



2009

Copy



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

118370

AGENCY USE ONLY
RECEIVED
Date received: **AUG 06 2009**
BY: _____
Agency reference #: **SLE 2009-011**
Tax Parcel #(s): **2518800**
~~Receipt #~~ **015780**

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

Part 1—Project Identification *\$100 application fee*

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.

RECEIVED
AUG 31 2009
HABITAT PROGRAM

1b. Project Name (Examples: Smith's Dock or Seabrook Lane Development) [help]

Part 2—Applicant

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

2a. Name (Last, First, Middle) and Organization (if applicable)
Diamond M Ranch

2b. Mailing Address (Street or PO Box)
P.O. Box 99

2c. City, State, Zip
Laurier WA 99146

2d. Phone (1)	2e. Phone (2)	2f. Fax	2g. E-mail
<i>(509) 6844380</i>	<i>()</i>	<i>()</i>	

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)
Len McIrvin

3b. Mailing Address (Street or PO Box)
P.O. Box 99

3c. City, State, Zip
Laurier WA 99146

3d. Phone (1)	3e. Phone (2)	3f. Fax	3g. E-mail
<i>(509) 6844380</i>	<i>()</i>	<i>()</i>	

Palmanter 1

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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) [help]			
Hafer Land Inc % Cary Hafer			
4b. Mailing Address (Street or PO Box)			
2831 Farm to market Rd			
4c. City, State, Zip			
Chewelah, wa 99109			
4d. Phone (1)	4e. Phone (2)	4f. Fax	4g. E-mail
(509) 935 8764	()	()	

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 5f.) [help]			
5b. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
5c. County [help]			
5d. Provide the section, township, and range for the project location. [help]			
1/4 Section	Section	Township	Range
	10 10	31	40
5e. Provide the latitude and longitude of the project location. [help]			
• Example: 47.03922 N lat. / -122.89142 W long			
48.12109		117.44384	
5f. List the tax parcel number(s) for the project location. [help]			
• The local county assessor's office can provide this information.			
2518800			
5g. Indicate the type of ownership of the property. (Check all that apply.) [help]			
<input type="checkbox"/> State Owned Aquatic Land <input type="checkbox"/> Tribal <input checked="" type="checkbox"/> Private			
<input type="checkbox"/> 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)
Richard Johnson	2834 Hwy. 231 Valley, Wa 99181	

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. [\[help\]](#)

Cropland - Native & Seeded grass - Grazing & Pasture land

5k. Describe how the property is currently used. [\[help\]](#)

Farming & Pasture

5l. Describe how the adjacent properties are currently used. [\[help\]](#)

Same as # 5K

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

No structures within 1/2 mile

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

Starting Pt. - Confluence of hwy #395 & hwy #23
go West on Newton Rd to Colville River then proceed
Up stream to project

Part 6-Project Description

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

Gravel bar has deposited in the main channel of the Colville River, just below the confluence with Huckleberry Creek, Appx 600 cubic yards of material need to be removed to restore the channel cross section & grade. Upstream flooding is being caused on about 400 acres. The material will be removed using a dragline or excavator to original depth. Excavated material will be placed on upland adjacent to river - allowing it to drain prior to removal by truck - periodic maintenance will be necessary - as it has been 11 years since the last maintenance.

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]

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Culvert | <input type="checkbox"/> Float | <input type="checkbox"/> Road |
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Ditch | <input type="checkbox"/> Marina / Moorage | <input type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bridge | <input checked="" type="checkbox"/> Dredging | <input type="checkbox"/> Outfall Structure | <input type="checkbox"/> Utility Line |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Piling | |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Retaining Wall (upland) | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> 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.

No Project Construction -
only removing Gravel plug in the river

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.

Start date: AS SOON AS APPROVED End date: BEFORE FRYING UP - 2009 See JARPA Attachment D

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

The Gravel Plug is creating upstream flooding on about 1100 acres of pasture and cropland, The 1948 dredged grade has been compromised by this plug and it needs to be removed to restore that grade and cross section. Also several hundred head of cattle are being deprived of adequate feed as their pasture is flooded

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

\$2700.00

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

- If yes, list each agency providing funds.

Yes No Don't know

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

We will be using the same procedure as was approved by the agencies in 1998 for the identical project

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

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)

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. [\[help\]](#)

No Filling

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. [\[help\]](#)

Approximately 600 cubic yards of Material will be removed by dragline or excavator. EX Cavated material will be placed on upland adjacent to the River, allowing it to drain, prior to its removal by truck

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

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

Project to be done during the season when the least amount of water is flowing - thereby reducing erosion - Sediment disturbance and water turbid?

