIX C

BID PROPOSAL DOCUMENTS

INCLUDING:

Notice to Contractor

Proposal Form

Non-Collusion Declaration

Proposal Signature Page

Certification of Compliance with Wage Payment Statutes

Lewis County Department of Public Works

Josh S. Metcalf, PE, Director
Tim D. Fife, PE, County Engineer

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Lewis County or designee, will open sealed proposals and publicly read them aloud on or after 11:00 a.m. on **Tuesday, March 5, 2019**, at the Lewis County Courthouse in Chehalis, Washington for the Middle Fork Rd MP 7.07 (MF Newaukum R.) Culvert Replacement Project, CMP 1802.

SEALED BIDS MUST BE DELIVERED BY OR BEFORE
11:00 A.M. on Tuesday, March 5, 2019

(Lewis County official time is displayed on Axxess Intertel phones in the office of the Board of County Commissioners. **Bids submitted after 11:00 AM will not be considered for this project**.)

Sealed proposals must be delivered to the Clerk of the Board of Lewis County Commissioners (351 N.W. North Street, Room 210, CMS-01, Chehalis, Washington 98532), by or before **11:00 A.M.** on the date specified for opening, and in an envelope clearly marked: ***"SEALED BID FOR MIDDLE FORK RD MP 7.07 (MF NEWAUKUM R.) CULVERT REPLACEMENT PROJECT, CMP 1802, TO BE OPENED ON OR AFTER 11:00 A.M. ON TUESDAY, MARCH 5, 2019".***

All bid proposals shall be accompanied by a bid proposal deposit in cash, certified check, cashier's check or surety bond in an amount equal to five percent (5%) of the amount of such bid proposal. Should the successful bidder fail to enter into such contract and furnish satisfactory contract bond within the time stated in the specifications, the bid proposal deposit shall be forfeited to the Lewis County Public Works Department.

Informational copies of maps, plans and specifications are on file for inspection in the office of the County Engineer of Lewis County in Chehalis, Washington. The contract documents may be viewed and downloaded from Lewis County's Web Site @ www.lewiscountywa.gov or you may call the Lewis County Engineers office @ (360)740-2612 and request a copy be mailed to you. All Contractor questions and Lewis County clarifying answers will be posted on our website and emailed to all Contractors registered on Lewis County's Planholder List. Plan or specification changes shall be accomplished through official project addendums.

The Lewis County Public Works Department in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin, or sex in consideration for an award.

PROPOSAL

TO: BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY
CHEHALIS, WASHINGTON 98532

This certifies that the undersigned has examined the location of the Middle Fork Rd MP 7.07 (MF Newaukum R.) Culvert Replacement Project, CMP-1802, in Lewis County, Washington, and that the plans, specifications and contract governing the work embraced in these improvements, and the method by which payment will be made for said work is understood. The undersigned hereby proposes to undertake and complete the work embraced in this improvement, or as much thereof as can be completed with the money available in accordance with the said plans, specifications and contract, and the following schedules of rates and prices:

NOTE: Unit prices for all items, all extensions, and total amount of bid shall be shown: All entries must be typed or entered in ink.

ITEM NO.	PLAN QUANTITY	ITEM DESCRIPTION	UNIT PRICE DOLLARS CENTS	AMOUNT DOLLARS CENTS
1	1 L.S.	MOBILIZATION	LUMP SUM	$
2	1 L.S.	CLEARING AND GRUBBING	LUMP SUM	$
3	1 L.S.	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	LUMP SUM	$
4	190 C.Y.	ROADWAY EXCAVATION INCL. HAUL	$	$
5	1,025 TON	SELECT BORROW INCL. HAUL	$	$
6	15 EA.	STREAMBED BOULDER, TWO MAN	$	$
7	270 C.Y.	CHANNEL EXCAVATION INCL. HAUL	$	$
8	325 TON	QUARRY SPALLS FOR UNSUITABLE BASE MATERIAL	$	$
9	1,220 TON	STREAMBED MIX	$	$
10	70 L.F.	UNDERDRAIN PIPE, 4 IN. DIAM.	$	$
11	1 L.S.	TEMPORARY STREAM DIVERSION	LUMP SUM	$
12	1,193 C.Y.	STRUCTURE EXCAVATION CLASS A INCL. HAUL	$	$
13	60 C.Y.	GRAVEL BACKFILL FOR WALL	$	$
14	1 L.S.	PRECAST REINF. CONC. SPLIT BOX CULVERT	LUMP SUM	$
15	830 TON	CRUSHED SURFACING BASE COURSE	$	$
16	145 TON	SHOULDER FINISHING	$	$
17	125 TON	HMA CL. 3/8 IN PG 58H-22	$	$
18	12 DAY	ESC LEAD	$	$
19	150 S.Y.	STABILIZED CONSTRUCTION ENTRANCE	$	$
20	450 L.F.	STRAW WATTLE	$	$
21	1 EST.	EROSION / WATER POLUTION CONTROL	ESTIMATED	$ 5,000.00

ITEM NO.	PLAN QUANTITY	ITEM DESCRIPTION	UNIT PRICE DOLLARS CENTS	AMOUNT DOLLARS CENTS
22	6 EA.	LARGE WOODY DEBRIS	$	$
23	1 L.S.	PLANTING MITIGATION CONSTRUCTION	LUMP SUM	$
24	780 L.F.	HIGH VISIBILITY SILT FENCE	$	$
25	125 L.F.	BEAM GUARDRAIL TYPE 31, 8 FT. LONG POST	$	$
26	137.5 L.F.	BEAM GUARDRAIL TYPE 31, 9 FT. LONG POST	$	$
27	4 EA.	BEAM GUARDRAIL TYPE 31 NON-FLARED TERMINAL	$	$
28	237.5 L.F.	BEAM GUARDRAIL TYPE 31	$	$
29	485 L.F.	PAINT LINE	$	$
30	1 L.S.	PROJECT TEMPORARY TRAFFIC CONTROL	LUMP SUM	$
31	1 L.S.	TRIMMING AND CLEANUP	LUMP SUM	$
32	0 EST.	REIMBURSEMENT FOR THIRD PARTY DAMAGE	ESTIMATED	$0.00
33	1 CALC.	MINOR CHANGE	CALCULATED	$ 25,000.00
34	1 L.S.	SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN	LUMP SUM	$
			TOTAL BID	

Failure to return this Declaration as part of the bid proposal package will make the bid nonresponsive and ineligible for award.

NON-COLLUSION DECLARATION

I, by signing the proposal, hereby declare, under penalty of perjury under the laws of the United States that the following statements are true and correct:

1. That the undersigned person(s), firm, association or corporation has (have) not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the project for which this proposal is submitted.
2. **That by signing the signature page of this proposal, I am deemed to have signed and to have agreed to the provisions of this declaration.**

NOTICE TO ALL BIDDERS

To report rigging activities call:

1-800-424-9071

The U.S. Department of Transportation (USDOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m., eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities.

The "hotline" is part of USDOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the USDOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

PROPOSAL - SIGNATURE PAGE

The bidder is hereby advised that by signature of this proposal he/she is deemed to have acknowledged all requirements and signed all certificates contained herein.

A proposal guaranty in an amount of five percent (5%) of the total bid, based upon the approximate estimate of quantities at the above prices and in the form as indicated below, is attached hereto:

CASH ☐ IN THE AMOUNT OF_____

CASHIER'S CHECK ☐ _____ DOLLARS

CERTIFIED CHECK ☐ ($_____) PAYABLE TO THE LEWIS COUNTY TREASURER

PROPOSAL BOND ☐ IN THE AMOUNT OF 5% OF THE BID

** Receipt is hereby acknowledged of addendum(s) No.(s) _____, _____, _____, & _____

SIGNATURE OF AUTHORIZED OFFICIAL(S)

Proposal Must be Signed _____

Firm Name _____

Address _____

_____

_____

State of Washington Contractor's License No. _____

Unified Business Identifier (U.B.I.) No. _____

Telephone No. _____

Federal ID No. _____

Note:

This proposal form is not transferable and any alteration of the firm's name entered hereon without prior permission from the Lewis County Engineer will be cause for considering the proposal irregular and subsequent rejection of the bid.

*Attach Power of Attorney

Lewis County Department of Public Works

Erik P. Martin, PE, Director

Tim Fife, PE, County Engineer

Certification of Compliance with Wage Payment Statutes

The bidder hereby certifies that, within the three-year period immediately preceding the bid solicitation date ( ), the bidder is not a "willful" violator, as defined in RCW 49.48.082, of any provision of chapters 49.46, 49.48, or 49.52 RCW, as determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

_____
Bidder's Business Name

_____
Signature of Authorized Official*

_____
Printed Name

_____
Title

_____ _____ _____
Date City State

Check One:
Sole Proprietorship ☐ Partnership ☐ Joint Venture ☐ Corporation ☐

State of Incorporation, or if not a corporation, State where business entity was formed:

_____

If a co-partnership, give firm name under which business is transacted:

_____

** If a corporation, proposal must be executed in the corporate name by the president or vice-president (or any other corporate officer accompanied by evidence of authority to sign). If a co-partnership, proposal must be executed by a partner.*

APPENDIX D

CONTRACT DOCUMENTS

INCLUDING:

Contract Form

Contract Bond

Power Equipment List

CONTRACT

THIS AGREEMENT, made and entered into this __ day of _____, 2019, between the BOARD OF COUNTY COMMISSIONERS of LEWIS COUNTY, State of Washington, acting under and by virtue of RCW 36.77.040, hereinafter called

the Board, and _____ of _____

for___sel___, heirs, executors, administrators, successors and assigns, hereinafter called the Contractor.

WITNESSETH:

That in consideration of the payments, covenants and agreements hereinafter mentioned to be made and performed by the parties hereto, the parties hereto covenant and agree as follows:

DESCRIPTION OF WORK:

1. The Contractor shall do all work and furnish all material necessary to improve Middle Fork Rd MP 7.07 (MF Newaukum R.) Culvert by installing a stream bypass, traffic detour, removing the existing culvert, structure excavation, channel excavation, precast concrete split-box culvert installation, streambed restoration, road restoration with HMA, guardrail, hydroseeding, and other work, all in Lewis County Washington, in accordance with and as described in the attached plans and specifications, and in full compliance with the terms, conditions and stipulations herein set forth and attached, now referred to and by such reference incorporated herein and made a part hereof as fully for all purposes as if here set forth at length, and shall perform any alterations in or additions to the work covered by this contract and every part thereof and any extra work which may be ordered as provided in this contract and every part thereof.

The Contractor shall provide and be at the expense of all materials, labor, carriage, tools, implements and conveniences and things of every description that may be requisite for the transfer of materials and for constructing and completing the work provided for in this contract and every part thereof.

2. The County hereby promises and agrees with the Contractor to hire and does hire the Contractor to provide the materials and to do and cause to be done the above described work and to complete and furnish the same according to the attached plans and specifications and the terms and conditions herein contained, and hereby contracts to pay for the same according to the schedule of unit or itemized prices at the time and in the manner and upon the conditions provided for in this contract and every part thereof. The County further agrees to hire the contractor to perform any alterations in or conditions to the work covered by this contract and every part thereof and any force account work that may be ordered and to pay for the same under the terms of this contract and the attached plans and specifications.

3. The Contractor for himself, and for his heirs, executors, administrators, successors and assigns, does hereby agree to the full performance of all the covenants herein contained upon the part of the Contractor.

4. It is further provided that no liability shall attach to the County be reason of entering into this contract, except as expressly provided herein.

5. CANCELLATION OF CONTRACT FOR VIOLATION OF STATE POLICY

This contract, pursuant to RCW 49.28.040 to RCW 49.28.060, may be canceled by the officers or agents of the Owner authorized to contract for or supervise the execution of such work, in case such work is not performed in accordance with the policy of the State of Washington.

6. DOCUMENTS COMPRISING CONTRACT

All documents hereto attached, including but not being limited to the advertisement for bids, information for bidders, bid proposal form, general conditions (if any), special conditions (if any), complete specifications and the complete plans, are hereby made a part of this contract.

IN WITNESS WHEREOF, the said Contractor has executed this instrument, and the said Board of County Commissioners of aforesaid County, pursuant to resolution duly adopted, has caused this instrument to be executed by and in the name of said Board by its Chairman, duly attested by its Clerk, the day and year first above written, and the seal of said Board to be hereunto affixed on the date in this instrument first above written.

_____

By:_____

_____
Contractor

Performance of foregoing contract assured in accordance with the terms of the accompanying bond.

Dated: _____, 2019

By:_____
Surety

By:_____
Attorney-in-fact

APPROVED AS TO FORM:

JONATHAN MEYER Prosecuting Attorney

By:_____
Civil Deputy

APPROVED:

_____

County Engineer

Contract – 2

CONTRACT BOND FOR **Bond No. _____**
LEWIS COUNTY, WASHINGTON

WE, _____ d/b/a _____
(Insert legal name of Contractor) (Insert trade name of Contractor, if any)

(hereinafter "Principal"), and _____ (hereinafter "Surety"), are held and firmly bound unto **LEWIS COUNTY, WASHINGTON** (hereinafter "County"), as Obligee, in an amount (in lawful money of the United States of America) equal to the total compensation and expense reimbursement payable to Principal for satisfactory completion of Principal's work under Contract No. **CMP 1802** between Principal and County, which total is ***initially*** _____ _____Dollars ($_____), for the payment of which sum Principal and Surety bind themselves, their executors, administrators, legal representatives, successors and assigns, jointly and severally, firmly by these presents.. Said contract (hereinafter referred to as "the Contract") is for the **Middle Fork RD MP 7.07 (MF Newaukum R.) Culvert Replacement Project** and is made a part hereof by this reference. The Contract includes the original agreement as well as all documents attached thereto or made a part thereof and amendments, change orders, and any other document modifying, adding to or deleting from said Contract any portion thereof.

This Bond is executed in accordance with the laws of the State of Washington, and is subject to all provisions thereof and the ordinances of County insofar as they are not in conflict therewith, and is entered into for the use and benefit of County, and all laborers, mechanics, subcontractors, and materialmen, and all persons who supply such person or persons, or subcontractors, with provisions or supplies for the carrying on of the work covered by Contract No. **CMP 1802,** between the below-named Contractor and County for the **Middle Fork RD MP 7.07 (MF Newaukum R.) Culvert Replacement Project**, a copy of which Contract, by this reference is made a part hereof and is hereinafter referred to as "the Contract." (The Contract as defined herein includes the aforesaid agreement together with all of the Contract documents including addenda, exhibits, attachments, modifications, alterations, and additions thereto, deletions therefrom, amendments and any other document or provision attached to or incorporated into the Contract)

THE CONDITION OF THIS OBLIGATION is such that if Contractor shall promptly and faithfully perform the Contract, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

THE PARTIES FURTHER ACKNOWLEDGE & AGREE AS FOLLOWS:

(1) Surety hereby consents to, and waives notice of, any alteration, change order, or other modification of the Contract and any extension of time made by County, except that any single or cumulative change order amounting to more than twenty-five percent (25%) of the penal sum of this bond shall require Surety's written consent.

(2) Surety recognizes that the Contract includes provisions for additions, deletions, and modifications to the work or Contract Time and the amounts payable to Contractor. Subject to the limitations contained in paragraph (1) above, no such change or any combination thereof, shall void or impair Surety's obligation hereunder.

(3) Surety is subject to the provisions contained in Section 1-03.4, "Contract Bond," of the Washington State Department of Transportation (WSDOT) Standard Specifications for Road, Bridge, and Municipal Construction. And such provisions are incorporated by reference. A copy may be viewed at WSDOT's website www.wsdot.wa.gov/fasc/EngineeringPublications/Manuals/.

(4) Whenever County has declared Contractor to be in default and County has given Surety written notice of such declaration, Surety shall promptly (in no event more than thirty [30] days following receipt of such notice), specify, in written notice to County, which of the following actions Surety intends to take to remedy such default, and thereafter shall:

(a) Remedy the default within fifteen (15) days after its notice to County, as stated in such notice; or

(b) Assume within fifteen (15) days following its notice to County, full responsibility for the completion of the Contract in accordance with all of its provisions, as stated in such notice, and become entitled to payment of the balance of the Contract sum as provided in the Contract; or

(c) Pay County upon completion of the Contract, in cash, the cost of completion together with all other reasonable costs and expenses incurred by County as a result of Contractor's default, including but not limited to those incurred by County to mitigate its losses, which may include but are not limited to attorneys' fees and the cost of efforts to complete the work prior to Surety's exercising any option available to it under this Bond; or

(d) Obtain a bid or bids for completing the Contract in accordance with its terms and conditions, and upon a determination by County and Surety jointly of the lowest responsible bidder, arrange for one or more agreements between such bidder and County, and make available as work progresses (even though there is a default or a succession of defaults under such agreement(s) for completion arranged for under this paragraph) sufficient funds to pay the cost of completion less the balance of the Contract price, but not exceeding, including other costs and damages for which Surety may be liable hereunder, the penal sum of this Bond. The term "balance of the Contract price," as used in this paragraph, shall mean the total amount payable by County to Contractor under the Contract, less the amount properly paid by County to Contractor.

(5) If County commences suit and obtains judgment against Surety for recovery hereunder, then Surety, in addition to such judgment, shall pay all costs and attorneys' fees incurred by County in enforcement of County's rights hereunder. The venue for any action arising out of or in connection with this bond shall be in Lewis County, Washington.

(6) No right or action shall accrue on this Bond to or for the use of any person or corporation other than Lewis County, except as herein provided.

(7) No rider, amendment or other document modifies this Bond except as follows, which by this reference is incorporated herein:

SURETY'S QUALIFICATIONS: Every Surety named on this bond must appear on the United States Treasury Department's most current list (Circular 570 as amended or superseded) and be authorized by the Washington State Insurance Commissioner to transact business as a surety in the State of Washington. In addition, the Surety must have a current rating of at least A-:VII in A. M. Best's Key Rating Guide.

INSTRUCTIONS FOR SIGNATURES: This bond must be signed by the president or a vice-president of a corporation; the managing general partner of a partnership; managing joint venturer of a joint venture; manager of a limited liability company or, if no manager has been designated, a member of such LLC; a general partner of a limited liability partnership; or the owner(s) of a sole proprietorship. If the bond is signed by any other representative, the Principal must attach currently-dated, written proof of that signer's authority to bind the Principal, identifying and quoting the provision in the corporate articles of incorporation, bylaws, Board resolution, partnership agreement, certificate of formation, or other document authorizing delegation of signature authority to such signer, and confirmation acceptable to the County that such delegation was in effect on the date the bond was signed. **A NOTARY PUBLIC MUST ACKNOWLEDGE EACH SIGNATURE BELOW.**

FOR THE SURETY:

By _____
(Signature of Attorney-in-Fact)

_____
(Type or print name of Attorney-in-Fact)

_____
(Type or print telephone number for Attorney-in-Fact)

FOR THE PRINCIPAL:

By:_____
(Signature of authorized signer for Contractor)

_____
(Type or print name of signer for Contractor)

_____
(Type or print title of signer for Contractor)

STATE OF _____)
) ss: **ACKNOWLEDGMENT FOR CONTRACTOR**
COUNTY OF _____)

On this _____ day of _____, ____, before me a notary public in and for the State of _____, duly commissioned and sworn, personally appeared _____, the person described in and who executed the foregoing bond, and acknowledged to me that _____ signed and sealed said bond as the free and voluntary act and deed of the Contractor so identified in the foregoing bond for the uses and purposes therein mentioned, and on oath stated that _____is authorized to execute said bond for the Contractor named therein. WITNESS my hand and official seal hereto affixed the day and year in this certificate first above written.

_____ _____
(Signature of Notary Public) (Print or type name of Notary Public)

Notary Public in and for the State of _____ residing at _____
My commission expires _____. ***SEAL*** ➔

STATE OF _____)
) ss: **ACKNOWLEDGMENT FOR SURETY**
COUNTY OF _____)

On this _____ day of _____, ____, before me a notary public in and for the State of _____, duly commissioned and sworn, personally appeared _____, Attorney-in-Fact for the Surety that executed the foregoing bond, and acknowledged said bond to be the free and voluntary act and deed of the Surety for the uses and purposes therein mentioned, and on oath stated that _____ is authorized to execute said bond on behalf of the Surety, and that the seal affixed on said bond or the annexed Power of Attorney is the corporate seal of said Surety. WITNESS my hand and official seal hereto affixed the day and year in this certificate first above written.

_____ _____
(Signature of Notary Public) (Print or type name of Notary Public)

Notary Public in and for the State of _____ residing at _____
My commission expires _____. ***SEAL*** ➔

POWER EQUIPMENT LIST

The undersigned furthermore certifies that he/she is thoroughly aware that time is of the essence for the completion of this contract within the time specified in the special provisions, and hereby agrees to provide the Engineer a list of his power equipment to be used on this project.

This equipment list will be used in computing any Force Account that may be performed within this contract.

The Contractor must complete this form in its entirety.

POWER EQUIPMENT

Type of Equipment	Make	Model Number	Serial Number	* Capacity	Year Built

APPENDIX E

GEOTECHNICAL ENGINEERING REPORT

February 7, 2019

Ann Weckback
Lewis County Public Works
2025 NE Kresky Avenue
Chehalis, Washington 98532

Via email: Ann.Weckback@lewiscountywa.gov

Regarding: Geotechnical Engineering Report
Middle Fork Newaukum River Fish Passage
2025 NE Kresky Avenue
Chehalis, Washington 98532
PBS Project 45013.000

Dear Ms. Weckback:

This report presents results of PBS Engineering and Environmental Inc. (PBS) geotechnical engineering services for the new road crossing and passable fish structure located at the intersection of the Middle Fork Newaukum River and Middle Fork Road at mile post (M.P.) 7.07 in Chehalis, Washington (site). The general site location is shown on the Vicinity Map, Figure 1. Current plans include replacing the existing culvert with a new 24-foot-wide, 8-foot-tall precast concrete box culvert to improve fish passage beneath the road. The concrete box culvert will have an estimated 1-foot-thick asphalt concrete (AC) and base rock cover. The locations of PBS' explorations in relation to existing and proposed site features are shown on the Site Plan, Figure 2.

SCOPE OF SERVICES

The purpose of PBS' services was to develop geotechnical design and construction recommendations in support of the planned culvert replacement. This was accomplished by performing the following scope of services.

Literature Review

PBS reviewed various published geologic maps of the area for information regarding geologic conditions and hazards at or near the site.

Subsurface Explorations

Two borings, designated B-3 and B-4, were completed in the roadway on opposite sides of the existing culvert to explore subsurface conditions. A truck-mounted drill rig was used to advance borings to depths of up to approximately 26.5 feet below the existing ground surface (bgs). In situ, standard penetration tests (SPTs) were performed at 2.5- to 5.0-foot intervals. The borings were logged and representative soil samples collected by a member of the PBS geotechnical engineering staff. The approximate boring locations are shown on the Site Plan, Figure 2.

Laboratory Testing

Samples were returned to our laboratory and classified in accordance with the Unified Soil Classification System (ASTM D2487) and/or the Visual-Manual Procedure (ASTM D2488). Laboratory tests included natural water contents and Atterberg limits tests.

Geotechnical Engineering Analysis

Data collected during the subsurface exploration, literature research, and testing were used to develop site-specific geotechnical design parameters and construction recommendations.

Report Preparation

This Geotechnical Engineering Report summarizes the results of our explorations, testing, and analyses, including information relating to the following:

- Field exploration logs and site plan showing approximate exploration locations
- Laboratory test results
- Groundwater levels and considerations
- Shallow foundation recommendations:
    - Minimum embedment
    - Estimated settlement
    - Sliding coefficient
- Lateral earth pressures for culvert wall design including:
    - Active, passive, and at-rest earth pressures
    - Allowable bearing pressure
    - Sliding coefficient
    - Groundwater and drainage considerations
- Earthwork and grading, cut, and fill recommendations:
    - Structural fill materials and preparation
    - Utility trench excavation and backfill requirements
    - Slab and pavement subgrade preparation
    - Wet weather considerations

SITE CONDITIONS

Surface Description

The site is located along Middle Fork Road near the intersection with Dluhosh Road at M.P. 7.07. The stream crossing is densely vegetated and relatively flat, located approximately 3 to 4 feet below the Middle Fork Road embankment at an estimated elevation of 690 feet (NAVD88). The site is situated in a gentle sloping topographic depression associated with incision to the landscape by the Middle Fork Newaukum River.

Geologic Setting

Published geologic maps of the area indicate the site is underlain by Pleistocene age alpine glacial outwash deposits of the Logan Hill Formation (Schasse, 1987).[1] These sediments are described as sand and gravel, with minor interbedded silt and clay with variable thickness, and were deposited over older Tertiary sedimentary and volcanic rocks.

[1] Schasse, H. W. (1987). Geologic Map of the Centralia Quadrangle, Washington. Washington Division of Geology and Earth Resources, map scale 1:100,000.

Subsurface Conditions

The site was explored by drilling two borings, designated B-3 and B-4, to depths of 21.5 and 26.5 feet bgs. The drilling was performed by Holt Services Inc., of Vancouver, Washington, using a truck-mounted Mobile B-58 drill rig and mid rotary drilling techniques.

Disturbed soil samples were taken in the borings at 2.5- to 5-foot intervals. Soil samples were obtained using a standard 2-inch outside diameter split-spoon sampler following procedures prescribed for the SPT. Using the SPT, the sampler is driven 18 inches into the soil using a 140-pound hammer dropped 30 inches. The number of blows required to drive the sampler the last 12 inches is defined as the standard penetration resistance (N-value). The N-value provides a measure of the relative density of granular soils, such as sands and gravels, and the consistency of cohesive soils, such as clays and plastic silts. The disturbed soil samples were examined by a member of the PBS geotechnical engineering staff in the field and then sealed in plastic bags for further examination and physical testing in our laboratory.

The boring logs (Figures A1 and A2) show the various types of materials that were encountered in the borings and the depths where the materials and/or characteristics of these materials changed, although the changes may be gradual. Where material types and descriptions changed between samples, the contacts were interpreted. The types of samples taken during drilling, along with their sample identification number, are shown to the right of the classification of materials on the boring logs. The N-values are shown farther to the right.

Initially, soil samples were classified visually in the field. Consistency, color, relative moisture, degree of plasticity and other distinguishing characteristics of the soil samples were noted. Afterward, the samples were reexamined in the PBS laboratory, various standard classification tests were conducted, and the field classifications were modified where necessary. The terminology used in the soil classifications and other modifiers are defined and presented on the attached Tables A-1 and A-2.

PBS has summarized the subsurface units as follows:

ASPHALT:	Asphalt was encountered in borings B-3 and B-4 at the surface to 3 inches bgs.
BASEROCK:	Approximately 12 inches of base rock was encountered in B-4 beneath the asphalt.
GRAVEL FILL (GP-GM):	Poorly graded gravel with silt and sand fill was encountered beneath the asphalt in B-3. The gravel was medium dense, with an SPT N-value of 12, and consisted of subangular, fine to coarse gravel clasts with fine to coarse sand and silt intermixed.
ORGANIC SOIL (OL) and CLAY (CL):	Very soft dark brown organic soil was encountered beneath the gravel fill in B-3, with an SPT N-value of 1 and low plasticity. In B-4, very soft brown lean clay with medium plasticity was encountered beneath the base rock, with an SPT N-value of 1.
CLAYEY GRAVEL with SAND (GC) and GRAVEL WITH SAND (GP):	In B-3, clayey gravel with sand was encountered below the organic soil. The clayey gravel with sand was blue-green and gray, exhibited medium plasticity, contained fine to coarse sand, fine to coarse subrounded gravel, and had an SPT N-value of 23.

	In B-4, medium dense gray to black poorly graded gravel with sand was encountered beneath the clay. The gravel was fine to coarse and subrounded, with fine to coarse sand, and had an SPT N-value of 19.
GRAVELLY LEAN CLAY (CL) and CLAYEY SAND with GRAVEL (SC)	In B-3, stiff brown-gray gravelly lean clay was encountered below the clayey gravel with sand. The gravelly lean clay had low to medium plasticity, fine to coarse, subrounded gravel, fine to medium sand, and an SPT N-value of 15. In B-4, medium dense yellow-brown clayey sand with gravel was encountered beneath the gravel with sand. The clayey sand with gravel contained fine to coarse, subrounded gravel, fine to coarse sand, had medium plasticity, and an SPT N-value of 25.
WEATHERED BEDROCK:	Weathered bedrock was encountered in borings B-3 and B-4 at a depth of approximately 14.5 feet bgs. The weathered bedrock was severely decomposed and when manipulated degraded to silt and clay. The weathered bedrock was orange-brown and gray, with medium to high plasticity. SPT N-values ranged from 12 to refusal (greater than 50 blows for less than 6 inches of penetration). Subrounded to angular, gravel-sized weathered sandstone was encountered at the bottom of B-4.

Groundwater
Static groundwater was not encountered during our explorations to the depths explored. Please note that groundwater levels can fluctuate during the year depending on climate, irrigation, extended periods of precipitation, drought, and other factors. Generally, the highest groundwater levels occur in late winter and early spring and the lowest levels in late summer and early fall. We recommend that the contractor determine the actual groundwater levels at the time of construction to determine potential groundwater impacts.

LABORATORY TESTING

Soil samples obtained during our exploration were returned to the laboratory to aid in soil classification and to evaluate the material's general physical properties and engineering characteristics. Laboratory tests included natural moisture contents and Atterberg limits. Laboratory test results are presented on the boring logs and on Figure B1.

The applicable ASTM methods were used to perform the laboratory tests and included the following.

Visual Classification
The soils were classified in accordance with the Unified Soil Classification System with certain other terminology, such as the relative density or consistency of the soil deposits, in general accordance with engineering practice. In determining the soil type (that is, gravel, sand, silt, or clay) the term that best described the major portion of the sample was used. Modifying terminology to further describe the samples is defined on the attached Table A-1.

Moisture (Water) Contents
Natural moisture content determinations were made on samples of the fine-grained soils (that is, silts, clays, and silty sands). The natural moisture content is defined as the ratio of the weight of water to dry weight of soil, expressed as a percentage. The results of the moisture content determinations are presented on Figures A1 and A2.

Atterberg Limits

Atterberg limits were determined for select samples for classifying soils into various groups for correlation. The results of the Atterberg limits tests, which included liquid and plastic limits, are plotted on the attached Figure B1 and on the boring logs, Figures A1 and A2.

CONCLUSIONS AND RECOMMENDATIONS

Geotechnical Design Considerations

Borings B-3 and B-4 encountered subsurface conditions of undocumented fill to approximately 5 feet bgs that consisted of gravel with silt and sand, underlain by native materials consisting of organic soil, gravel, silt, and clay to 26.5 feet. Materials that may be susceptible to scour due to the hydraulics of the stream should not be used or should be properly protected. Our current understanding is that cobbles and boulders will be used to construct the streambed inside the culvert, with infilling from migration of streambed sediment.

Based on our observations and analyses, foundation support on shallow spread footings is feasible. Excavation with conventional equipment is feasible but may be difficult in the dense gravel and hard silt and clay; a large excavator (such as a CAT 235 or larger) equipped with rock teeth may be necessary.

Shallow Foundations

Shallow spread footings, underlain by 0.5-foot-thick crushed rock pads over stiff gravelly clay or medium dense clayey sand located between depths of 9.5 feet and 14.5 feet bgs, may be used to support loads associated with the proposed new closed-bottom culvert, provided the following recommendations are followed.

Footing Preparation: Foundation subgrades at a depth of approximately 12 feet bgs at the proposed culvert will likely consist of saturated, medium dense clay with sand or gravel, or very stiff silt or clay. Due to the location of footings near the current groundwater elevations and the presence of soils consisting of or containing fine-grained silt or clay, we recommend culvert footings be founded on a minimum 6- to 12-inch-thick layer of granular fill. If soft/loose conditions are encountered at this elevation, the crushed rock fill should be underlain by 12 inches of angular pit run rock (6-inch-minus stabilization rock; see the Foundation Base Aggregate section, below) and geotextile stabilization fabric, such as Mirafi 500X, or an approved equivalent.

Crushed Rock Pads: If groundwater is observed at or near the base of the proposed foundation (exposed design subgrade elevation) we recommend over-excavating 12 inches and backfilling with stabilization material in a single lift, and compacting using a large, smooth-drum, non-vibratory roller, until the rock is dense and well keyed. Stabilization rock should be capped with approximately 6 inches of foundation base aggregate (as described in the Construction Considerations section of this report). Crushed rock pads should be planned to extend a minimum of 1 foot laterally beyond the edges of footings. PBS understands the layer of crushed rock may be installed across the entire base of the excavation to act as a working pad for construction traffic. Depending on subsurface and groundwater conditions at the time of construction, increasing the thickness of the crushed rock working pad to support construction traffic and protect the foundation subgrades may be necessary.

A representative from PBS should confirm suitable bearing conditions and evaluate all footing subgrades. Observations should also confirm that loose or soft materials have been removed from new footing excavations and concrete slab-on-grade areas. Localized deepening of footing excavations may be required to penetrate soft, wet, or deleterious materials.

Bearing Pressure: Due to the width of the box culvert and limited soil cover, the applied bearing pressure over the base of the culvert will be relatively low, less than 1,000 pounds per square foot (psf). Foundations can be designed using an allowable bearing pressure of 3,500 psf with an effective footing width of 8 feet or greater.

Foundation Static Settlement: Based on the proposed culvert configuration and associated soil removal, no additional load will be applied at the base of the culvert and we estimate post-construction settlement will be less than about 1 inch.

Lateral Resistance: Lateral loads can be resisted by passive earth pressure on the sides of footings and box culvert walls, and by friction at the base of the box culvert foundation. A passive earth pressure calculated using an equivalent fluid weight (EFW) of 250 pounds per cubic foot (pcf) may be used for footings confined by native soils and new structural fills above groundwater and 120 pcf below groundwater. The allowable passive pressure has been reduced by one-half to account for the large amount of deformation required to mobilize full passive resistance. This should only be applied to the outside of culvert walls. For passive resistance on the inside of the culvert, the depth of possible scour should be considered. For footings supported on crushed rock pads, use a coefficient of friction equal to 0.4 when calculating resistance to sliding and a net normal force (considering uplift below groundwater). These values do not include a factor of safety (FS).

Lateral Earth Pressures: The walls of the proposed new culvert should be designed to resist at-rest earth pressures using an EFW of 60 pcf. Vertical surcharge loads, q, should be considered and be equal to 0.6q, applied as a uniform horizontal surcharge over the full height of the wall. These values assume that the wall is vertical and the backfill behind the wall is horizontal.

Construction Considerations

Site Preparation

Construction of the new culvert will require large areas of cut and subsequent backfill. Based on the estimated depth of the proposed culvert, review of the preliminary design drawings, and our understanding that open excavation techniques will be used in construction, we estimate excavation will be on the order of 15 feet deep and 30 feet wide at the base, and up to 80 feet wide at the road grade, which corresponds to temporary slope inclinations of approximately 1.5H:1V (horizontal to vertical). Based on the results of our geotechnical exploration and analyses, we believe some of the on-site material may be reused as backfill. However, this is dependent on the contractor's ability to dry the soil to within two percent of the optimum moisture content, as well as using adequately sized compaction equipment and applying the required energy during site grading. Reusing the on-site silt and clay as backfill is likely not feasible. Fill should be benched into excavation side slopes as the lifts are compacted.

Subgrade Verification/Proofrolling

Following site preparation, including excavation for new foundations but prior to placing aggregate base for the foundations, the exposed subgrade should be evaluated by a PBS representative. The finished pavement subgrade, following backfill of the culvert, should be proofrolled with a fully loaded dump truck or similar heavy, rubber-tire construction equipment to identify unsuitable areas. If evaluation of the subgrades occur during wet conditions, or if proofrolling the subgrades will result in disturbance, they should be evaluated by qualified personnel using a steel foundation probe. We recommend that PBS be retained to observe proofrolling and

perform the subgrade verifications. Unsuitable areas identified during the field evaluation should be recompacted or be excavated to firm ground and replaced with structural fill.

Wet Weather and Wet Soil Conditions

Due to the presence of fine-grained silt and clay in the near-surface materials at the site, construction equipment may have difficulty operating on the near-surface soils once the pavement has been removed. Protection of the subgrade is the responsibility of the contractor. Soils that have been disturbed during site preparation activities, or unsuitable areas identified during proofrolling or probing, should be removed to firm ground and replaced with compacted structural fill. Our current understanding is that equipment will be staged on the existing AC pavement. Some damage to the existing AC should be anticipated.

