



# HYDRAULIC PROJECT APPROVAL

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

Issued Date: October 07, 2020  
Project End Date: December 31, 2022

Permit Number: 2020-4-785+01  
FPA/Public Notice Number: N/A  
Application ID: 19415

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Seattle Parks and Recreation ATTENTION: David Graves 800 Maynard Ave S, Fl 3 Seattle, WA 98134-1334	

**Project Name:** Lowman Beach Shoreline Restoration and Seawall Removal

**Project Description:** Lowman Beach Park shoreline restoration project to include:  
a. Removing the existing seawall (140 LF) and retaining wall  
b. Construct a new seawall return segment to abut the neighbor's seawall to the north.  
c. Restore the backshore beach with native materials and add additional materials to mirror the natural processes.  
d. Remove the tennis court, grade and add native shoreline plantings, and  
e. Daylight Pelly Creek

## PROVISIONS

1. TIMING LIMITATION: To protect fish and shellfish habitats at the job site, work below the ordinary high water line must occur from AUGUST 1 through DECEMBER 31 and JANUARY 1 through FEBRUARY 15 of any year.

2. APPROVED PLANS: Work must be accomplished per plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, entitled SEATTLE PARKS & RECREATION LOWMAN BEACH PARK RESTORATION PROJECT, dated MAY 2019, and the LOWMAN BEACH PARK SHORELINE DRAFT 90% DESIGN REPORT, dated FEBRUARY 2020, 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 proposal.

### NOTIFICATION

3. PRE- AND POST-CONSTRUCTION NOTIFICATION: You, your agent, or contractor must contact the Washington Department of Fish and Wildlife by e-mail at HPAapplications@dfw.wa.gov; mail to Post Office Box 43234, Olympia, Washington 98504-3234; or fax to (360) 902-2946 at least three business days before starting work, and again within seven days after completing the work. The notification must include the permittee's name, project location, starting date for work or date the work was completed, and the permit number. The Washington Department of Fish and Wildlife may conduct inspections during and after construction; however, the Washington Department of Fish and Wildlife will notify you or your agent before conducting the inspection.

4. PHOTOGRAPHS: You, your agent, or contractor must take photographs of the job site before the work begins and after the work is completed. You must upload the photographs to the post-permit requirement page in the Aquatic Protection Permitting System (APPS) or mail them to Washington Department of Fish and Wildlife at Post Office Box 43234, Olympia, Washington 98504-3234 within 30-days after the work is completed.

5. 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



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Wildlife of the problem. If the likely cause of the fish kill or fish distress is related to water quality, also notify the Washington Military Department Emergency Management Division at 1-800-258-5990. Activities related to the fish kill or fish distress must not resume until the Washington Department of Fish and Wildlife gives approval. The Washington Department of Fish and Wildlife may require additional measures to mitigate impacts.

## STAGING, JOB SITE ACCESS AND EQUIPMENT

6. Establish the staging area (used for activities such as equipment storage, vehicle storage, fueling, servicing, and hazardous material storage) in a location and manner that will prevent contaminants like petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.
7. Clearly mark boundaries to establish the limit of work associated with site access and construction.
8. Limit the removal of native bankline vegetation to the minimum amount needed to construct the project.
9. Any disturbed areas, as a result of project construction, shall be replanted using appropriate salt and clay tolerant native species.
10. Retain all natural habitat features on the beach larger than twelve inches in diameter including trees, stumps, logs, and large rocks. These natural habitat features may be moved during construction but they must be placed near the preproject location before leaving the job site.
11. Confine the use of equipment to specific access and work corridor shown in the approved plans.
12. Check equipment daily for leaks and complete any required repairs before using the equipment in or near the water.
13. Lubricants composed of biodegradable base oils such as vegetable oils, synthetic esters, and polyalkylene glycols are recommended for use in equipment operated in or near water.

## CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

14. Do not conduct project activities when the work area is inundated by tidal waters.
15. Prevent contaminants from the project, such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials, from entering or leaching into waters of the state.
16. Use tarps or other methods to prevent treated wood, sawdust, trimmings, drill shavings and other debris from contacting the bed or waters of the state.

## CONSTRUCTION MATERIALS

17. Do not use native bed material, other than material excavated for bulkhead footings or placement of bulkhead base rock, for project construction or fills.
18. To prevent leaching, construct forms to contain any wet concrete. Place impervious material over any exposed wet concrete that will come in contact with waters of the state. Forms and impervious materials must remain in place until the concrete is cured.



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19. Do not use wood treated with oil-type preservative (creosote, pentachlorophenol) in any hydraulic project. Wood treated with waterborne preservative chemicals (ACZA, ACQ) may be used if the Western Wood Preservers Institute has approved the waterborne chemical for use in the aquatic environment. The manufacturer must follow the Western Wood Preservers Institute guidelines and the best management practices to minimize the preservative migrating from treated wood into aquatic environments. To minimize leaching, wood treated with a preservative by someone other than a manufacturer must follow the field treating guidelines. These guidelines and best management practices are available at [www.wwpinstitute.org](http://www.wwpinstitute.org).

## SHORELINE RESTORATION AND PROTECTION

20. Lowman Beach Shoreline Restoration and Seawall Removal activities include the following elements, as illustrated in your plans, except as modified by this Hydraulic Project Approval:

- a. Removing the existing seawall (140 LF) and retaining wall
- b. Construct a new seawall return segment abutting the neighbor's seawall to the north.
- c. Restore the backshore beach with native materials and add additional materials to mirror the natural processes
- d. Remove the tennis court, grade and add native shoreline plantings, and
- e. Daylight Pelly Creek

21. The length of the restored bank protection will be approximately 140 lf feet as shown in the approved plans.

22. A minimum 85% of the project must be constructed with naturally occurring materials (e.g., live plantings, rootwads, large woody material, beach nourishment) that allow or mimic natural shoreline processes.

23. Establish the waterward distance of the restoration protection and concrete seawall return from a permanent benchmark(s) (fixed objects) before starting work on the project. The benchmarks must be located and shown on the approved plans, marked in the field, and protected to serve as a post-project reference for ten years.

24. Remove the existing concrete seawall and retaining wall from the beach and deposit the materials in an upland area above the limits of extreme high tidal water.

25. The return seawall wall must be constructed as illustrated in the approved plans.

26. The waterward face of the concrete return seawall must be located landward of the face of the existing bulkhead as shown in the approved plans.

27. Bury the top of the concrete seawall return footing a minimum of 18 inches below the preproject natural beach grade.

28. The shoreline restoration must be graded and constructed to the contours illustrated in your approved project plans.

29. Incorporate all upland drainage tight lines into the design at beach grade to prevent erosion of the bed.

30. As specified in the application, approximately 800 – 900 CYs of materials will be used to recreate the beach. If suitable, existing sands and gravels landward of the seawall may be used to create the beach.

31. BEACH MATERIAL SPECIFICATIONS - The restored beach will be graded per the specifications detailed in Appendix H Beach Material & Sieve Analysis and include a mix of gravel, gravelly sand and sand. The new beach will be graded to match the existing beach grading to the south.



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32. As specified in the Lowman Beach Park Design Report, the proposed beach nourishment would be approximately 200 ft wide and approximately 2,000 CYs of sediment.

33. As specified in the application, approximately 16,445 sf of nearshore habitat and 6,915 sf of backshore will be created.

34. Keep the use of equipment on the beach to a minimum, confined to a single access point, and limited to the work corridor necessary to place the beach nourishment materials. Construction material must not touch the beach outside this work corridor.

35. Do not stockpile excavated materials containing silt, clay, or fine-grained soil waterward of the ordinary high water line.

36. You may stockpile sand, gravel, and coarse excavated material waterward of the ordinary high water line provided the material is placed within the 25-foot work corridor waterward of the base rocks.