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

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. [\[help\]](#)

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]

No Fill

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]

See # 7i

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
		()	
		()	
		()	

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.

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 #.

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? [\[help\]](#)

- 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/fo_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. [\[help\]](#)

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

- If yes, attach it to your JARPA package.

Yes No

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. [\[help\]](#)

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. [\[help\]](#)

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.

<p>10a. Compliance with the State Environmental Policy Act (SEPA) (Check all that apply.) [help]</p> <ul style="list-style-type: none"> • For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html. <p><input type="checkbox"/> A copy of the SEPA determination or letter of exemption is included with this application.</p> <p><input type="checkbox"/> A SEPA determination is pending with _____ (lead agency). The expected decision date is _____.</p> <p><input type="checkbox"/> I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.)</p> <ul style="list-style-type: none"> • 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 <p><input type="checkbox"/> This project is exempt (choose type of exemption below).</p> <p><input type="checkbox"/> Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt? _____</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> SEPA is pre-empted by federal law. [help]</p>
<p>10b. Indicate the permits you are applying for. (Check all that apply.) [help]</p>
<p>LOCAL GOVERNMENT</p>
<p>Local Government Shoreline permits:</p> <p><input type="checkbox"/> Substantial Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance</p> <p><input checked="" type="checkbox"/> Shoreline Exemption Type (explain): <u>< 5,700</u></p>
<p>Other city/county permits:</p> <p><input type="checkbox"/> Floodplain Development Permit <input type="checkbox"/> Critical Areas Ordinance</p>
<p>STATE GOVERNMENT</p>
<p>Washington Department of Fish and Wildlife:</p> <p><input checked="" type="checkbox"/> Hydraulic Project Approval (HPA) <input type="checkbox"/> Fish Habitat Enhancement Exemption</p>
<p>Washington Department of Ecology:</p> <p><input type="checkbox"/> Section 401 Water Quality Certification</p>
<p>Washington Department of Natural Resources:</p> <p><input type="checkbox"/> Aquatic Resources Use Authorization</p>
<p>FEDERAL GOVERNMENT</p>
<p>United States Department of the Army permits (U.S. Army Corps of Engineers):</p> <p><input type="checkbox"/> Section 404 (discharges into waters of the U.S.) <input type="checkbox"/> Section 10 (work in navigable waters)</p>
<p>United States Coast Guard permits:</p> <p><input type="checkbox"/> General Bridge Act Permit <input type="checkbox"/> Private Aids to Navigation (for non-bridge projects)</p>

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. LM (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. LM (initial)

Diamond m Ranch
Applicant

8-6-09
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.