Excavation and Temporary Slopes

PBS understands open excavation techniques will be used to install the new culvert. This is acceptable provided the excavation is configured in accordance with the Occupational Safety and Health Administration (OSHA) requirements, groundwater seepage is not present, and with the understanding that some sloughing may occur. The excavation sidewalls should be flattened if sloughing occurs or seepage is present.

All excavations should be made in accordance with applicable OSHA and state regulations. The contractor is solely responsible for adherence to the OSHA requirements.

Structural Fill

Excavation required to install the new structure will likely be on the order of 15 feet deep (below existing road grade). Culvert backfill should be placed over subgrades that have been prepared in conformance with the Site Preparation, Wet Weather and Wet Soil Considerations, and Imported Granular Material sections of this report.

Structural fill and backfill should only be installed on subgrades that have been prepared in accordance with the preceding recommendations. Structural fill material should consist of relatively well-graded soil, or an approved rock product that is free of organic material and debris, and contains particles less than 4 inches nominal dimension. The suitability of soil for use as compacted structural fill will depend on the gradation and moisture content of the soil when it is placed. As the amount of fines (material finer than the US Standard No. 200 Sieve) increases, soil becomes increasingly sensitive to small changes in moisture content and compaction becomes more difficult to achieve. Soils containing more than about 5 percent fines cannot consistently be compacted to a dense, non-yielding condition when the water content is significantly greater (or significantly less) than optimum.

A wide range of material may be used as structural fill; however, all material used should be free of organic matter or other unsuitable materials and should meet the specifications provided in the 2018 Standard Specifications for Road, Bridge, and Municipal Construction, Washington State Department of Transportation (WSDOT SS, 2018)[2] depending on the application. A brief characterization of some of the acceptable materials and our recommendations for their use as structural fill is provided as follows.

On-Site Soil: The soils encountered in our explorations are generally suitable for placement as structural fill during dry weather when moisture content can be maintained by air drying and/or addition of water.

[2] Washington State Department of Transportation (WSDOT SS). (2018). Standard Specifications for Road, Bridge, and Municipal Construction, M 41-10, Olympia, Washington.

However, due to the presence of silt and clay soils and high moisture contents, reuse of on-site soils for fill may not be feasible. In PBS' opinion, significant drying of soils will be required to achieve optimum moisture content for compaction.

If used as fill, the material should be free of any organic or deleterious material with grain size less than 4 inches in diameter. The material should be compacted to at least 92 percent of the maximum dry density, as determined by ASTM D1557 (modified proctor) and shall be placed in a maximum uncompacted thickness of 8 inches. Zones of sand and gravel containing variable amounts of silt can be reused as structural fill provided they meet the specified gradation requirements discussed in the following sections and are compacted to a minimum of 92 percent of the maximum dry density in accordance with ASTM D 1557.

Imported Granular Materials: Imported granular material used during periods of wet weather or for haul roads, culvert foundation pad subgrades, staging areas, etc., should be pit or quarry run rock, crushed rock, or crushed gravel and sand, and should meet the specifications provided in WSDOT SS 9-03.14(2) – Select Borrow. However, the imported granular material should also be fairly well graded between course and fine material and of the fraction passing the US Standard No. 4 Sieve, less than 5 percent by dry weight should pass the US Standard No. 200 Sieve.

Imported granular material should be placed in lifts with a maximum uncompacted thickness of 9 inches and be compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

During wet conditions, where imported granular material is placed over soft-soil subgrades, we recommend a geotextile be placed between the subgrade and imported granular material. Depending on site conditions, the geotextile should meet WSDOT SS 9-33.2 – Geosynthetic Properties for soil separation or stabilization. The geotextile should be installed in conformance with WSDOT SS 2-12.3 – Construction Geosynthetic (Construction Requirements) and, as applicable, WSDOT SS 2-12.3(2) – Separation or WSDOT SS 2-12.3(3) – Stabilization.

Foundation Base Aggregate: Imported granular material placed at the base of excavations for spread footings should be clean, crushed rock or crushed gravel, and sand that is fairly well graded between coarse and fine. The granular materials should contain no deleterious materials, have a maximum particle size of 1 inch, and meet WSDOT SS 9-03.12(1)A – Gravel Backfill for Foundations (Class A). The imported granular material should be placed in one lift and compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

Pavement Base Aggregate: Imported granular material used as base aggregate (base rock) along roadway alignments should be clean, crushed rock or crushed gravel, and sand that is fairly well-graded between coarse and fine. The base aggregate should meet the gradation defined in WSDOT SS 9-03.9(3) – Crushed Surfacing Base Course and Top Course. The base aggregate should be compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

ADDITIONAL SERVICES AND CONSTRUCTION OBSERVATIONS

In most cases, other services beyond completion of a geotechnical engineering report are necessary or desirable to complete the project. Occasionally, conditions or circumstances arise that require the performance of additional work that was not anticipated when the geotechnical report was written. PBS offers a range of environmental, geological, geotechnical, and construction services to suit the varying needs of our clients.

PBS should be retained to review the plans and specifications for this project before they are finalized. Such a review allows us to verify that our recommendations and concerns have been adequately addressed in the design.

Satisfactory earthwork performance depends on the quality of construction. Sufficient observation of the contractor's activities is a key part of determining that the work is completed in accordance with the construction drawings and specifications. We recommend that PBS be retained to observe general excavation, stripping, fill placement and compaction, and exposed footing, and pavement subgrades. Subsurface conditions observed during construction should be compared with those encountered during the subsurface explorations. Recognition of changed conditions requires experience; therefore, qualified personnel should visit the site with sufficient frequency to detect whether subsurface conditions change significantly from those anticipated.

LIMITATIONS

This report has been prepared for the exclusive use of the addressee and their engineers for aiding in the design and construction of the proposed development and is not to be relied upon by other parties. It is not to be photographed, photocopied, or similarly reproduced, in total or in part, without express written consent of the client and PBS. It is the addressee's responsibility to provide this report to the appropriate design professionals, county public works office, and contractors to assure correct implementation of the recommendations.

The opinions, comments, and conclusions presented in this report are based upon information derived from our literature review, field explorations, and laboratory testing. It is possible that soil, rock, or groundwater conditions could vary between or beyond the points explored. If soil, rock, or groundwater conditions are encountered during construction that differ from those described herein, the client is responsible for ensuring that PBS is notified immediately so that we may reevaluate the conclusions of this report.

Unanticipated soil and rock conditions and seasonal soil moisture and groundwater variations are commonly encountered and cannot be fully determined by merely taking soil samples or soil borings. Such variations may result in changes to our recommendations and may require additional funds for expenses to attain a properly constructed project. Therefore, we recommend a contingency fund to accommodate such potential extra costs.

The scope of services for this subsurface exploration and geotechnical report did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous substances in the soil, surface water, or groundwater at this site.

If there is a substantial lapse of time between the submission of this report and the start of work at the site, if conditions have changed due to natural causes or construction operations at or adjacent to the site, or if the basic project scheme is significantly modified from that assumed, this report should be reviewed to determine the applicability of the conclusions and recommendations presented herein. Land use, site conditions (both on and off site), or other factors may change over time and could materially affect our findings; therefore, this report should not be relied upon after three years from its issue, or in the event that the site conditions change.

CLOSING

We trust this Geotechnical Engineering Report meets your current needs. If you have any questions or wish to further discuss our observations, conclusions, and recommendations, please contact Ryan White at 503.417.7608.

Sincerely,

Shaun Cordes, LG, LEG
Project Engineering Geologist
PBS Engineering and Environmental Inc.

Ryan White, PE, GE (OR)
Geotechnical Engineering Group Manager
PBS Engineering and Environmental Inc.

Figures
Figure 1. Vicinity Map
Figure 2. Site Plan

Attachment A: Field Explorations
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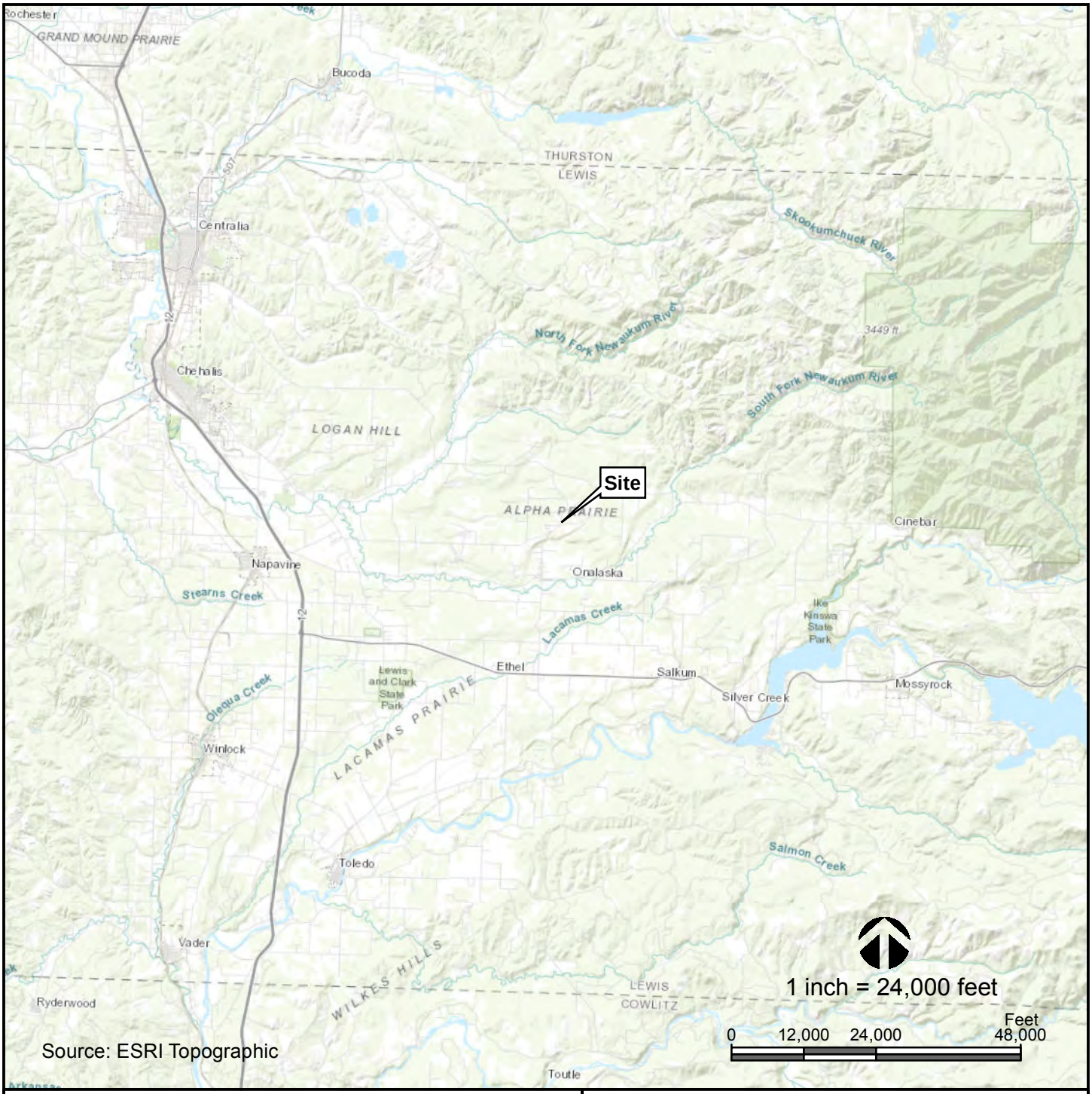
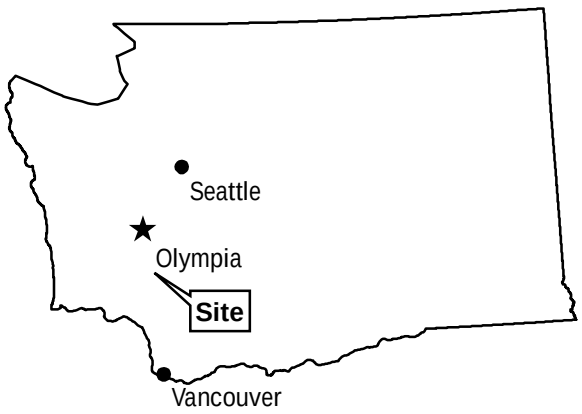
Table A-2. Key to Test Pit and Boring Log Symbols
Figures A1–A2. Logs for Borings B-3 and B-4

Attachment B: Laboratory Testing
Figure B1. Atterberg Limits Test Results

SC:RW:rg

Figures





VICINITY MAP

MIDDLE FORK NEWAUKUM RIVER CULVERT CHEHALIS, WASHINGTON

DATE: DEC 2018 · PROJECT:45013.000

PBS

FIGURE

1

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EXPLANATION

B-3 - Boring name and approximate location

SOURCES: Google Earth 2017 imagery, 20-foot contour interval, contours from USGS Onalaska, WA 7.5 minute quadrangle

1 inch = 100 feet

0 100 200'

SITE PLAN

MIDDLE FORK NEWAUKUM RIVER CULVERT
CHEHALIS, WASHINGTON

DATE: DEC 2018 · PROJECT: 45013.000

PBS

FIGURE
2

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Attachment A

Field Explorations

Table A-1
Terminology Used to Describe Soil

Soil Descriptions

Soils exist in mixtures with varying proportions of components. The predominant soil, i.e., greater than 50 percent based on total dry weight, is the primary soil type and is capitalized in our log descriptions (SAND, GRAVEL, SILT, or CLAY). Smaller percentages of other constituents in the soil mixture are indicated by use of modifier words in general accordance with the ASTM D2488-06 Visual-Manual Procedure. "General Accordance" means that certain local and common descriptive practices may have been followed. In accordance with ASTM D2488-06, group symbols (such as GP or CH) are applied on the portion of soil passing the 3-inch (75mm) sieve based on visual examination. The following describes the use of soil names and modifying terms used to describe fine- and coarse-grained soils.

Fine-Grained Soils (50% or greater fines passing 0.075 mm, No. 200 sieve)
The primary soil type, i.e., SILT or CLAY is designated through visual-manual procedures to evaluate soil toughness, dilatency, dry strength, and plasticity. The following outlines the terminology used to describe fine-grained soils, and varies from ASTM D2488 terminology in the use of some common terms.

Primary soil NAME, Symbols, and Adjectives			Plasticity Description	Plasticity Index (PI)
SILT (ML & MH)	**CLAY (CL & CH)**	**ORGANIC SOIL (OL & OH)**		
SILT		Organic SILT	Non-plastic	0 – 3
SILT		Organic SILT	Low plasticity	4 – 10
SILT/Elastic SILT	Lean CLAY	Organic SILT/ Organic CLAY	Medium Plasticity	10 – 20
Elastic SILT	Lean/Fat CLAY	Organic CLAY	High Plasticity	20 – 40
Elastic SILT	Fat CLAY	Organic CLAY	Very Plastic	>40

Modifying terms describing secondary constituents, estimated to 5 percent increments, are applied as follows:

Description	% Composition	
With Sand	% Sand ≥ % Gravel	15% to 25% plus No. 200
With Gravel	% Sand < % Gravel	
Sandy	% Sand ≥ % Gravel	≤30% to 50% plus No. 200
Gravelly	% Sand < % Gravel	

Borderline Symbols, for example CH/MH, are used when soils are not distinctly in one category or when variable soil units contain more than one soil type. **Dual Symbols,** for example CL-ML, are used when two symbols are required in accordance with ASTM D2488.

Soil Consistency terms are applied to fine-grained, plastic soils (i.e., PI ≥ 7). Descriptive terms are based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84, as follows. SILT soils with low to non-plastic behavior (i.e., PI < 7) may be classified using relative density.

Consistency Term	SPT N-value	Unconfined Compressive Strength	
		tsf	kPa
Very soft	Less than 2	Less than 0.25	Less than 24
Soft	2 – 4	0.25 – 0.5	24 – 48
Medium stiff	5 – 8	0.5 – 1.0	48 – 96
Stiff	9 – 15	1.0 – 2.0	96 – 192
Very stiff	16 – 30	2.0 – 4.0	192 – 383
Hard	Over 30	Over 4.0	Over 383

Soil Descriptions

Coarse - Grained Soils (less than 50% fines)

Coarse-grained soil descriptions, i.e., SAND or GRAVEL, are based on the portion of materials passing a 3-inch (75mm) sieve. Coarse-grained soil group symbols are applied in accordance with ASTM D2488-06 based on the degree of grading, or distribution of grain sizes of the soil. For example, well-graded sand containing a wide range of grain sizes is designated SW; poorly graded gravel, GP, contains high percentages of only certain grain sizes. Terms applied to grain sizes follow.

Material NAME	Particle Diameter	
	Inches	Millimeters
SAND (SW or SP)	0.003 – 0.19	0.075 – 4.8
GRAVEL (GW or GP)	0.19 – 3	4.8 – 75
Additional Constituents:		
Cobble	3 – 12	75 – 300
Boulder	12 – 120	300 – 3050

The primary soil type is capitalized, and the fines content in the soil are described as indicated by the following examples. Percentages are based on estimating amounts of fines, sand, and gravel to the nearest 5 percent. Other soil mixtures will have similar descriptive names.

Example: Coarse-Grained Soil Descriptions with Fines

>5% to < 15% fines (Dual Symbols)	≥15% to < 50% fines
Well graded GRAVEL with silt: GW-GM	Silty GRAVEL: GM
Poorly graded SAND with clay: SP-SC	Silty SAND: SM

Additional descriptive terminology applied to coarse-grained soils follow.

Example: Coarse-Grained Soil Descriptions with Other Coarse-Grained Constituents

Coarse-Grained Soil Containing Secondary Constituents	
With sand or with gravel	≥ 15% sand or gravel
With cobbles; with boulders	Any amount of cobbles or boulders.

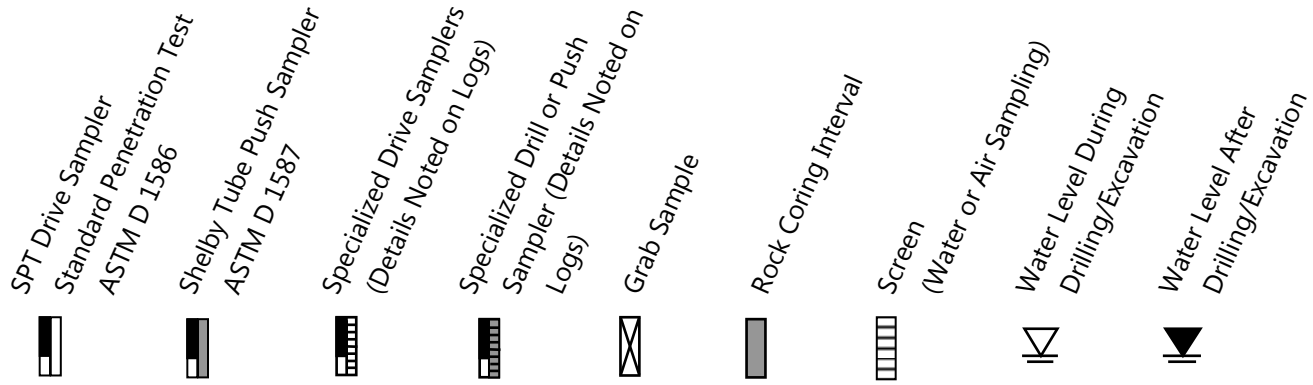
Cobble and boulder deposits may include a description of the matrix soils, as defined above.

Relative Density terms are applied to granular, non-plastic soils based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84.

Relative Density Term	SPT N-value
Very loose	0 – 4
Loose	5 – 10
Medium dense	11 – 30
Dense	31 – 50
Very dense	> 50

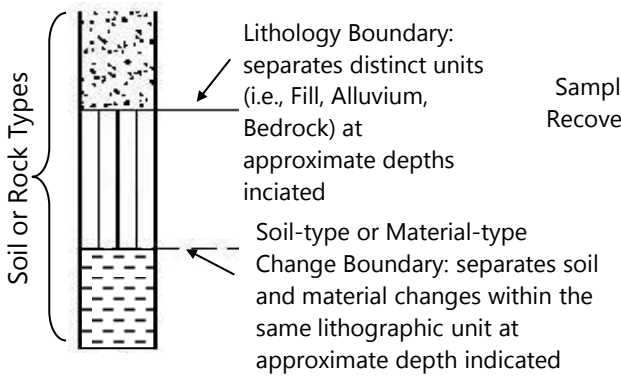
Table A-2
Key To Test Pit and Boring Log Symbols

SAMPLING DESCRIPTIONS

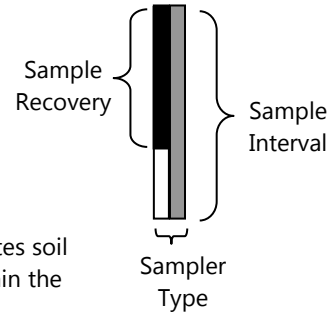


LOG GRAPHICS

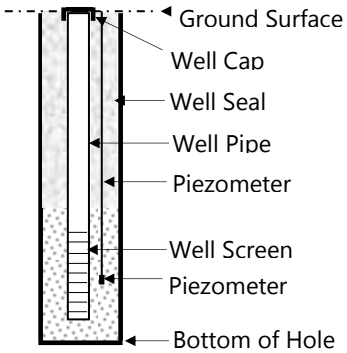
Soil and Rock



Sampling Symbols



Instrumentation Detail



Geotechnical Testing Acronym Explanations

PP	Pocket Penetrometer	HYD	Hydrometer Gradation
TOR	Torvane	SIEV	Sieve Gradation
DCP	Dynamic Cone Penetrometer	DS	Direct Shear
ATT	Atterberg Limits	DD	Dry Density
PL	Plasticity Limit	CBR	California Bearing Ratio
LL	Liquid Limit	RES	Resilient Modulus
PI	Plasticity Index	VS	Vane Shear
P200	Percent Passing US Standard No. 200 Sieve	bgs	Below ground surface
OC	Organic Content	MSL	Mean Sea Level
CON	Consolidation	HCL	Hydrochloric Acid
UC	Unconfined Compressive Strength		

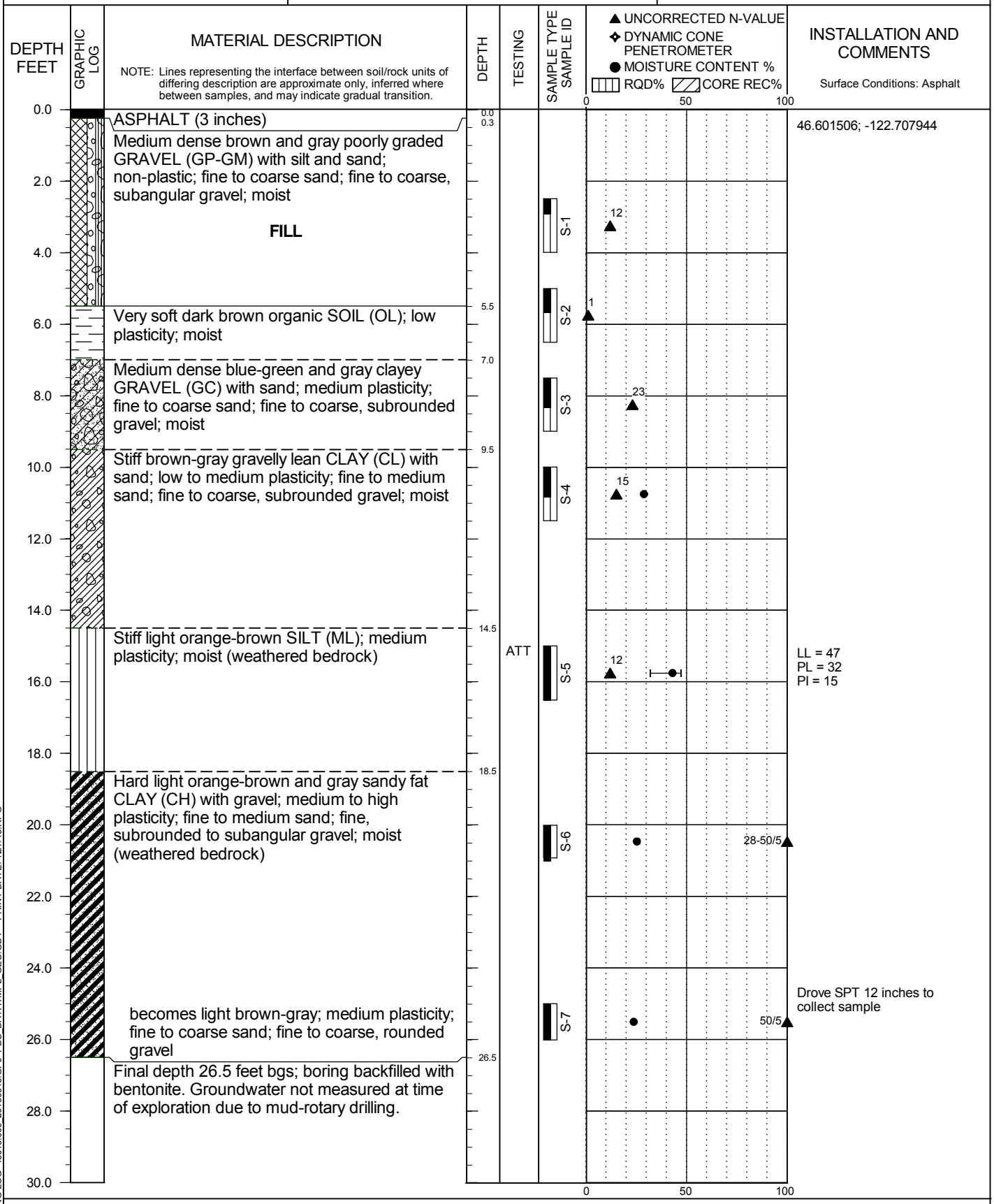
Details of soil and rock classification systems are available on request.

LEWIS COUNTY CULVERTS
CHEHALIS, WASHINGTON

BORING B-3

PBS PROJECT NUMBER:
45013.000

APPROX. BORING B-3 LOCATION:
Middle Fork Newaukum



BORING LOG 45013.000 20180918.GPJ PBS_DATATMPL_GEO.GDT PRINT DATE: 12/7/18 RPG

DRILLING METHOD: Mud Rotary - Tricone
DRILLED BY: Holt Services, Inc.
LOGGED BY: D. Eibert

BIT DIAMETER: 3 7/8 inches
HAMMER EFFICIENCY PERCENT: 83
LOGGING COMPLETED: 7/19/18

FIGURE A1

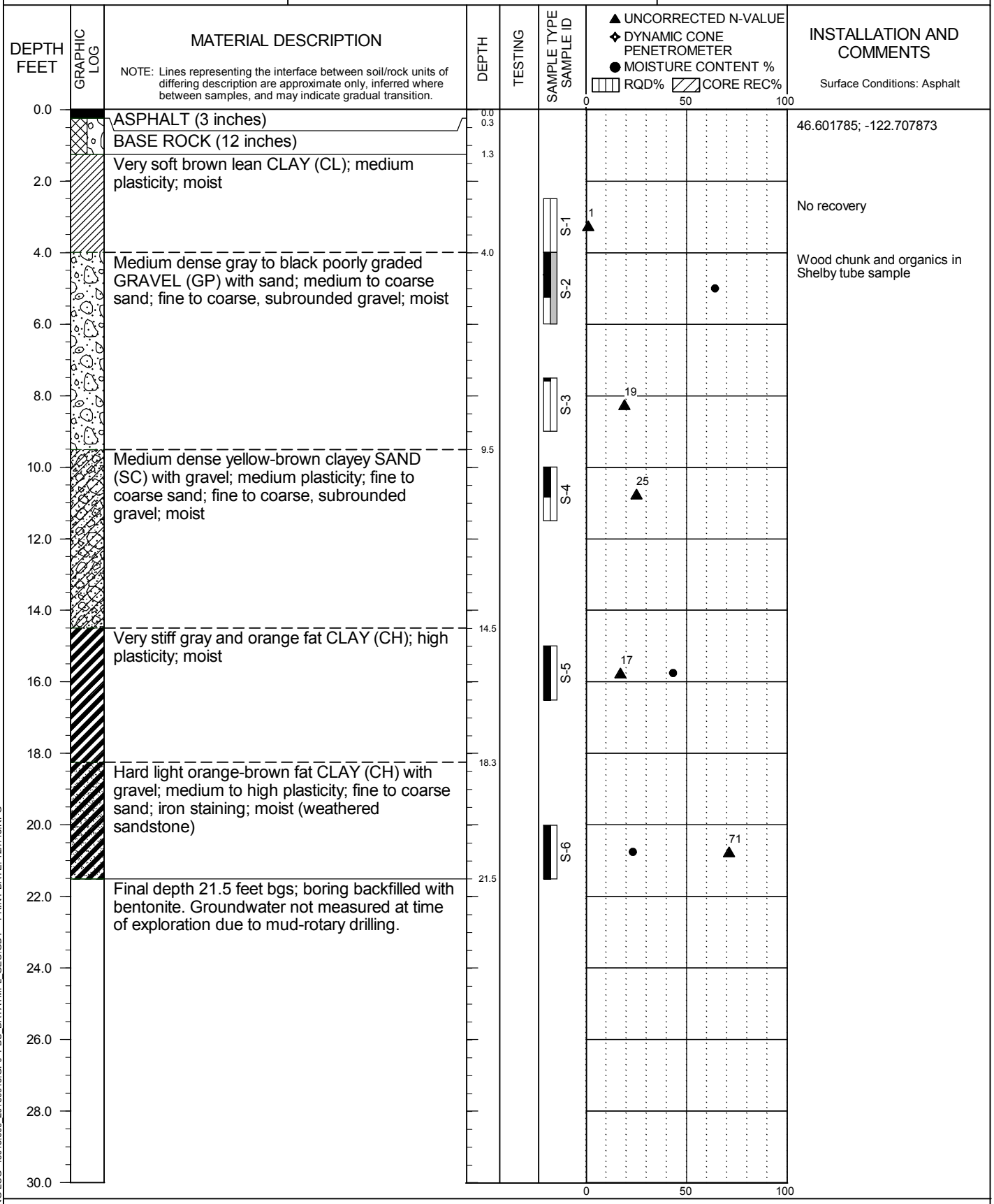
PBS

LEWIS COUNTY CULVERTS
CHEHALIS, WASHINGTON

PBS PROJECT NUMBER:
45013.000

BORING B-4

APPROX. BORING B-4 LOCATION:
Middle Fork Newaukum



DRILLING METHOD: Mud Rotary - Tricone
DRILLED BY: Holt Services, Inc.
LOGGED BY: D. Eibert

BIT DIAMETER: 3 7/8 inches
HAMMER EFFICIENCY PERCENT: 83
LOGGING COMPLETED: 7/19/18

FIGURE A2
Page 1 of 1

BORING LOG 45013.000 20180918.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 12/7/18 RPG

Attachment B

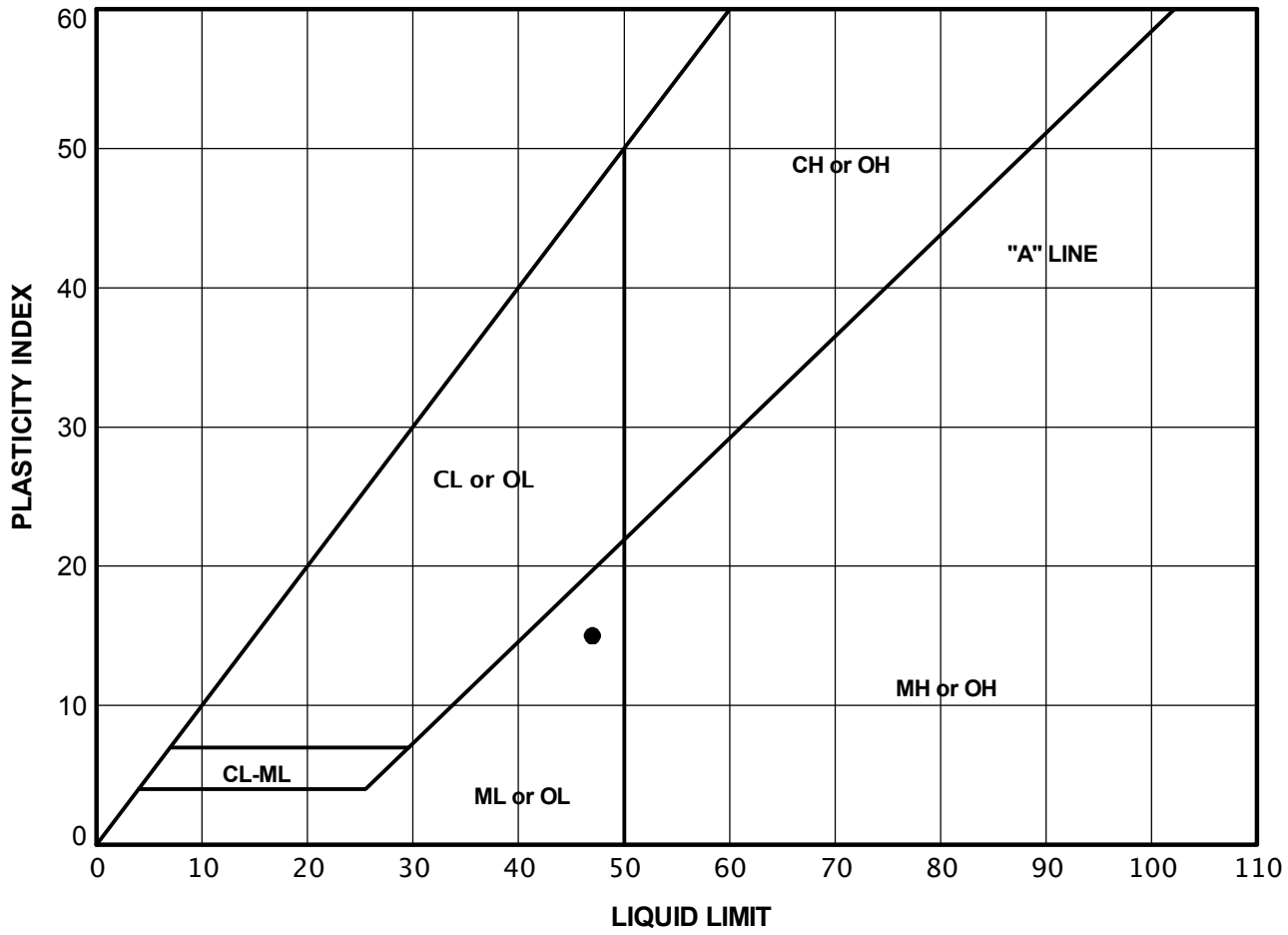
Laboratory Testing

ATTERBERG LIMITS TEST RESULTS

LEWIS COUNTY CULVERTS
CHEHALIS, WASHINGTON

PBS PROJECT NUMBER:
45013.000

TEST METHOD: ASTM D4318



KEY	EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	NATURAL MOISTURE CONTENT (PERCENT)	PERCENT PASSING NO. 40 SIEVE (PERCENT)	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX
●	B-3	S-5	15.0	42.9	NA	47	32	15

FIGURE B1
Page 1 of 1

APPENDIX F

PERMIT DOCUMENTS

General HPA Provisions

TIMING-PLANS-INVASIVE SPECIES CONTROL

1. Timing limitation: You may begin the project on _____ and you must complete the project by _____.
2. Timing limitation: Work below ordinary high water line must occur between July 1st and August 31st.
3. Department of Fish and Wildlife will notify you or your agent before conducting the inspection.
4. Approved plans: you must accomplish the work per plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, 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
5. Invasive species control: Follow Level 1 Decontamination protocol for low risk locations. Thoroughly remove visible dirt and organic debris from all equipment and gear (including drive mechanisms, wheels, tires, tracks, buckets and undercarriage) before arriving and leaving the job site to prevent the transport and introduction of invasive species. Properly dispose of any water and chemicals used to clean gear and equipment. For contaminated or high risk sites please refer to the Level 2 Decontamination protocol. You can find this and additional information in the Washington Department of Fish and Wildlife's "Invasive Species Management Protocols", available online athttps://wdfw.wa.gov/publications/01490/wdfw01490.pdf.

NOTIFICATION REQUIREMENTS

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.
7. Pre-, during, and post-construction notification: You, your agent, or contractor must contact the Washington Department of Fish and Wildlife by e-mail at HPAapplications@dfw.wa.gov; mail to Post Office Box 43234, Olympia, Washington 98504-3234; or fax to (360) 902-2946 at least three business days before starting work, one day before removing the temporary bypass 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 Protocols (November 2012), available online at http://wdfw.wa.gov/publications/01490/wdfw01490.pdf.

