2009
WASHINGTON STATE
Joint Aquatic Resources Permit Application (JARPA) Form [help]

US Army Corps of Engineers ®
Seattle District

AGENCY USE ONLY

Date received:

Agency reference #: _____

Tax Parcel #(s): _____

_____

_____

USE BLACK OR BLUE INK TO ENTER ANSWERS IN WHITE SPACES BELOW.

Part 1–Project Identification

Unique project information that makes it easy to identify. [help]

1a. Unique Project Identifier Number (UPI #) [help] • Don't have one yet? Get one at http://www.epermitting.wa.gov or call the Washington Governor's Office of Regulatory Assistance at (800) 917-0043.
311264-09-01
1b. Project Name (Examples: Smith's Dock or Seabrook Lane Development) [help]
Spring Creek Restoration & Channel Re-location

Part 2–Applicant

The person or organization legally responsible for the project. [help]

2a. Name (Last, First, Middle) and Organization (if applicable)			
Steve Simon			
2b. Mailing Address (Street or PO Box)			
3520 South Fifth Ave			
2c. City, State, Zip			
Union Gap, WA 98903			
2d. Phone (1)	**2e.** Phone (2)	**2f.** Fax	**2g.** E-mail
(509) 952-9520		(509) 248-6239	hi2allu@aol.com

Part 3–Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b. of this application.) [help]

3a. Name (Last, First, Middle) and Organization (if applicable)			
Mid-Columbia Fisheries Enhancement Group			
3b. Mailing Address (Street or PO Box)			
P.O. Box 1271			
3c. City, State, Zip			
White Salmon, WA 98672			
3d. Phone (1)	**3e.** Phone (2)	**3f.** Fax	**3g.** E-mail
(509) 281-1322	(509)281-1311	(509)267-2151	fish@midcolumbiarfeg.com

Part 4–Property Owner(s) [help]

Contact information for people or organizations owning the property(ies) where the project will occur. [help]

☒ Same as applicant. (Skip to Part 5.)

☐ Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)

☐ There are multiple property owners. Complete the section below and use JARPA Attachment A for each additional property owner.

4a. Name (Last, First, Middle) and Organization (if applicable)			
4b. Mailing Address (Street or PO Box)			
4c. City, State, Zip			
4d. Phone (1)	**4e.** Phone (2)	**4f.** Fax	**4g.** E-mail
	( )		

Part 5–Project Location(s)

Identifying information about the property or properties where the project will occur. [help]

☐ There are multiple properties or project locations (e.g., linear projects). Complete the section below and use JARPA Attachment B for each additional property.

5a. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5n.) [help]

399 E. Court Street (approx.)

5b. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]

Union Gap, WA

5c. County [help]

Yakima

5d. Provide the section, township, and range for the project location. [help]

¼ Section	Section	Township	Range
SW 1/4	Sec 7	T12N	R19E

5e. Provide the latitude and longitude of the project location. [help]

- Example: 47.03922 N lat. / -122.89142 W long

46.552663,-120.471268

5f. List the tax parcel number(s) for the project location. [help]

- The local county assessor's office can provide this information.

19120821001
19120534005
19120534012
19120534013

5g. Indicate the type of ownership of the property. (Check all that apply.) [help]

☐ State Owned Aquatic Land ☐ Tribal ☒ **Private**

☐ Other publicly owned (federal, state, county, city, special districts like schools, ports, etc.)

5h. Contact information for all adjoining property owners, lessees, etc. (If you need more space, use JARPA Attachment C.) [help]

Name	Mailing Address	Tax Parcel # (if known)
RA Enterprises / Rasmussen / Pat McDonald	Parcel Address: TACOMA ST/I 82, ,WA	19120531025 Printer-Friendly
KOLOB TRUST Dan Olson	107 W. Pine Union Gap, WA 98903	19120821516 Printer-Friendly Pa
MARY MITZLAFF	3905 Freeway Ave Union Gap 98903	19120831518 Printer-Friendly Page

5i. Is any part of the project area within a 100-year flood plain? [help]

☐ Yes ☒ No ☐ Don't know

5j. Briefly describe the vegetation and habitat conditions on the property. [help]

Construction of I-82, grazing, and other development in the area has left Spring Creek in an extremely degraded condition. The creek is shallow and wide at the project site. Spring Creek is spring fed from waters that emerge from the aquifer beneath the City of Union Gap. The creek has good water temperature and quality, despite its urban environment and lack of riparian cover.
Vegetation in the project area includes willow (Salix amygdaloides). Herbaceous cover includes smartweed (Polygonum aviculare), yellow iris (Iris pseudocorus), reed canarygrass (Phalaris arundinacea), and nodding beggars-tick (Bidens cernua).