Len McDevlin
Authorized Agent

8-6-09
Date

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

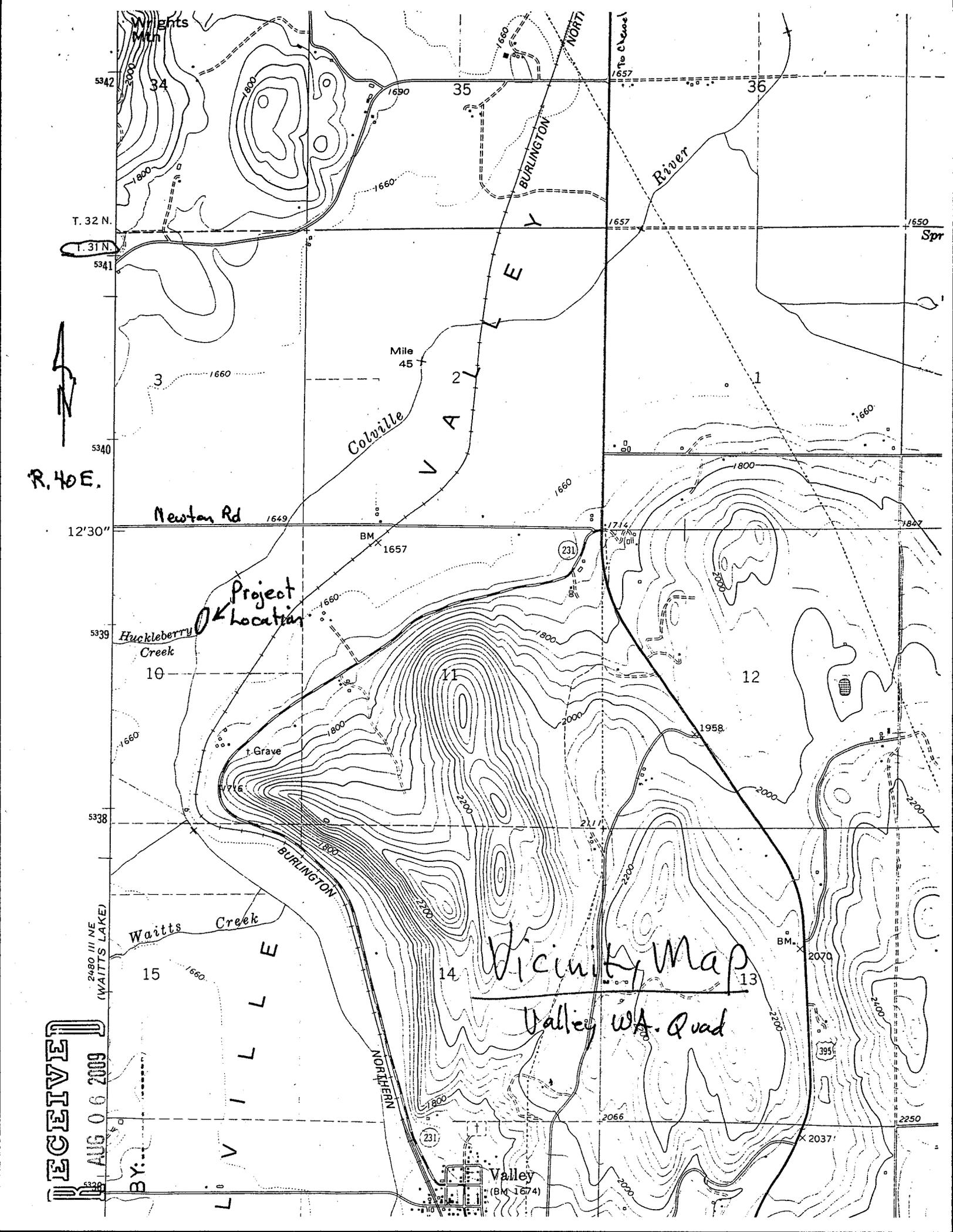
I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

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.
ORA publication number: ENV-019-09



R. 40 E.

T. 32 N.

T. 31 N.

12'30"

2480 III NE
(WAITTS LAKE)

RECEIVED
AUG 06 2009

BY:

V
A
L
L
E
Y

Valley WA. Quad
Vicinity Map

Valley
(BM 1674)