STAGING, JOB SITE ACCESS, AND EQUIPMENT

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

9. Clearly mark boundaries to establish the limit of work associated with site access and construction.
10. Limit the removal of bankline vegetation to the minimum amount needed to construct the project.
11. Retain all natural habitat features on the bed or banks including large woody material and boulders. You may move these natural habitat features during construction but you must place them near the preproject location before leaving the job site.
12. Confine the use of equipment to the specific access and work corridor shown in the approved plans.
13. Equipment used for this project may operate waterward of the ordinary high water line, provided the drive mechanisms (wheels, tracks, tires, etc.) do not enter or operate waterward of the ordinary high water line.
14. Check equipment daily for leaks and complete any required repairs in an upland location before using the equipment in or near the water.
15. Use environmentally acceptable lubricants composed of biodegradable base oils such as vegetable oils, synthetic esters, and polyalkylene glycols in equipment operated in or near the water.

CONSTRUCTION-RELATED SEDIMENT, EROSION, AND POLLUTION CONTAINMENT

16. Work in the dry watercourse (when no natural flow is occurring in the channel, or when flow is diverted around the job site).
17. Protect all disturbed areas from erosion. Maintain erosion and sediment control until all work and cleanup of the job site is complete.
18. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.
19. Straw used for erosion and sediment control, must be certified free of noxious weeds and their seeds.
20. Stop all hydraulic project activities except those needed to control erosion and siltation, if flow conditions arise that will result in erosion or siltation of waters of the state.
21. 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.
22. Route construction water (wastewater) from the project to an upland area above the limits of anticipated floodwater. Remove fine sediment and other contaminants before discharging the construction water to waters of the state.
23. 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.

CONSTRUCTION MATERIALS

24. Use only clean, suitable material as fill material (no trash, debris, car bodies, tires, asphalt, concrete, etc.)

IN-WATER WORK AREA ISOLATION USING BLOCK NETS

25. Isolate fish from the work area using block nets.

26. Install block nets at sites with reduced flow volume or velocity, uniform depth, and good accessibility.
27. Install block nets at an angle to the direction of flow (not perpendicular to the flow) to avoid entrapping fish in the nets.
28. After the first block net is secured at the upstream end, use a second block net to herd fish downstream and out of the project area.
29. Install a downstream block net if fish may reenter the work area from downstream.
30. To anchor block nets, place bags filled with clean round gravel along the bottom of the nets.
31. Secure block nets along both banks and the channel bottom to prevent failure from debris accumulation, high flows, and/or flanking
32. To keep fish out of the job site, leave block nets in place until the work is complete and conditions are suitable for fish.
33. Check block nets at least three times a day for entangled fish and accumulated debris.
34. Isolate pump hose intakes with block nets so that fish cannot get near the intake.

IN-WATER WORK AREA ISOLATION USING A TEMPORARY BYPASS

35. Use the least-impacting feasible method to temporarily bypass water from the work area. Consider the physical characteristics of the site and the anticipated volume of water flowing through the work area.
36. Isolate fish from the work area by using either a total or partial bypass to reroute the stream through a temporary channel or pipe.
37. Install a cofferdam or similar device at the upstream and downstream end of the bypass to prevent backwater from entering the work area.
38. Sequence the work to minimize the duration of dewatering
39. During all phases of bypass installation and decommissioning, maintain flows downstream of the project site to ensure survival of all downstream fish.
40. Return diverted water to the channel immediately downstream of the work area. Dissipate flow energy from the diversion to prevent scour or erosion of the channel and bank.
41. If the bypass is a pumped diversion, once started it must run continuously until it is no longer necessary to bypass flows. This requires back-up pumps on-site and twenty-four-hour monitoring for overnight operation.
42. If the diversion inlet is a pump diversion in a fish-bearing stream, the pump intake structure must have a fish screen installed, operated, and maintained in accordance with RCW 77.57.010 and 77.57.070. Screen the pump intake with one of the following:
    a.) Perforated plate: 0.094 inch (maximum opening diameter);
    b.) Profile bar: 0.069 inch (maximum width opening); or
    c.) Woven wire: 0.087 inch (maximum opening in the narrow direction).
    The minimum open area for all types of fish screens is twenty-seven percent. The screened intake facility must have enough surface area to ensure that the velocity through the screen is less than 0.4 feet per second. Maintain fish screens to prevent injury or entrapment of fish.
43. The fish screen must remain in place whenever water is withdrawn from the stream through the pump intake.

FISH LIFE REMOVAL

44. All persons participating in capture and removal must have training, knowledge, and skills in the safe handling of fish life.

45. If electrofishing is conducted, a person with electrofishing training must be on-site to conduct or direct all electrofishing activities.
46. Ensure block nets are placed upstream and downstream of the in-water work area before capturing and removing fish life.
47. Capture and safely move fish life from the work area to the nearest suitable free-flowing water.

CULVERT

48. Install and maintain the culvert to ensure unimpeded fish passage.
49. Establish the culvert invert elevation with reference point(s) or benchmark(s) created before to starting work on this project. Clearly mark and preserve the reference point(s) for post-project compliance. Before backfilling, confirm the invert elevation, as stated on the plans, relative to the reference points with at least a construction-grade leveling device (such as an optical auto-level or laser level).
50. Countersink the stream simulation culvert a minimum of thirty percent and a maximum of fifty percent of the culvert rise, but not less than two feet.
51. Size streambed material to mimic the stream's natural gradation as found in nearby reference channel reaches. Place a minimum of 24 inches deep of clean, rounded and well-graded (includes all size classes) material. Angular rock is not permitted within the channel or culvert.
52. The streambed must include a sinuous low-flow channel expected under common conditions in the reach and a high-flow bench on both sides of the culvert.
53. Protect structural fill associated with the culvert installation from erosion to the 100-year peak flow.
54. Approach material must be structurally stable and composed of material that if eroded into the water will not harm fish life.
55. The owner(s) must maintain the culvert to ensure it provides continued, unimpeded fish passage. If the culvert becomes a hindrance to fish passage, the owner must obtain an HPA and provide prompt repair.

DEMOBILIZATION AND CLEANUP

56. Upon completion of the project, restore the disturbed bed, banks, and riparian zone to preproject condition to the extent possible.
57. Completely remove any temporary fill before the end of the in-water timing window if the fill material could erode and deliver sediment-laden water into waters of the state.
58. To prevent fish from stranding, backfill trenches, depressions, and holes in the bed that may entrain fish during high water or wave action.
59. To minimize sediment delivery to the stream or stream channel, do not return in-stream flows to the work area until all in-channel work is completed and the bed and banks are stabilized.
60. Seed areas disturbed by construction activities with a native seed mix suitable for the site that has at least one quick-establishing plant species.
61. Replant the job site with the plant species composition and planting densities approved by the Washington Department of Fish and Wildlife.
62. 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.

63. Return water flow slowly to the in-water work area to prevent the downstream release of sediment laden water. If necessary, install silt fencing above the bypass outlet to capture sediment during re-watering of the channel.
64. Remove temporary erosion and sediment control methods after job site is stabilized or within three months of project completion, whichever is sooner.

US Army Corps of Engineers
Seattle District

NATIONWIDE PERMIT 3
Terms and Conditions

Effective Date: March 19, 2017

In addition to any special condition that may be required on a case-by-case basis by the District Engineer, the following terms and conditions must be met, as applicable, for a Nationwide Permit (NWP) authorization to be valid in Washington State.

A. DESCRIPTION OF AUTHORIZED ACTIVITIES

Maintenance. (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP also authorizes the removal of previously authorized structures or fills. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project. This NWP also authorizes the removal of accumulated sediment and debris within, and in the immediate vicinity of, the structure or fill. This NWP also authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays. (b) This NWP also authorizes the removal of accumulated sediments and debris outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.). The removal of sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an area that has no waters of the United States unless otherwise specifically approved by the district engineer under separate authorization. (c) This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction

sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. After conducting the maintenance activity, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate. (d) This NWP does not authorize maintenance dredging for the primary purpose of navigation. This NWP does not authorize beach restoration. This NWP does not authorize new stream channelization or stream relocation projects. Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 32). The pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Authorities: Section 10 of the Rivers and Harbors Act of 1899 and section 404 of the Clean Water Act (Sections 10 and 404)) Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act section 404(f) exemption for maintenance.

B. CORPS NATIONAL GENERAL CONDITIONS FOR ALL NWPs

To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation. (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. (b) If a proposed NWP

activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status. (c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

17. Tribal Rights. No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur. (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs. (e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word

"harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.
(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required. (g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied. (b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity

has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. (d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment. (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal: (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site). (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal. (c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. (d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)). (e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses. (f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation. (2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)). (3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation. (4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer

before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). (5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided. (6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs. (h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management. (i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

(Transferee)

_____

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include: (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions; (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and (c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will

request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is

large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals. (d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal. (2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes. (3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse

environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.
(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act. (5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

District Engineer's Decision: 1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (i.e., NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2-acre. 2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns. 3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or

for impacts to other types of waters (e.g., streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer. 4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

Further Information: 1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP. 2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law. 3. NWPs do not grant any property rights or exclusive privileges. 4. NWPs do not authorize any injury to the property or rights of others. 5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

C. CORPS SEATTLE DISTRICT REGIONAL GENERAL CONDITIONS: The following conditions apply to all NWPs for the Seattle District in Washington State, unless specified.

1. <u>Project Drawings</u>: Drawings must be submitted with pre-construction notification (PCN). Drawings must provide a clear understanding of the proposed project, and how waters of the U.S. will be affected. Drawings must be originals and not reduced copies of large-scale plans. Engineering drawings are not required. Existing and proposed site conditions (manmade and landscape features) must be drawn to scale.

2. Aquatic Resources Requiring Special Protection: Activities resulting in a loss of waters of the United States in mature forested wetlands, bogs and peatlands, aspen-dominated wetlands, alkali wetlands, vernal pools, camas prairie wetlands, estuarine wetlands, wetlands in coastal lagoons, and wetlands in dunal systems along the Washington coast cannot be authorized by a NWP, except by the following NWPs:

NWP 3 – Maintenance
NWP 20 – Response Operations for Oil and Hazardous Substances
NWP 32 – Completed Enforcement Actions
NWP 38 – Cleanup of Hazardous and Toxic Waste

In order to use one of the above-referenced NWPs in any of the aquatic resources requiring special protection, prospective permittees must submit a PCN to the Corps of Engineers (see NWP general condition 32) and obtain written authorization before commencing work.

3. New Bank Stabilization in Tidal Waters of Puget Sound: Activities involving new bank stabilization in tidal waters in Water Resource Inventory Areas (WRIAs) 8, 9, 10, 11 and 12 (within the areas identified on Figures 1a through 1e on Corps website) cannot be authorized by NWP.

4. Commencement Bay: The following NWPs may not be used to authorize activities located in the Commencement Bay Study Area (see Figure 2 on Corps website):

NWP 12 – Utility Line Activities (substations)
NWP 13 – Bank Stabilization
NWP 14 – Linear Transportation Projects
NWP 23 – Approved Categorical Exclusions
NWP 29 – Residential Developments
NWP 39 – Commercial and Institutional Developments
NWP 40 – Agricultural Activities
NWP 41 – Reshaping Existing Drainage Ditches
NWP 42 – Recreational Facilities
NWP 43 – Stormwater and Wastewater Management Facilities

5. Bank Stabilization: All projects including new or maintenance bank stabilization activities require PCN to the Corps of Engineers (see NWP general condition 32). For new bank stabilization projects only, the following must be submitted to the Corps of Engineers:

a. The cause of the erosion and the distance of any existing structures from the area(s) being stabilized.
b. The type and length of existing bank stabilization within 300 feet of the proposed project.
c. A description of current conditions and expected post-project conditions in the waterbody.
d. A statement describing how the project incorporates elements avoiding and minimizing adverse environmental effects to the aquatic environment and nearshore riparian area, including vegetation impacts in the waterbody.

In addition to a. through d., the results from any relevant geotechnical investigations can be submitted with the PCN if it describes current or expected conditions in the waterbody.

6. Crossings of Waters of the United States: Any project including installing, replacing, or modifying crossings of waters of the United States, such as culverts or bridges, requires submittal of a PCN to the Corps of Engineers (see NWP general condition 32). If a culvert is proposed to cross waters of the U.S. where salmonid species are present or could be present, the project must apply the stream simulation design method from the Washington Department of Fish and Wildlife located in the *Water Crossing Design Guidelines* (2013), or a design method which provides passage at all life stages at all flows where the salmonid species would naturally seek passage. If the stream simulation design method is not applied

for a culvert where salmonid species are present or could be present, the project proponent must provide a rationale in the PCN sufficient to establish one of the following:

a. The existence of extraordinary site conditions.
b. How the proposed design will provide equivalent or better fish passage and fisheries habitat benefits than the stream simulation design method.

If a culvert is proposed to cross waters of the U.S. where salmonid species are present or could be present, project proponents must provide a monitoring plan with the PCN that specifies how the proposed culvert will be assessed over a five-year period from the time of construction completion to ensure its effectiveness in providing passage at all life stages at all flows where the salmonid species would naturally seek passage. Culverts installed under emergency authorization that do not meet the above design criteria will be required to meet the above design criteria to receive an after-the-fact nationwide permit verification.

7. Stream Loss: A PCN is required for all activities that result in the loss of any linear feet of stream beds. No activity shall result in the loss of any linear feet of perennial stream beds or the loss of greater than 300 linear feet of intermittent and/or ephemeral stream beds. A stream may be rerouted if it is designed in a manner that maintains or restores hydrologic, ecologic, and geomorphic stream processes, provided there is not a reduction in the linear feet of stream bed. Streams include brooks, creeks, rivers, and historical waters of the U.S. that have been channelized into ditches. This condition does not apply to ditches constructed in uplands. Stream loss restrictions may be waived by the district engineer on a case-by-case basis provided the activities result in net increases of aquatic resource functions and services.

8. Mitigation: Pre-construction notification is required for any project that will result in permanent wetland losses that exceed 1,000 square feet. In addition to the requirements of General Condition 23 (Mitigation), compensatory mitigation at a minimum one-to-one ratio will be required for all permanent wetland losses that exceed 1,000 square feet. When a PCN is required for wetland losses less than 1,000 square feet, the Corps of Engineers may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation for impacts to marine waters, lakes, and streams will be determined on a case-by-case basis. If temporary impacts to waters of the U.S. exceed six months, the Corps of Engineers may require compensatory mitigation for temporal effects.

9. Magnuson-Stevens Fishery Conservation and Management Act – Essential Fish Habitat
Essential Fish Habitat (EFH) is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. If EFH may be adversely affected by a proposed activity, the prospective permittee must provide a written EFH assessment with an analysis of the effects of the proposed action on EFH. The assessment must identify the type(s) of essential fish habitat (i.e., Pacific salmon, groundfish, and/or coastal-pelagic species) that may be affected. If the Corps of Engineers determines the project will adversely affect EFH, consultation with NOAA Fisheries will be required. Federal agencies should follow their own procedures for complying with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act. If PCN is required for the proposed activity, Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

10. Forage Fish: For projects in forage fish spawning habitat, in-water work must occur within designated forage fish work windows, or when forage fish are not spawning. If working outside of a designated work window, or if forage fish work windows are closed year round, work may occur if the work window restriction is released for a period of time after a forage fish spawning survey has been conducted by a biologist approved by the Washington State Department of Fish and Wildlife (WDFW). Forage fish species with designated in-water work windows include Pacific sand lance (*Ammodytes hexapterus*), Pacific herring (*Clupea pallasi*), and surf smelt (*Hypomesus pretiosus*). This RGC does not

activities authorized under NWPs that will cause, or may be likely to cause or contribute to an exceedance of a State water quality standard (Chapter 173-201A WAC) or sediment management standard (Chapter 173-204 WAC). State water quality standards and sediment management standards are available on Ecology's website. Note: In-water activities include any activity within a wetland and/or activities below the ordinary high water mark (OHWM).

2. **Projects or Activities Discharging to Impaired Waters**. Ecology Section 401 review is required for projects or activities authorized under NWPs if the project or activity will occur in a 303(d) listed segment of a waterbody or upstream of a listed segment and may result in further exceedances of the specific listed parameter. To determine if your project or activity is in a 303(d) listed segment of a waterbody, visit Ecology's Water Quality Assessment webpage for maps and search tools.

3. **Application**. For projects or activities that will require Ecology Section 401 review, applicants must provide Ecology with a Joint Aquatic Resources Permit Application (JARPA) along with the documentation provided to the Corps, as described in National General Condition 32, Pre-Construction Notification, including, when applicable: (a) A description of the project, including site plans, project purpose, direct and indirect adverse environmental effects the project would cause, best management practices (BMPs), and any other Department of the Army or federal agency permits used or intended to be used to authorize any part of the proposed project or any related activity. (b) Drawings indicating the Ordinary High Water Mark (OHWM), delineation of special aquatic sites and other waters of the state. Wetland delineations must be prepared in accordance with the current method required by the Corps and shall include Ecology's Wetland Rating form. Wetland rating forms are subject to review and verification by Ecology staff. Guidance for determining the OHWM is available on Ecology's website. (c) A statement describing how the mitigation requirement will be satisfied. A conceptual or detailed mitigation or restoration plan may be submitted. See State General Condition 5 for details on mitigation requirements. (d) Other applicable requirements of Corps Nationwide Permit General Condition 32, Corps Regional Conditions, or notification conditions of the applicable NWP. (e) Within 180 calendar days from receipt of applicable documents noted above **and** a copy of the final authorization letter from the Corps providing coverage for a proposed project or activity under the NWP Program Ecology will provide the applicant notice of whether an individual Section 401 will be required for the project. If Ecology fails to act within a year after receipt of **both** of these documents, Section 401 is presumed waived.

4. **Aquatic resources requiring special protection**. Certain aquatic resources are unique, difficult-to-replace components of the aquatic environment in Washington State. Activities that would affect these resources must be avoided to the greatest extent possible. Compensating for adverse impacts to high value aquatic resources is typically difficult, prohibitively expensive, and may not be possible in some landscape settings. Ecology Section 401 review is required for activities in or affecting the following aquatic resources (and not prohibited by Seattle District Regional General Condition): (a) Wetlands with special characteristics (as defined in the Washington State Wetland Rating Systems for western and eastern Washington, Ecology Publications #14-06-029 and #14-06-030):

- Estuarine wetlands.
- Wetlands of High Conservation Value.
- Bogs.
- Old-growth and mature forested wetlands.
- Wetlands in coastal lagoons.
- Interdunal wetlands.
- Vernal pools.
- Alkali wetlands.

(b) Fens, aspen-dominated wetlands, camas prairie wetlands. (c) Marine water with eelgrass (*Zostera marina*) beds (except for NWP 48). (d) Category I wetlands. (e) Category II wetlands with a habitat score ≥ 8 points. This State General Condition does not apply to the following Nationwide Permits:

apply to NWP 48, *Commercial Shellfish Aquaculture Activities*. Please see specific regional conditions for NWP 48.

11. Notification of Permit Requirements: The permittee must provide a copy of the nationwide permit authorization letter, conditions, and permit drawings to all contractors and any other parties performing the authorized work prior to the commencement of any work in waters of the U.S. The permittee must ensure all appropriate contractors and any other parties performing the authorized work at the project site have read and understand relevant NWP conditions as well as plans, approvals, and documents referenced in the NWP letter. A copy of these documents must be maintained onsite throughout the duration of construction.

12. Construction Boundaries: Permittees must clearly mark all construction area boundaries before beginning work on projects that involve grading or placement of fill. Boundary markers and/or construction fencing must be maintained and clearly visible for the duration of construction. Permittees should avoid and minimize removal of native vegetation (including submerged aquatic vegetation) to the maximum extent possible.

13. Temporary Impacts and Site Restoration

a. Temporary impacts to waters of the U.S. must not exceed six months unless the prospective permittee requests and receives a waiver by the district engineer. Temporary impacts to waters of the U.S. must be identified in the PCN.
b. No more than 1/2 acre of waters of the U.S. may be temporarily filled unless the prospective permittee requests and receives a waiver from the district engineer (temporary fills do not affect specified limits for loss of waters associated with specific nationwide permits).
c. Native soils removed from waters of the U.S. for project construction should be stockpiled and used for site restoration. Restoration of temporarily disturbed areas must include returning the area to pre-project ground surface contours. If native soil is not available from the project site for restoration, suitable clean soil of the same textural class may be used. Other soils may be used only if identified in the PCN.
d. The permittee must revegetate disturbed areas with native plant species sufficient in number, spacing, and diversity to restore affected functions. A maintenance and monitoring plan commensurate with the impacts, may be required. Revegetation must begin as soon as site conditions allow within the same growing season as the disturbance unless the schedule is approved by the Corps of Engineers. Native plants removed from waters of the U.S. for project construction should be stockpiled and used for revegetation when feasible. Temporary Erosion and Sediment Control measures must be removed as soon as the area has established vegetation sufficient to control erosion and sediment.
e. If the Corps determines the project will result in temporary impacts of submerged aquatic vegetation (SAV) that are more than minimal, a monitoring plan must be submitted. If recovery is not achieved by the end of the monitoring period, contingencies must be implemented, and additional monitoring will be required.

This RGC does not apply to NWP 48, *Commercial Shellfish Aquaculture Activities*. Please see specific regional conditions for NWP 48.

D. CORPS REGIONAL SPECIFIC CONDITIONS FOR THIS NWP: none

E. ECOLOGY 401 CERTIFICATION: GENERAL CONDITIONS

In addition to all the Corps National and Seattle Districts' Regional permit conditions, the following State General Section 401 Water Quality Certification (Section 401) conditions apply to all Nationwide Permits whether **certified** or **partially certified** in the State of Washington.

1. **For in-water construction activities**. Ecology Section 401 review is required for projects or

5. Mitigation. Applicants are required to show that they have followed the mitigation sequence and have first avoided and minimized impacts to aquatic resources wherever practicable. For projects requiring Ecology Section 401 review with unavoidable impacts to aquatics resources, adequate compensatory mitigation must be provided.

(a) Wetland mitigation plans submitted for Ecology review and approval shall be based on the most current guidance provided in Wetland Mitigation in Washington State, Parts 1 and 2 (available on Ecology's website) and shall, at a minimum, include the following:

i. A description of the measures taken to avoid and minimize impacts to wetlands and other waters of the U.S.

ii. The nature of the proposed impacts (i.e., acreage of wetlands and functions lost or degraded).

iii. The rationale for the mitigation site that was selected.

iv. The goals and objectives of the compensatory mitigation project.

v. How the mitigation project will be accomplished, including construction sequencing, best management practices to protect water quality, proposed performance standards for measuring success and the proposed buffer widths.

vi. How it will be maintained and monitored to assess progress towards goals and objectives. Monitoring will generally be required for a minimum of five years. For forested and scrub-shrub wetlands, 10 years of monitoring will often be necessary.

vii. How the compensatory mitigation site will be legally protected for the long term.

Refer to Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans (Ecology Publication #06-06-011b) and Selecting Wetland Mitigation Sites Using a Watershed Approach (Ecology Publications #09-06-032 (Western Washington) and #10-06-007 (Eastern Washington)) for guidance on selecting suitable mitigation sites and developing mitigation plans. Ecology encourages the use of alternative mitigation approaches, including credit/debit methodology, advance mitigation, and other programmatic approach such as mitigation banks and in-lieu fee programs. If you are interested in proposing use of an alternative mitigation approach, consult with the appropriate Ecology regional staff person. Information on alternative mitigation approaches is available on Ecology's website.

(b) Mitigation for other aquatic resource impacts will be determined on a case-by-case basis.

6. Temporary Fills. Ecology Section 401 review is required for any project or activity with temporary fill in wetlands or other waters of the state for more than 90 days, unless the applicant has received written approval from Ecology. Note: This State General Condition does not apply to projects or activities authorized under NWP 33, *Temporary Construction, Access, and Dewatering*

7. Stormwater pollution prevention: All projects that involve land disturbance or impervious surfaces must implement stormwater pollution prevention or control measures to avoid discharge of pollutants in stormwater runoff to waters of the State.

(a) For land disturbances during construction, the applicant must obtain and implement permits (e.g., Construction Stormwater General Permit) where required and follow Ecology's current stormwater manual.

(b) Following construction, prevention or treatment of on-going stormwater runoff from impervious surfaces shall be provided.

Ecology's Stormwater Management and Design Manuals and stormwater permit information are available on Ecology's website.

8. State Section 401 Review for PCNs not receiving 45-day response from the Seattle District. In the event the Seattle District Corps does not issue a NWP authorization letter within 45 calendar days of receipt of a **complete** pre-construction notification, the applicant must contact Ecology for Section 401 review prior to commencing work.

F. ECOLOGY 401 CERTIFICATION: SPECIFIC CONDITIONS FOR THIS NWP:

Certified subject to conditions. Ecology Section 401 review is required for projects or activities authorized under this NWP if:

1. The project or activities are below the Ordinary High Water Mark (OHWM) with new work being proposed outside the original footprint.

2. The proposed project or activity increases the original footprint of the structure by more than 1/10th acre in wetlands.

3. The project or activity includes adding a new structure, such as a weir, flap gate/tide gate, or culvert to the site.

G. COASTAL ZONE MANAGEMENT CONSISTENCY RESPONSE FOR THIS NWP:
(Note: This is only applies in the following counties: Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Wahkiakum and Whatcom)

Response: Ecology concurs that this NWP is consistent with the CZMP, subject to the following condition: An individual Coastal Zone Management Consistency Determination is required for project or activities under this NWP if State Section 401 review is required.

General Conditions: For Non-Federal Permittees
1. Necessary Data and Information. A Coastal Zone Management Program "Certification of Consistency" form is required for projects located within a coastal county. "Certification of Consistency" forms are available on Ecology's website. The form shall include a description of the proposed project or activity and evidence of compliance with the applicable enforceable policies of the Washington Coastal Zone Management Program (CZMP). Also, a map of the site location is required.
2. Timing. Within 6 months from receipt of the necessary data and information, Ecology will provide a federal consistency determination for the proposed project or activity. If Ecology fails to act within the 6 month period, concurrence with the CZMP is presumed.

General Conditions: For Federal Permittees (Agencies)
1. Necessary Data and Information. Federal agencies shall submit the determination, information, and analysis required by 15 CFR 930.39 to obtain a federal consistency determination.
2. Timing. Within 60 days from receipt of the necessary data and information, Ecology will provide a federal consistency determination for the proposed project or activity. If Ecology fails to act within the 60 day period, concurrence with the CZMP is presumed.

US Army Corps of Engineers
Seattle District

NATIONWIDE PERMIT 14
Terms and Conditions

Effective Date: March 19, 2017

In addition to any special condition that may be required on a case-by-case basis by the District Engineer, the following terms and conditions must be met, as applicable, for a Nationwide Permit (NWP) authorization to be valid in Washington State.

A. DESCRIPTION OF AUTHORIZED ACTIVITIES

14. Linear Transportation Projects. Activities required for crossings of waters of the United States associated with the construction, expansion, modification, or improvement of linear transportation projects (e.g., roads, highways, railways, trails, airport runways, and taxiways) in waters of the United States. For linear transportation projects in non-tidal waters, the discharge cannot cause the loss of greater than 1/2-acre of waters of the United States. For linear transportation projects in tidal waters, the discharge cannot cause the loss of greater than 1/3-acre of waters of the United States. Any stream channel modification, including bank stabilization, is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

This NWP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the linear transportation project. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

This NWP cannot be used to authorize non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if: (1) the loss of waters of the United States exceeds 1/10-acre; or (2) there is a discharge in a special aquatic site, including wetlands. (See general condition 32.) (Authorities: Sections 10 and 404)

Note 1: For linear transportation projects crossing a single waterbody more than one time at separate and distant locations, or multiple waterbodies at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. Linear transportation projects must

comply with 33 CFR 330.6(d). Note 2: Some discharges for the construction of farm roads or forest roads, or temporary roads for moving mining equipment, may qualify for an exemption under section 404(f) of the Clean Water Act (see 33 CFR 323.4). Note 3: For NWP 14 activities that require pre-construction notification, the PCN must include any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings that require Department of the Army authorization but do not require pre-construction notification (see paragraph (b) of general condition 32). The district engineer will evaluate the PCN in accordance with Section D, "District Engineer's Decision." The district engineer may require mitigation to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see general condition 23).

B. CORPS NATIONAL GENERAL CONDITIONS FOR ALL NWPs

To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation. (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. (b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management

responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status. (c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

17. Tribal Rights. No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur. (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs. (e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required. (g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied. (b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer

determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. (d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment. (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal: (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum

extent practicable at the project site (i.e., on site). (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal. (c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. (d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)). (e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses. (f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation. (2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)). (3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation. (4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). (5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs

to address the baseline conditions at the impact site and the number of credits to be provided. (6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs. (h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management. (i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a

road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

(Transferee)

_____

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include: (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions; (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and (c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not

commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals. (d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal. (2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes. (3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame

concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5. (4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act. (5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

District Engineer's Decision: 1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (i.e., NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2-acre. 2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns. 3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters (e.g., streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than

minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer. 4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

Further Information: 1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP. 2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law. 3. NWPs do not grant any property rights or exclusive privileges. 4. NWPs do not authorize any injury to the property or rights of others. 5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

C. CORPS SEATTLE DISTRICT REGIONAL GENERAL CONDITIONS: The following conditions apply to all NWPs for the Seattle District in Washington State, unless specified.

1. <u>Project Drawings</u>: Drawings must be submitted with pre-construction notification (PCN). Drawings must provide a clear understanding of the proposed project, and how waters of the U.S. will be affected. Drawings must be originals and not reduced copies of large-scale plans. Engineering drawings are not required. Existing and proposed site conditions (manmade and landscape features) must be drawn to scale.

2. <u>Aquatic Resources Requiring Special Protection</u>: Activities resulting in a loss of waters of the United States in mature forested wetlands, bogs and peatlands, aspen-dominated wetlands, alkali

wetlands, vernal pools, camas prairie wetlands, estuarine wetlands, wetlands in coastal lagoons, and wetlands in dunal systems along the Washington coast cannot be authorized by a NWP, except by the following NWPs:

NWP 3 – Maintenance
NWP 20 – Response Operations for Oil and Hazardous Substances
NWP 32 – Completed Enforcement Actions
NWP 38 – Cleanup of Hazardous and Toxic Waste

In order to use one of the above-referenced NWPs in any of the aquatic resources requiring special protection, prospective permittees must submit a PCN to the Corps of Engineers (see NWP general condition 32) and obtain written authorization before commencing work.

3. New Bank Stabilization in Tidal Waters of Puget Sound: Activities involving new bank stabilization in tidal waters in Water Resource Inventory Areas (WRIAs) 8, 9, 10, 11 and 12 (within the areas identified on Figures 1a through 1e on Corps website) cannot be authorized by NWP.

4. Commencement Bay: The following NWPs may not be used to authorize activities located in the Commencement Bay Study Area (see Figure 2 on Corps website):

NWP 12 – Utility Line Activities (substations)
NWP 13 – Bank Stabilization
NWP 14 – Linear Transportation Projects
NWP 23 – Approved Categorical Exclusions
NWP 29 – Residential Developments
NWP 39 – Commercial and Institutional Developments
NWP 40 – Agricultural Activities
NWP 41 – Reshaping Existing Drainage Ditches
NWP 42 – Recreational Facilities
NWP 43 – Stormwater and Wastewater Management Facilities

5. Bank Stabilization: All projects including new or maintenance bank stabilization activities require PCN to the Corps of Engineers (see NWP general condition 32). For new bank stabilization projects only, the following must be submitted to the Corps of Engineers:

a. The cause of the erosion and the distance of any existing structures from the area(s) being stabilized.
b. The type and length of existing bank stabilization within 300 feet of the proposed project.
c. A description of current conditions and expected post-project conditions in the waterbody.
d. A statement describing how the project incorporates elements avoiding and minimizing adverse environmental effects to the aquatic environment and nearshore riparian area, including vegetation impacts in the waterbody.

In addition to a. through d., the results from any relevant geotechnical investigations can be submitted with the PCN if it describes current or expected conditions in the waterbody.

6. Crossings of Waters of the United States: Any project including installing, replacing, or modifying crossings of waters of the United States, such as culverts or bridges, requires submittal of a PCN to the Corps of Engineers (see NWP general condition 32). If a culvert is proposed to cross waters of the U.S. where salmonid species are present or could be present, the project must apply the stream simulation design method from the Washington Department of Fish and Wildlife located in the *Water Crossing Design Guidelines* (2013), or a design method which provides passage at all life stages at all flows where the salmonid species would naturally seek passage. If the stream simulation design method is not applied for a culvert where salmonid species are present or could be present, the project proponent must provide a rationale in the PCN sufficient to establish one of the following:

a. The existence of extraordinary site conditions.

b. How the proposed design will provide equivalent or better fish passage and fisheries habitat benefits than the stream simulation design method.

If a culvert is proposed to cross waters of the U.S. where salmonid species are present or could be present, project proponents must provide a monitoring plan with the PCN that specifies how the proposed culvert will be assessed over a five-year period from the time of construction completion to ensure its effectiveness in providing passage at all life stages at all flows where the salmonid species would naturally seek passage. Culverts installed under emergency authorization that do not meet the above design criteria will be required to meet the above design criteria to receive an after-the-fact nationwide permit verification.

7. Stream Loss: A PCN is required for all activities that result in the loss of any linear feet of stream beds. No activity shall result in the loss of any linear feet of perennial stream beds or the loss of greater than 300 linear feet of intermittent and/or ephemeral stream beds. A stream may be rerouted if it is designed in a manner that maintains or restores hydrologic, ecologic, and geomorphic stream processes, provided there is not a reduction in the linear feet of stream bed. Streams include brooks, creeks, rivers, and historical waters of the U.S. that have been channelized into ditches. This condition does not apply to ditches constructed in uplands. Stream loss restrictions may be waived by the district engineer on a case-by-case basis provided the activities result in net increases of aquatic resource functions and services.

8. Mitigation: Pre-construction notification is required for any project that will result in permanent wetland losses that exceed 1,000 square feet. In addition to the requirements of General Condition 23 (Mitigation), compensatory mitigation at a minimum one-to-one ratio will be required for all permanent wetland losses that exceed 1,000 square feet. When a PCN is required for wetland losses less than 1,000 square feet, the Corps of Engineers may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation for impacts to marine waters, lakes, and streams will be determined on a case-by-case basis. If temporary impacts to waters of the U.S. exceed six months, the Corps of Engineers may require compensatory mitigation for temporal effects.

9. Magnuson-Stevens Fishery Conservation and Management Act – Essential Fish Habitat

Essential Fish Habitat (EFH) is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. If EFH may be adversely affected by a proposed activity, the prospective permittee must provide a written EFH assessment with an analysis of the effects of the proposed action on EFH. The assessment must identify the type(s) of essential fish habitat (i.e., Pacific salmon, groundfish, and/or coastal-pelagic species) that may be affected. If the Corps of Engineers determines the project will adversely affect EFH, consultation with NOAA Fisheries will be required. Federal agencies should follow their own procedures for complying with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act. If PCN is required for the proposed activity, Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

10. Forage Fish: For projects in forage fish spawning habitat, in-water work must occur within designated forage fish work windows, or when forage fish are not spawning. If working outside of a designated work window, or if forage fish work windows are closed year round, work may occur if the work window restriction is released for a period of time after a forage fish spawning survey has been conducted by a biologist approved by the Washington State Department of Fish and Wildlife (WDFW). Forage fish species with designated in-water work windows include Pacific sand lance (*Ammodytes hexapterus*), Pacific herring (*Clupea pallasi*), and surf smelt (*Hypomesus pretiosus*). This RGC does not apply to NWP 48, *Commercial Shellfish Aquaculture Activities*. Please see specific regional conditions for NWP 48.

11. Notification of Permit Requirements: The permittee must provide a copy of the nationwide permit authorization letter, conditions, and permit drawings to all contractors and any other parties performing the authorized work prior to the commencement of any work in waters of the U.S. The permittee must ensure all appropriate contractors and any other parties performing the authorized work at the project site have read and understand relevant NWP conditions as well as plans, approvals, and documents referenced in the NWP letter. A copy of these documents must be maintained onsite throughout the duration of construction.

12. Construction Boundaries: Permittees must clearly mark all construction area boundaries before beginning work on projects that involve grading or placement of fill. Boundary markers and/or construction fencing must be maintained and clearly visible for the duration of construction. Permittees should avoid and minimize removal of native vegetation (including submerged aquatic vegetation) to the maximum extent possible.