5k. Describe how the property is currently used. [help]

The project area is currently being used to pasture goats. However, most of the project area will likely be developed in the near future.

5l. Describe how the adjacent properties are currently used. [help]

To the north – corn farm.
To the south – neighborhood.
To the east – urban development.
To the west – freeway.

5m. Describe the structures (above and below ground) on the property, including their purpose(s). [help]

There is a window factory and associated hardened surfaces on the northern parcel adjacent to the project area.

5n. Provide driving directions from the closest highway to the project location, and attach a map. [help]

The project is located on private property. The landowner and project sponsor should be contacted prior to any site visits. To reach the site, exit I-82 at Union Gap. Travel north on Main Street. Turn west on E. Court Street until it turns into Tacoma Street and heads north. The middle of the proposed project reach on Spring Creek is due west, across an undeveloped pasture.

Part 6–Project Description

6a. Summarize the overall project. You can provide more detail in 6d. [help]

The goal of the project is to improve salmonid rearing habitat. The entire project area is 2,000 linear feet of Spring Creek. The entire length of the stream will be fenced to exclude livestock. A riparian buffer will be planted along the entire 2,000 linear feet.

The project will re-route 1,250 feet of Spring Creek away from existing and future development areas. In this re-channel reach, the creek will meander through a 90-foot wide, protected riparian buffer. (See site plan.) The 90 ft. wide buffer will be re-planted for the 1,250 foot long re-channeled reach. The remaining 750 feet (south end of the project area) of existing channel within the project area will have a 25 foot buffer on the west side of the creek. The east buffer width averages 120 feet between the stream and the freeway fence, with the widest area being 160 foot in width for this stream side. All of the riparian buffers will be re-planted with native shrubs. A re-vegetation plan is being developed by Mid-Columbia Fisheries with input from the landowner and WDFW. The re-vegetation plan will include details on site prep, species ratios and density, irrigation, weed abatement, and maintenance.

The 1,250 re-channeled reach will be designed to optimize rearing habitat and improve water quality. Woody debris and brush bundles will be installed in the channel to create complexity and hiding and foraging areas for juvenile salmonids. The new channel will provide increased habitat complexity by including meanders, woody debris, and an improved width to depth ratio.

6b. Indicate the project category. (Check all that apply.) [help]

- ☐ Commercial
- ☐ Residential
- ☐ Institutional
- ☐ Transportation
- ☐ Recreational
- ☐ Maintenance
- ☒ **Environmental Enhancement**

6c. Indicate the major elements of your project. (Check all that apply.) [help]

☐ Aquaculture	☐ Culvert	☐ Float	☐ Road
☐ Bank Stabilization	☐ Dam / Weir	☐ Geotechnical Survey	☐ Scientific Measurement Device
☐ Boat House	☐ Dike / Levee / Jetty	☐ Land Clearing	☐ Stairs
☐ Boat Launch	☐ Ditch	☐ Marina / Moorage	☐ Stormwater facility
☐ Boat Lift	☐ Dock / Pier	☐ Mining	☐ Swimming Pool
☐ Bridge	☐ Dredging	☐ Outfall Structure	☐ Utility Line
☐ Bulkhead	☒ Fence	☐ Piling	
☐ Buoy	☐ Ferry Terminal	☐ Retaining Wall (upland)	
☒ **Channel Modification**	☐ Fishway		

☐ Other: _____

6d. Describe how you plan to construct each project element checked in 6c. Include specific construction methods and equipment to be used. [help]

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year flood plain.

The creek will be relocated from the north boundary line of the property and will be reconnected to the stream about 1,250 feet downstream. This section of relocated creek will be within a 90-foot protected area (see map). This area includes a 20-foot buffer from the fence to a 40-foot "valley bottom" and then a 30-foot buffer on the west side of the valley bottom (see drawing).

Late Spring – Early Summer, 2009

1. Excavate and scrape with bull dozer (tracked) and mid-sized, tracked excavator to create a 40 foot wide valley bottom. The valley bottom will be an average of 4.3 ft below the existing ground elevation; where a layer of cobbles currently exists. Two pieces of equipment will need to cross the wetted, existing channel of Spring Creek one time in order to begin excavation of the new channel and valley bottom.