Newton Rd

Huckleberrry
Creek

Waitts
Creek

Colville

BURLINGTON

BURLINGTON

NORTHERN

BURLINGTON
NORTH

To Cleaveland

5342

5341

5340

5339

5338

5337

34

3

10

15

35

2

11

14

36

1

12

13

River

t. Grave

Mile
45

231

1714

1958

2000

2070

395

2037

1650
Spr

1827

2250

1660

1649

BM
1657

1660

1800

2000

1800

231

1650

1660

1650

1660

1800

2000

2200

1800

2000

1650

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1800

2000

2200

2066

2000

1657

1657

1714

2000

2200

2066

2066

2000

1800

2000

1958

2000

2070

2200

2000

1660

1827

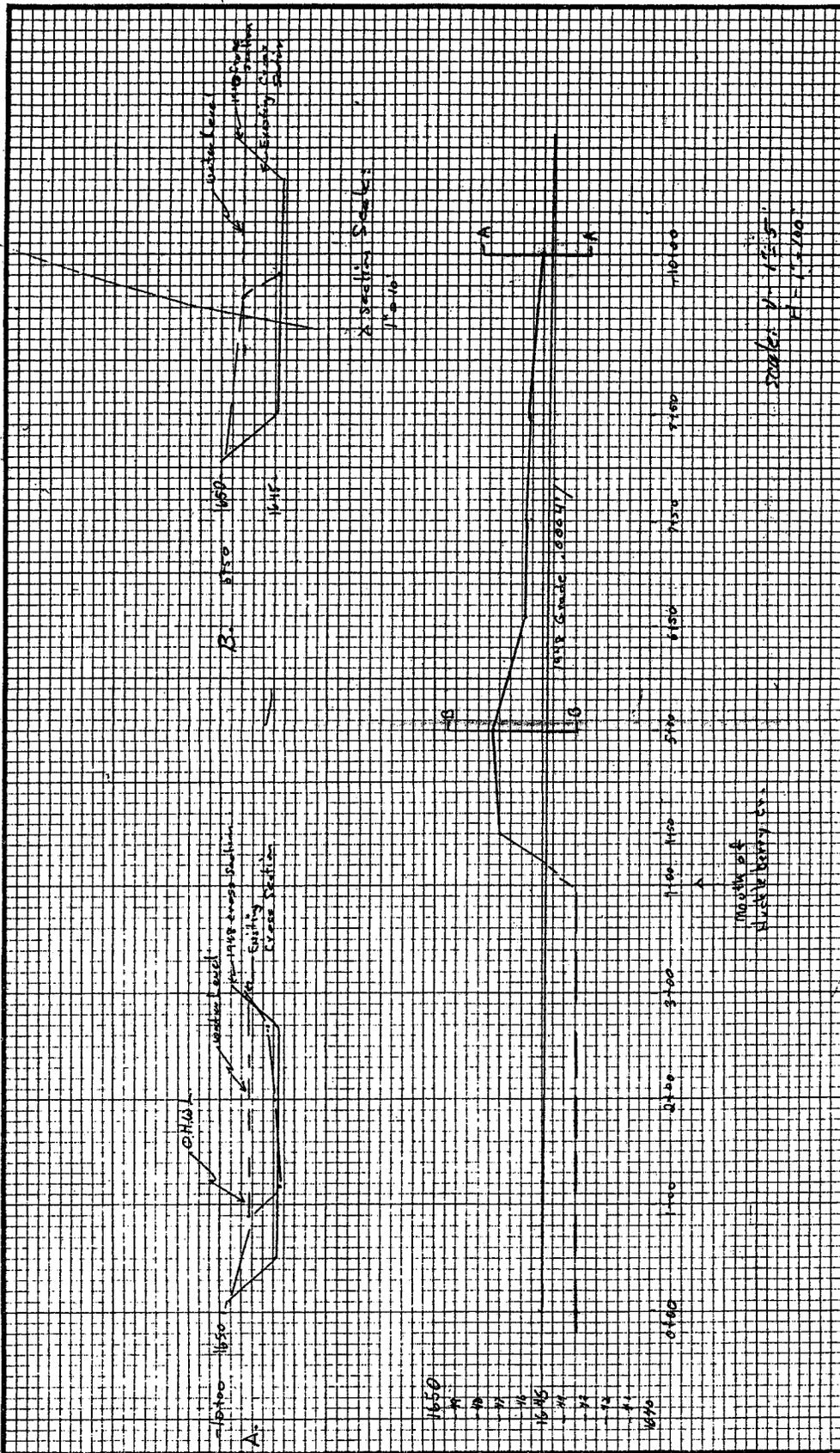
2000

2200

2400

2250

2000



**Profile Coalinga River
at Huckleberry Creek**

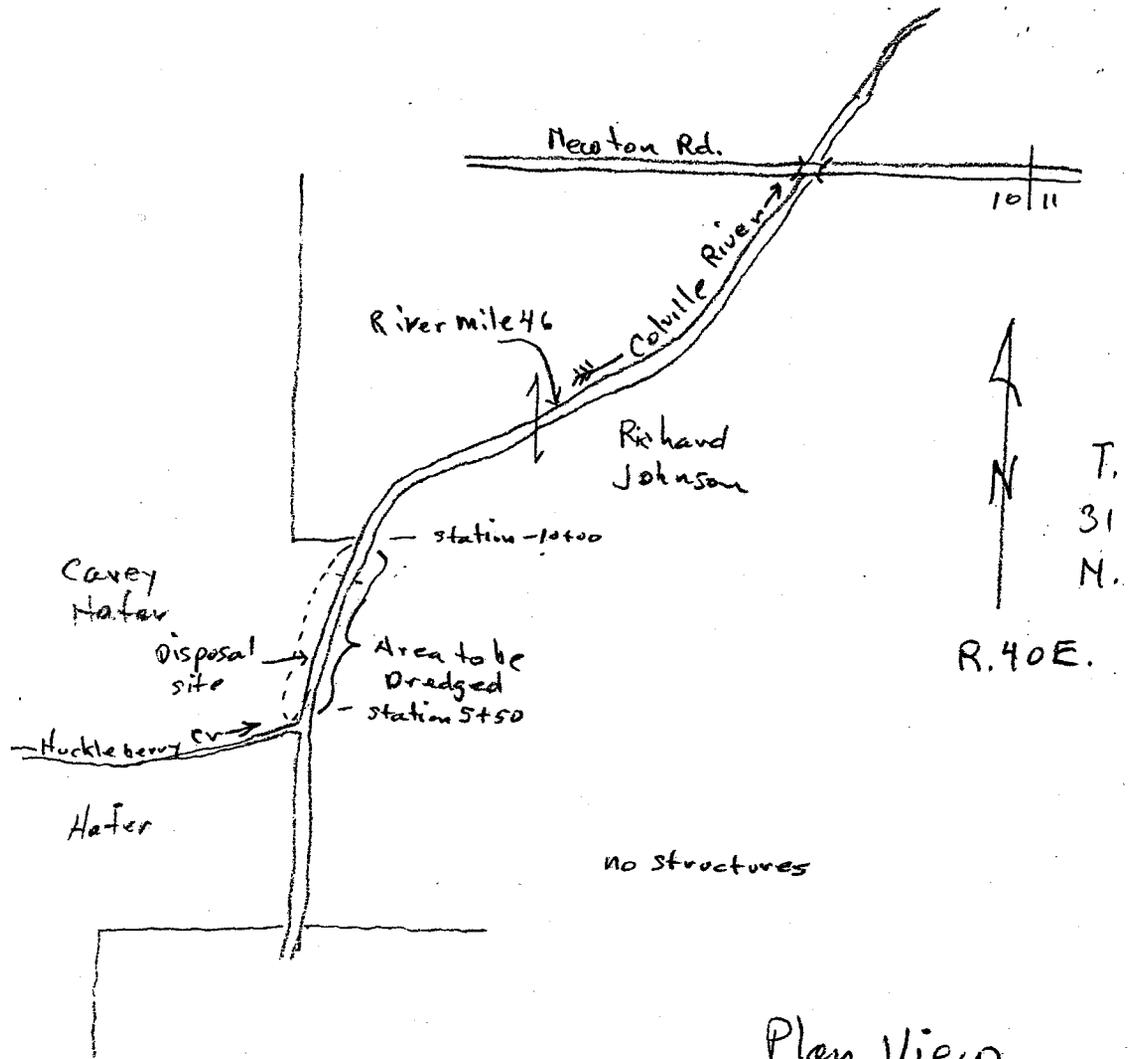
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Approved by: _____
Title: _____
Date: _____
Scale: 5/8"
Sheet: _____
Drawing No. _____