13. Temporary Impacts and Site Restoration

a. Temporary impacts to waters of the U.S. must not exceed six months unless the prospective permittee requests and receives a waiver by the district engineer. Temporary impacts to waters of the U.S. must be identified in the PCN.
b. No more than 1/2 acre of waters of the U.S. may be temporarily filled unless the prospective permittee requests and receives a waiver from the district engineer (temporary fills do not affect specified limits for loss of waters associated with specific nationwide permits).
c. Native soils removed from waters of the U.S. for project construction should be stockpiled and used for site restoration. Restoration of temporarily disturbed areas must include returning the area to pre-project ground surface contours. If native soil is not available from the project site for restoration, suitable clean soil of the same textural class may be used. Other soils may be used only if identified in the PCN.
d. The permittee must revegetate disturbed areas with native plant species sufficient in number, spacing, and diversity to restore affected functions. A maintenance and monitoring plan commensurate with the impacts, may be required. Revegetation must begin as soon as site conditions allow within the same growing season as the disturbance unless the schedule is approved by the Corps of Engineers. Native plants removed from waters of the U.S. for project construction should be stockpiled and used for revegetation when feasible. Temporary Erosion and Sediment Control measures must be removed as soon as the area has established vegetation sufficient to control erosion and sediment.
e. If the Corps determines the project will result in temporary impacts of submerged aquatic vegetation (SAV) that are more than minimal, a monitoring plan must be submitted. If recovery is not achieved by the end of the monitoring period, contingencies must be implemented, and additional monitoring will be required.

This RGC does not apply to NWP 48, *Commercial Shellfish Aquaculture Activities*. Please see specific regional conditions for NWP 48.

D. CORPS REGIONAL SPECIFIC CONDITIONS FOR THIS NWPS:

1. Private residential driveways in waters of the U.S. with footprints wider than 22 feet or longer than 200 feet are not authorized by this NWP. For this requirement, "footprint" refers to the bottom width of the roadway fill prism.

2. A pre-construction notification must be submitted to the district engineer (see NWP general condition 32) for linear transportation project crossings in tidal waters.

E. ECOLOGY 401 CERTIFICATION: GENERAL CONDITIONS

In addition to all the Corps National and Seattle Districts' Regional permit conditions, the following State General Section 401 Water Quality Certification (Section 401) conditions apply to all Nationwide Permits whether **certified** or **partially certified** in the State of Washington.

1. **For in-water construction activities**. Ecology Section 401 review is required for projects or activities authorized under NWPs that will cause, or may be likely to cause or contribute to an exceedance of a State water quality standard (Chapter 173-201A WAC) or sediment management standard (Chapter 173-204 WAC). State water quality standards and sediment management standards are available on Ecology's website. Note: In-water activities include any activity within a wetland and/or activities below the ordinary high water mark (OHWM).

2. **Projects or Activities Discharging to Impaired Waters**. Ecology Section 401 review is required for projects or activities authorized under NWPs if the project or activity will occur in a 303(d) listed segment of a waterbody or upstream of a listed segment and may result in further exceedances of the specific listed parameter. To determine if your project or activity is in a 303(d) listed segment of a waterbody, visit Ecology's Water Quality Assessment webpage for maps and search tools.

3. **Application**. For projects or activities that will require Ecology Section 401 review, applicants must provide Ecology with a Joint Aquatic Resources Permit Application (JARPA) along with the documentation provided to the Corps, as described in National General Condition 32, Pre-Construction Notification, including, when applicable: (a) A description of the project, including site plans, project purpose, direct and indirect adverse environmental effects the project would cause, best management practices (BMPs), and any other Department of the Army or federal agency permits used or intended to be used to authorize any part of the proposed project or any related activity. (b) Drawings indicating the Ordinary High Water Mark (OHWM), delineation of special aquatic sites and other waters of the state. Wetland delineations must be prepared in accordance with the current method required by the Corps and shall include Ecology's Wetland Rating form. Wetland rating forms are subject to review and verification by Ecology staff. Guidance for determining the OHWM is available on Ecology's website. (c) A statement describing how the mitigation requirement will be satisfied. A conceptual or detailed mitigation or restoration plan may be submitted. See State General Condition 5 for details on mitigation requirements. (d) Other applicable requirements of Corps Nationwide Permit General Condition 32, Corps Regional Conditions, or notification conditions of the applicable NWP. (e) Within 180 calendar days from receipt of applicable documents noted above **and** a copy of the final authorization letter from the Corps providing coverage for a proposed project or activity under the NWP Program Ecology will provide the applicant notice of whether an individual Section 401 will be required for the project. If Ecology fails to act within a year after receipt of **both** of these documents, Section 401 is presumed waived.

4. **Aquatic resources requiring special protection**. Certain aquatic resources are unique, difficult-to-replace components of the aquatic environment in Washington State. Activities that would affect these resources must be avoided to the greatest extent possible. Compensating for adverse impacts to high value aquatic resources is typically difficult, prohibitively expensive, and may not be possible in some landscape settings. Ecology Section 401 review is required for activities in or affecting the following aquatic resources (and not prohibited by Seattle District Regional General Condition): (a) Wetlands with special characteristics (as defined in the Washington State Wetland Rating Systems for western and eastern Washington, Ecology Publications #14-06-029 and #14-06-030):

- Estuarine wetlands.
- Wetlands of High Conservation Value.
- Bogs.
- Old-growth and mature forested wetlands.
- Wetlands in coastal lagoons.
- Interdunal wetlands.

- Vernal pools.
- Alkali wetlands.

(b) Fens, aspen-dominated wetlands, camas prairie wetlands. (c) Marine water with eelgrass (*Zostera marina*) beds (except for NWP 48). (d) Category I wetlands. (e) Category II wetlands with a habitat score ≥ 8 points. This State General Condition does not apply to the following Nationwide Permits: NWP 20 – *Response Operations for Oil and Hazardous Substances,* NWP 32 – *Completed Enforcement Actions*

5. Mitigation. Applicants are required to show that they have followed the mitigation sequence and have first avoided and minimized impacts to aquatic resources wherever practicable. For projects requiring Ecology Section 401 review with unavoidable impacts to aquatics resources, adequate compensatory mitigation must be provided.

(a) Wetland mitigation plans submitted for Ecology review and approval shall be based on the most current guidance provided in Wetland Mitigation in Washington State, Parts 1 and 2 (available on Ecology's website) and shall, at a minimum, include the following:

i. A description of the measures taken to avoid and minimize impacts to wetlands and other waters of the U.S.

ii. The nature of the proposed impacts (i.e., acreage of wetlands and functions lost or degraded).

iii. The rationale for the mitigation site that was selected.

iv. The goals and objectives of the compensatory mitigation project.

v. How the mitigation project will be accomplished, including construction sequencing, best management practices to protect water quality, proposed performance standards for measuring success and the proposed buffer widths.

vi. How it will be maintained and monitored to assess progress towards goals and objectives. Monitoring will generally be required for a minimum of five years. For forested and scrub-shrub wetlands, 10 years of monitoring will often be necessary.

vii. How the compensatory mitigation site will be legally protected for the long term.

Refer to Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans (Ecology Publication #06-06-011b) and Selecting Wetland Mitigation Sites Using a Watershed Approach (Ecology Publications #09-06-032 (Western Washington) and #10-06-007 (Eastern Washington)) for guidance on selecting suitable mitigation sites and developing mitigation plans. Ecology encourages the use of alternative mitigation approaches, including credit/debit methodology, advance mitigation, and other programmatic approach such as mitigation banks and in-lieu fee programs. If you are interested in proposing use of an alternative mitigation approach, consult with the appropriate Ecology regional staff person. Information on alternative mitigation approaches is available on Ecology's website.

(b) Mitigation for other aquatic resource impacts will be determined on a case-by-case basis.

6. Temporary Fills. Ecology Section 401 review is required for any project or activity with temporary fill in wetlands or other waters of the state for more than 90 days, unless the applicant has received written approval from Ecology. Note: This State General Condition does not apply to projects or activities authorized under NWP 33, *Temporary Construction, Access, and Dewatering*

7. Stormwater pollution prevention: All projects that involve land disturbance or impervious surfaces must implement stormwater pollution prevention or control measures to avoid discharge of pollutants in stormwater runoff to waters of the State.

(a) For land disturbances during construction, the applicant must obtain and implement permits (e.g., Construction Stormwater General Permit) where required and follow Ecology's current stormwater manual.

(b) Following construction, prevention or treatment of on-going stormwater runoff from impervious surfaces shall be provided.

Ecology's Stormwater Management and Design Manuals and stormwater permit information are available on Ecology's website.

8. State Section 401 Review for PCNs not receiving 45-day response from the Seattle District. In the event the Seattle District Corps does not issue a NWP authorization letter within 45 calendar days of receipt of a **complete** pre-construction notification, the applicant must contact Ecology for Section 401 review prior to commencing work.

F. ECOLOGY 401 CERTIFICATION: SPECIFIC CONDITIONS FOR THIS NWP:

Certified subject to conditions. Ecology Section 401 review is required for projects or activities authorized under this NWP if:

1. The project or activity impacts more than more than 1/3 acre of waters of the state.

2. The project includes fill related to a residential and/or commercial development.

3. The project or activity is in or adjoining a known contaminated or cleanup site.

G. COASTAL ZONE MANAGEMENT CONSISTENCY RESPONSE FOR THIS NWP:
(Note: This is only applies in the following counties: Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Wahkiakum and Whatcom)

Response: Ecology concurs that this NWP is consistent with the CZMP, subject to the following condition: An individual Coastal Zone Management Consistency Determination is required for project or activities under this NWP if State Section 401 review is required.

General Conditions: For Non-Federal Permittees
1. Necessary Data and Information. A Coastal Zone Management Program "Certification of Consistency" form is required for projects located within a coastal county. "Certification of Consistency" forms are available on Ecology's website. The form shall include a description of the proposed project or activity and evidence of compliance with the applicable enforceable policies of the Washington Coastal Zone Management Program (CZMP). Also, a map of the site location is required.
2. Timing. Within 6 months from receipt of the necessary data and information, Ecology will provide a federal consistency determination for the proposed project or activity. If Ecology fails to act within the 6 month period, concurrence with the CZMP is presumed.

General Conditions: For Federal Permittees (Agencies)
1. Necessary Data and Information. Federal agencies shall submit the determination, information, and analysis required by 15 CFR 930.39 to obtain a federal consistency determination.
2. Timing. Within 60 days from receipt of the necessary data and information, Ecology will provide a federal consistency determination for the proposed project or activity. If Ecology fails to act within the 60 day period, concurrence with the CZMP is presumed.

US Army Corps of Engineers ®
Seattle District

NATIONWIDE PERMIT 27
Terms and Conditions

Effective Date: March 19, 2017

In addition to any special condition that may be required on a case-by-case basis by the District Engineer, the following terms and conditions must be met, as applicable, for a Nationwide Permit (NWP) authorization to be valid in Washington State.

A. DESCRIPTION OF AUTHORIZED ACTIVITIES

27. Aquatic Habitat Restoration, Enhancement, and Establishment Activities. Activities in waters of the United States associated with the restoration, enhancement, and establishment of tidal and non-tidal wetlands and riparian areas, the restoration and enhancement of non-tidal streams and other non-tidal open waters, and the rehabilitation or enhancement of tidal streams, tidal wetlands, and tidal open waters, provided those activities result in net increases in aquatic resource functions and services.

To be authorized by this NWP, the aquatic habitat restoration, enhancement, or establishment activity must be planned, designed, and implemented so that it results in aquatic habitat that resembles an ecological reference. An ecological reference may be based on the characteristics of an intact aquatic habitat or riparian area of the same type that exists in the region. An ecological reference may be based on a conceptual model developed from regional ecological knowledge of the target aquatic habitat type or riparian area.

To the extent that a Corps permit is required, activities authorized by this NWP include, but are not limited to: the removal of accumulated sediments; the installation, removal, and maintenance of small water control structures, dikes, and berms, as well as discharges of dredged or fill material to restore appropriate stream channel configurations after small water control structures, dikes, and berms, are removed; the installation of current deflectors; the enhancement, rehabilitation, or re-establishment of riffle and pool stream structure; the placement of in-stream habitat structures; modifications of the stream bed and/or banks to enhance, rehabilitate, or re-establish stream meanders; the removal of stream barriers, such as undersized culverts, fords, and grade control structures; the backfilling of artificial channels; the removal of existing drainage structures, such as drain tiles, and the filling, blocking, or reshaping of drainage ditches to restore wetland hydrology; the installation of structures or fills necessary to restore or enhance wetland or stream hydrology; the construction of small nesting islands; the construction of open water areas; the construction of oyster habitat over unvegetated bottom in tidal waters; shellfish seeding; activities needed to reestablish vegetation, including plowing or discing for seed bed preparation and the planting of appropriate wetland species; re-establishment of submerged aquatic vegetation in areas where those plant communities previously existed; re-establishment of tidal wetlands in tidal waters where those wetlands previously existed; mechanized land clearing to remove non-native invasive, exotic, or nuisance vegetation; and other related activities. Only native plant species should be planted at the site.

This NWP authorizes the relocation of non-tidal waters, including non-tidal wetlands and streams, on the project site provided there are net increases in aquatic resource functions and services. Except for the relocation of non-tidal waters on the project site, this NWP does not authorize the conversion of a stream or natural wetlands to another aquatic habitat type (e.g., the conversion of a stream to wetland or vice versa) or uplands. Changes in wetland plant communities that occur when wetland hydrology is more fully restored during wetland rehabilitation activities are not considered a conversion to another aquatic habitat type. This NWP does not authorize stream channelization. This NWP does not authorize the relocation of tidal waters or the conversion of tidal waters, including tidal wetlands, to other aquatic uses, such as the conversion of tidal wetlands into open water impoundments. Compensatory mitigation is not required for activities authorized by this NWP since these activities must result in net increases in aquatic resource functions and services.

Reversion. For enhancement, restoration, and establishment activities conducted: (1) In accordance with the terms and conditions of a binding stream or wetland enhancement or restoration agreement, or a wetland establishment agreement, between the landowner and the U.S. Fish and Wildlife Service (FWS), the Natural Resources Conservation Service (NRCS), the Farm Service Agency (FSA), the National Marine Fisheries Service (NMFS), the National Ocean Service (NOS), U.S. Forest Service (USFS), or their designated state cooperating agencies; (2) as voluntary wetland restoration, enhancement, and establishment actions documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or (3) on reclaimed surface coal mine lands, in accordance with a Surface Mining Control and Reclamation Act permit issued by the Office of Surface Mining Reclamation and Enforcement (OSMRE) or the applicable state agency, this NWP also authorizes any future discharge of dredged or fill material associated with the reversion of the area to its documented prior condition and use (i.e., prior to the restoration, enhancement, or establishment activities). The reversion must occur within five years after expiration of a limited term wetland restoration or establishment agreement or permit, and is authorized in these circumstances even if the discharge occurs after this NWP expires. The five-year reversion limit does not apply to agreements without time limits reached between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS, or an appropriate state cooperating agency. This NWP also authorizes discharges of dredged or fill material in waters of the United States for the reversion of wetlands that were restored, enhanced, or established on prior-converted cropland or on uplands, in accordance with a binding agreement between the landowner and NRCS, FSA, FWS, or their designated state cooperating agencies (even though the restoration, enhancement, or establishment activity did not require a section 404 permit). The prior condition will be documented in the original agreement or permit, and the determination of return to prior conditions will be made by the Federal agency or appropriate state agency executing the agreement or permit. Before conducting any reversion activity the permittee or the appropriate Federal or state agency must notify the district engineer and include the documentation of the prior condition. Once an area has reverted to its prior physical condition, it will be subject to whatever the Corps Regulatory requirements are applicable to that type of land at the time. The requirement that the activity results in a net increase in aquatic resource functions and services does not apply to reversion activities meeting the above conditions. Except for the activities described above, this NWP does not authorize any future discharge of dredged or fill material associated with the reversion of the area to its prior condition. In such cases a separate permit would be required for any reversion.

Reporting. For those activities that do not require pre-construction notification, the permittee must submit to the district engineer a copy of: (1) The binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement, or a project description, including project plans and location map; (2) the NRCS or USDA Technical Service Provider documentation for the voluntary stream enhancement or restoration action or wetland restoration, enhancement, or establishment action; or (3) the SMCRA permit issued by OSMRE or the applicable state agency. The report must also include information on baseline ecological conditions on the project site, such as a delineation of wetlands, streams, and/or other aquatic habitats. These documents must be submitted to the district

engineer at least 30 days prior to commencing activities in waters of the United States authorized by this NWP.

Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing any activity (see general condition 32), except for the following activities: (1) Activities conducted on non-Federal public lands and private lands, in accordance with the terms and conditions of a binding stream enhancement or restoration agreement or wetland enhancement, restoration, or establishment agreement between the landowner and the FWS, NRCS, FSA, NMFS, NOS, USFS or their designated state cooperating agencies; (2) Voluntary stream or wetland restoration or enhancement action, or wetland establishment action, documented by the NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; or (3) The reclamation of surface coal mine lands, in accordance with an SMCRA permit issued by the OSMRE or the applicable state agency. However, the permittee must submit a copy of the appropriate documentation to the district engineer to fulfill the reporting requirement. (Authorities: Sections 10 and 404) Note: This NWP can be used to authorize compensatory mitigation projects, including mitigation banks and in-lieu fee projects. However, this NWP does not authorize the reversion of an area used for a compensatory mitigation project to its prior condition, since compensatory mitigation is generally intended to be permanent.

B. CORPS NATIONAL GENERAL CONDITIONS FOR ALL NWPs

To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as applicable, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Every person who may wish to obtain permit authorization under one or more NWPs, or who is currently relying on an existing or prior permit authorization under one or more NWPs, has been and is on notice that all of the provisions of 33 CFR 330.1 through 330.6 apply to every NWP authorization. Note especially 33 CFR 330.5 relating to the modification, suspension, or revocation of any NWP authorization.

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation. (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. (c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless culvert cannot be used, then the crossing should be designed and constructed to minimize adverse effects to aquatic life movements.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. (a) No NWP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible

inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. (b) If a proposed NWP activity will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the permittee must submit a pre-construction notification (see general condition 32). The district engineer will coordinate the PCN with the Federal agency with direct management responsibility for that river. The permittee shall not begin the NWP activity until notified by the district engineer that the Federal agency with direct management responsibility for that river has determined in writing that the proposed NWP activity will not adversely affect the Wild and Scenic River designation or study status. (c) Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

17. Tribal Rights. No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur. (b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. If pre-construction notification is required for the proposed activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed activity or that utilize the designated critical habitat that might be affected by the proposed activity. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the activity, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification that the proposed activity will have "no effect" on listed species or critical habitat, or until ESA section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific permit conditions to the NWPs. (e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take"

provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.
(f) If the non-federal permittee has a valid ESA section 10(a)(1)(B) incidental take permit with an approved Habitat Conservation Plan for a project or a group of projects that includes the proposed NWP activity, the non-federal applicant should provide a copy of that ESA section 10(a)(1)(B) permit with the PCN required by paragraph (c) of this general condition. The district engineer will coordinate with the agency that issued the ESA section 10(a)(1)(B) permit to determine whether the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation conducted for the ESA section 10(a)(1)(B) permit. If that coordination results in concurrence from the agency that the proposed NWP activity and the associated incidental take were considered in the internal ESA section 7 consultation for the ESA section 10(a)(1)(B) permit, the district engineer does not need to conduct a separate ESA section 7 consultation for the proposed NWP activity. The district engineer will notify the non-federal applicant within 45 days of receipt of a complete pre-construction notification whether the ESA section 10(a)(1)(B) permit covers the proposed NWP activity or whether additional ESA section 7 consultation is required. (g) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the FWS and NMFS or their world wide web pages at http://www.fws.gov/ or http://www.fws.gov/ipac and http://www.nmfs.noaa.gov/pr/species/esa/ respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (a) In cases where the district engineer determines that the activity may have the potential to cause effects to properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied. (b) Federal permittees should follow their own procedures for complying with the requirements of section 106 of the National Historic Preservation Act. If pre-construction notification is required for the proposed NWP activity, the Federal permittee must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will verify that the appropriate documentation has been submitted. If the appropriate documentation is not submitted, then additional consultation under section 106 may be necessary. The respective federal agency is responsible for fulfilling its obligation to comply with section 106. (c) Non-federal permittees must submit a pre-construction notification to the district engineer if the NWP activity might have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties might have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of, or potential for, the presence of historic properties can be sought from the State Historic Preservation Officer, Tribal Historic Preservation Officer, or designated tribal representative, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out

appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted in the PCN and these identification efforts, the district engineer shall determine whether the proposed NWP activity has the potential to cause effects on the historic properties. Section 106 consultation is not required when the district engineer determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). Section 106 consultation is required when the district engineer determines that the activity has the potential to cause effects on historic properties. The district engineer will conduct consultation with consulting parties identified under 36 CFR 800.2(c) when he or she makes any of the following effect determinations for the purposes of section 106 of the NHPA: no historic properties affected, no adverse effect, or adverse effect. Where the non-Federal applicant has identified historic properties on which the activity might have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects to historic properties or that NHPA section 106 consultation has been completed. (d) For non-federal permittees, the district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA section 106 consultation is required. If NHPA section 106 consultation is required, the district engineer will notify the non-Federal applicant that he or she cannot begin the activity until section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps. (e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment. (a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. (b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, 38, and 54, notification is required in accordance with general condition 32, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district

engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal: (a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site). (b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the individual and cumulative adverse environmental effects are no more than minimal. (c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse environmental effects of the proposed activity are no more than minimal, and provides an activity-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in only minimal adverse environmental effects. (d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation to ensure that the activity results in no more than minimal adverse environmental effects. Compensatory mitigation for losses of streams should be provided, if practicable, through stream rehabilitation, enhancement, or preservation, since streams are difficult-to-replace resources (see 33 CFR 332.3(e)(3)). (e) Compensatory mitigation plans for NWP activities in or near streams or other open waters will normally include a requirement for the restoration or enhancement, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, the restoration or maintenance/protection of riparian areas may be the only compensatory mitigation required. Restored riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to restore or maintain/protect a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or maintaining/protecting a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of minimization or compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses. (f) Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in no more than minimal adverse environmental effects. For the NWPs, the preferred mechanism for providing compensatory mitigation is mitigation bank credits or in-lieu fee program credits (see 33 CFR 332.3(b)(2) and (3)). However, if an appropriate number and type of mitigation bank or in-lieu credits are not available at the time the PCN is submitted to the district engineer, the district engineer may approve the use of permittee-responsible mitigation. (2) The amount of compensatory mitigation required by the district engineer must be sufficient to ensure that the authorized activity results in no more than minimal individual and cumulative adverse environmental effects (see 33 CFR 330.1(e)(3)). (See also 33 CFR 332.3(f)). (3) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, aquatic resource restoration should be the first compensatory mitigation option considered for permittee-responsible mitigation. (4) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting

a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) through (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). (5) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided. (6) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan (see 33 CFR 332.4(c)(1)(ii)).

(g) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any NWP activity resulting in the loss of greater than 1/2-acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that an NWP activity already meeting the established acreage limits also satisfies the no more than minimal impact requirement for the NWPs. (h) Permittees may propose the use of mitigation banks, in-lieu fee programs, or permittee-responsible mitigation. When developing a compensatory mitigation proposal, the permittee must consider appropriate and practicable options consistent with the framework at 33 CFR 332.3(b). For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management. (i) Where certain functions and services of waters of the United States are permanently adversely affected by a regulated activity, such as discharges of dredged or fill material into waters of the United States that will convert a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse environmental effects of the activity to the no more than minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

(Transferee)

_____

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include: (a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions; (b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and (c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

31. Activities Affecting Structures or Works Built by the United States. If an NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project (a "USACE project"), the prospective permittee must submit a pre-construction notification. See paragraph (b)(10) of general condition 32. An activity that requires section 408 permission is not authorized by NWP until the appropriate Corps office issues the section 408 permission to alter, occupy, or use the USACE project, and the district engineer issues a written NWP verification.

32. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as

possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or are in the vicinity of the activity, or to notify the Corps pursuant to general condition 20 that the activity might have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or section 106 of the National Historic Preservation Act (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed activity;

(3) Identify the specific NWP or NWP(s) the prospective permittee wants to use to authorize the proposed activity;

(4) A description of the proposed activity; the activity's purpose; direct and indirect adverse environmental effects the activity would cause, including the anticipated amount of loss of wetlands, other special aquatic sites, and other waters expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; a description of any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed activity; and any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity, including other separate and distant crossings for linear projects that require Department of the Army authorization but do not require pre-construction notification. The description of the proposed activity and any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or other mitigation measures. For single and complete linear projects, the PCN must include the quantity of anticipated losses of wetlands, other special aquatic sites, and other waters for each single and complete crossing of those wetlands, other special aquatic sites, and other waters. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the activity and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(5) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(6) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(7) For non-Federal permittees, if any listed species or designated critical habitat might be affected or is in the vicinity of the activity, or if the activity is located in designated critical habitat, the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed activity or utilize the designated critical habitat that might be affected by the proposed activity. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with the Endangered Species Act;

(8) For non-Federal permittees, if the NWP activity might have the potential to cause effects to a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, the PCN must state which historic property might have the potential to be affected by the proposed activity or include a vicinity map indicating the location of the historic property. For NWP activities that require pre-construction notification, Federal permittees must provide documentation demonstrating compliance with section 106 of the National Historic Preservation Act;

(9) For an activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, the PCN must identify the Wild and Scenic River or the "study river" (see general condition 16); and

(10) For an activity that requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, the pre-construction notification must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps office having jurisdiction over that USACE project.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is an NWP PCN and must include all of the applicable information required in paragraphs (b)(1) through (10) of this general condition. A letter containing the required information may also be used. Applicants may provide electronic files of PCNs and supporting materials if the district engineer has established tools and procedures for electronic submittals. (d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the activity's adverse environmental effects so that they are no more than minimal. (2) Agency coordination is required for: (i) all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States; (ii) NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of stream bed; (iii) NWP 13 activities in excess of 500 linear feet, fills greater than one cubic yard per running foot, or involve discharges of dredged or fill material into special aquatic sites; and (iv) NWP 54 activities in excess of 500 linear feet, or that extend into the waterbody more than 30 feet from the mean low water line in tidal waters or the ordinary high water mark in the Great Lakes. (3) When agency coordination is required, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or

other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (FWS, state natural resource or water quality agency, EPA, and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to notify the district engineer via telephone, facsimile transmission, or e-mail that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse environmental effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects of the proposed activity are no more than minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.
(4) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act. (5) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

District Engineer's Decision: 1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If a project proponent requests authorization by a specific NWP, the district engineer should issue the NWP verification for that activity if it meets the terms and conditions of that NWP, unless he or she determines, after considering mitigation, that the proposed activity will result in more than minimal individual and cumulative adverse effects on the aquatic environment and other aspects of the public interest and exercises discretionary authority to require an individual permit for the proposed activity. For a linear project, this determination will include an evaluation of the individual crossings of waters of the United States to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51, 52, or 54, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in only minimal individual and cumulative adverse environmental effects. For those NWPs that have a waivable 300 linear foot limit for losses of intermittent and ephemeral stream bed and a 1/2-acre limit (i.e., NWPs 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52), the loss of intermittent and ephemeral stream bed, plus any other losses of jurisdictional waters and wetlands, cannot exceed 1/2-acre. 2. When making minimal adverse environmental effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. He or she will also consider the cumulative adverse environmental effects caused by activities authorized by NWP and whether those cumulative adverse environmental effects are no more than minimal. The district engineer will also consider site specific factors, such as the environmental setting in the vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional or condition assessment method is available and practicable to use, that assessment method

may be used by the district engineer to assist in the minimal adverse environmental effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns. 3. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for NWP activities with smaller impacts, or for impacts to other types of waters (e.g., streams). The district engineer will consider any proposed compensatory mitigation or other mitigation measures the applicant has included in the proposal in determining whether the net adverse environmental effects of the proposed activity are no more than minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are no more than minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure the NWP activity results in no more than minimal adverse environmental effects. If the net adverse environmental effects of the NWP activity (after consideration of the mitigation proposal) are determined by the district engineer to be no more than minimal, the district engineer will provide a timely written response to the applicant. The response will state that the NWP activity can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer. 4. If the district engineer determines that the adverse environmental effects of the proposed activity are more than minimal, then the district engineer will notify the applicant either: (a) that the activity does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the activity is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal; or (c) that the activity is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse environmental effects, the activity will be authorized within the 45-day PCN period (unless additional time is required to comply with general conditions 18, 20, and/or 31, or to evaluate PCNs for activities authorized by NWPs 21, 49, and 50), with activity-specific conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation plan or a requirement that the applicant submit a mitigation plan that would reduce the adverse environmental effects so that they are no more than minimal. When compensatory mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

Further Information: 1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP. 2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law. 3. NWPs do not grant any property rights or exclusive privileges. 4. NWPs do not authorize any injury to the property or rights of others. 5. NWPs do not authorize interference with any existing or proposed Federal project (see general condition 31).

C. CORPS SEATTLE DISTRICT REGIONAL GENERAL CONDITIONS: The following conditions apply to all NWPs for the Seattle District in Washington State, unless specified.

1. **Project Drawings:** Drawings must be submitted with pre-construction notification (PCN). Drawings must provide a clear understanding of the proposed project, and how waters of the U.S. will be affected. Drawings must be originals and not reduced copies of large-scale plans. Engineering drawings are not required. Existing and proposed site conditions (manmade and landscape features) must be drawn to scale.

2. **Aquatic Resources Requiring Special Protection:** Activities resulting in a loss of waters of the United States in mature forested wetlands, bogs and peatlands, aspen-dominated wetlands, alkali wetlands, vernal pools, camas prairie wetlands, estuarine wetlands, wetlands in coastal lagoons, and wetlands in dunal systems along the Washington coast cannot be authorized by a NWP, except by the following NWPs:

NWP 3 – Maintenance
NWP 20 – Response Operations for Oil and Hazardous Substances
NWP 32 – Completed Enforcement Actions
NWP 38 – Cleanup of Hazardous and Toxic Waste

In order to use one of the above-referenced NWPs in any of the aquatic resources requiring special protection, prospective permittees must submit a PCN to the Corps of Engineers (see NWP general condition 32) and obtain written authorization before commencing work.

3. **New Bank Stabilization in Tidal Waters of Puget Sound:** Activities involving new bank stabilization in tidal waters in Water Resource Inventory Areas (WRIAs) 8, 9, 10, 11 and 12 (within the areas identified on Figures 1a through 1e on Corps website) cannot be authorized by NWP.

4. **Commencement Bay:** The following NWPs may not be used to authorize activities located in the Commencement Bay Study Area (see Figure 2 on Corps website):

NWP 12 – Utility Line Activities (substations)
NWP 13 – Bank Stabilization
NWP 14 – Linear Transportation Projects
NWP 23 – Approved Categorical Exclusions
NWP 29 – Residential Developments
NWP 39 – Commercial and Institutional Developments
NWP 40 – Agricultural Activities
NWP 41 – Reshaping Existing Drainage Ditches
NWP 42 – Recreational Facilities
NWP 43 – Stormwater and Wastewater Management Facilities

5. **Bank Stabilization:** All projects including new or maintenance bank stabilization activities require PCN to the Corps of Engineers (see NWP general condition 32). For new bank stabilization projects only, the following must be submitted to the Corps of Engineers:

a. The cause of the erosion and the distance of any existing structures from the area(s) being stabilized.
b. The type and length of existing bank stabilization within 300 feet of the proposed project.
c. A description of current conditions and expected post-project conditions in the waterbody.
d. A statement describing how the project incorporates elements avoiding and minimizing adverse environmental effects to the aquatic environment and nearshore riparian area, including vegetation impacts in the waterbody.

In addition to a. through d., the results from any relevant geotechnical investigations can be submitted with the PCN if it describes current or expected conditions in the waterbody.

6. **Crossings of Waters of the United States**: Any project including installing, replacing, or modifying crossings of waters of the United States, such as culverts or bridges, requires submittal of a PCN to the

Corps of Engineers (see NWP general condition 32). If a culvert is proposed to cross waters of the U.S. where salmonid species are present or could be present, the project must apply the stream simulation design method from the Washington Department of Fish and Wildlife located in the *Water Crossing Design Guidelines* (2013), or a design method which provides passage at all life stages at all flows where the salmonid species would naturally seek passage. If the stream simulation design method is not applied for a culvert where salmonid species are present or could be present, the project proponent must provide a rationale in the PCN sufficient to establish one of the following:

a. The existence of extraordinary site conditions.
b. How the proposed design will provide equivalent or better fish passage and fisheries habitat benefits than the stream simulation design method.

If a culvert is proposed to cross waters of the U.S. where salmonid species are present or could be present, project proponents must provide a monitoring plan with the PCN that specifies how the proposed culvert will be assessed over a five-year period from the time of construction completion to ensure its effectiveness in providing passage at all life stages at all flows where the salmonid species would naturally seek passage. Culverts installed under emergency authorization that do not meet the above design criteria will be required to meet the above design criteria to receive an after-the-fact nationwide permit verification.

7. Stream Loss: A PCN is required for all activities that result in the loss of any linear feet of stream beds. No activity shall result in the loss of any linear feet of perennial stream beds or the loss of greater than 300 linear feet of intermittent and/or ephemeral stream beds. A stream may be rerouted if it is designed in a manner that maintains or restores hydrologic, ecologic, and geomorphic stream processes, provided there is not a reduction in the linear feet of stream bed. Streams include brooks, creeks, rivers, and historical waters of the U.S. that have been channelized into ditches. This condition does not apply to ditches constructed in uplands. Stream loss restrictions may be waived by the district engineer on a case-by-case basis provided the activities result in net increases of aquatic resource functions and services.

8. Mitigation: Pre-construction notification is required for any project that will result in permanent wetland losses that exceed 1,000 square feet. In addition to the requirements of General Condition 23 (Mitigation), compensatory mitigation at a minimum one-to-one ratio will be required for all permanent wetland losses that exceed 1,000 square feet. When a PCN is required for wetland losses less than 1,000 square feet, the Corps of Engineers may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation for impacts to marine waters, lakes, and streams will be determined on a case-by-case basis. If temporary impacts to waters of the U.S. exceed six months, the Corps of Engineers may require compensatory mitigation for temporal effects.

9. Magnuson-Stevens Fishery Conservation and Management Act – Essential Fish Habitat
Essential Fish Habitat (EFH) is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. If EFH may be adversely affected by a proposed activity, the prospective permittee must provide a written EFH assessment with an analysis of the effects of the proposed action on EFH. The assessment must identify the type(s) of essential fish habitat (i.e., Pacific salmon, groundfish, and/or coastal-pelagic species) that may be affected. If the Corps of Engineers determines the project will adversely affect EFH, consultation with NOAA Fisheries will be required. Federal agencies should follow their own procedures for complying with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act. If PCN is required for the proposed activity, Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

10. Forage Fish: For projects in forage fish spawning habitat, in-water work must occur within designated forage fish work windows, or when forage fish are not spawning. If working outside of a designated work window, or if forage fish work windows are closed year round, work may occur if the

work window restriction is released for a period of time after a forage fish spawning survey has been conducted by a biologist approved by the Washington State Department of Fish and Wildlife (WDFW). Forage fish species with designated in-water work windows include Pacific sand lance (*Ammodytes hexapterus*), Pacific herring (*Clupea pallasi*), and surf smelt (*Hypomesus pretiosus*). This RGC does not apply to NWP 48, *Commercial Shellfish Aquaculture Activities*. Please see specific regional conditions for NWP 48.

11. Notification of Permit Requirements: The permittee must provide a copy of the nationwide permit authorization letter, conditions, and permit drawings to all contractors and any other parties performing the authorized work prior to the commencement of any work in waters of the U.S. The permittee must ensure all appropriate contractors and any other parties performing the authorized work at the project site have read and understand relevant NWP conditions as well as plans, approvals, and documents referenced in the NWP letter. A copy of these documents must be maintained onsite throughout the duration of construction.

12. Construction Boundaries: Permittees must clearly mark all construction area boundaries before beginning work on projects that involve grading or placement of fill. Boundary markers and/or construction fencing must be maintained and clearly visible for the duration of construction. Permittees should avoid and minimize removal of native vegetation (including submerged aquatic vegetation) to the maximum extent possible.