July, 2009

2. Excavate the new channel. This new channel will initially NOT be connected at either end to the existing channel. Excavation of the new channel will be done using a large or mid-sized tracked excavator. The new channel width will be 4-5 feet wide and 1-2 feet deep, with velocities of 0.5 - 1 foot per second. The sinuosity of the new channel will be 1.6.
3. Pile (stage) the excavated soils 15-20 feet back from the east bank of the existing channel for use later.
4. Construct brush bundles on-site (outside of the channel), by-hand using loosely packed branches and small wood. The bundles will be held together with biodegradable rope (with a life expectancy of 5 years).
5. Install small rootwads and brush bundles in the new, dry channel. The bundles will be installed by hand and secured with willow stakes along the banks and may extend partially (two feet or less) into the channel. The rootwads or any woody debris (not part of a brush bundle) will be secured in place through a combination of partial burial in the channel bed and wedging the material against the stream banks.
6. Place blocknets in the new channel just downstream from the connection point to eliminate fish from entering the new channel for the first two days.
7. Install temporary sediment capture filters, including weed free straw bales and silt fence, at the bottom end of the existing channel, just downstream from the connection point.
8. Connect the new channel at the bottom end first, and then at the top end.
9. Immediately downstream of the inlet of the new channel, partially plug the old channel with biodegradable, gravel-filled sandbags until an adequate flow (approximately 1 cfs) is diverted into the new channel to gradually wet it up. This flow level will be maintained overnight, after which the block nets will be removed, allowing fish access into the new channel. More sandbags will then be gradually added to the plug in the existing channel until approximately 1 cfs of flow still remains in the existing channel.
10. Allow water to flow through both channels for two days to introduce flows to the new channel slowly to reduce turbidity.
11. Salvage fish from any isolated ponds or pools in the old channel. Place any fish stranded in the old channel upstream of the construction site. Remove block nets and enable fish passage through the newly constructed channel.
12. A compacted mixture of sand, gravel, and cobble will be used to fill the channel to the top of the bank at the upstream end of the project area for a distance of at least ten feet to create an impermeable plug that will divert all flow into the new channel. Willow and dogwood cuttings will be planted between and behind the sandbags above the waterline.
13. Allow the old channel to dry out completely.

14. Fill approximately 925 feet of the old channel with the stock piled, excavated material. The soil surface will be graded over the area of the old channel to conform with the current contours. Equipment to be used will likely be a mid-sized excavator and bull dozer. Seed this area with non-invasive, drought tolerant grass.
15. Approximately 325 linear feet of the existing channel, directly behind the window factory, will remain open to function as a temporary "catch basin" for stormwater runoff from developed areas of the property until the landowner provides a different mechanism for collection and discharge of stormwater in accordance with standard of the Eastern Washington Stormwater Design Manual as published by the Washington Department of Ecology.

Fall, 2009

16. Plant the 2,000 foot long riparian zone with native shrubs and grasses.
17. Construct a livestock exclusion fence on the west side of the riparian buffer for the entire 2,000 foot project area. The fence will protect the existing and newly planted vegetation. At least two gates will be installed to provide access.

Spring, 2010

18. Install drip irrigation system for riparian plants.

6e. What are the start and end dates for project construction? (month/year) [help]

- If the project will be constructed in phases or stages, use JARPA Attachment D to list the start and end dates of each phase or stage.

Channel re-location: Start date: July 15, 2009 End date: August 30, 2009

Riparian planting and fencing: Late October, 2009

☐ See JARPA Attachment D

6f. Describe the purpose of the work and why you want or need to perform it. [help]

The goal of this project is to increase and improve salmonid rearing habitat. Because Spring Creek is a spring brook, it has a constant, ideal temperature and consistent flow, it has the potential to provide excellent salmonid rearing habitat, which is a limiting habitat factor in this reach of the Yakima Basin. However, Spring Creek is currently in an extremely degraded condition. The entire area is located within the historical migration zone of the Yakima River. The area has been subject to extreme human modification, including construction of I-82 (which is immediately adjacent to the project area), agricultural use of the project area, and urban development immediately surrounding the project area. It is unlikely that the creek is located in its historic channel, and historic flows have been augmented by groundwater drainage re-routed from elsewhere in Union Gap. Spring Creek currently lacks riparian cover, is very wide and shallow, and lacks in-channel habitat complexity.
Spring Creek is also threatened by future development. The creek is situated on land that is zoned and suitable for commercial development. The site is surrounded by urban development. The landowner plans to sell the land for development in the near future. Past development has encroached on the creek and future development will likely do so as well. Most of the surrounding lands are developed as neighborhoods or shopping centers.
This project was conceived as a way to create rearing habitat and protect the creek, while meeting the landowner's goals for the property.

