



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000

August 14, 2008

CERTIFIED MAIL

7005 3110 0000 4535 0154

Ms. Cindy Clark
King County Department of Transportation
201 South Jackson Street
MS: KSC-TR-0231
Seattle, WA 98104

Dear Ms. Clark:

Re: Request for Temporary Water Use Application No. S1-28585

Department of Ecology (Ecology) received your application requesting temporary withdrawal of surface water for riparian and mitigation plant watering at the Tolt River replacement bridge site. The project is located in the SW ¼ NW ¼ Section 21, Township 25N, Range 7E. Approximately 3000 gallons of irrigation water is needed each visit and you estimate you will need 5 visits between July 15, 2008 and September 30, 2008.

Ecology is committed to support projects that have a direct positive impact on stream habitat. According to RCW 90.54.020(3), the quality of the natural environment shall be protected, and where possible, enhanced. This project is in the public interest.

WAC 173-507-020 established instream flows for the Snoqualmie River. This means the right to use water can legally be interrupted if stream flows drop below a specific level. Water is available at this time.

Your request for temporary water use from the Snoqualmie River is **granted** when flows are met at USGS gauge #12.1490.00 in accordance with Chapter 173-507-020 WAC.

Because flows change daily, it is up to the applicant to check the USGS gauge #12.1490.00 and shall be responsible for the termination of diversion when the flows established under WAC 173-507-020 for the Snoqualmie River near Carnation are not being met. The following website can be used to assist with that determination:

<https://fortress.wa.gov/ecy/wrx/wrx/flows/irpp-wria.asp?id=07>

The intake(s) shall be screened in accordance with Department of Fish and Wildlife screening criteria. <http://wdfw.wa.gov/hab/engineer/fishscrn.htm>

You have a right to appeal this decision. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your *Notice of Appeal*.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

The Pollution Control Hearings Board
PO Box 40903
Olympia WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:

The Department of Ecology
Appeals Coordinator
PO Box 47608
Olympia WA 98504-7608

OR

Deliver your appeal in person to:

The Department of Ecology
Appeals Coordinator
300 Desmond Dr SE
Lacey WA 98503

3. And send a copy of your appeal to:

Andrew B. Dunn
Department of Ecology
Northwest Regional Office
3190 160th Ave SE
Bellevue WA 98008

For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov>.

To find laws and agency rules visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>.

Cindy Clark
August 14, 2008
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If you have any questions, please contact Melisa Snoeberger at 425-649-7034 or at msno461@ecy.wa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew B. Dunn". The signature is fluid and cursive, with a large initial "A" and a long horizontal stroke at the end.

Andrew B. Dunn, LG, LHG
Section Manager
Water Resources Program

ad/ms/mc

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City, State, ZIP+4	ATTN CINDY CLARK 201 SOUTH JACKSON STREET SEATTLE WA 98104

PS Form 3800, June 2002 See Reverse for Instructions

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece or on the front if space permits. <p>1. Article Addressed to: <u>WR: MC 51-28585</u></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px; font-size: 0.8em;"> KING COUNTY DEPARTMENT OF TRANSPORTATION ATTN CINDY CLARK 201 SOUTH JACKSON STREET SEATTLE WA 98104 </div> <p>2. Article Number <i>(Transfer from service label)</i></p>	<p>A. Signature X <i>Joy Yarrington</i> <input type="checkbox"/> Agent</p> <p>B. Received by (Printed Name) C. Date of Delivery <u>Joy Yarrington</u> <u>18 AUG 2008</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p style="text-align: center; font-size: 1.5em; font-weight: bold; margin-top: 10px;">RECEIVED</p> <p style="text-align: center; font-size: 1.2em; margin-top: 5px;">AUG 19 2008</p> <p>3. Service Type DEPT OF ECOLOGY <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
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PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	