13. Temporary Impacts and Site Restoration

a. Temporary impacts to waters of the U.S. must not exceed six months unless the prospective permittee requests and receives a waiver by the district engineer. Temporary impacts to waters of the U.S. must be identified in the PCN.
b. No more than 1/2 acre of waters of the U.S. may be temporarily filled unless the prospective permittee requests and receives a waiver from the district engineer (temporary fills do not affect specified limits for loss of waters associated with specific nationwide permits).
c. Native soils removed from waters of the U.S. for project construction should be stockpiled and used for site restoration. Restoration of temporarily disturbed areas must include returning the area to pre-project ground surface contours. If native soil is not available from the project site for restoration, suitable clean soil of the same textural class may be used. Other soils may be used only if identified in the PCN.
d. The permittee must revegetate disturbed areas with native plant species sufficient in number, spacing, and diversity to restore affected functions. A maintenance and monitoring plan commensurate with the impacts, may be required. Revegetation must begin as soon as site conditions allow within the same growing season as the disturbance unless the schedule is approved by the Corps of Engineers. Native plants removed from waters of the U.S. for project construction should be stockpiled and used for revegetation when feasible. Temporary Erosion and Sediment Control measures must be removed as soon as the area has established vegetation sufficient to control erosion and sediment.
e. If the Corps determines the project will result in temporary impacts of submerged aquatic vegetation (SAV) that are more than minimal, a monitoring plan must be submitted. If recovery is not achieved by the end of the monitoring period, contingencies must be implemented, and additional monitoring will be required.

This RGC does not apply to NWP 48, *Commercial Shellfish Aquaculture Activities*. Please see specific regional conditions for NWP 48.

D. CORPS REGIONAL SPECIFIC CONDITIONS FOR THIS NWP:

1. A pre-construction notification (PCN) must be submitted to the district engineer (see NWP general condition 32) for any proposed project located in a Department of the Army permit compensatory mitigation site, Comprehensive Environmental Response, Compensation and Liability Act (Superfund)

site, Resource Conservation and Recovery Act hazardous waste clean-up site, Washington State Department of Ecology compensatory mitigation site, or Washington State Model Toxics Control Act clean-up site.

2. For projects subject to PCN, if there is a loss of waters of the U.S., the project proponent must explain in the PCN why the loss is necessary and show how it would be fully offset by the beneficial elements of the project.

3. The PCN must contain a description of pre-project site conditions (including photographs), aquatic functions the site provides, and benefits anticipated from project construction.

4. The project proponent must include maintenance and monitoring plans with the PCN.

5. Restoration projects involving shellfish seeding must use shellfish native to the watershed.

E. ECOLOGY 401 CERTIFICATION: GENERAL CONDITIONS

In addition to all the Corps National and Seattle Districts' Regional permit conditions, the following State General Section 401 Water Quality Certification (Section 401) conditions apply to all Nationwide Permits whether **certified** or **partially certified** in the State of Washington.

1. **For in-water construction activities**. Ecology Section 401 review is required for projects or activities authorized under NWPs that will cause, or may be likely to cause or contribute to an exceedance of a State water quality standard (Chapter 173-201A WAC) or sediment management standard (Chapter 173-204 WAC). State water quality standards and sediment management standards are available on Ecology's website. Note: In-water activities include any activity within a wetland and/or activities below the ordinary high water mark (OHWM).

2. **Projects or Activities Discharging to Impaired Waters**. Ecology Section 401 review is required for projects or activities authorized under NWPs if the project or activity will occur in a 303(d) listed segment of a waterbody or upstream of a listed segment and may result in further exceedances of the specific listed parameter. To determine if your project or activity is in a 303(d) listed segment of a waterbody, visit Ecology's Water Quality Assessment webpage for maps and search tools.

3. **Application**. For projects or activities that will require Ecology Section 401 review, applicants must provide Ecology with a Joint Aquatic Resources Permit Application (JARPA) along with the documentation provided to the Corps, as described in National General Condition 32, Pre-Construction Notification, including, when applicable: (a) A description of the project, including site plans, project purpose, direct and indirect adverse environmental effects the project would cause, best management practices (BMPs), and any other Department of the Army or federal agency permits used or intended to be used to authorize any part of the proposed project or any related activity. (b) Drawings indicating the Ordinary High Water Mark (OHWM), delineation of special aquatic sites and other waters of the state. Wetland delineations must be prepared in accordance with the current method required by the Corps and shall include Ecology's Wetland Rating form. Wetland rating forms are subject to review and verification by Ecology staff. Guidance for determining the OHWM is available on Ecology's website. (c) A statement describing how the mitigation requirement will be satisfied. A conceptual or detailed mitigation or restoration plan may be submitted. See State General Condition 5 for details on mitigation requirements. (d) Other applicable requirements of Corps Nationwide Permit General Condition 32, Corps Regional Conditions, or notification conditions of the applicable NWP. (e) Within 180 calendar days from receipt of applicable documents noted above **and** a copy of the final authorization letter from the Corps providing coverage for a proposed project or activity under the NWP Program Ecology will provide the applicant notice of whether an individual Section 401 will be required for the project. If

Ecology fails to act within a year after receipt of **both** of these documents, Section 401 is presumed waived.

4. **Aquatic resources requiring special protection**. Certain aquatic resources are unique, difficult-to-replace components of the aquatic environment in Washington State. Activities that would affect these resources must be avoided to the greatest extent possible. Compensating for adverse impacts to high value aquatic resources is typically difficult, prohibitively expensive, and may not be possible in some landscape settings. Ecology Section 401 review is required for activities in or affecting the following aquatic resources (and not prohibited by Seattle District Regional General Condition): (a) Wetlands with special characteristics (as defined in the Washington State Wetland Rating Systems for western and eastern Washington, Ecology Publications #14-06-029 and #14-06-030):

- Estuarine wetlands.
- Wetlands of High Conservation Value.
- Bogs.
- Old-growth and mature forested wetlands.
- Wetlands in coastal lagoons.
- Interdunal wetlands.
- Vernal pools.
- Alkali wetlands.

(b) Fens, aspen-dominated wetlands, camas prairie wetlands. (c) Marine water with eelgrass (*Zostera marina*) beds (except for NWP 48). (d) Category I wetlands. (e) Category II wetlands with a habitat score $\geq$ 8 points. This State General Condition does not apply to the following Nationwide Permits:
NWP 20 – *Response Operations for Oil and Hazardous Substances,* NWP 32 – *Completed Enforcement Actions*

5. Mitigation. Applicants are required to show that they have followed the mitigation sequence and have first avoided and minimized impacts to aquatic resources wherever practicable. For projects requiring Ecology Section 401 review with unavoidable impacts to aquatics resources, adequate compensatory mitigation must be provided.

(a) Wetland mitigation plans submitted for Ecology review and approval shall be based on the most current guidance provided in Wetland Mitigation in Washington State, Parts 1 and 2 (available on Ecology's website) and shall, at a minimum, include the following:

i. A description of the measures taken to avoid and minimize impacts to wetlands and other waters of the U.S.

ii. The nature of the proposed impacts (i.e., acreage of wetlands and functions lost or degraded).

iii. The rationale for the mitigation site that was selected.

iv. The goals and objectives of the compensatory mitigation project.

v. How the mitigation project will be accomplished, including construction sequencing, best management practices to protect water quality, proposed performance standards for measuring success and the proposed buffer widths.

vi. How it will be maintained and monitored to assess progress towards goals and objectives. Monitoring will generally be required for a minimum of five years. For forested and scrub-shrub wetlands, 10 years of monitoring will often be necessary.

vii. How the compensatory mitigation site will be legally protected for the long term.

Refer to Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans (Ecology Publication #06-06-011b) and Selecting Wetland Mitigation Sites Using a Watershed Approach (Ecology Publications #09-06-032 (Western Washington) and #10-06-007 (Eastern Washington)) for guidance on selecting suitable mitigation sites and developing mitigation plans. Ecology encourages the use of alternative mitigation approaches, including credit/debit methodology, advance mitigation, and other programmatic approach such as mitigation banks and in-lieu fee programs. If you are interested in proposing use of an alternative mitigation approach, consult with the appropriate Ecology regional staff person. Information on alternative mitigation approaches is available on Ecology's website.

(b) Mitigation for other aquatic resource impacts will be determined on a case-by-case basis.

6. Temporary Fills. Ecology Section 401 review is required for any project or activity with temporary fill in wetlands or other waters of the state for more than 90 days, unless the applicant has received written approval from Ecology. Note: This State General Condition does not apply to projects or activities authorized under NWP 33, *Temporary Construction, Access, and Dewatering*

7. Stormwater pollution prevention: All projects that involve land disturbance or impervious surfaces must implement stormwater pollution prevention or control measures to avoid discharge of pollutants in stormwater runoff to waters of the State.

(a) For land disturbances during construction, the applicant must obtain and implement permits (e.g., Construction Stormwater General Permit) where required and follow Ecology's current stormwater manual.

(b) Following construction, prevention or treatment of on-going stormwater runoff from impervious surfaces shall be provided.

Ecology's Stormwater Management and Design Manuals and stormwater permit information are available on Ecology's website.

8. State Section 401 Review for PCNs not receiving 45-day response from the Seattle District. In the event the Seattle District Corps does not issue a NWP authorization letter within 45 calendar days of receipt of a **complete** pre-construction notification, the applicant must contact Ecology for Section 401 review prior to commencing work.

F. ECOLOGY 401 CERTIFICATION: SPECIFIC CONDITIONS FOR THIS NWP:

Certified subject to conditions. Ecology Section 401 review is required for projects or activities authorized under this NWP if:

1. The project or activity involves fill in tidal waters.

2. The project or activity affects ½ acre or more of wetlands.

3. The project or activity is a mitigation bank or an advanced mitigation site.

The project or activity is in or adjoining a known contaminated or cleanup site.

G. COASTAL ZONE MANAGEMENT CONSISTENCY RESPONSE FOR THIS NWP:
(Note: This is only applies in the following counties: Clallam, Grays Harbor, Island, Jefferson, King, Kitsap, Mason, Pacific, Pierce, San Juan, Skagit, Snohomish, Thurston, Wahkiakum and Whatcom)

Response: Ecology concurs that this NWP is consistent with the CZMP, subject to the following condition: An individual Coastal Zone Management Consistency Determination is required for project or activities under this NWP if State Section 401 review is required.

General Conditions: For Non-Federal Permittees
1. Necessary Data and Information. A Coastal Zone Management Program "Certification of Consistency" form is required for projects located within a coastal county. "Certification of Consistency" forms are available on Ecology's website. The form shall include a description of the proposed project or activity and evidence of compliance with the applicable enforceable policies of the Washington Coastal Zone Management Program (CZMP). Also, a map of the site location is required.

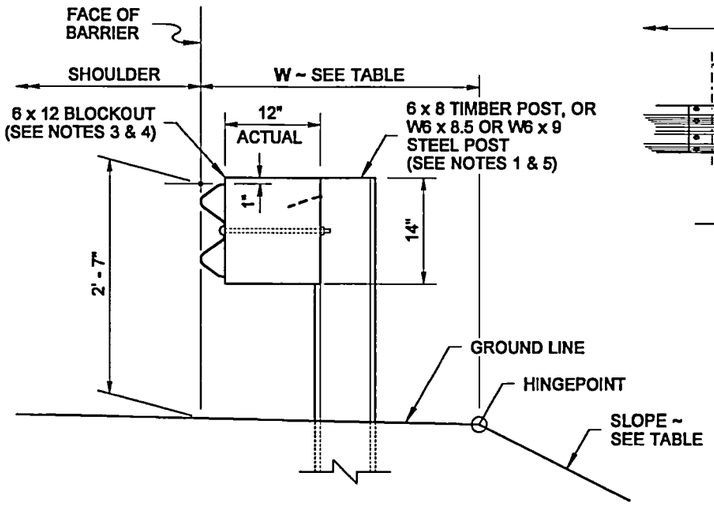
2. Timing. Within 6 months from receipt of the necessary data and information, Ecology will provide a federal consistency determination for the proposed project or activity. If Ecology fails to act within the 6 month period, concurrence with the CZMP is presumed.

General Conditions: For Federal Permittees (Agencies)
1. Necessary Data and Information. Federal agencies shall submit the determination, information, and analysis required by 15 CFR 930.39 to obtain a federal consistency determination.
2. Timing. Within 60 days from receipt of the necessary data and information, Ecology will provide a federal consistency determination for the proposed project or activity. If Ecology fails to act within the 60 day period, concurrence with the CZMP is presumed.

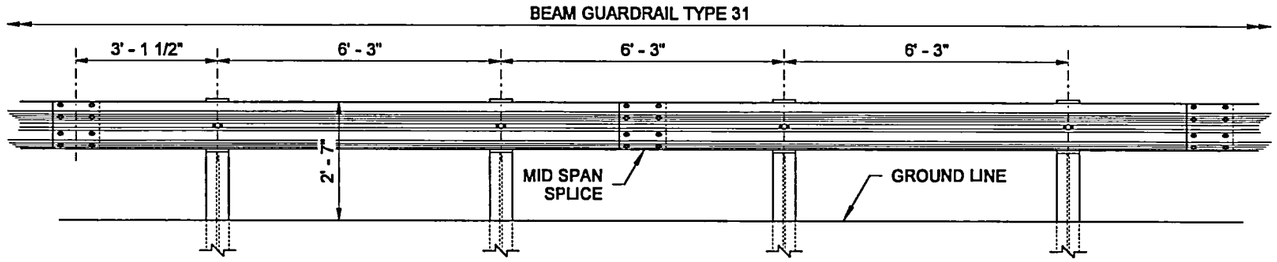
APPENDIX G

STANDARD PLANS

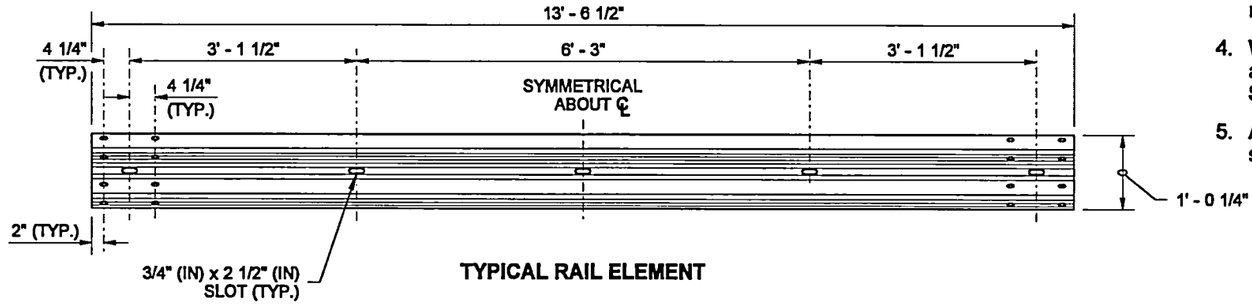
CONTRACT PLANS



TYPICAL SECTION ~ WITHOUT CURB
(6' - 0" LONG POSTS)



TYPICAL ELEVATION

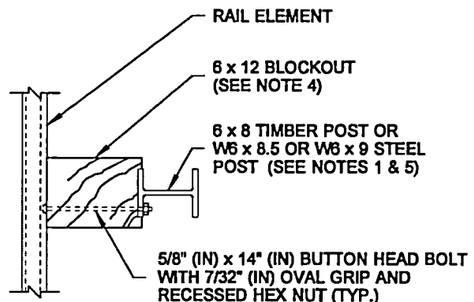


TYPICAL RAIL ELEMENT

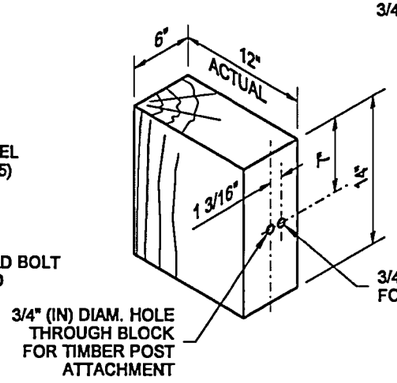
NOTES

1. Refer to **Standard Plan C-1b** and **C-20.11** for additional details not shown on this plan.
2. Extend shoulder pavement to provide a base for the extruded curb. See Contract Plans for exceptions to distances shown.
3. Use a single block or combination of blocks (no more than two (2) to achieve the actual 12" (in) offset. See **Standard Specification Section 9-16.3(2)**. Wood blocks shall be secured to the posts with anti-rotation nails. If combination blocks are used, the adjacent blocks shall be toenailed with two 16d galvanized nails to prevent block rotation.
4. Wood blocks are shown. Blocks of an approved alternative material may be used. See **Standard Specification Section 9-16.3(2).**
5. All posts for any standard barrier run shall be of the same type: timber or steel.

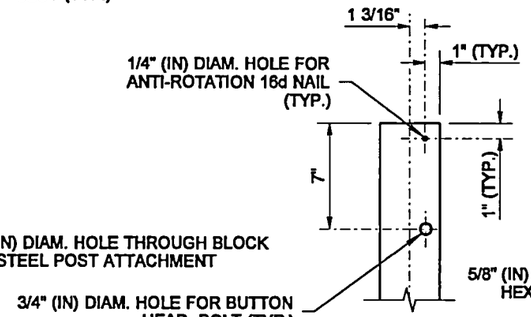
SLOPE \ EMBANKMENT TABLE	
SLOPE	W (FT)
2H : 1V OR FLATTER	2.5' MIN.
STEEPER THAN 2H : 1V BUT NOT STEEPER THAN 1H : 1V	4.0' MIN.



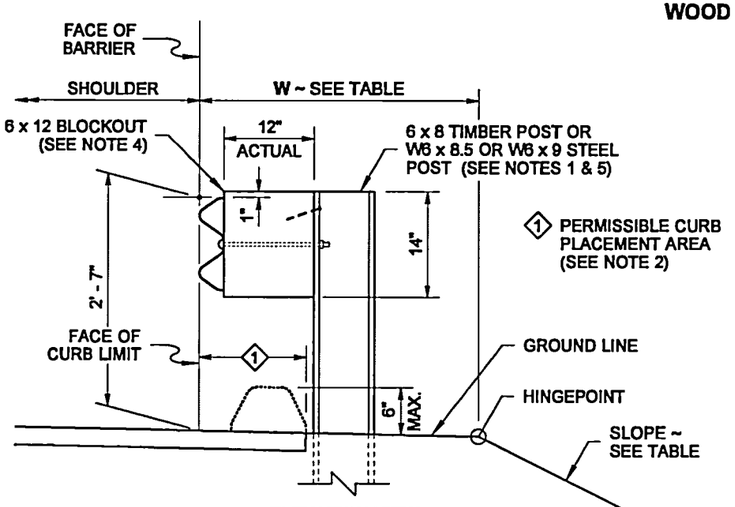
PLAN VIEW



WOOD BLOCK

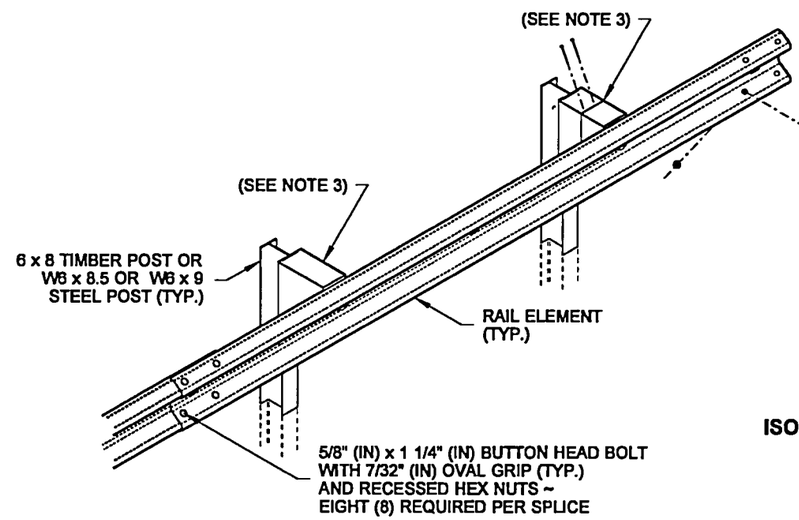


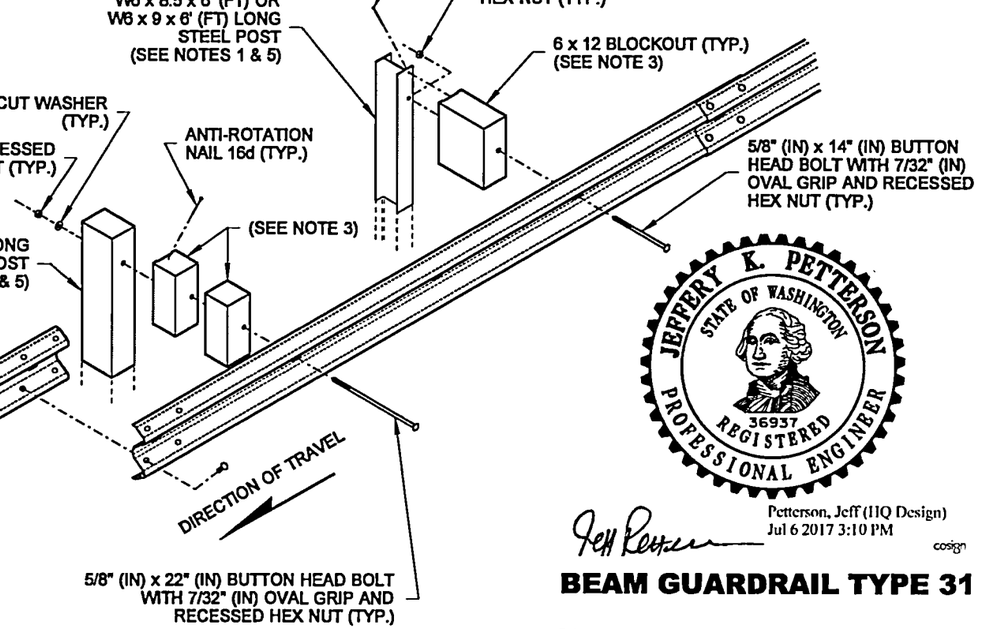
STEEL POST



ELEVATION VIEW

TYPICAL SECTION ~ WITH CURB
(6' - 0" LONG POSTS)





ISOMETRIC VIEW

JEFFREY K. PETTERSON — STATE OF WASHINGTON — 36937 — REGISTERED PROFESSIONAL ENGINEER

Petterson, Jeff (HQ Design)
Jul 6 2017 3:10 PM

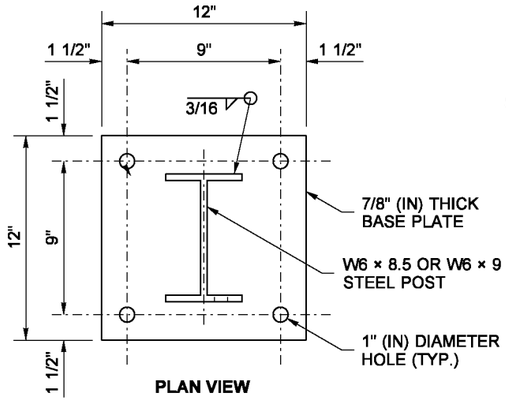
BEAM GUARDRAIL TYPE 31

STANDARD PLAN C-20.10-04

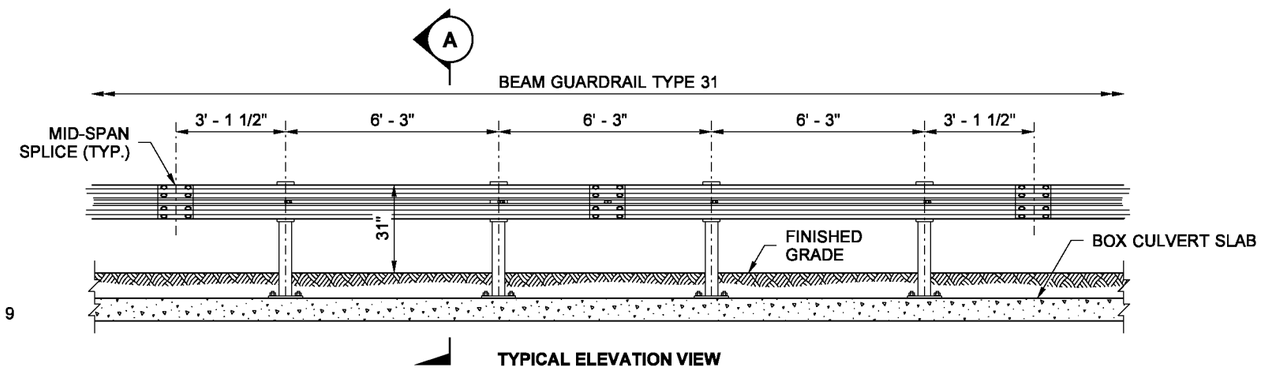
SHEET 1 OF 1 SHEET

APPROVED FOR PUBLICATION
Carpenter, Jeff
Jul 21 2017 8:41 AM
STATE DESIGN ENGINEER
Washington State Department of Transportation

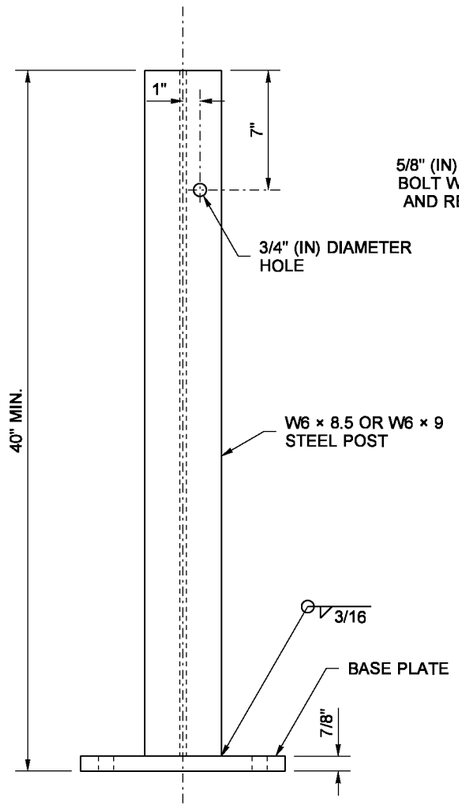
DRAWN BY: FERN LIDDELL



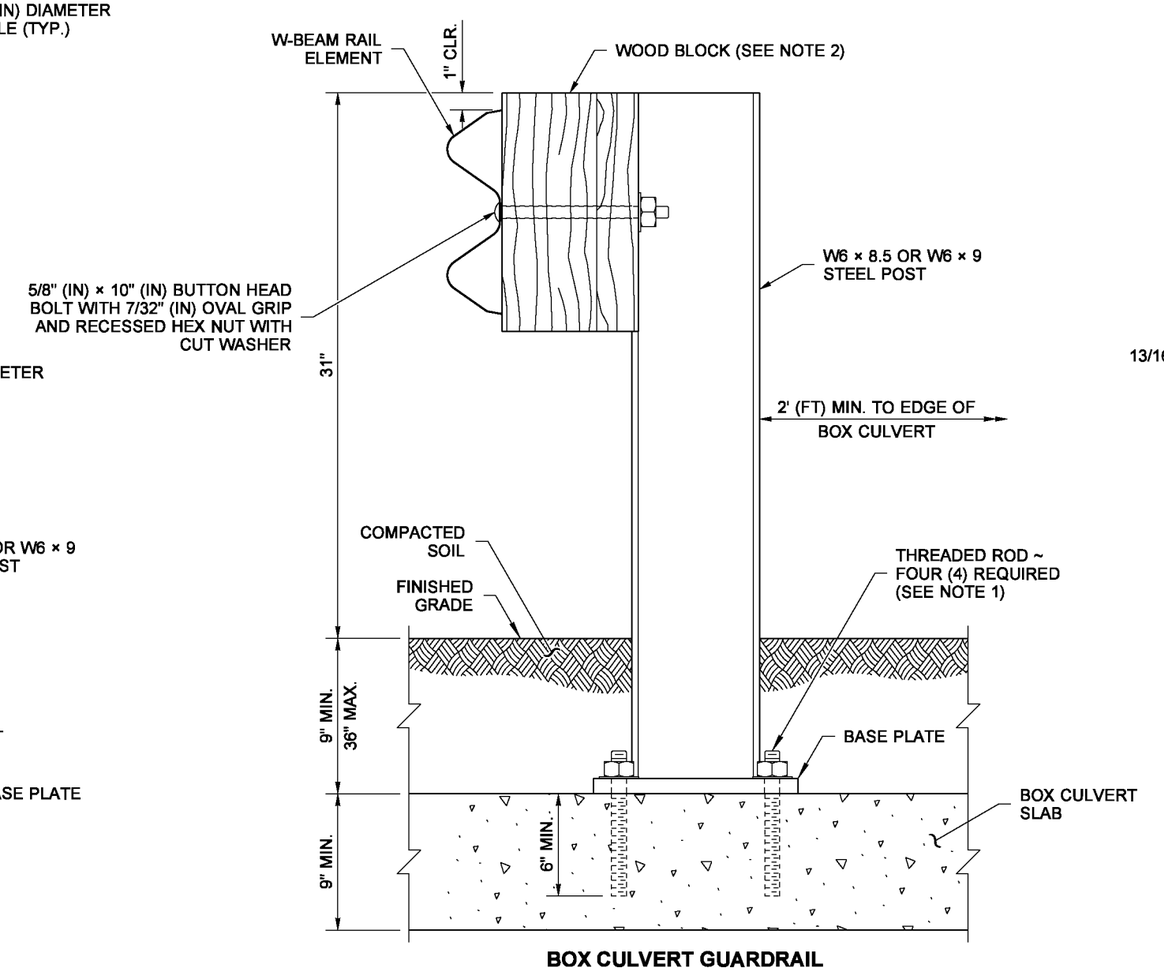
PLAN VIEW



TYPICAL ELEVATION VIEW

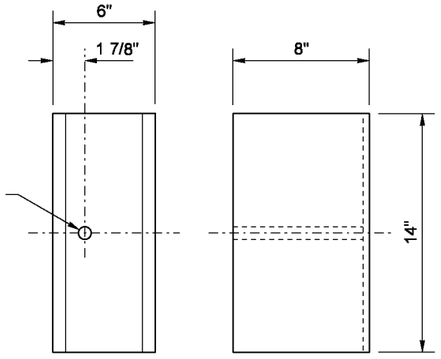


BOX CULVERT POST
ELEVATION VIEW

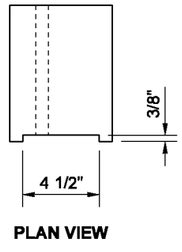


BOX CULVERT GUARDRAIL STEEL POST TYPE 31

SECTION (A)



ELEVATION VIEW SIDE VIEW



PLAN VIEW

WOOD BLOCKOUT
(SEE NOTE 2)

NOTES

1. Attach Guardrail Post to Box Culvert with 7/8" (in) diameter high-strength threaded rods 8 1/2" (in) in length with resin-bonded anchors.
2. Wood blocks are shown. Blocks of an approved alternative may be used. See **Standard Specification 9-16.3(2)**.

EDWARD PATRICK BARRY
STATE OF WASHINGTON
34363
REGISTERED
PROFESSIONAL ENGINEER

BOX CULVERT GUARDRAIL STEEL POST ~ TYPE 31

STANDARD PLAN C-20.41-01

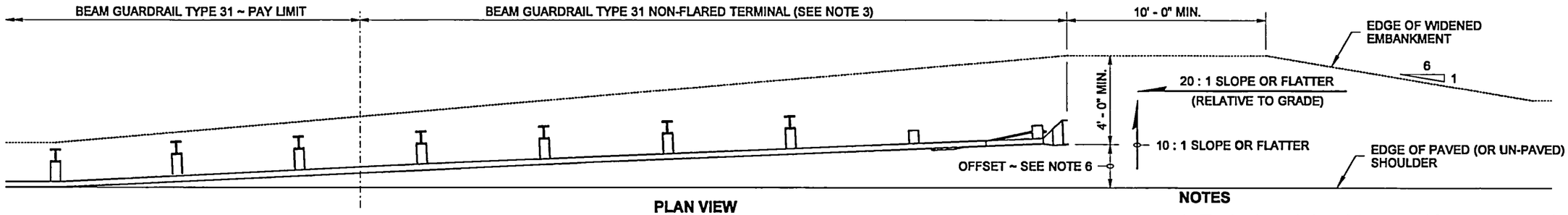
SHEET 1 OF 1 SHEET

APPROVED FOR PUBLICATION

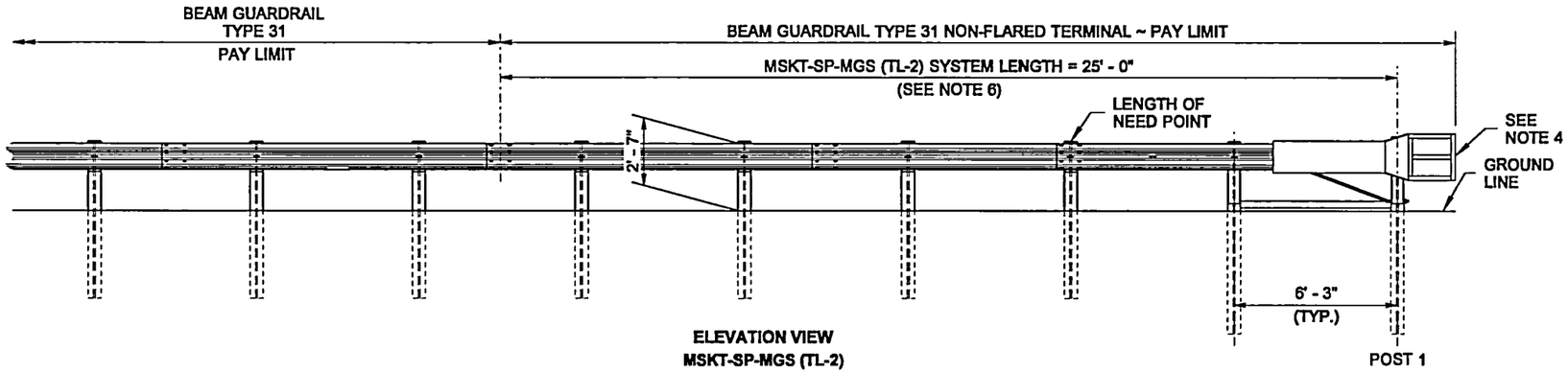
STATE DESIGN ENGINEER

Washington State Department of Transportation

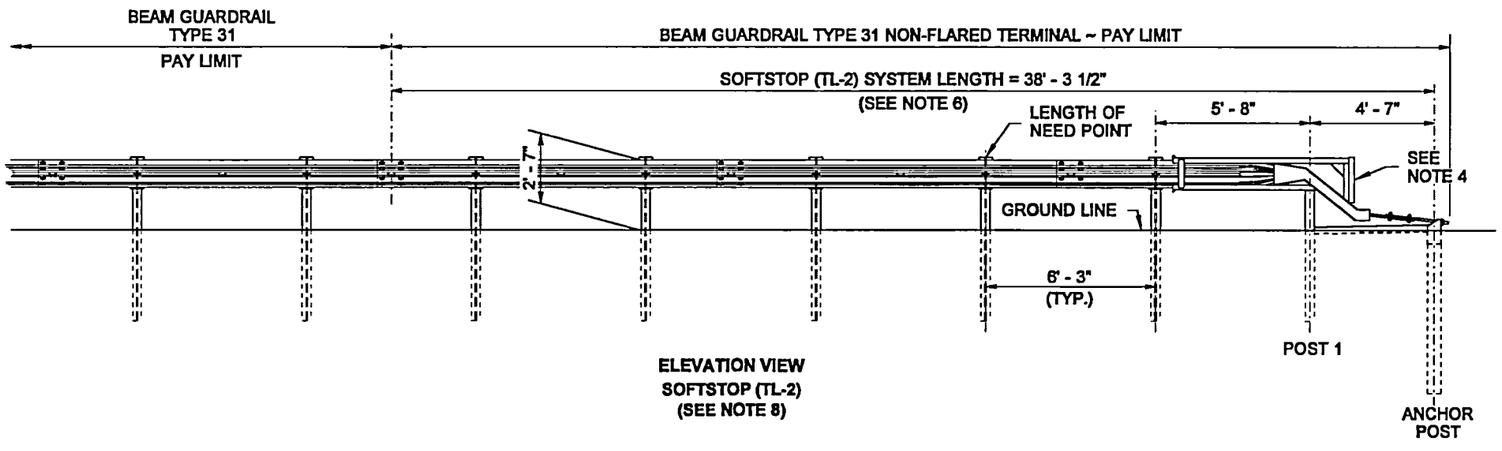
DRAWN BY: FERN LIDDELL



PLAN VIEW
(MSKT-SP-MGS (TL-2) SHOWN)



ELEVATION VIEW
MSKT-SP-MGS (TL-2)
(SEE NOTE 8)



ELEVATION VIEW
SOFTSTOP (TL-2)
(SEE NOTE 8)

NOTES

1. The Implementation of the Manual for Assessment of Safety Hardware (MASH) criteria may result in the acceptance of guardrail terminal systems currently not shown on this plan. Non-Flared terminals shall be selected from the WSDOT Qualified Products List (QPL) or approved through the WSDOT Request for Approval of Materials (RAM) process.
2. This terminal is MASH compliant at Test Level Two (TL-2) and may be used in applications with posted speeds of 45 mph or less.
3. An MSKT-SP-MGS (TL-2) as manufactured by Road Systems, Inc. or SOFTSTOP (TL-2) as manufactured by Trinity Highway Products, LLC shall be installed according to manufacturer's recommendations.
4. A reflectorized object marker shall be installed according to manufacturer's recommendations.
5. When snow load post washers and snow load rail washers are required by the Contract, the snow load rail washers shall not be installed within the terminal limits.
6. Terminal shall be installed at a widening, ensuring the end piece is entirely off the shoulder. While this terminal does not require an offset at the end, a flare is recommended. For the MSKT-SP-MGS (TL-2), a maximum flare of 25 : 1 or flatter over the length of the terminal is allowed with a maximum offset of 24" (in) over 50' (ft).