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]

$100,000

6h. Will any portion of the project receive federal funding? [help]

- **If yes**, list each agency providing funds.

☒ **Yes** ☐ No ☐ Don't know **U.S. Fish & Wildlife Service**

Part 7–Wetlands: Impacts and Mitigation

☒ Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [help]

☐ Not applicable

The wetlands in the project area are associated with Spring Creek. Please see attached wetlands report for supporting information.

The project was designed to mitigate and enhance impacts to the stream and associated wetlands. The project design calls for enhancing the highest quality wetlands (the south 750 feet of the project area) through riparian planting and livestock exclusion. No heavy equipment work is planned in these higher quality (Category III) wetlands in the south part of the project area.

The wetlands that are associated with the creek for the north 1,250 linear feet of the project area will be filled as part of the channel re-location. Because these wetlands are associated with the creek, please see section 8, particularly 8a, for additional information.

7b. Will the project impact wetlands? [help]

☒ Yes ☐ No ☐ Don't know

7c. Will the project impact wetland buffers? [help]

☒ Yes ☐ No ☐ Don't know

7d. Has a wetland delineation report been prepared? [help]

- **If yes**, submit the report, including data sheets, with the JARPA package.

☒ Yes ☐ No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [help]

- **If yes**, submit the wetland rating forms and figures with the JARPA package.

☒ Yes ☐ No ☐ Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [help]

- **If yes**, submit the plan with the JARPA package.

☒ Yes ☐ No ☐ Not applicable.

The project described in this JARPA application implements most of a Mitigated Determination of Non Significance, Dated March 18, 2006. In several aspects, including riparian plantings, buffer width, and fencing this project goes well beyond the requirements of the MDNS. The MDNS is attached. Additional information on mitigation of adverse impacts is included in the answer to question 8.

7g. Use the table below to list the type and rating of each wetland that will be impacted; the extent and duration of the impact; and the type and amount of compensatory mitigation proposed. If you are submitting a compensatory mitigation plan with a similar table, you may simply state (below) where we can find this information in the mitigation plan. [help]

Activity causing impact (fill, drain, excavate, flood, etc.)	Wetland type and rating category[1]	Impact area (sq. ft. or acres)	Duration of impact[2]	Proposed mitigation type[3]	Wetland mitigation area (sq. ft. or acres)
The wetlands in the project area are associated with the creek. Please see question 8c.					

[1] Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

[2] Indicate the time (in months or years, as appropriate) the wetland will be measurably impacted by the activity. Enter "permanent" if

applicable.

[3] Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: _____

7h. For all filling activities identified in 7g., describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [help]

Please see question 8f.

7i. For all excavating activities identified in 7g., describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [help]

No excavation is planned in the wetlands.

7j. Summarize what the compensatory mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [help]

See question 8e.

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, "waterbodies" refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [help]

☒ Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [help]

☐ Not applicable

This project was designed to enhance the aquatic environment. The following design and construction measures will help minimize adverse impacts:

1. Construction is planned for summer, a time of year when only juvenile salmonids will be present.
2. Construction will take place during the driest time of the year, with little danger of flood or storm water runoff during construction. Because of a headgate located approximately 2,000 feet upstream of the site, Spring Creek is protected from the risk of extreme flooding.
3. Construction equipment will be maintained in good working order. All heavy equipment will be washed prior to mobilization to the site, to ensure that no weed seeds are spread to the site. Refueling will be accomplished at a designated site, 100 feet or more away from any standing or running water. Spill containment materials will be on hand during construction. Vehicle staging, cleaning, maintenance, refueling, and fuel storage will take place in a vehicle staging area located 100 feet or more from any stream, water body or wetland. All vehicles operated within 50 feet of any stream, water body or wetland will be inspected daily for fluid leaks. Once heavy equipment has crossed the wetted, old channel at the beginning of the project, it is unlikely that any additional wetted crossings will be needed. In all cases, the number of wetted crossings shall be kept to the absolute minimum.
4. The new channel will be completely excavated in the dry before any water is diverted into it.
5. Fish will be excluded from the construction area. Prior to drying of the existing channel, WDFW will assist with fish salvage following NFMS criteria. A seine net will be used to remove fish from the area and dipnets will be used in pools. Electrofishing, following NMFS guidelines, for remaining fish will occur if necessary.
6. The entire riparian zone will be planted with a diverse assemblage of native shrubs, and some native trees. Re-planting in the riparian zone will help reduce erosion, stabilize banks, improve water quality, and speed the recovery of the site.
7. Mid-Columbia Fisheries staff will inspect the project annually for three years to ensure that the new