37. If sand, gravel, and other coarse excavated material is to be temporarily placed where it will come into contact with tidal waters, this material must be covered with filter fabric and adequately secured to prevent erosion and/or potential entrainment of fish.

38. Prior to tidal inundation, backfill all trenches, depressions, or holes created during construction waterward of the ordinary high water line.

39. Remove all stockpiled and excavated material from the beach within 72 hours of bulkhead construction.

40. Reshape beach area depressions created during project activities to preproject beach level upon project completion.

### PELLY CREEK DAYLIGHTING

41. As specified in the application, Pelly Creek will be daylighted (approximately 125 lf) through the park and discharge naturally at the shoreline.

42. Pelly Creek will be reconstructed as specified in the Lowman Beach Park Shoreline Restoration Design Report, dated February 2020.

### CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

43. Work in the dry watercourse (when no natural flow is occurring in the channel, or when flow is diverted around the job site).

44. Protect all disturbed areas from erosion. Maintain erosion and sediment control until all work and cleanup of the job site is complete.

45. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.

46. Straw used for erosion and sediment control, must be certified free of noxious weeds and their seeds.

47. 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.



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48. 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.

49. Route construction water (wastewater) from the project to an upland area above waters of the state. Remove fine sediment and other contaminants before discharging the construction water to waters of the state.

50. 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.

51. Deposit all trash from the project at an appropriate upland disposal location.

## IN-WATER WORK AREA ISOLATION USING A TEMPORARY BYPASS

52. Sequence the work to minimize the duration of dewatering.

53. 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.

54. The hydraulic capacity of the stream bypass must be equal to or greater than the 2-year peak flow event expected when the bypass will be operated.

55. Design the temporary bypass to minimize the length of the dewatered stream channel.

56. Install the temporary bypass before starting other construction work in the wetted perimeter using the gravity or pump bypass method per contractor plans.

57. Install a cofferdam or similar device at the upstream and downstream end of the bypass to prevent backwater from entering the work area.

58. 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.

59. 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.

## IN-WATER WORK AREA ISOLATION USING A COFFERDAM STRUCTURE

60. Maintain water quality when installing and removing the cofferdam, dike or similar structure.

## DEMOBILIZATION/CLEANUP

61. Remove all trash and unauthorized fill in the project area, including concrete blocks or pieces, bricks, asphalt, metal, treated wood, glass, floating debris, and paper, that is waterward of the ordinary high water line and deposit upland.

62. Remove any riprap (including quarry spalls) scattered, or abandoned outside the original design footprint from the bed and deposit it an upland area above the limits of extreme high tidal water.



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63. Remove all debris or deleterious material resulting from construction from the beach area or bed and prevent from entering waters of the state.

64. Do not burn wood, trash, waste, or other deleterious materials waterward of the ordinary high water line.

65. PLANTING PLAN: The shoreline must be replanted per the planting plan dated APRIL 2019. Alteration or disturbance of the bank and bank vegetation must be limited to that necessary to construct the project. Within seven calendar days of project completion, all disturbed areas must be protected from erosion using vegetation or other means. Plant riparian vegetation during the first dormant season (late fall through late winter) after project completion. The area must be (re)planted using appropriate salt and clay tolerant native species. Additional planting options are available in the Marine Riparian Vegetation Communities of Puget Sound by James Brennan available at [www.pugetsoundnearshore.org/technical\\_papers/riparian.pdf](http://www.pugetsoundnearshore.org/technical_papers/riparian.pdf). Vegetation must be planted at a maximum interval of three feet (on center) and maintained for at least three years to ensure at least eighty percent of the plantings survive. Failure to achieve the eighty percent survival in year three will require you to submit a plan with follow-up measures to achieve requirements or reasons to modify requirements. You must upload the photographs to the post-permit requirement page in the Aquatic Protection Permitting System (APPS) or mail them to Washington Department of Fish and Wildlife at Post Office Box 43234, Olympia, Washington 98504-3234 within 30-days after the work is completed.