   For the SOFTSTOP (TL-2) a maximum flare of 38.29 : 1 or flatter is allowed over the system length of 38' - 3 1/2" with a maximum offset of 12" (in) at the anchor post.
7. For terminal details, see WSDOT approved manufacturer's drawings.
8. These terminals are supplied with steel posts only. They can be used with guardrail runs composed of steel or wood guardrail posts.

JEFFERY K. PETTERSON
STATE OF WASHINGTON
36937
REGISTERED
PROFESSIONAL ENGINEER

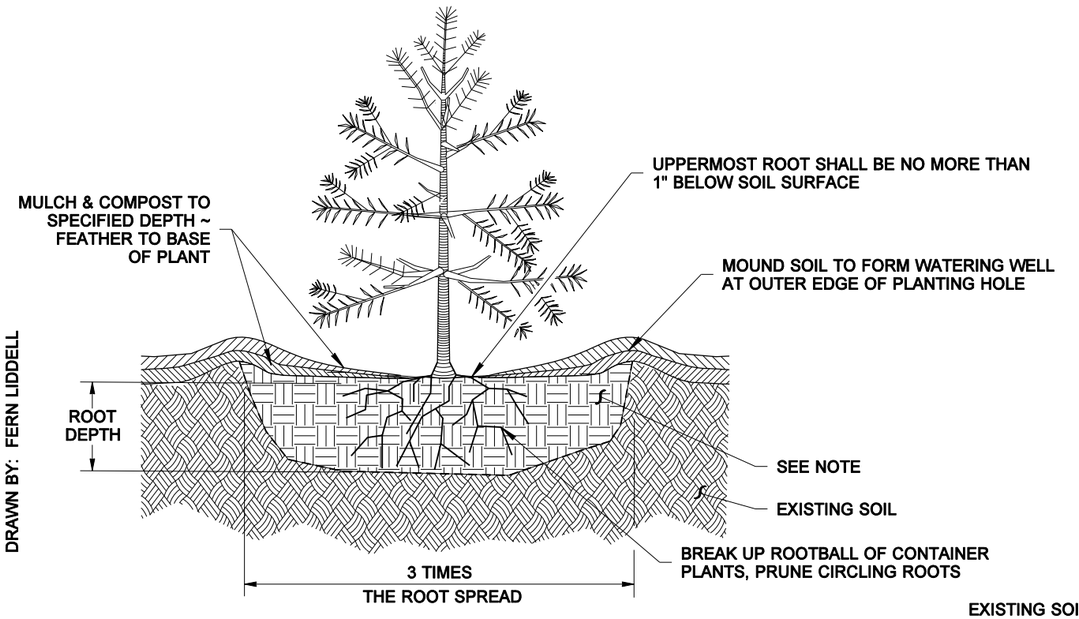
Jeff Petterson
Jeff (IIQ Design)
Jul 6 2017 3.14 PM

BEAM GUARDRAIL TYPE 31 NON-FLARED TERMINAL (POSTED SPEED 45 MPH AND BELOW)
STANDARD PLAN C-22.45-03

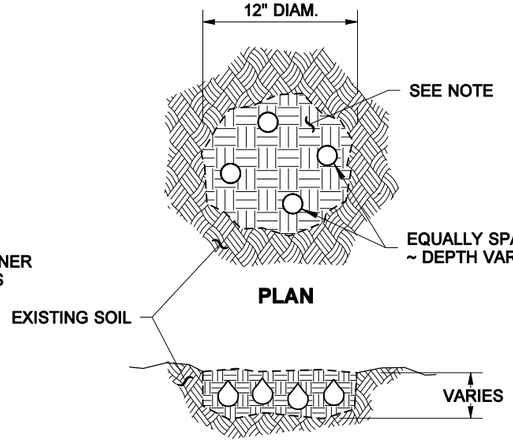
SHEET 1 OF 1 SHEET

APPROVED FOR PUBLICATION
Carpenter, Jeff
Jul 21 2017 8.25 AM
STATE DESIGN ENGINEER
Washington State Department of Transportation

DRAWN BY: FERN LIDDELL



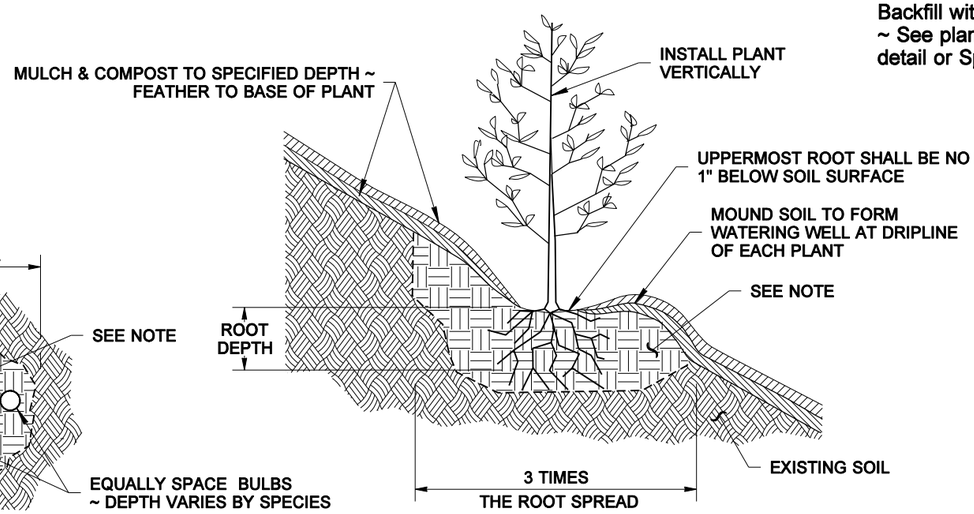
SHRUB, TREE AND GROUND COVER PLANTING DETAIL



BULB PLANTING DETAIL

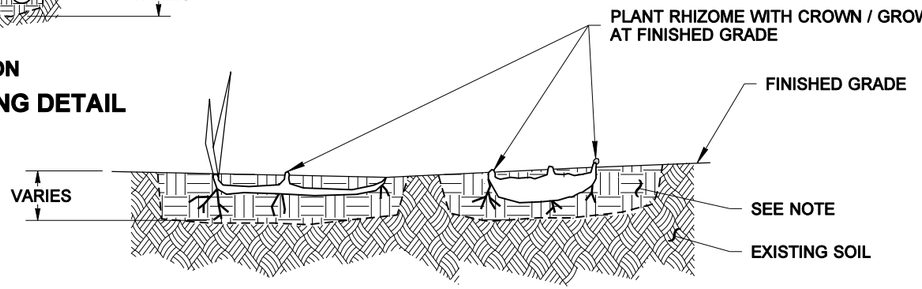
NOTE

Backfill with soil removed from hole ~ See planting area soil preparation detail or Special Provisions.

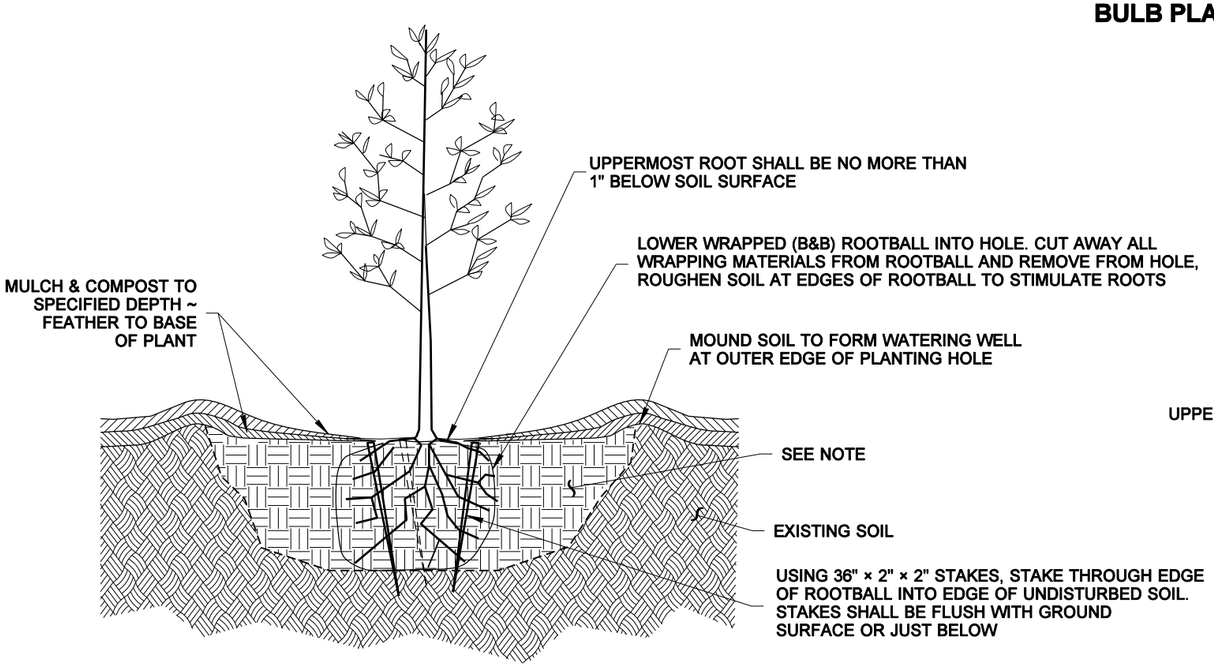


SLOPE PLANTING DETAIL

(INCLUDES ALL PLANTS ON SLOPES)

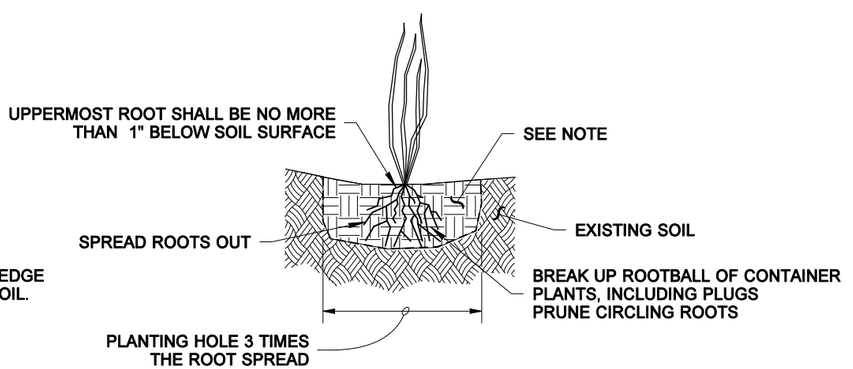


TUBER OR RHIZOME PLANTING DETAIL



STREET TREE PLANTING AND STAKING DETAIL

(APPLIES TO CONTAINER, BALL AND BURLAPPED, (B&B) DECIDUOUS AND CONIFERS)



EMERGENT PLANTING DETAIL

STATE OF WASHINGTON
REGISTERED
LANDSCAPE ARCHITECT

SALLY A. ANDERSON
CERTIFICATE NO. 000372

NOTE: THIS PLAN IS NOT A LEGAL ENGINEERING DOCUMENT BUT AN ELECTRONIC DUPLICATE. THE ORIGINAL, SIGNED BY THE ENGINEER AND APPROVED FOR PUBLICATION, IS KEPT ON FILE AT THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION. A COPY MAY BE OBTAINED UPON REQUEST.

TREE AND SHRUB PLANTING DETAILS

STANDARD PLAN H-10.10-00

SHEET 1 OF 1 SHEET

APPROVED FOR PUBLICATION

Pasco Bakotich III — STATE DESIGN ENGINEER

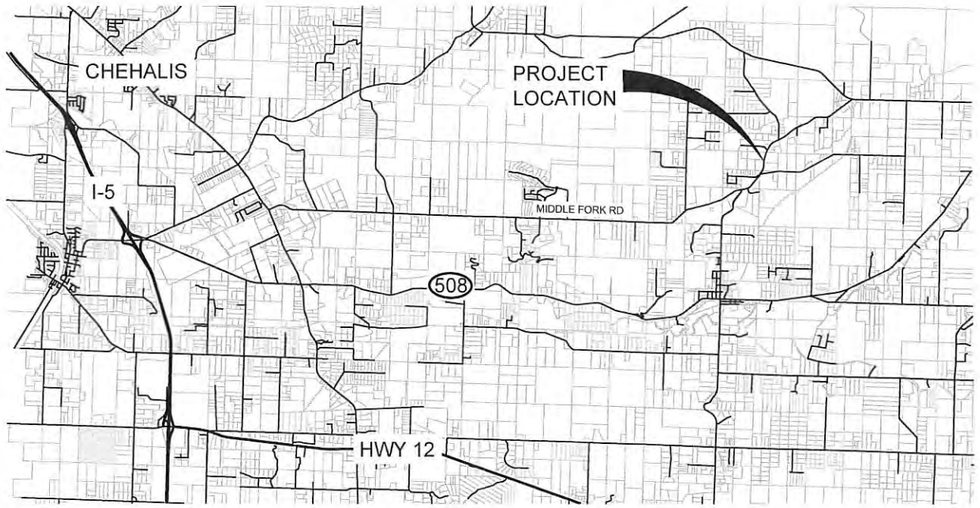
07-03-08 — DATE

Washington State Department of Transportation

N½, SEC. 20, T13N, R1E

MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT

CMP 1802
LEWIS COUNTY PUBLIC WORKS



SITE VICINITY MAP
SCALE: 1" = 1 Mile (@ 22X34)

CONTACT INFORMATION:

OWNER:
LEWIS COUNTY PUBLIC WORKS
2025 NE KRESKY AVE
CHEHALIS, WA 98532
PHONE: (360) 740-1123
WWW.LEWISCOUNTYWA.GOV

CONTACT:
ANN WECKBACK
ENVIRONMENTAL PLANNER
E-MAIL: ANN.WECKBACK@LEWISCOUNTYWA.GOV

CIVIL ENGINEER:
PBS ENGINEERING + ENVIRONMENTAL
1180 NW MAPLE STREET, SUITE 160 ISSAQUAH, WA 98027
PHONE: (425) 654-8775
FAX: (866) 727-0140

DAVE SEGAL, PE
PROJECT MANAGER
E-MAIL: DAVE.SEGAL@PBSUSA.COM

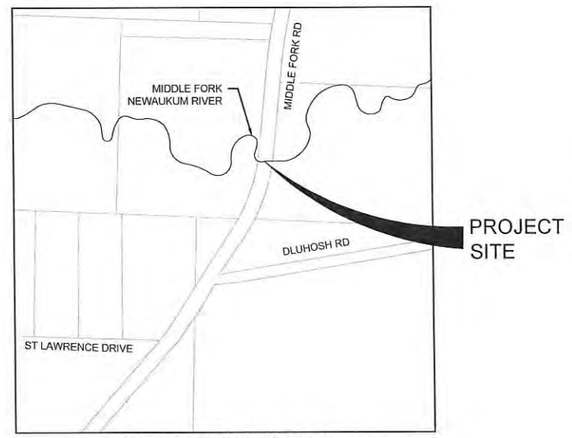
SURVEY CONTROL:
HORIZONTAL DATUM: WASHINGTON STATE PLANE COORDINATE SYSTEM - SOUTH ZONE, NAD 1983/91, RTK METHOD

VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD-88)

BASIS OF BEARING: WASHINGTON STATE PLANE COORDINATE SYSTEM - SOUTH ZONE, NAD 1983/91

COMMISSIONERS:

EDNA FUND, DISTRICT 1
ROBERT C. JACKSON, DISTRICT 2
GARY STAMPER, DISTRICT 3



SITE LOCATION MAP
SCALE: 1" = 300' (@ 22X34)

Sheet Index

SHT #	Category #	Sheet Title
1	G01	COVER SHEET
2	G02	LEGEND
3	EC01	APE AND STAGING AREA PLAN
4	EC02	TESC AND DEWATERING PLAN
5	C01	STREAM AND STRUCTURE PLAN AND PROFILE
6	C02	ROADWAY PLAN AND PROFILE
7	C03	ROADWAY PLAN AND PROFILE
8	C04	ROADWAY TYPICAL SECTIONS
9	C05	ROADWAY SECTIONS
10	D01	DETAILS
11	D02	DETAILS
12	P01	PLANTING PLAN
13	P02	PLANTING NOTES
14	P03	PLANTING DETAILS

LEWIS COUNTY
DEPARTMENT OF PUBLIC WORKS
APPROVED FOR CONSTRUCTION:

Assistant County Engineer — Date 2-11-19

CONSTRUCTION PLANS

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LEGEND
MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT
CMP 1802

811 Know what's below. Call before you dig.

DAVID A. SEGAL — STATE OF WASHINGTON — 20013 — REGISTERED PROFESSIONAL ENGINEER — 2/11/19

DESIGNED: TLF
CHECKED: DAS
February 2019
45013.000

SHEET ID
G01
SHEET 1 OF 14

Existing Linetype Legend	
Existing Right-of-way	
Existing Edge of Pavement	
Existing Centerline	
Existing Building	
Existing Grade Break	
Existing Edge of Shoulder	
Existing Fence	
Existing Wall	
Existing Lot Line	
Existing Contour	253
Existing Telephone Line	T T
Existing Overhead Power	OHP
Existing Wetland Boundary	
Existing Ordinary High Water	OHW OHW

Proposed/Future Linetype Legend	
Proposed Lot Line	
Proposed Flow Line	
Proposed Centerline	
Proposed Right-of-way	
Proposed Sawcut Line	
Proposed Edge of Shoulder	
Proposed Edge Of Pavement	
Proposed Paint Stripe	
Proposed Lath with Rag Tape	
Proposed Contour	253
Proposed Cut Limit	C C C
Proposed Fill Limit	F F F
Proposed Clear and Grub Limit	
Proposed High Visibility Silt Fence	
Area of Potential Effect	
Wattles	

Symbol Legend			
Existing Power Pole		Proposed Flow Arrow	
Existing Power Meter		Proposed Bypass Culvert Pipe	
Existing Guy Anchor			
Existing Project Bench Mark			
Existing Fence Post			
Existing Sign			
Existing Shrub			
Existing Deciduous Tree			
Existing Coniferous Tree			
Existing Fruit Tree			
Existing Flow Arrow			

Abbreviation Legend			
Acres	AC	Invert Elevation	IE
Catch Basin	CB	Maximum	MAX
Cubic Feet	CF	Minimum	MIN
Centerline	℄	Number	No. or #
Compaction	COMP	Ordinary High Water	OHW
Concrete	CONC	Overhead Power	OHP
Construction	CONST	Point Of Curve	PC
Cubic Yard	CY	Point Of Tangent	PT
Diameter	DIA	Point Of Vertical Intersection	PVI
Edge Of Pavement	EOP	Right Of Way	ROW
Elevation	EL	Sheet	SHT
Existing	EXIST	Station	STA
Finished Grade	FG	Standard	STD
Foot / Feet	FT	Storm	STM
		Telephone	TEL
		Temporary	TEMP
		Typical	TYP

Hatching Legend
Proposed Hot Mixed Asphalt
Proposed Bypass Road
Proposed Construction Entrance
Proposed Bank Protection
Existing Wetland

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LEGEND

MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT

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G02

SHEET 2 OF 14

CONSTRUCTION PLANS

SEE DWG EC02
FOR EROSION CONTROL
INFORMATION

Scale 1" = 60'
0 30 60 120

CONSTRUCTION PLAN NOTES:

1. STAGING AND STOCKPILING AREA
2. INSTALL STABILIZED CONSTRUCTION ENTRANCE (AS NEEDED)
3. AREA OF POTENTIAL EFFECT
4. CLEAR AND GRUB LIMIT
5. INSTALL HIGH VISIBILITY SILT FENCE

CONSTRUCTION PLANS

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Filename: L:\Projects\45000\45013\45013-000\0004_Middle Fork Newaukum\Civil\CAD\Working\Sheets\45013.000-EC01.dwg Layout Tab: APE PLAN User: Doug Ehlebracht CAD Plot Date/Time: 2/1/2019 3:49:17 PM

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APE AND STAGING AREA PLAN

MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT

CMP 1802

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EC01
SHEET 3 OF 14

CONSTRUCTION PLAN NOTES:

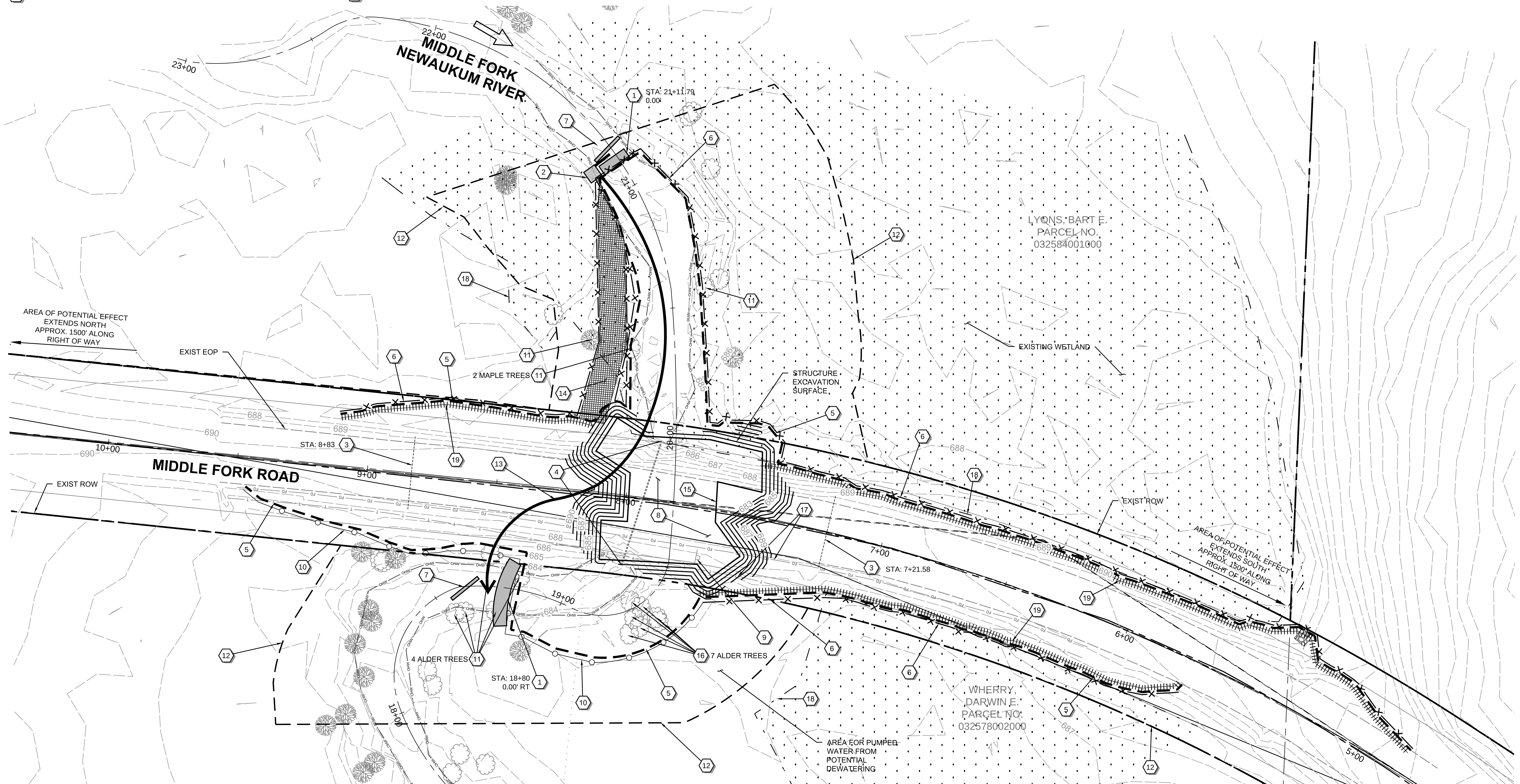
1. INSTALL COFFERDAM AS STAKED IN THE FIELD BY THE ENGINEER
2. INSTALL SPILL CONTAINED PUMP SYSTEM WITH WDFW APPROVED PUMP SCREENS AT INLET AND OUTLET
3. SAWCUT AND REMOVE HMA
4. REMOVE EXISTING 60-INCH CMP CULVERT
5. CLEAR AND GRUB LIMIT
6. INSTALL 4' x 1-½" x ½" LATH WITH RAG TAPE, 10' O.C. (BY LEWIS COUNTY)
7. INSTALL WDFW APPROVED FISH EXCLUSION SCREEN AT 45° ANGLE TO CHANNEL
8. EXCAVATE TO SUBGRADE FOR PROPOSED BOX CULVERT AND WALL FOUNDATION
9. REMOVE/PROTECT EXISTING SIGN
10. INSTALL HIGH VISIBILITY SILT FENCE
11. TREES TO BE PROTECTED
12. AREA OF POTENTIAL EFFECT
13. BYPASS PUMP LINE (APPROXIMATE LOCATION SHOWN - ADJUST TO SUIT CONSTRUCTION SEQUENCING)
14. INSTALL 10' ECO MAT OR APPROVED EQUAL FOR TEMPORARY WETLAND ACCESS PATH
15. STRUCTURE EXCAVATION NEAT LINE
16. TREES TO BE REMOVED
17. UTILITIES TO BE RELOCATED
18. WETLAND BOUNDARY
19. STRAW WATTLES

GENERAL NOTES:

1. SEE DWG EC01 FOR STAGING AREA AND APE LIMITS.
2. FOR ECO MAT INSTALLATION, MINOR TRIMMING OR MOWING CAN OCCUR BUT NO ROOT OR GROUND DISTURBANCE.
3. MIDDLE FORK ROAD TO BE CLOSED DURING CONSTRUCTION.
4. CONTRACTOR TO PROVIDE BYPASS CAPACITY FOR 25 CFS USING EITHER GRAVITY OR PUMP SYSTEM.

Scale 1" = 20'

0 10 20 40



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TESC AND DEWATERING PLAN

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EC02

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CONSTRUCTION PLANS

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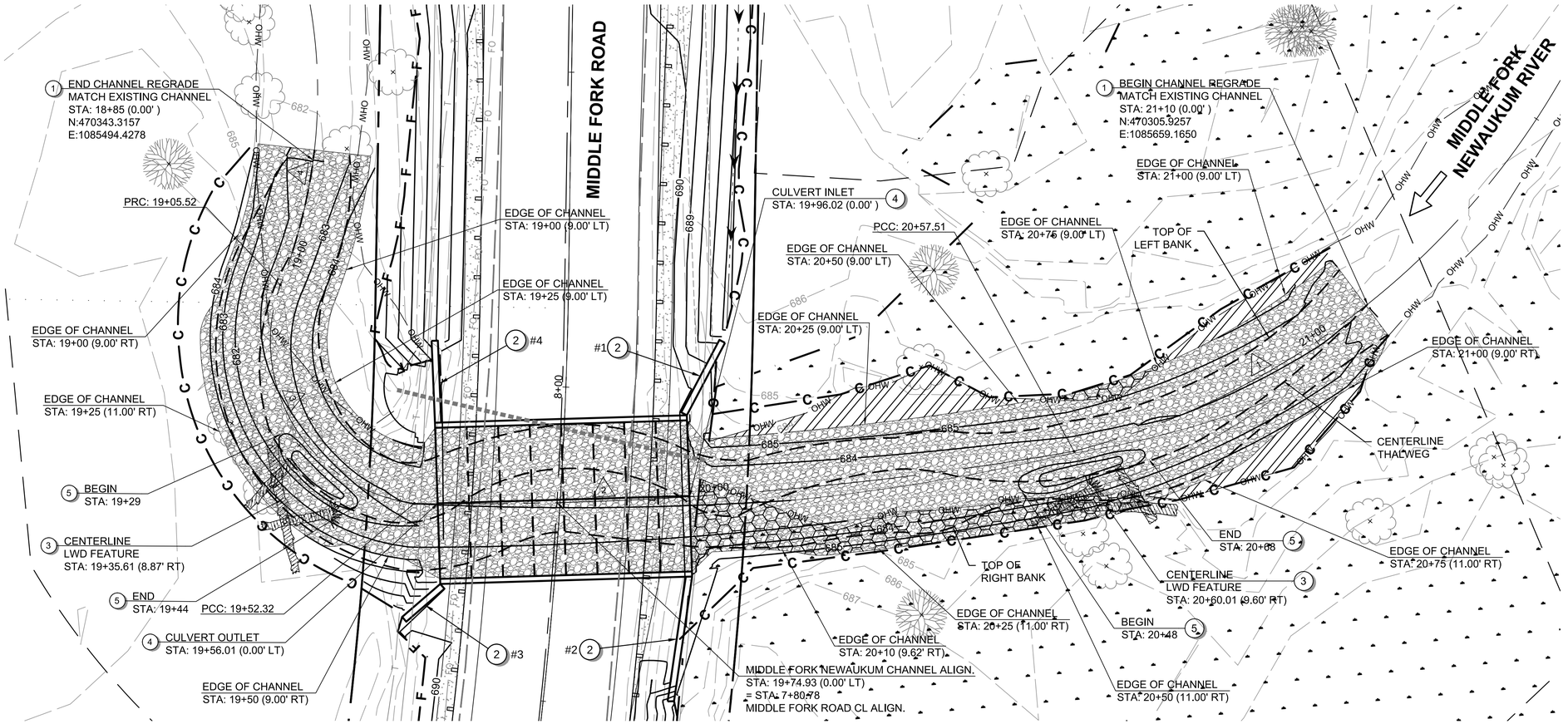

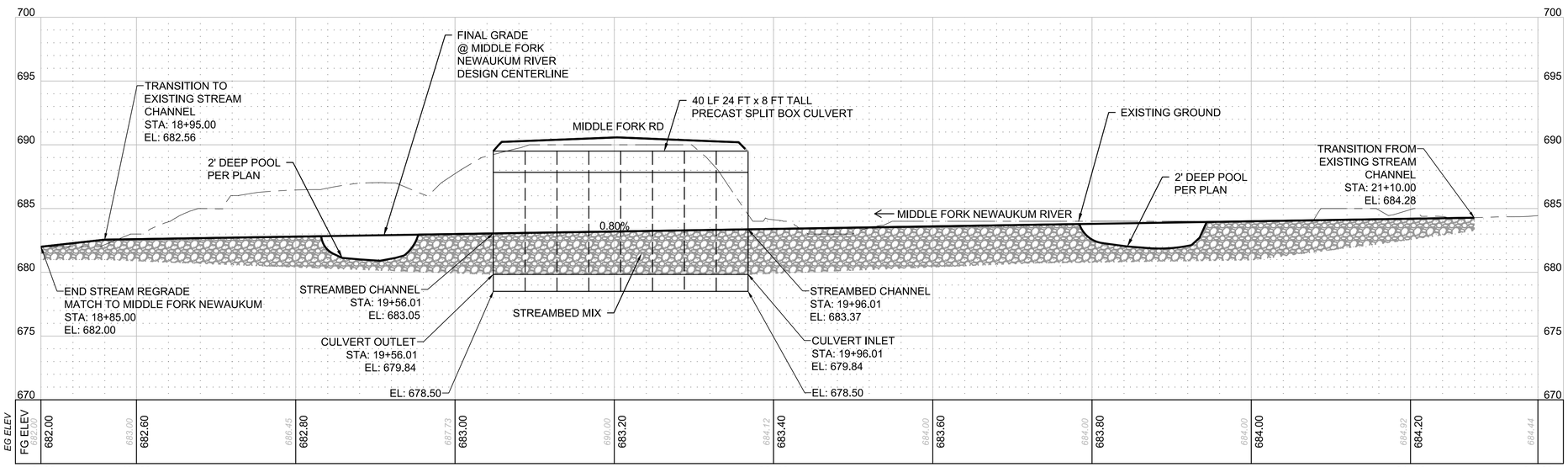

SCALE
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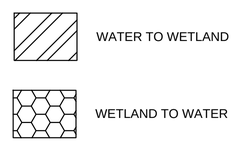
V: 1" = 5'



CONSTRUCTION PLAN NOTES:

1. RECONSTRUCT STREAM CHANNEL PER DETAIL, SEE DWG D02
2. INSTALL PRECAST CONCRETE WINGWALL PER DETAIL, SEE DWG D01
3. INSTALL LARGE WOODY DEBRIS FEATURES PER DETAIL, SEE DWG D02
4. INSTALL 40 LF 24-FT x 8-FT SPLIT BOX CULVERT. PER DETAIL, SEE DWG D01
5. VARY TYP. CHANNEL SECTION PER DWG D02 TO CONSTRUCT 2-FT DEEP POOL BELOW CHANNEL FINAL GRADE LINE

GENERAL NOTES:

1. THALWEG AND WOODY DEBRIS ARE TO BE PLACED AS SHOWN ON PLANS AS DIRECTED BY THE ENGINEER.
2. LWD STRUCTURE LOCATION IS MEASURED FROM CENTER OF KEY LOG TO STREAM CENTERLINE. SEE DWG D02 FOR MORE DETAILS.
3. SEE DWG D02 FOR ADDITIONAL INFORMATION REGARDING BANK AND CENTERLINE THALWEG LOCATIONS.