Original: _____
Drawn: *pkh*
Trace: _____
Checked: _____

SCS-ENG-315A (5-51)

RECEIVED
AUG 06 2009
BY: _____



Plan View
 Scale: 1" = 660'

RECEIVED
 AUG 06 2009

BY:.....

Stevens County, Washington

Real Property Search

Print View New Search Help

Back to Parcel List

Parcel Summary

Tax History

Tax Receivable

Assessment History

Sales History

Building / Land

Parcel Number: **2518800** Sec/Twn/Rng: **103140**

Site Address *n/a*

Legal Description W2 NW4 NE4; W RIVER SW4 NE4

Owner HAFER LAND INC % G CARY HAFER
2831 FARM TO MARKET RD
CHEWELAH WA 99109

Taxpayer HAFER LAND INC % G CARY HAFER

Taxable Value

Land \$28,265 Acres 41.50

Improvements \$

Total \$28,265

Property Characteristics

Land Use CURRENT USE FARM & AG

Tax District F4 36

Fire Patrol? N

Zoning *n/a*

Tax Status TAXABLE

Back to Parcel List

Print View

SHORELINE & CAO WORKSHEET

Applicant: Diamond M Ranch Property Owner: Hafer Land Co.

Shoreline:
 Exempt Designation: Rural Exempt: 8.07(A)
 SDP Comments: _____
 Ordinance # used for this review: Resolution #78-1999

CAO:
 Wetlands Indicator: PEM1AD
 Delineation Required? Yes No Buffer: N/A
 Comments: Work to occur below OHWM
 Stream Classification: 1 Buffer: 150 Comments: Colville = (1) = 150 Auck/leberry = (2) 150
 Fish & Wildlife Habitat: Yes No Comments: Chewelah Valley: waterfowl concentration area; Tundra swans, ducks, geese. Bobolink breeding
 WDFW Point Observation: Yes No Comments: in converted wetlands and farm ground.
 Flood Zone: A Community Panel #: 530185 0525 B Date: 8-7-09
 Comments: _____
 Aquifer Recharge: N/A
 Geologically Hazardous: N/A
 None
 Ordinance # used for this review: Resolution #32-2003 amended by Resolution #80-2004

Plat:
 Platted Plat Restrictions: _____
 Exempt Parcel Plat Easements: _____

<p>Zoning: <input checked="" type="radio"/> Yes <input type="radio"/> No Classification: <u>Agg.</u></p> <p>Setbacks: Front: _____ feet on _____ Side: _____ feet on _____ Rear: _____ feet on _____ Other: _____ feet on _____</p> <p>Sub-Area: <input type="radio"/> Yes <input type="radio"/> No</p>	<p>Comments: _____ _____ _____ _____ _____</p>
---	---