LOCATION #1:		Site Name: Lowman Beach Park 7017 Beach Drive SW, Seattle, WA 98136				
WORK START:		October 7, 2020		WORK END:		December 31, 2022
<u>WRIA</u>		<u>Waterbody:</u>			<u>Tributary to:</u>	
08 - Cedar - Sammamish		Wria 08 Marine			Puget Sound	
<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
NW 1/4	26	24 N	03 E	47.540391	-122.397427	King
<u>Location #1 Driving Directions</u>						
From Interstate 5, take the West Seattle Bridge westbound to Fauntleroy Way SW; Continue on Fauntleroy Way SW to SW Graham Street; Turn right and follow SW Graham Street westbound to 48th Avenue SW; Turn left and follow 48th Avenue SW southbound to Beach Drive SW; Turn left onto Beach Drive SW, Lowman Beach Park will be on the right in approximately 200 feet.						

## APPLY TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW. Additional authorization from other public agencies may be necessary for this project. The person(s) to whom this Hydraulic Project Approval is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state and/or federal) that may be necessary for this project.

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



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This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this Hydraulic Project Approval.

Failure to comply with the provisions of this Hydraulic Project Approval could result in civil action against you, including, but not limited to, a stop work order or notice to comply, and/or a gross misdemeanor criminal charge, possibly punishable by fine and/or imprisonment.

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

**MINOR MODIFICATIONS TO THIS HPA:** You may request approval of minor modifications to the required work timing or to the plans and specifications approved in this HPA unless this is a General HPA. If this is a General HPA you must use the Major Modification process described below. Any approved minor modification will require issuance of a letter documenting the approval. A minor modification to the required work timing means any change to the work start or end dates of the current work season to enable project or work phase completion. Minor modifications will be approved only if spawning or incubating fish are not present within the vicinity of the project. You may request subsequent minor modifications to the required work timing. A minor modification of the plans and specifications means any changes in the materials, characteristics or construction of your project that does not alter the project's impact to fish life or habitat and does not require a change in the provisions of the HPA to mitigate the impacts of the modification. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a minor modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are seeking a minor modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234, or by email to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov). You should allow up to 45 days for the department to process your request.

**MAJOR MODIFICATIONS TO THIS HPA:** You may request approval of major modifications to any aspect of your HPA. Any approved change other than a minor modification to your HPA will require issuance of a new HPA. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a major modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send your written request by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You may email your request for a major modification to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov). You should allow up to 45 days for the department to process your request.



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## APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), Washington Department of Fish and Wildlife (WDFW) recommends that you first contact the department employee who issued or denied the HPA to discuss your concerns. Such a discussion may resolve your concerns without the need for further appeal action. If you proceed with an appeal, you may request an informal or formal appeal. WDFW encourages you to take advantage of the informal appeal process before initiating a formal appeal. The informal appeal process includes a review by department management of the HPA or denial and often resolves issues faster and with less legal complexity than the formal appeal process. If the informal appeal process does not resolve your concerns, you may advance your appeal to the formal process. You may contact the HPA Appeals Coordinator at (360) 902-2534 for more information.

**A. INFORMAL APPEALS:** WAC 220-660-460 is the rule describing how to request an informal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee may conduct an informal hearing or review and recommend a decision to the Director or designee. If you are not satisfied with the results of the informal appeal, you may file a request for a formal appeal.

**B. FORMAL APPEALS:** WAC 220-660-470 is the rule describing how to request a formal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete formal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request a formal appeal of that action. You must send your request for a formal appeal to the clerk of the Pollution Control Hearings Boards and serve a copy on WDFW within 30 days from the date you receive notice of the decision. You may serve WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Director's or designee's written decision in response to the informal appeal.

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

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Habitat Biologist

Laura.Arber@dfw.wa.gov

Laura Arber

425-379-2306

A handwritten signature in black ink, appearing to read "Laura Arber".

for Director

WDFW

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