CENTERLINE CURVE DATA

#	Δ	R	L	T
1	75°37'10"	125.83	166.08	97.64
2	10°44'45"	560.84	105.19	52.75
3	103°24'11"	25.93	46.80	32.84
4	31°58'45"	81.61	45.55	23.39

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STREAM AND STRUCTURE PLAN AND PROFILE
MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT
CMP 1802

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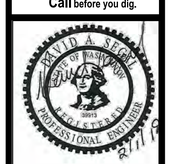

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C01
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CONSTRUCTION PLANS

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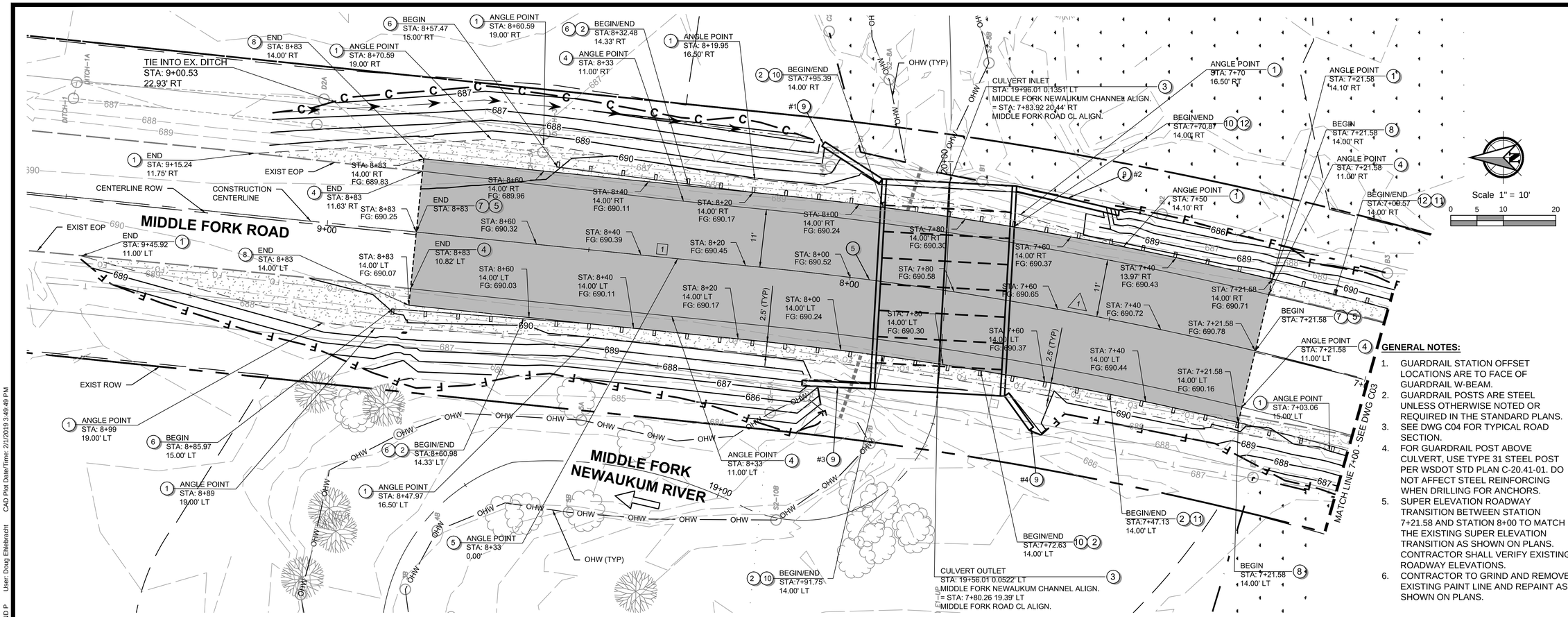


GENERAL NOTES:

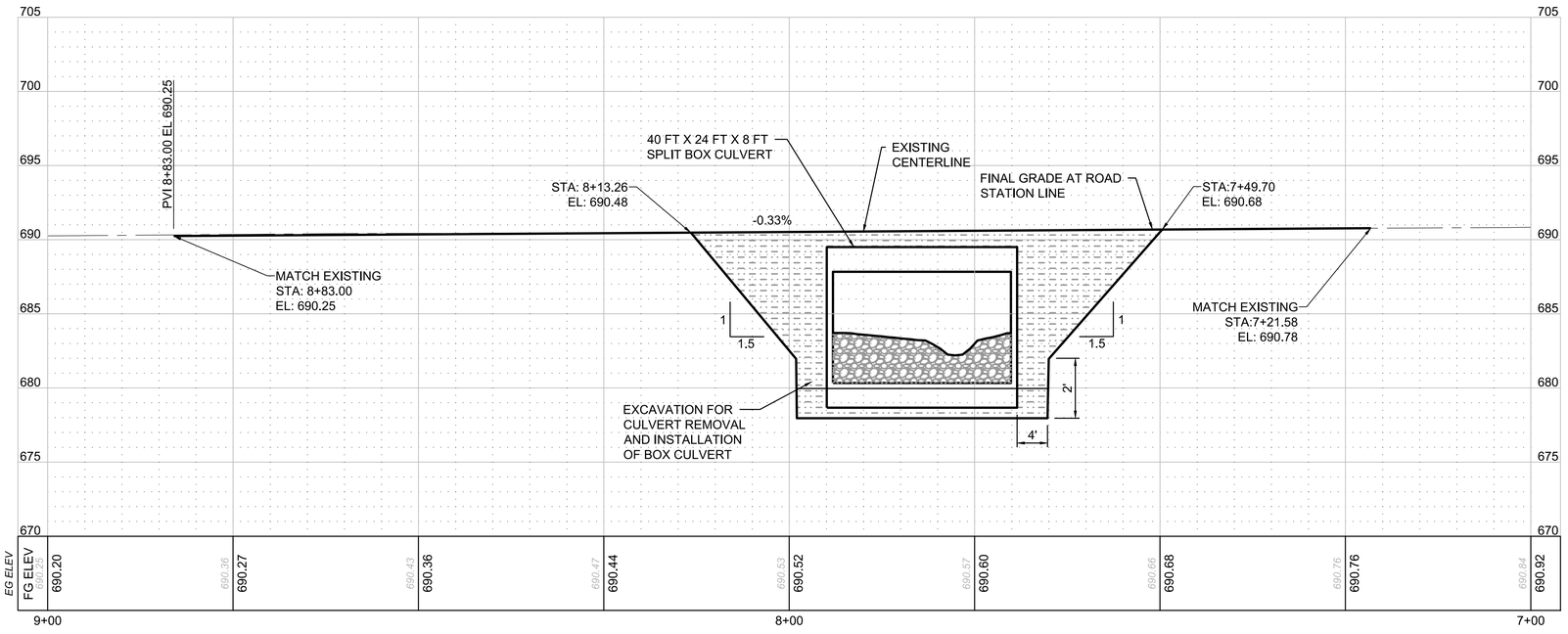
1. GUARDRAIL STATION OFFSET LOCATIONS ARE TO FACE OF GUARDRAIL W-BEAM.
2. GUARDRAIL POSTS ARE STEEL UNLESS OTHERWISE NOTED OR REQUIRED IN THE STANDARD PLANS.
3. SEE DWG C04 FOR TYPICAL ROAD SECTION.
4. FOR GUARDRAIL POST ABOVE CULVERT, USE TYPE 31 STEEL POST PER WSDOT STD PLAN C-20.41-01. DO NOT AFFECT STEEL REINFORCING WHEN DRILLING FOR ANCHORS.
5. SUPER ELEVATION ROADWAY TRANSITION BETWEEN STATION 7+21.58 AND STATION 8+00 TO MATCH THE EXISTING SUPER ELEVATION TRANSITION AS SHOWN ON PLANS. CONTRACTOR SHALL VERIFY EXISTING ROADWAY ELEVATIONS.
6. CONTRACTOR TO GRIND AND REMOVE EXISTING PAINT LINE AND REPAINT AS SHOWN ON PLANS.

CONSTRUCTION PLAN NOTES:

1. SHOULDER WIDENING
2. BEAM GUARDRAIL TYPE 31, PER WSDOT STD PLAN C-20.10-04 WITH 6' POSTS
3. 40-LF PRECAST SPLIT BOX CULVERT PER DETAIL, SEE DWG D01
4. WHITE PAINT LINE (GRIND AND REMOVE BEFORE REPLACING)
5. DOUBLE CENTER YELLOW PAINT LINE (GRIND AND REMOVE BEFORE REPLACING)
6. BEAM GUARDRAIL TYPE 31 MSKT-SP-MGS (TL-2) NON-FLARED TERMINAL PER WSDOT STD PLAN C-22.45-03 WITH 6' POSTS
7. HMA PAVEMENT (SEE SECTION DETAIL, DWG DO1)
8. SAWCUT
9. CONCRETE WINGWALL
10. BOX CULVERT GUARDRAIL STEEL POST TYPE 31, PER WSDOT STD PLAN C-20.41-01
11. BEAM GUARDRAIL TYPE 31, PER WSDOT STD PLAN C-20.10-04 WITH 8' POSTS
12. BEAM GUARDRAIL TYPE 31, PER WSDOT STD PLAN C-20.10-04 WITH 9' POSTS

CENTERLINE LINE DATA		
#	Length	Direction
1	128.63	N05° 49' 39.17"E

CENTERLINE CURVE DATA				
#	Δ	R	L	T
1	27°01'49"	715.00	345.45	171.86



SCALE
H: 1" = 10'
V: 1" = 5'

CONSTRUCTION PLANS

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ROADWAY PLAN AND PROFILE
MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT
CMP 1802

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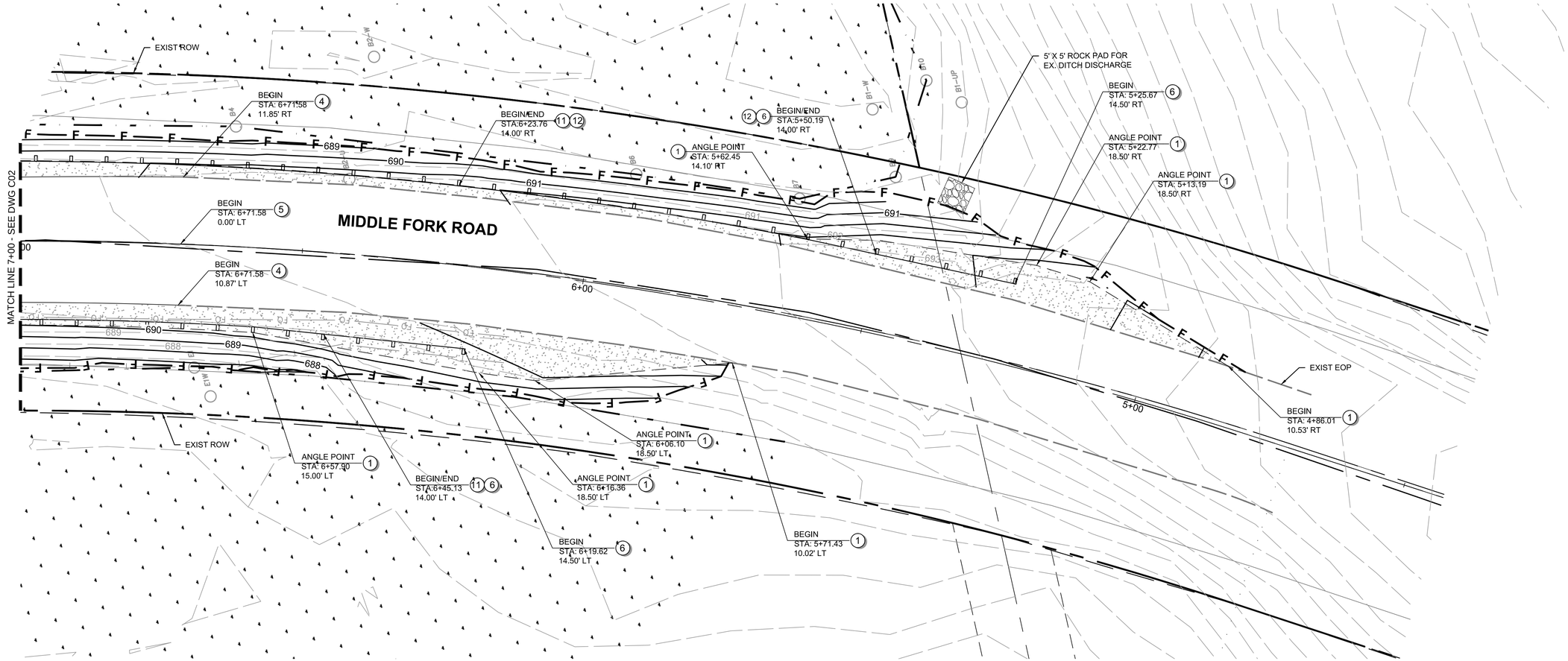

Scale 1" = 10'

0 5 10 20

CONSTRUCTION PLAN NOTES:

1. SHOULDER WIDENING
2. BEAM GUARDRAIL TYPE 31, PER WSDOT STD PLAN C-20.10-04 WITH 6' POSTS
4. WHITE PAINT LINE (GRIND AND REMOVE BEFORE REPLACING)
5. DOUBLE CENTER YELLOW PAINT LINE (GRIND AND REMOVE BEFORE REPLACING)
6. BEAM GUARDRAIL TYPE 31 MSKT-SP-MGS (TL-2) NON-FLARED TERMINAL PER WSDOT STD PLAN C-22.45-03 WITH 6' POSTS
11. BEAM GUARDRAIL TYPE 31, PER WSDOT STD PLAN C-20.10-04 WITH 8' POSTS
12. BEAM GUARDRAIL TYPE 31, PER WSDOT STD PLAN C-20.10-04 WITH 9' POSTS

CONSTRUCTION PLANS

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ROADWAY PLAN AND PROFILE
MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT
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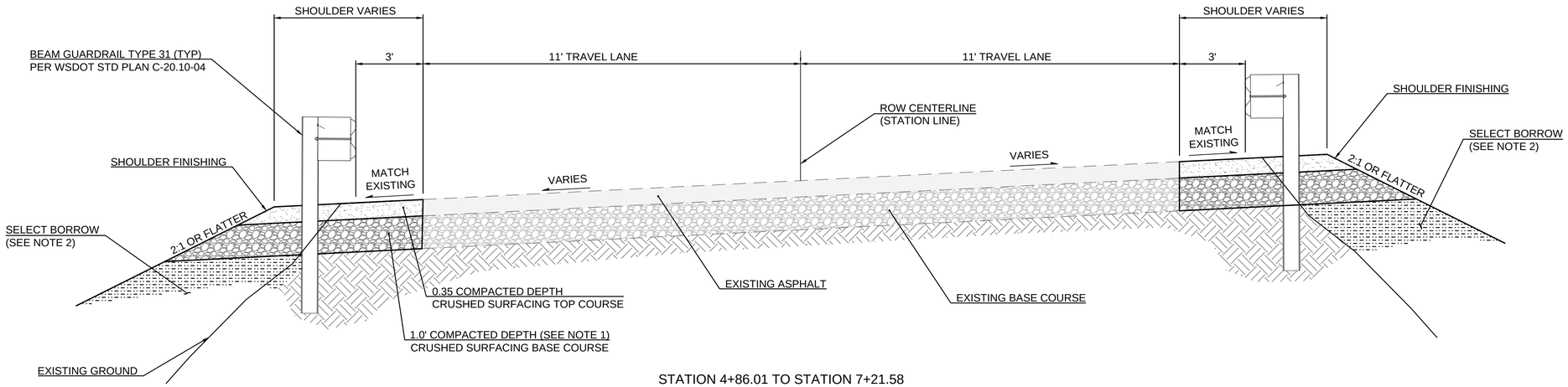
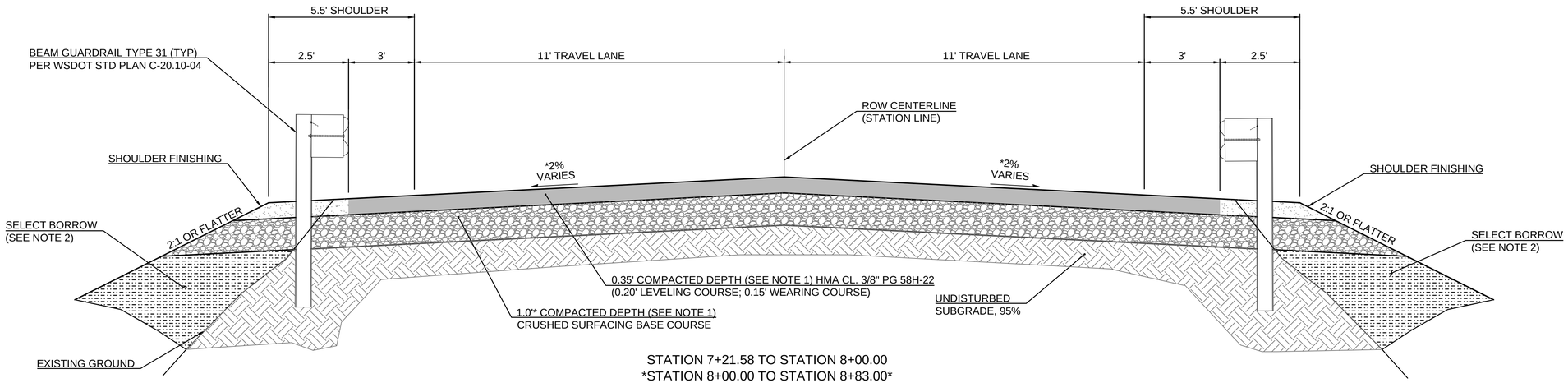


STATION 4+86.01 TO STATION 7+21.58
STATION 8+83.00 TO STATION 9+28.60

NOTES:

1. APPROXIMATE COMPACTED DEPTH. MATCHING EXISTING, TWO EQUAL LIFTS
2. BENCH INTO EXISTING SIDE SLOPE PER WSDOT STANDARD SPECIFICATION 2-03.3(14).
3. USE POST LENGTHS FOR GUARDRAIL AS SHOWN ON SHEET C02 AND C03.
4. FOR GUARDRAIL POSTS ABOVE CULVERT, USE TYPE 31 STEEL POSTS PER WSDOT STD PLAN C-20.41-01.



STATION 7+21.58 TO STATION 8+00.00
STATION 8+00.00 TO STATION 8+83.00

1 TYPICAL ROAD RESTORATION SECTION
NOT TO SCALE

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ROADWAY TYPICAL SECTIONS
MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT
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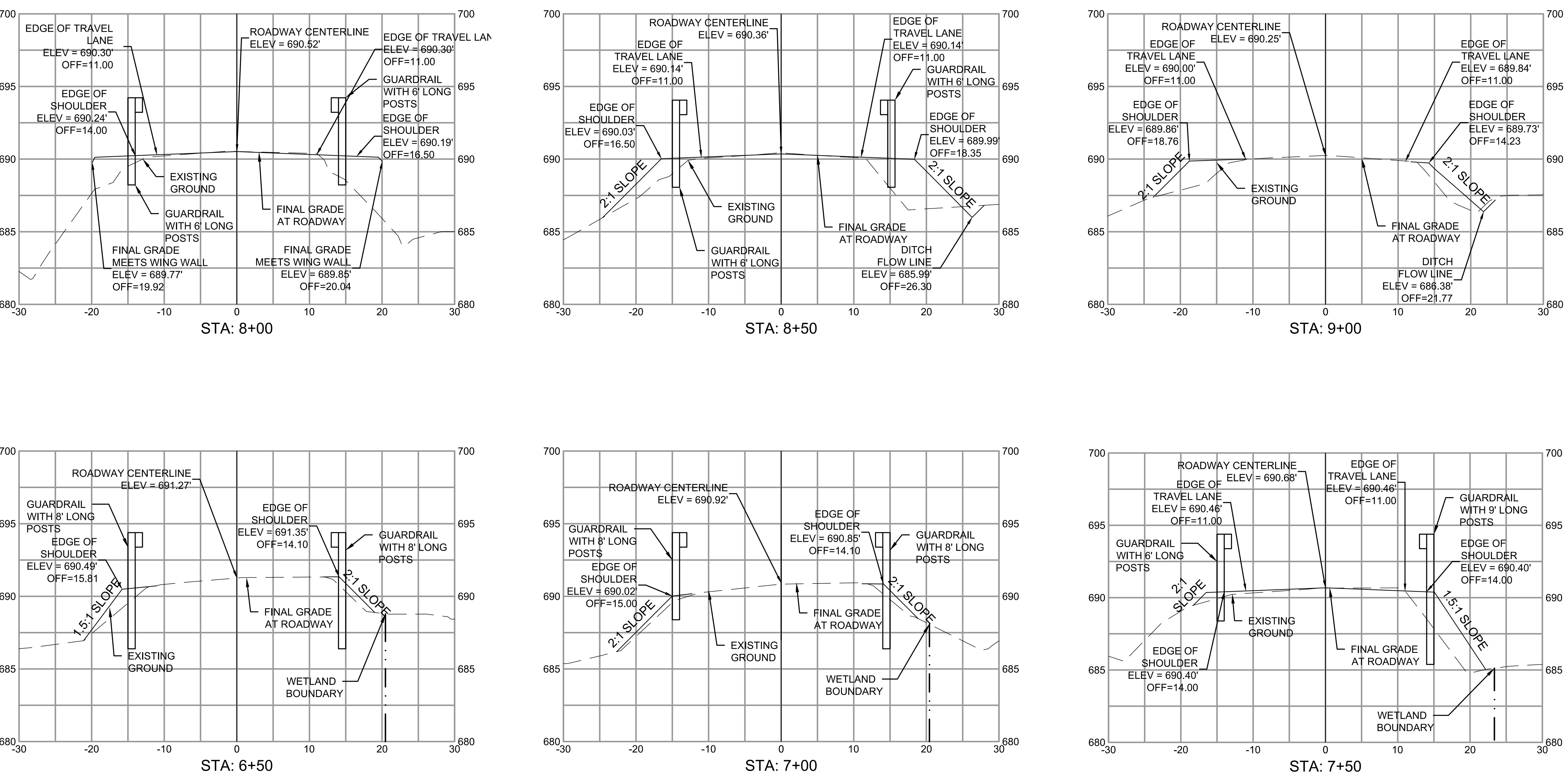
C04
SHEET 8 OF 14

CONSTRUCTION PLANS



2 ROADWAY CROSS SECTIONS

CONSTRUCTION PLANS

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ROADWAY SECTIONS

MIDDLE FORK RD MP 7.07 (MIDDLE FORK NEWAUKUM RIVER) CULVERT REPLACEMENT

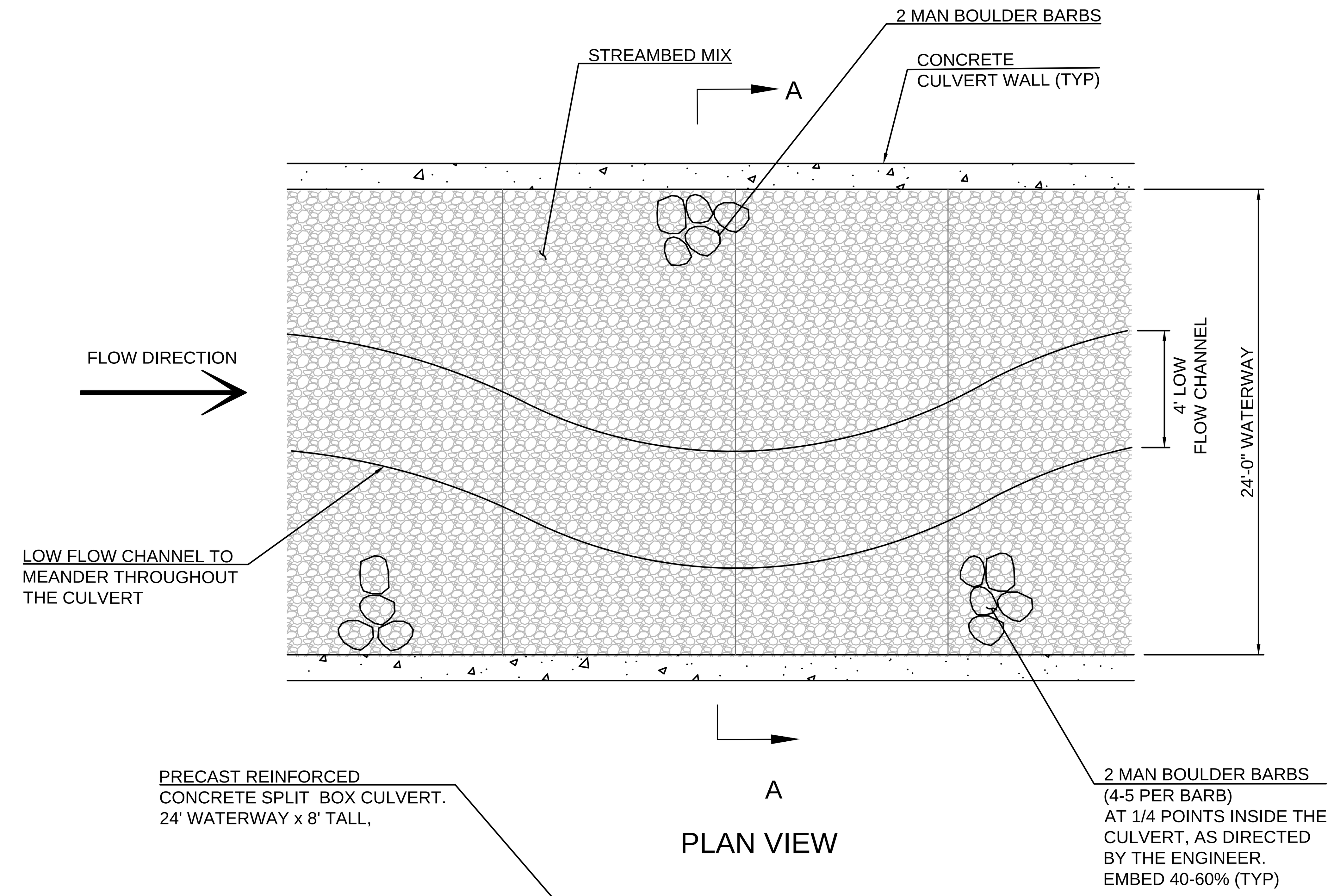
CMP 1802

Know what's below. Call before you dig.

DESIGNED: TLF
CHECKED: DAS
February 2019
45013.000

SHEET ID
C05

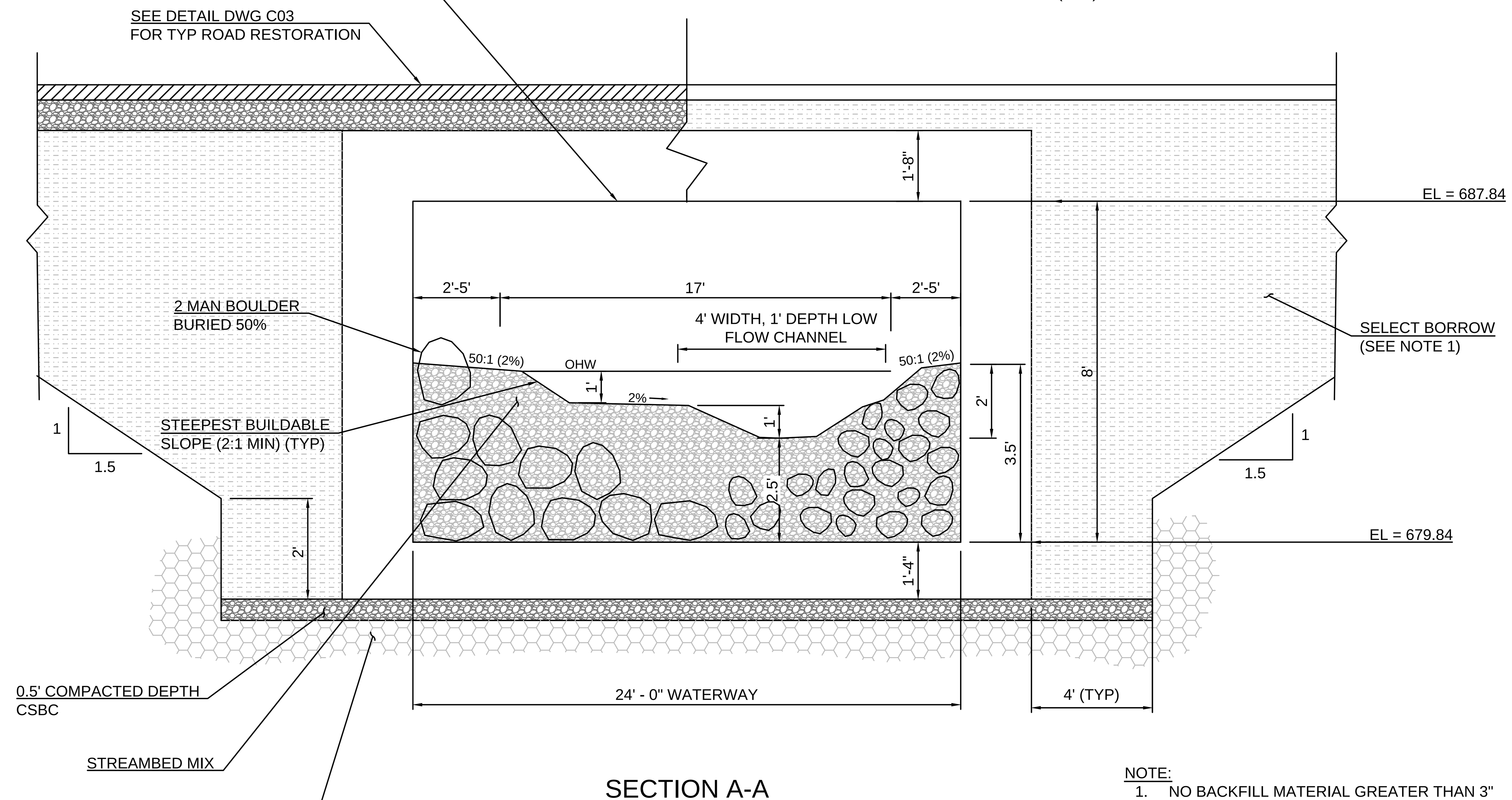
SHEET 9 OF 14



PLAN VIEW

GENERAL NOTES:

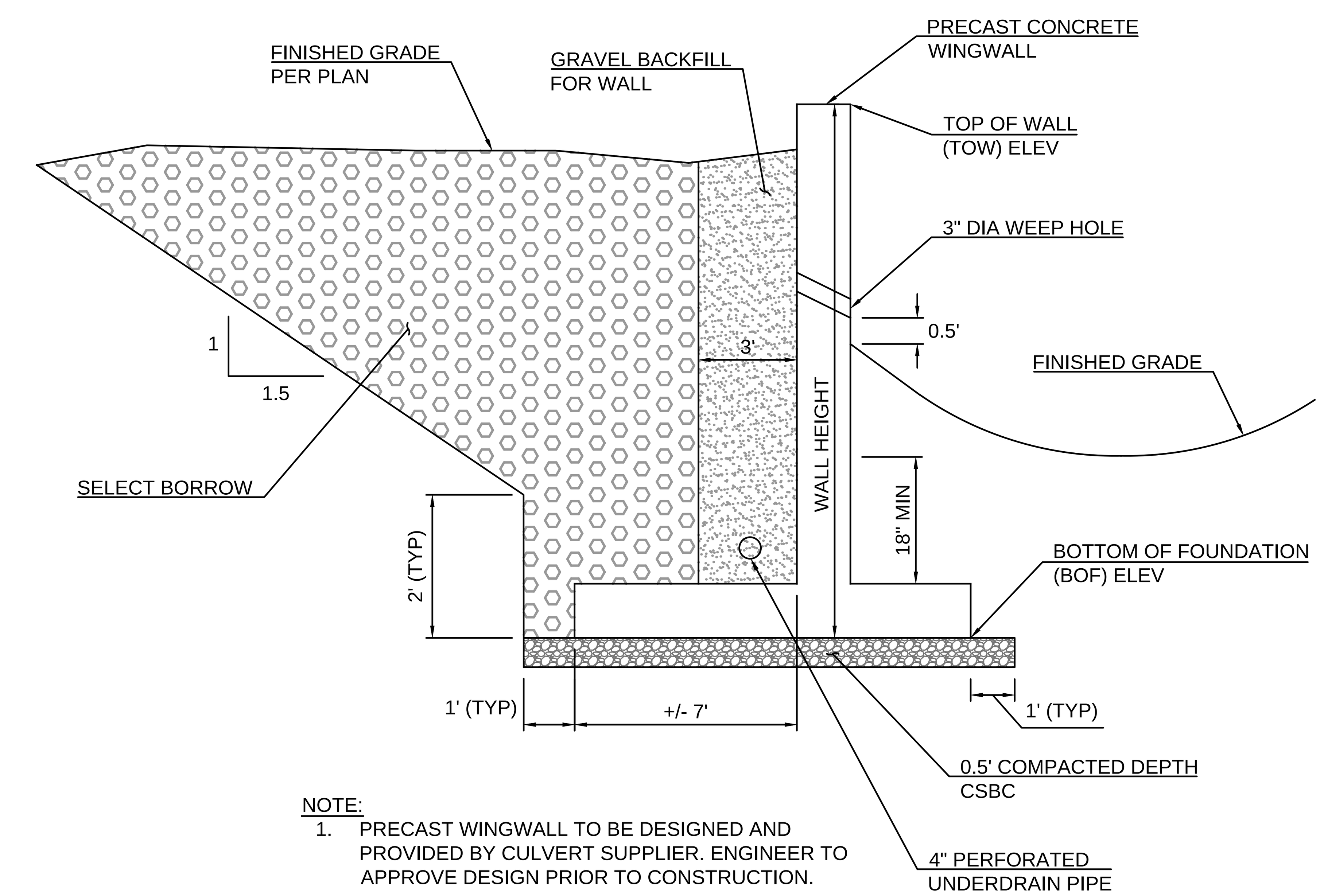
1. LARGE WOODY DEBRIS FEATURES AND THALWEG LOCATIONS ARE TO BE PLACED AS SHOWN ON PLANS. MINOR CHANGES TO THE WOOD FEATURES CAN BE MADE IN THE FIELD BY THE ENGINEER.
2. STREAMBED MIX: ONE PART 12" COBBLES, 1 PART 8" COBBLES, AND ONE PART STREAMBED SEDIMENT. TWO-MAN STREAMBED BOULDERS SHALL BE PLACED AS DIRECTED BY THE ENGINEER.
3. STREAMBED SEDIMENT IS TO PROVIDE STABILITY TO THE STREAMBED MIX AND BE PLACED IN AREA OF VOIDS TO CREATE A UNIFORM, NON-POROUS BED.



SECTION A-A

NOTE:
1. NO BACKFILL MATERIAL GREATER THAN 3" DIAMETER SHALL BE AGAINST THE BOX CULVERT.

1 PRECAST SPLIT BOX CULVERT
NOT TO SCALE



NOTE:
1. PRECAST WINGWALL TO BE DESIGNED AND PROVIDED BY CULVERT SUPPLIER. ENGINEER TO APPROVE DESIGN PRIOR TO CONSTRUCTION.

2 PRECAST CONCRETE WINGWALL
NOT TO SCALE

WINGWALL TABLE

WINGWALL NO.	LENGTH (FT)	ANGLE TO CULVERT (DEGREES)	BEGIN HEIGHT (FT)	END HEIGHT (FT)	BOF ELEV
1 (NE)	13	150	11.00	8.50	678.51
2 (SE)	20	170	11.00	8.50	678.51
3 (NW)	13	180	11.00	10.00	678.51
4 (SW)	8	129	11.00	10.00	678.51

* HEIGHT OF WALL INCLUDES ASSUMED 16" THICK FOOTING

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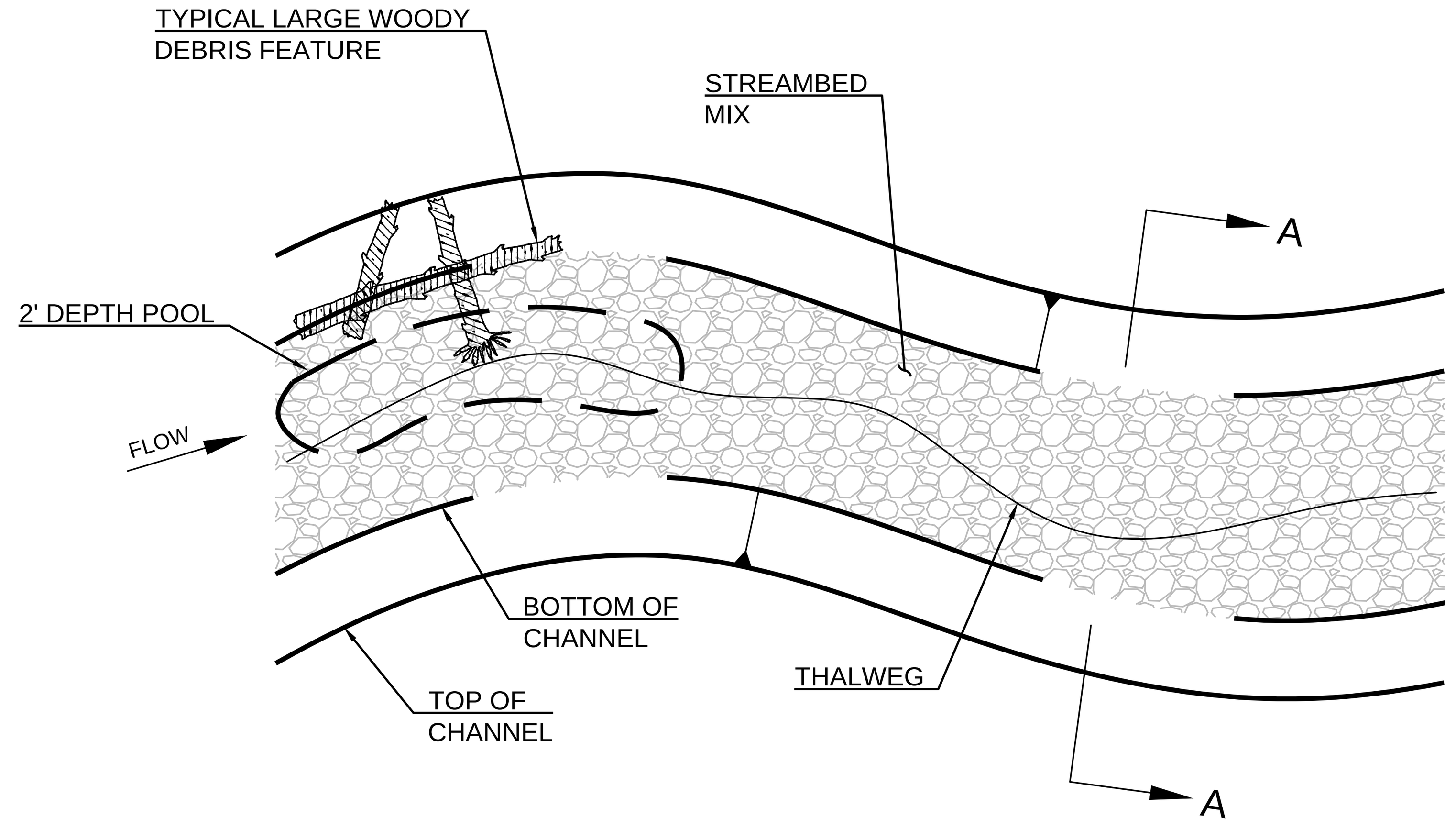
CONSTRUCTION PLANS



CHANNEL PLAN

GENERAL NOTES:

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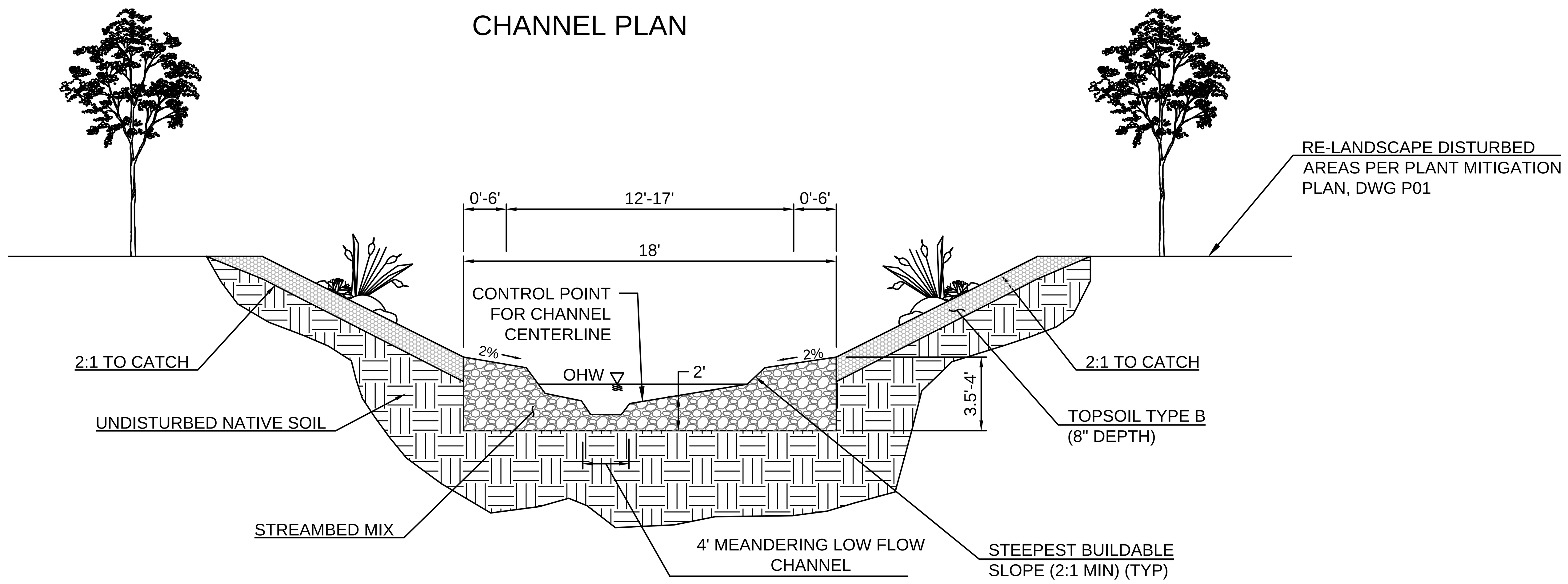
2. STREAMBED MIX: ONE PART 12" COBBLES, 1 PART 8" COBBLES, AND ONE PART STREAMBED SEDIMENT. TWO-MAN STREAMBED BOULDERS SHALL BE PLACED AS DIRECTED BY THE ENGINEER.
3. STREAMBED SEDIMENT IS TO PROVIDE STABILITY TO THE STREAMBED MIX AND BE PLACED IN AREA OF VOIDS TO CREATE A UNIFORM, NON-POROUS BED.
4. SEE PLANT MITIGATION PLANS ON DWG P01 FOR FINAL STABILIZATION REQUIREMENTS.