channel and instream structures are functioning as designed. Modifications will be made if necessary. Additionally, Mid-Columbia Fisheries staff will inspect the plantings to insure adequate survival, and re-plant as necessary.

8b. Will your project impact a waterbody or the area around a waterbody? [help]

☒ **Yes** ☐ No

8c. Summarize impact(s) to each waterbody in the table below. [help]

Activity causing impact (clear, dredge, fill, pile drive, etc.)	Waterbody name	Impact location[1]	Duration of impact[2]	Amount of material to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Filling of old channel, after channel re-location	Spring Creek	Old channel will be filled. Channel and adjacent area will be graded.	Permanent	3,550 cubic yards	Creek length to be filled: 925 Creek width: 15-30 feet Creek depth: 1.5 ft.

[1] Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.
[2] Indicate the time (in months or years, as appropriate) the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

8d. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [help]

- **If yes**, submit the plan with the JARPA package.

☒ Yes ☐ No ☐ Not applicable

8e. Summarize what the compensatory mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7j., you do not need to restate your answer here. [help]

The City of Union Gap, Washington Department of Fish and Wildlife and the landowner negotiated a Revised Mitigated Determination of Non Significance (MDNS), dated March 18, 2006 (attached). The plan lays out the mitigation work required due to a 7,000 sq. ft. expansion of the building used to manufacture windows.

This JARPA addresses those applicable portions of the MDNS, as well as additional restoration work beyond what is called for in the MDNS. The MDNS was developed with the goals of protecting Spring Creek from the building expansion and future development on the parcel to the south, while at the same time meeting the landowner's needs for reasonable development of the property. Development of the MDNS included input from several resource and regulatory agencies.

8f. For all activities identified in 8c., describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [help]

Approximately 925 linear feet of the old channel of Spring Creek will be filled with material excavated from the new channel and associated "valley bottom" area. The soil within the entire project area is Weirman fine sandy loam over a layer of cobbles. This fill will be stock piled 15-30 feet from the east bank of the creek during construction of the new channel. Once the old channel is completely dry, this fill material will be placed with heavy equipment (excavator or loader) in the old channel, with grading by a bull dozer to conform with current land contour. Approximately 3,550 cubic yards of material will be needed for filling and re-grading the old channel.

8g. For all excavating or dredging activities identified in 8c., describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [help]

No excavating or dredging is planned in the existing channel. Excavation of soils and some cobbles will occur with construction of the new channel. This excavation will be done "in the dry." The excavated material will be placed 15-30 feet from the east bank of the old channel. Once the old channel is completely dry, this material will be placed in the old channel. Excess spoils (particularly top soil) may be sold and / or hauled off site.

Part 9–Additional Information

Any additional information you can provide helps the reviewer(s) understand your project.

9a. If you have already worked with any government agencies on this project, list them below. [help]

Agency Name	Contact Name	Phone	Most Recent Date of Contact
WA Dept. of Fish & Wildlife	Richard Visser	(509) 457-9308	3/23/09
WA Dept. of Ecology	Cathy Reed	(509) 575-2616	3/23/09
City of Union Gap	Bill Rathbone	(509) 575-3638	3/5/09

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 on the Washington Department of Ecology's 303(d) List? [help]

- **If yes,** list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: http://www.ecy.wa.gov/programs/wq/303d/.

☐ Yes ☒ **No**

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [help]

- Go to http://cfpub.epa.gov/surf/locate/index.cfm to help identify the HUC.

17030003 Lower Yakima

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [help]

- Go to http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm to find the WRIA #.