SEPA:
 Exempt Comments: No permit to issue (SEPA will probably be required by WDFW or DOE)
 Required Ordinance # used for this review: SEPA Ordinance #2-1991

Forest Practice:
 Yes Forest Practice Application No.: _____, Approved on: _____
 No Recorded: _____, in Volume: _____, Page: _____ AFN: _____
 Comments: _____
 Ordinance # used for this review: Resolution #80-1998

Notes:



HYDRAULIC PROJECT

APPROVAL

R.C.W. 75.20.100

R.C.W. 75.20.103

4 October 16, 1996

(applicant should refer to this date in all correspondence)

PAGE 1 OF 2 PAGES

DEPARTMENT OF FISHERIES

DEPARTMENT OF FISHERIES
General Administration Bldg.
Olympia, Washington 98504
(206) 753-6650

10 LAST NAME Kerst, Jim		FIRST	18 CONTACT PHONE(S) (509) 937-2030		1 CONTROL NUMBER 00-C2658-01	
19 STREET OR RURAL ROUTE P.O. Box 69					7	8
CITY Valley					14	17
STATE WA					ZIP 99181	
12 WATER Colville River					11 TYPE OF PROJECT Dredging	
TRIBUTARY TO Columbia River						
13 QUARTER SECTION		SECTION	TOWNSHIP	RANGE(E-W)	COUNTY	
		10	31N	40E	Stevens	

TIME LIMITATIONS: 5 THIS PROJECT MAY BEGIN July 1, 1997 6 AND MUST BE COMPLETED BY September 30, 1997

THIS APPROVAL IS TO BE AVAILABLE ON THE JOB SITE AT ALL TIMES AND ITS PROVISIONS FOLLOWED BY THE PERMITTEE AND OPERATOR PERFORMING THE WORK.

SEE IMPORTANT GENERAL PROVISIONS ON REVERSE SIDE OF APPROVAL

1. Work shall be accomplished per plans and specifications entitled, "Hydraulic Project Application," dated September 8, 1996, and submitted to the Washington Department of Fish and Wildlife (WDFW), except as modified by this Hydraulic Project Approval (HPA). These plans reflect design criteria per Chapter 220-110 WAC. A copy of these plans shall be available on site during construction.
2. Dredging shall not be conducted in fish spawning areas.
3. Dredged streambed materials shall be disposed of at approved in-water disposal sites, or upland so it will not reenter state waters.
4. If at any time, as a result of project activities, fish are observed in distress, a fish kill occurs, or water quality problems develop (including equipment leaks or spills), operations shall cease and WDFW, at (509) 456-4082, and the Washington Department of Ecology, at (509) 456-2926, shall be contacted immediately. Work shall not resume until further approval is given by WDFW.
5. Upon completion of the dredging, the streambed shall contain no pits, potholes, or large depressions to avoid stranding of fish.
6. Equipment shall be operated to minimize turbidity. During excavation, each pass with the bucket shall be complete. Dredged material shall not be stockpiled in the stream.

SEPA: Exempt - Stevens County - October 1996
 REGIONAL HABITAT MANAGER - Allen Palmanteer (509) 738-2364
 PATROL - Morrissey 100 [P1]
 APPLICANT - WILDLIFE - READER - PATROL - HAB. MGR. - WR1A

DEPARTMENT OF FISHERIES

James K. DeLuca DIRECTOR

10 31 40

KERST, J



DEPARTMENT OF FISHERIES

HYDRAULIC PROJECT

APPROVAL

R.C.W. 75.20.100
R.C.W. 75.20.103

DEPARTMENT OF FISHERIES
General Administration Bldg.
Olympia, Washington 98504
~~(206) 753-6650~~

4 October 16, 1996

(applicant should refer to this date in all correspondence)

PAGE 2 OF 2 PAGES

10 LAST NAME Kerst, Jim	18 CONTACT PHONE(S) (509) 937-2030	1 CONTROL NUMBER 00-C2658-01
12 WATER Colville River		9 WRIA 59.0002

7. Dredging shall be accomplished by starting at the upstream end of the project boundary and working downstream.
8. Dredging shall be limited to deepening of the streambed. Banks shall not be disturbed.
9. Dredge Material removed shall not exceed 50 cubic yards.
10. Dredging shall be accomplished using a backhoe and operating from the bank.
11. At least 72 hours prior to starting this project, contact WDFW Officer Morrissey at (509) 456-4082.
12. Prior to starting work, temporary filter fabric, straw bale, or pea gravel-filled burlap bag check dam(s) shall be installed downstream. Accumulated sediments shall be removed during the project and prior to removing the check dam(s) after completion of work.