CHANNEL SECTION A-A

1 MIDDLE FORK NEWAUKUM CHANNEL

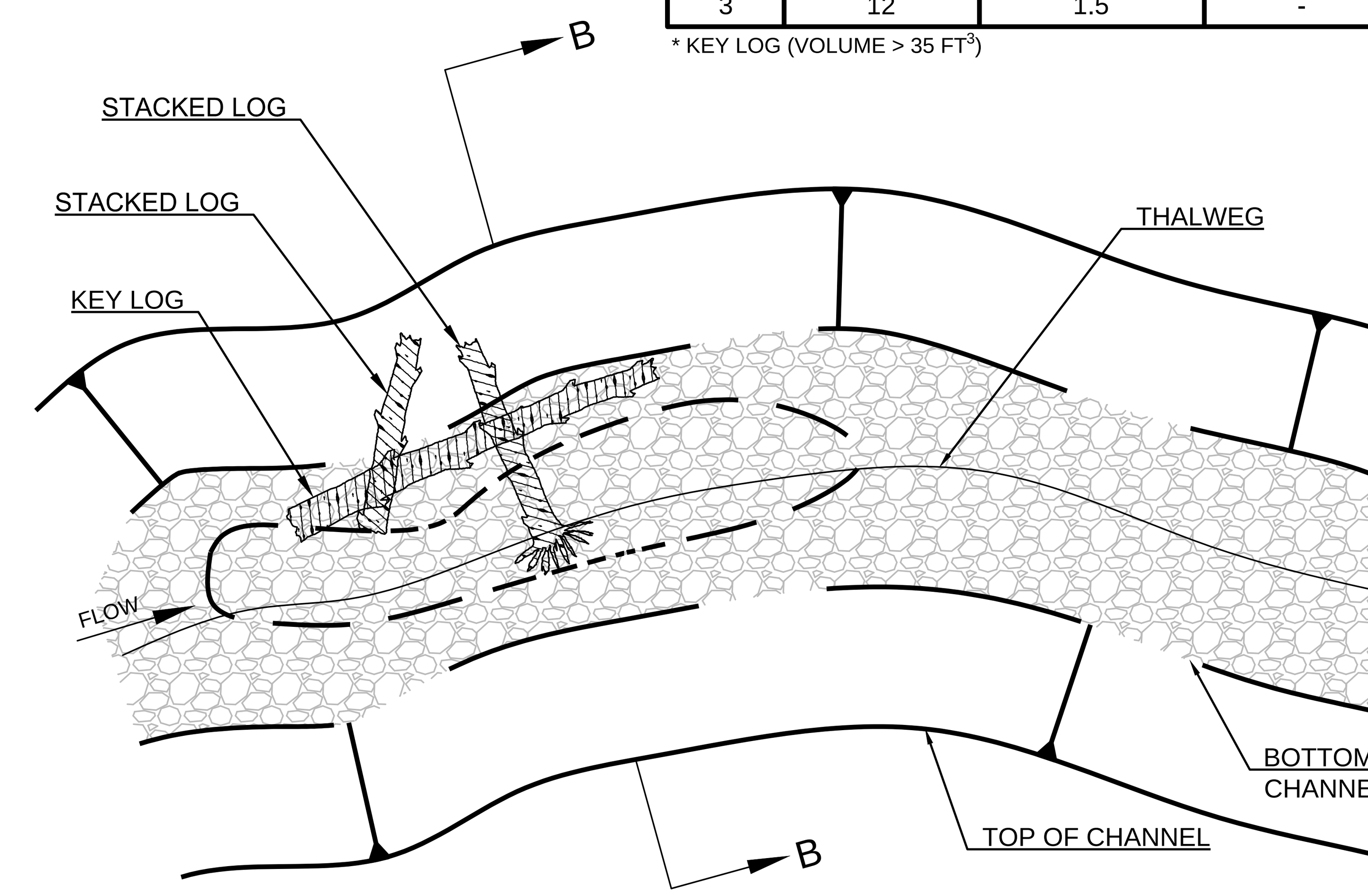
NOT TO SCALE

LARGE WOODY DEBRIS CONTROL TABLE		
LWD FEATURE STATION	LOGS*	VOLUME (FT³)
19+36.57	1,2,3	119.0
20+60.11	1,2,3	119.0

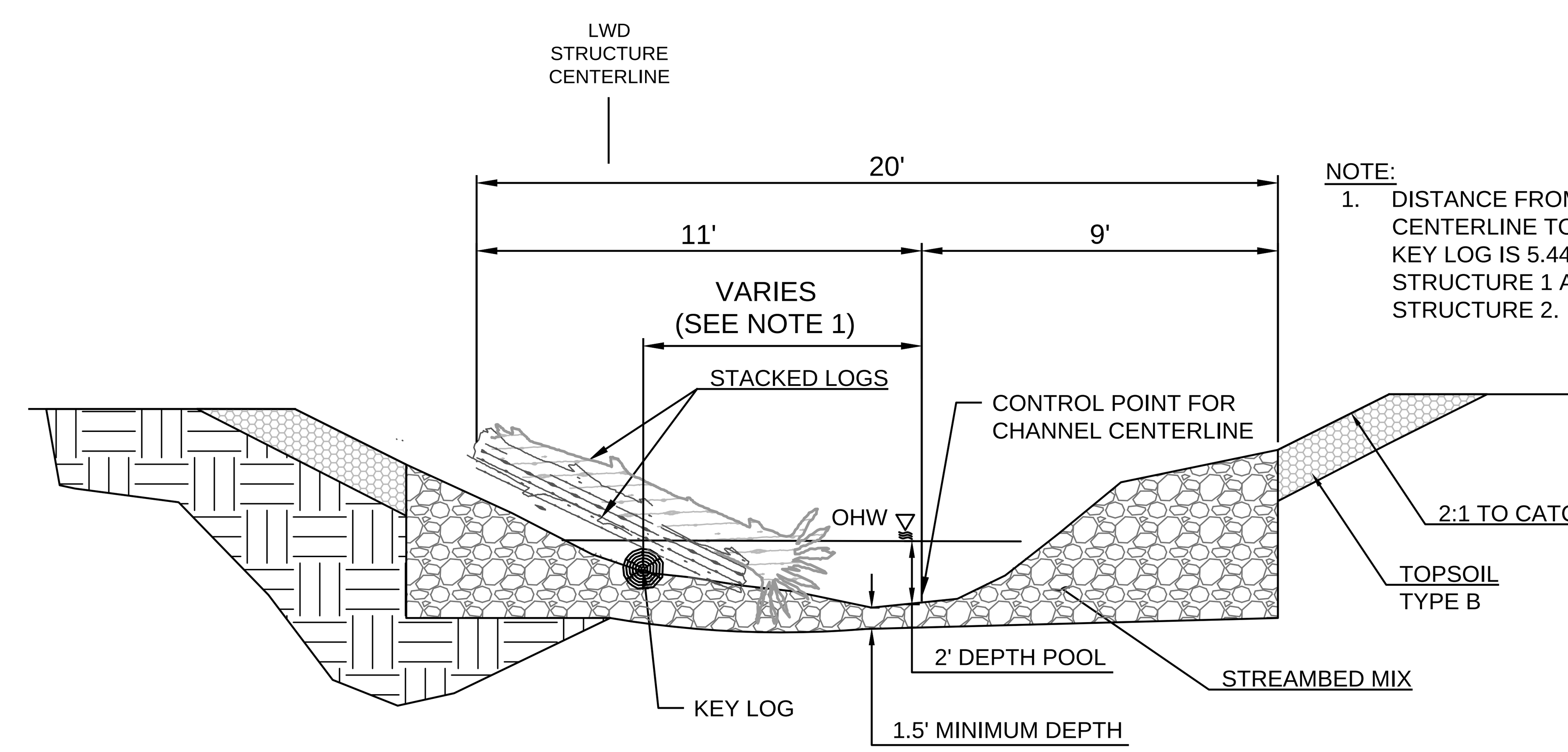
* SEE LOG SCHEDULE TO THE RIGHT

LOG SCHEDULE					
LOG #	LOG LENGTH (FT)	LOG DIAMETER (FT)	ROOTWAD LENGTH (FT)	ROOTWAD DIAMETER (FT)	VOLUME (FT³)
1*	20	2	-	-	62.8
2	15	1.5	2	3	35.0
3	12	1.5	-	-	21.2

* KEY LOG (VOLUME > 35 FT³)



TYPICAL LARGE WOODY DEBRIS PLAN



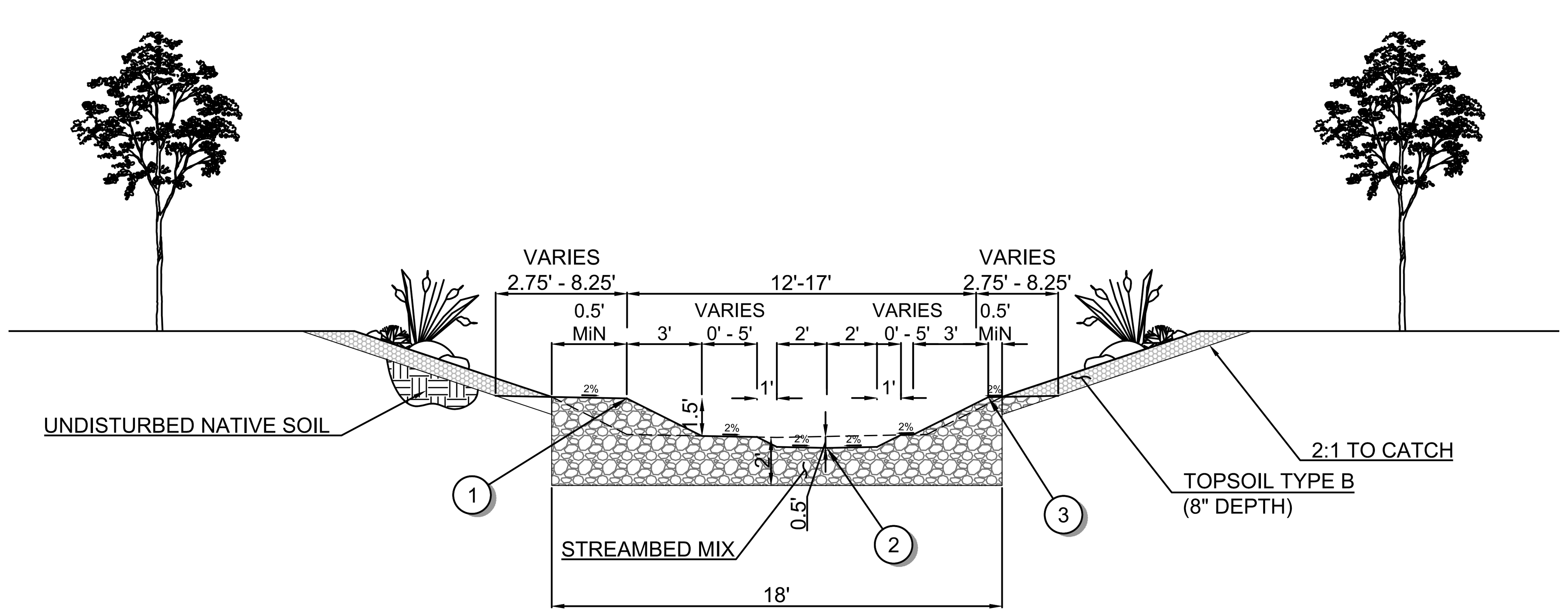
NOTE:

1. DISTANCE FROM STREAM CENTERLINE TO CENTERLINE OF KEY LOG IS 5.44' FOR LWD STRUCTURE 1 AND 5.73' FOR LWD STRUCTURE 2.

TYPICAL LARGE WOODY DEBRIS SECTION B-B

2 TYPICAL LARGE WOODY DEBRIS FEATURE

NOT TO SCALE



3 BANK LOCATION AND STREAMBED MIX SECTIONS

NOT TO SCALE

STREAMBED MIX FINISHED SURFACE SECTIONS				
STREAM CL STATION (A)	PT #1 (CL TO LEFT TERRACE)	PT #2 (DIST CL TO THALWEG)	PT #3 (DIST CL TO RIGHT TERRACE)	BANK FULL WIDTH
18+85	MATCH EXISTING STREAM	MATCH EXISTING THALWEG	MATCH EXISTING STREAM	MATCH EXISTING STREAM
19+00	8' LT	1' LT	7' RT	15'
19+25	11' LT	4' RT	6' RT	17'
19+50	10' LT	3' RT	7' RT	17'
CULVERT SECTION	CULVERT SECTION	CULVERT SECTION	CULVERT SECTION	17'
20+00	11' LT	2' RT	5' RT	16'
20+25	7' LT	1' LT	8' RT	15'
20+50	10' LT	4' RT	3' RT	13'
20+75	9' LT	5' RT	5' RT	14'
21+00	5' LT	1' LT	7' RT	12'
21+10	MATCH EXISTING STREAM	MATCH EXISTING THALWEG	MATCH EXISTING STREAM	MATCH EXISTING STREAM

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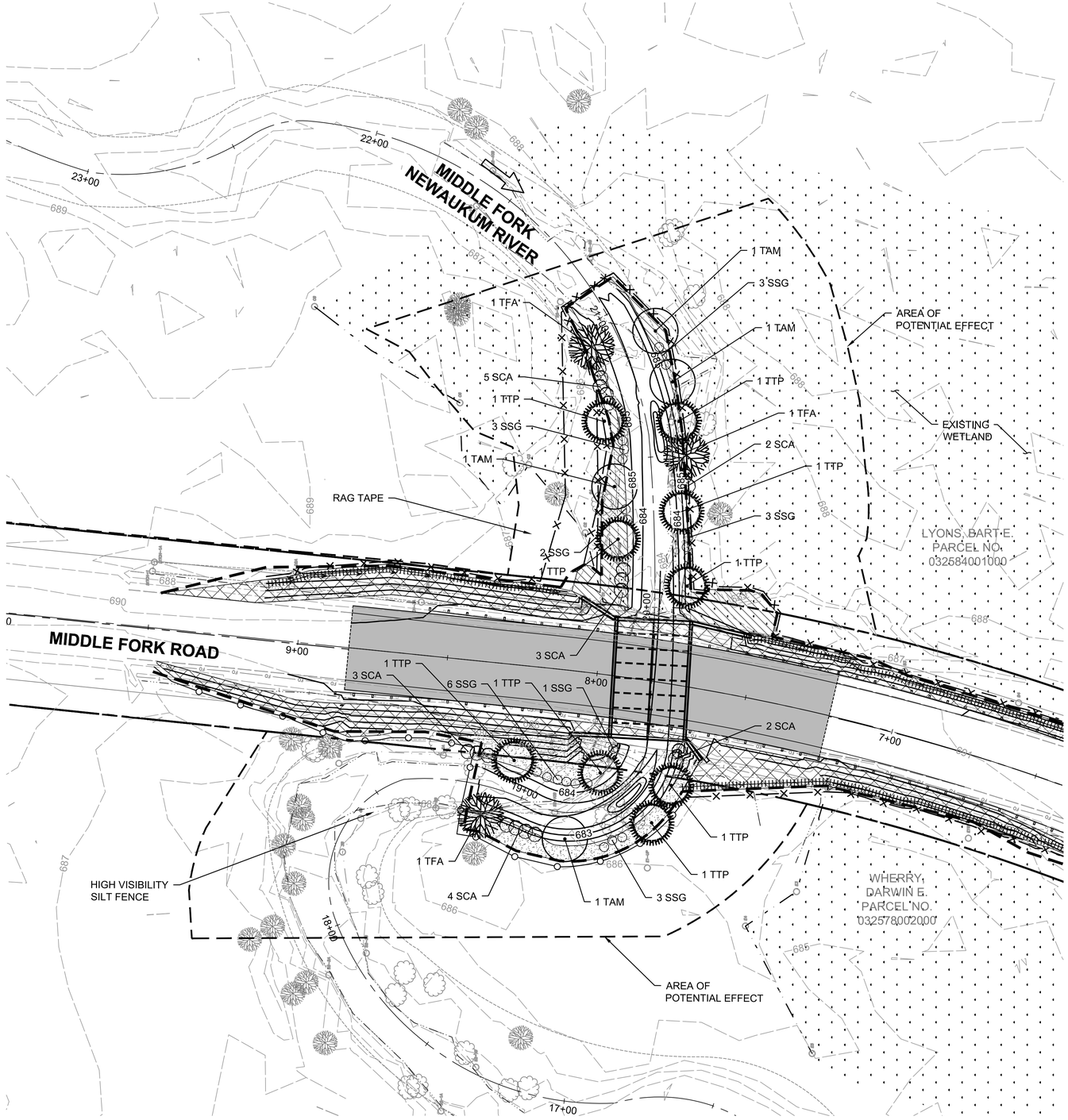
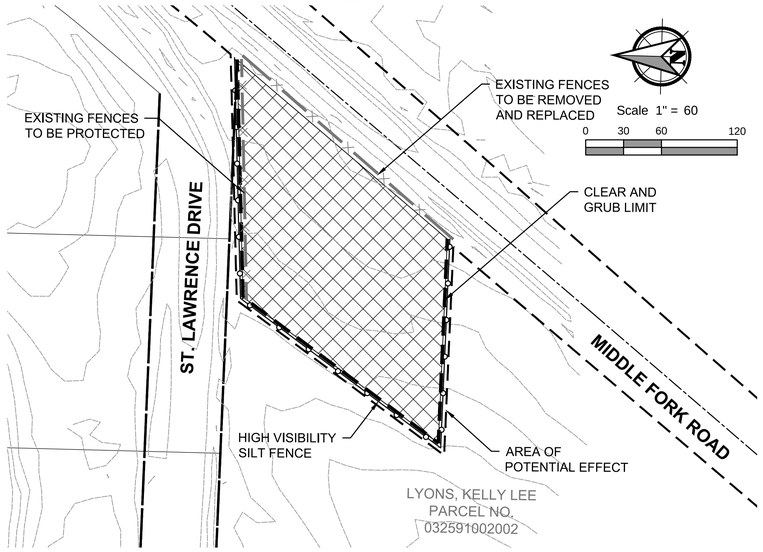


Scale 1" = 20

0 10 20 40

PLANTING MITIGATION NOTES:

1. FOR PLANT SEE SHEET P02.
2. FOR PLANTING DETAILS SEE SHEET P03.
3. DO NOT USE ANY NON-ORGANIC OR CHEMICAL FERTILIZERS WITH ANY PLANTING INSTALLATION FOR THIS PROJECT.
4. ALL EXISTING PLANT MATERIAL IS TO BE PROTECTED DURING CONSTRUCTION. ANY TREES DAMAGED DUE TO CONSTRUCTION ACTIVITIES ARE TO BE REPLACED.
5. SOIL USED FOR WETLAND MITIGATION AREAS SHALL BE THE SOIL THAT WAS CONSERVED PRIOR TO THE INSTALLATION OF TEMPORARY WETLAND ACCESS PATH.



Scale 1" = 60

0 30 60 120

PLANTING PLAN FOR STAGING AND STOCKPILING AREA

LEGEND:

- TTP — *THUJA PLICATA* — WESTERN RED CEDAR
- TAM — *ACER MACROPHYLLUM* — BIGLEAF MAPLE
- TFA — *FRAXINUS LATIFOLIA* — OREGON ASH
- SSG — *SALIX GEYERIANA* — GEYER WILLOW
- SCA — *CORNUS ALBA* — REDOSIER DOGWOOD
- ZONE A — DISTURBED AREA WITHIN THE WETLAND AND RIVER
- ZONE B — DISTURBED AREA ABOVE THE ORDINARY HIGH WATER MARK
- ZONE C — DISTURBED AREA FROM GRADING AND CONSTRUCTION ACTIVITIES

CONSTRUCTION PLANS

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PLANTING PLAN

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DAVID A. SEELY — STATE OF WASHINGTON — 39973 — REGISTERED PROFESSIONAL ENGINEER

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SHEET	12 OF 14

Filename: L:\Projects\450001\45013\45013-000\0004_Middle Fork Newaukum\Civil\CAD\Working\Sheets\45013.000-L01.dwg Layout Tab: LANDSCAPE PLAN User: Doug Ehlebracht CAD Plot Date/Time: 2/1/2019 3:50:39 PM

Full Size Sheet Format Is 22x34; If Printed Size Is Not 22x34, Then This Sheet Format Has Been Modified & Indicated Drawing Scale Is Not Accurate.

GENERAL NOTES:

1. REFER TO CIVIL ENGINEER'S DRAWINGS FOR UTILITY INFORMATION; INCLUDING STORM DRAIN, SEWER, WATER, ELECTRICAL, GAS, TELEPHONE AND CABLE.

2. REFER TO COUNTY STANDARD PLANS AND SPECIFICATIONS WHERE APPLICABLE.

3. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH ALL CONSTRUCTION OPERATIONS. ALL PIPING, CONDUIT, SLEEVES, ETC., SHALL BE SET IN PLACE PRIOR TO INSTALLATION OF IRRIGATION AND PLANTING CONSTRUCTION ITEMS.

4. CONTRACTOR SHALL BE RESPONSIBLE TO CONSULT WITH COUNTY REPRESENTATIVE, APPROPRIATE AGENCIES AND PLANS, FOR THE LOCATIONS OF ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ALL DAMAGES CAUSE AS A RESULT OF THEIR WORK.

5. CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT OBSTRUCTIONS, AREA DISCREPANCIES AND/OR GRADE DIFFERENCE EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATIONS.

PLANTING NOTES:

INSTALLATION:

1. THE CONTRACTOR SHALL INSTALL PLANTINGS ACCORDING TO THESE PLANS, DETAILS, AND THE SPECIFICATIONS.

2. VERIFY LOCATIONS OF ALL PERTINENT SITE IMPROVEMENTS UNDER OTHER SECTIONS. IF ANY PART OF THIS PLAN CANNOT BE FOLLOWED DUE TO SITE CONDITIONS, CONTACT THE OWNER'S AUTHORIZED REPRESENTATIVE FOR INSTRUCTION PRIOR TO COMMENCING WORK.

3. EXACT LOCATIONS OF PLANT MATERIALS SHALL BE REVIEWED BY THE OWNER'S AUTHORIZED REPRESENTATIVE IN THE FIELD PRIOR TO INSTALLATION. OWNER'S AUTHORIZED REPRESENTATIVE RESERVES THE RIGHT TO ADJUST PLANTS TO EXACT LOCATION IN THE FIELD.

4. ALL PLANTS SHALL BE GROWN FOR THIS REGION OR SHALL BE ADEQUATELY CLIMATIZED.

5. DO NOT MAKE SUBSTITUTIONS. IF SPECIFIED PLANTING MATERIAL IS NOT OBTAINABLE, SUBMIT PROOF OF NON-AVAILABILITY FROM AT LEAST FIVE (5) SOURCES TO THE COUNTY LANDSCAPE ARCHITECT, TOGETHER WITH THE PROPOSAL FOR USE OF EQUIVALENT MATERIAL FOR FINAL APPROVAL.

6. CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE FOR PLANT MATERIAL INSPECTION PRIOR TO INSTALLATION.

7. CONTRACTOR SHALL REPAIR OR REPLACE ANY EXISTING LANDSCAPE AFFECTED BY CONSTRUCTION TO IT'S ORIGINAL CONDITION. CONTACT LANDSCAPE ARCHITECT IF ANY AREAS NOT ORIGINALLY LANDSCAPED, BECOME LANDSCAPE.

8. ALL PLANTS SHALL BE PER WSDOT STANDARD PLAN H-10.10-00

PLANTING LIST, SPECIFICATIONS, AND DETAILS:
PLANTING LIST IS ON THIS SHEET.
FOR PLANTING DETAILS SEE SHEET P03.
FOR PLANTING SPECIFICATIONS SEE ASSOCIATED SPECIAL PROVISIONS.

TREE PROTECTION STANDARDS:

PLACING MATERIAL NEAR TREES:
NO PERSON MAY CONDUCT ANY ACTIVITY WITHIN THE PROTECTED AREA OF ANY TREE DESIGNATED TO REMAIN, INCLUDING, BUT NOT LIMITED TO, PARKING EQUIPMENT, PLACING SOLVENTS, STORING BUILDING MATERIAL AND SOIL DEPOSITS, DUMPING CONCRETE WASHOUT AND LOCATING BURN HOLES. DURING CONSTRUCTION, NO PERSON SHALL ATTACH ANY OBJECT TO ANY TREE DESIGNATED FOR PROTECTION.

PROTECTIVE BARRIER:
BEFORE DEVELOPMENT, LAND CLEARING, FILLING OR ANY LAND ALTERATION FOR WHICH A TREE REMOVAL PERMIT IS REQUIRED, THE APPLICANT SHALL:

ERECT AND MAINTAIN A READILY VISIBLE PROTECTIVE TREE FENCE ALONG THE OUTER EDGE AND COMPLETELY SURROUNDING THE PROTECTED AREA OF ALL PROTECTED TREES OR GROUPS OF TREES. FENCES SHALL BE CONSTRUCTED OF CHAIN LINK AND AT LEAST FOUR FEET HIGH, UNLESS OTHER TYPE OF FENCING IS AUTHORIZED BY THE ENGINEER.

PROHIBIT EXCAVATION OR COMPACTION OF EARTH OR OTHER POTENTIALLY DAMAGING ACTIVITIES WITHIN THE BARRIERS.

MAINTAIN THE PROTECTIVE BARRIERS IN PLACE UNTIL THE ENGINEER AUTHORIZES THEIR REMOVAL OR A FINAL CERTIFICATE OF OCCUPANCY IS ISSUED, WHICHEVER OCCURS FIRST.

ENSURE THAT ANY LANDSCAPE WORK DONE IN THE PROTECTED ZONE SUBSEQUENT TO THE REMOVAL OF THE BARRIERS SHALL BE ACCOMPLISHED WITH LIGHT MACHINERY OR HAND LABOR.

IN ADDITION TO THE ABOVE, THE ENGINEER MAY REQUIRE THE FOLLOWING:

COVER WITH MULCH TO A DEPTH OF AT LEAST 6 INCHES OR WITH PLYWOOD OR SIMILAR MATERIAL THE AREAS ADJOINING THE CRITICAL ROOT ZONE OF A TREE IN ORDER TO PROTECT ROOTS FROM DAMAGE CAUSED BY HEAVY EQUIPMENT.

MINIMIZE ROOT DAMAGE BY EXCAVATING A 2 FOOT DEEP TRENCH, AT EDGE OF CRITICAL ROOT ZONE, TO CLEANLY SEVERE THE ROOTS OF TREES TO BE RETAINED.

HAVE CORRECTIVE PRUNING PERFORMED ON PROTECTED TREES IN ORDER TO AVOID DAMAGE FROM MACHINERY OR BUILDING ACTIVITY.

MAINTAIN TREES THROUGHOUT CONSTRUCTION PERIOD BY WATERING.

GRADE:
THE GRADE SHALL NOT BE ELEVATED OR REDUCED WITHIN THE CRITICAL ROOT ZONE OF TREES TO BE PRESERVED WITHOUT THE ENGINEER'S AUTHORIZATION. THE ENGINEER MAY ALLOW COVERAGE OF UP TO ONE HALF OF THE AREA OF THE TREE'S CRITICAL ROOT ZONE WITH LIGHT SOILS (NO CLAY) TO THE MINIMUM DEPTH NECESSARY TO CARRY OUT GRADING OR PLANTING PLANS, IF IT WILL NOT IMPERIL THE SURVIVAL OF THE TREE. AERATION DEVICES MAY BE REQUIRED TO ENSURE THE TREE'S SURVIVAL.

IF THE GRADE ADJACENT TO A PRESERVED TREE IS RAISED SUCH THAT IT COULD SLOUGH OR ERODE INTO THE TREE'S CRITICAL ROOT ZONE, IT SHALL BE PERMANENTLY STABILIZED TO PREVENT SUFFOCATION OF THE ROOTS.

TREES AND OTHER VEGETATION TO BE RETAINED SHALL BE PROTECTED FROM EROSION AND SEDIMENTATION. CLEARING OPERATION SHALL BE CONDUCTED SO AS TO EXPOSE THE SMALLEST PRACTICAL AREA OF SOIL TO EROSION FOR THE LEAST POSSIBLE TIME. TO CONTROL EROSION, SHRUBS, GROUNDCOVERS AND STUMPS SHALL BE MAINTAINED ON THE INDIVIDUAL LOTS, WHERE FEASIBLE.

PLANT LIST

SYM	QTY	NAME	CONTAINER	SPACING
TREES				
TAM	4	Acer macrophyllum Bigleaf Maple	36" Min. Bare Root	As Shown
TTP	9	Thuja plicata Western Red Cedar	5 Gallon	As Shown
TFA	3	Fraxinus latifolia Oregon Ash	36" Min. Bare Root	As Shown
STAKES				
SSG	21	Salix geyeriana Geyer Willow	36" Min. Length, 1"-2" Diam.	As Shown
SCA	19	Cornus Alba Redosier Dogwood	Live Stake	As Shown
ZONE A - DISTURBED AREA WITHIN WETLAND AND RIVER				
	1,177 SF	27% - *Carex obnupta* (Slough Sedge) 25% - *Carex microptera* (Smallwing Sedge) 29.5% - *Carex stipata* (Awlfruit Sedge) 15% - *Eleocharis palustris* (Common Spikerush) 3% - *Scirpus microcarpus* (Panicled Bulrush) 0.5% - *Juncus tenuis* (Poverty Rush)	Seed Mix	0.6 lbs / 1,000 SF
ZONE B - DISTURBED AREA ABOVE ORDINARY HIGH WATER				
	1,164 SF	38.5% - *Hordeum brachyantherum* (Meadow Barley) 20% - *Bromus carinatus* (California Brome) 12% - *Festuca rubra rubra* (Native Red Fescue) 10% - *Glyceria occidentallis* (Northwestern Mannagrass) 5% - *Rosa nutkana* (Nootka Rose) 5% - *Symphoricarpos alba* (Common Snowberry) 4.5% - *Mahonia aquifolium* (Oregon Grape) 3% - *Deschampsia cespitosa* (Tufted Hairgrass) 1.5% - *Agrostis exarata* (Spike Bentgrass) 0.5% - *Holodiscus discolor* (Oceanspray)	Seed Mix	1 lbs / 1,000 SF
ZONE C - DISTURBED AREA FROM GRADING AND CONSTRUCTION ACTIVITIES				
	33,472 SF	43% - Elymus glaucus (Blue Wildrye) 37% - *Hordeum brachyantherum* (Meadow Barley) 11% - *Lolium multiflorum* (Annual Ryegrass) 7% - *Festuca idahoensis* (Idaho Fescue) 1% - *Festuca ovina* (Sheep Fescue) 0.6% - *Deschampsia* elongata (Slender Hairgrass) 0.4% - *Koeleria macrantha* (Junegrass)	Seed Mix	1 lbs / 1,000 SF

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DAVID A. SEGERS — STATE OF WASHINGTON — 38913 — REGISTERED PROFESSIONAL ENGINEER — 2/11/19

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CONSTRUCTION PLANS

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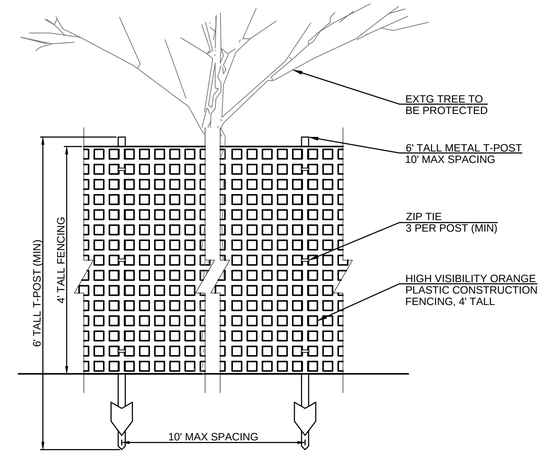

1 **Tree Protection Fencing**
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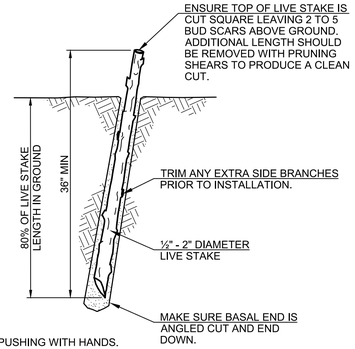

NOTE:
INSTALL LIVE STAKES BY PUSHING WITH HANDS. IF GROUND IS TOO SOLID, USE REBAR AND SLEDGE HAMMER TO MAKE HOLE PRIOR TO LIVE STAKE INSTALLATION. DO NOT HAMMER DIRECTLY ON STAKE.

2 **Live Stake Detail**
NOT TO SCALE

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DAVID A. SEGER — STATE OF WASHINGTON — 20973 — REGISTERED PROFESSIONAL ENGINEER — 2/11/19

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CONSTRUCTION PLANS

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