WRIA #37.1384

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help]

- Go to http://www.ecy.wa.gov/programs/wq/swqs/criteria.html for the standards.

☒ **Yes** ☐ No ☐ Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help] NOT IN THE JURISDICTION OF THE SMA.

- If you don't know, contact the local planning department.
- For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html.

☐ Rural ☐ Urban ☐ Natural ☐ Aquatic ☐ Conservancy ☐ Other _____

9g. What is the Washington Department of Natural Resources Water Type? [help]

- Go to http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx for the Forest Practices Water Typing System.

☐ S ☒ **F** ☐ Np ☐ Ns

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help]

- **If no**, provide the name of the manual your project is designed to meet.

☒ **Yes** ☐ No

Name of manual:

9i. If you know what the property was used for in the past, describe below. [help]

The project is adjacent to Interstate-82 within the historical migration zone of the Yakima River. The entire area was once a part of the active Yakima River floodplain, and a part of a large wetland/creek complex. The project area has been used as farm and pasture land for many years.

9j. Has a cultural resource (archaeological) survey been performed on the project area? [help]

- **If yes**, attach it to your JARPA package.

☒ Yes ☐ **No** Cultural resource survey is complete. See attached.

9k. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [help]

There are no ESA-listed species that are known or likely to occur within the project area. There are bull trout present in the upper branches of the Ahtanum Watershed, a watershed that is adjacent to Wide Hollow Creek. (Spring Creek is a tributary to Wide Hollow Creek.) It is thought that most of the bull trout in Ahtanum Creek are resident and are not likely to migrate to the mainstem and/or into Spring Creek (Eric Anderson personal communication 2009). No bull trout have been documented in Spring Creek.

There are also Mid-Columbia Steelhead in the Yakima River and Ahtanum Creek. Sampling in Spring Creek found O. mykiss in the lower end of Spring Creek below a human-made juvenile barrier located less than 0.5 mile downstream of the project area. This barrier precludes juvenile salmonids from entering the project area.

The project area does not have suitable spawning habitat for either bull trout or Mid-Columbia Steelhead.

9l. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [help]

Biodiversity areas & Corridors, Riparian, Freshwater wetlands, Instream, Chinook salmon, Coho, Rainbow trout, Columbia Spotted frog, Great blue heron, Bald eagle, Prairie falcon

Part 10–Identify the Permits You Are Applying For

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at http://apps.ecy.wa.gov/opas/.
- Governor's Office of Regulatory Assistance at (800) 917-0043 or help@ora.wa.gov.

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [help]

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

☐ A copy of the SEPA determination or letter of exemption is included with this application.

☒ A SEPA determination is pending with WA Dept. of Fish and Wildlife (lead agency). The expected decision date is May, 2009.

☐ I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.)

- Submit the Fish Habitat Enhancement Project form with this application. The form can be found at http://www.epermitting.wa.gov/Portals/_JarpaResourceCenter/images/default/fishenhancement.doc

☐ This project is exempt (choose type of exemption below).

☐ Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

_____

☐ Other: _____

☐ SEPA is pre-empted by federal law. [help]

10b. Indicate the permits you are applying for. (Check all that apply.) [help]

LOCAL GOVERNMENT

Local Government Shoreline permits:

☐ Substantial Development ☐ Conditional Use ☐ Variance

☐ Shoreline Exemption Type (explain): _____

Other city/county permits:

☒ Floodplain Development Permit ☒ Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

☒ Hydraulic Project Approval (HPA) ☐ Fish Habitat Enhancement Exemption

Washington Department of Ecology:

☒ Section 401 Water Quality Certification

Washington Department of Natural Resources:

☐ Aquatic Resources Use Authorization

FEDERAL GOVERNMENT

United States Department of the Army permits (U.S. Army Corps of Engineers):

☒ Section 404 (discharges into waters of the U.S.) ☐ Section 10 (work in navigable waters)

United States Coast Guard permits:

☐ General Bridge Act Permit ☐ Private Aids to Navigation (for non-bridge projects)

Part 11–Authorizing Signatures

Signatures required before submitting the JARPA package.

11a. Applicant Signature (required) [help]

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. _____ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. _____ (initial)

_____ _____

Applicant Date

11b. Authorized Agent Signature [help]

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

_____ _____

Authorized Agent Date

11c. Property Owner Signature (if not applicant) [help]

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

_____ _____

Property Owner Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact The Governor's Office of Regulatory Assistance (ORA). People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341.
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