LOCATION: Mouth of Huckleberry Creek.

bk

c: John Andrews, WDFW, Spokane
Sgt. Roberts, WDFW, Elk
~~Jim Degraffenried~~ Stevens Co. Planning, Colville

FILE: Stevens Co. Stream - 13C



HYDRAULIC PROJECT APPROVAL
RCW 75.20.100 or RCW 75.20.108

State of Washington
 Department of Fish and Wildlife
 Region 1 Office
 North 8702 Division Street
 Spokane, Washington 99218-1199

DATE OF ISSUE: July 17, 1998

LOG NUMBER: 00-d6343-01

<u>PERMITTEE</u>	<u>AUTHORIZED AGENT OR CONTRACTOR</u>
Jim Kerst P.O. Box 69 Valley, WA. 99181 509-937-2030	Not Applicable

PROJECT DESCRIPTION: Remove accumulated sediments from stream channel.

PROJECT LOCATION: Colville River near the mouth of Huckleberry Creek.

<u>#</u>	<u>WRIA</u>	<u>WATER BODY</u>	<u>TRIBUTARY TO</u>	<u>1/4 SEC.</u>	<u>SEC.</u>	<u>TOWNSHIP</u>	<u>RANGE</u>	<u>COUNTY</u>
1	59.0002	Colville River	Columbia River	NE	10	31 North	40 East	Stevens

PROVISIONS

- TIMING LIMITATIONS:** The project may begin August 1, 1998 and shall be completed by October 1, 1998.
- NOTIFICATION REQUIREMENT:** The permittee or contractor shall notify the Area Habitat Biologist (AHB) listed below of the project start date. Notification shall be received by the AHB at least three working days prior to the start of construction activities. The notification shall include the permittee's name, project location, starting date for work, and the control number for this Hydraulic Project Approval.
- Work shall be accomplished per plans and specifications entitled, Jarpa Application and plans, dated June 7, 1998, and submitted to the Washington Department of Fish and Wildlife, except as modified by this Hydraulic Project Approval. These plans reflect design criteria per Chapter 220-110 WAC. These plans reflect mitigation procedures to significantly reduce or eliminate impacts to fish resources. A copy of these plans shall be available on site during construction.

Dredging shall not be conducted in fish spawning areas.

Upon completion of the dredging, the streambed shall contain no pits, potholes, or large depressions to avoid stranding of fish.

Equipment shall be operated to minimize turbidity. During excavation, each pass with the bucket shall be complete. Dredged material shall not be stockpiled in the stream.

Dredging shall be accomplished by starting at the upstream end of the project boundary and working downstream.

Dredging shall be limited to deepening of the streambed. Banks shall not be disturbed.

Dredge material shall be removed from the floodplain and deposited at an approved upland site.

Equipment used for this project shall be free of external petroleum based products while working in or near the stream.

10 31 40
 J
 KERST,



HYDRAULIC PROJECT APPROVAL
RCW 75.20.100 or RCW 75.20.108

State of Washington
Department of Fish and Wildlife
Region 1 Office
North 8702 Division Street
Spokane, Washington 99218-1199

DATE OF ISSUE: July 17, 1998

LOG NUMBER: 00-d6343-01

11. Dredging elevations shall be consistent with plan profile prepared by the National Resource Conservation Service, NRCS.

SEPA: MDNS by Stevens County Planning Department final on July 10, 1998.

APPLICATION ACCEPTED: July 7, 1998

ENFORCEMENT OFFICER: Roberts 026 [P2]

G. Allen Palmanteer
Area Habitat Biologist

(509) 738-2364

for Director
WDFW

cc: John Andrews, wdfw, e-mail

Curt Vail, wdfw, 1073 Starvation Lake Road, Colville, WA. 99114

Officer Morrissey, wdfw, 2400 Heine Road-D, Chewelah, WA. 99109

Jim Gleaton, nracs, 232 Williams Lake Road, Colville, WA. 99114

Jim DeGraffenried, scpd, 215 South Oak Street, Courthouse Annex, Colville, WA. 99114

GENERAL PROVISIONS

This Hydraulic Project Approval (HPA) pertains only to the provisions of the Fisheries Code (RCW 75.20). Additional authorization from other public agencies may be necessary for this project.

This HPA shall be available on the job site at all times and all its provisions followed by the permittee and operator(s) performing the work.

This HPA does not authorize trespass.

The person(s) to whom this HPA is issued may be held liable for any loss or damage to fish life or fish habitat which results from failure to comply with the provisions of this HPA.

Failure to comply with the provisions of this Hydraulic Project Approval could result in a civil penalty of up to one hundred dollars per day or a gross misdemeanor charge, possibly punishable by fine and/or imprisonment.

All HPAs issued pursuant to RCW 75.20.100 or 75.20.160 are subject to additional restrictions, conditions or revocation if the Department of Fish and Wildlife determines that new biological or physical information indicates the need for such action. The permittee has the right pursuant to Chapter 34.04 RCW to appeal such decisions. All HPAs issued pursuant to RCW 75.20.103 may be modified by the Department of Fish and Wildlife due to changed conditions after consultation with the permittee: PROVIDED HOWEVER, that such modifications shall be subject to appeal to the Hydraulic Appeals Board established in RCW 75.20.130.

APPEALS - GENERAL INFORMATION



HYDRAULIC PROJECT APPROVAL

RCW 75.20.100 or RCW 75.20.108

State of Washington
Department of Fish and Wildlife
Region 1 Office
North 8702 Division Street
Spokane, Washington 99218-1199

DATE OF ISSUE: July 17, 1998

LOG NUMBER: 00-d6343-01

IF YOU WISH TO APPEAL A DENIAL OF OR CONDITIONS PROVIDED IN A HYDRAULIC PROJECT APPROVAL, THERE ARE INFORMAL AND FORMAL APPEAL PROCESSES AVAILABLE.

A. INFORMAL APPEALS (WAC 220-110-340) OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 75.20.100, 75.20.103, 75.20.106, AND 75.20.160:

A person who is aggrieved or adversely affected by the following Department actions may request an informal review of:

- (A) The denial or issuance of a HPA, or the conditions or provisions made part of a HPA; or
- (B) An order imposing civil penalties.

It is recommended that an aggrieved party contact the Area Habitat Biologist and discuss the concerns. Most problems are resolved at this level, but if not, you may elevate your concerns to his/her supervisor. A request for an INFORMAL REVIEW shall be in WRITING to the Department of Fish and Wildlife, 600 Capitol Way North, Olympia, Washington 98501-1091 and shall be RECEIVED by the Department within 30-days of the denial or issuance of a HPA or receipt of an order imposing civil penalties. The 30-day time requirement may be stayed by the Department if negotiations are occurring between the aggrieved party and the Area Habitat Biologist and/or his/her supervisor. The Habitat Protection Services Division Manager or his/her designee shall conduct a review and recommend a decision to the Director or its designee. If you are not satisfied with the results of this informal appeal, a formal appeal may be filed.

B. FORMAL APPEALS (WAC 220-110-350) OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 75.20.100 OR 75.20.106:

A person who is aggrieved or adversely affected by the following Department actions may request a formal review of:

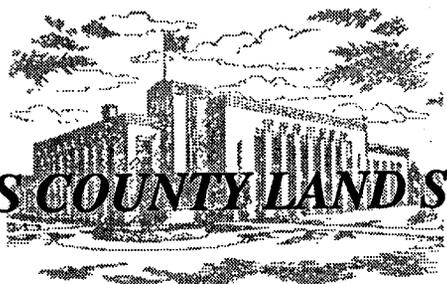
- (A) The denial or issuance of a HPA, or the conditions or provisions made part of a HPA;
- (B) An order imposing civil penalties; or
- (C) Any other "agency action" for which an adjudicative proceeding is required under the Administrative Procedure Act, Chapter 34.05 RCW.

A request for a FORMAL APPEAL shall be in WRITING to the Department of Fish and Wildlife, 600 Capitol Way North, Olympia, Washington 98501-1091, shall be plainly labeled as "REQUEST FOR FORMAL APPEAL" and shall be RECEIVED DURING OFFICE HOURS by the Department within 30-days of the Department action that is being challenged. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, the deadline for requesting a formal appeal shall be within 30-days of the date of the Department's written decision in response to the informal appeal.

C. FORMAL APPEALS OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 75.20.103 or 75.20.160:

A person who is aggrieved or adversely affected by the denial or issuance of a HPA, or the conditions or provisions made part of a HPA may request a formal appeal. The request for FORMAL APPEAL shall be in WRITING to the Hydraulic Appeals Board per WAC 259-04 at Environmental Hearings Office, 4224 Sixth Avenue SE, Building Two - Rowe Six, Lacey, Washington 98504; telephone 360/459-6327.

D. FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS RESULTS IN FORFEITURE OF ALL APPEAL RIGHTS. IF THERE IS NO TIMELY REQUEST FOR AN APPEAL, THE DEPARTMENT ACTION SHALL BE FINAL AND UNAPPEALABLE.



STEVENS COUNTY LAND SERVICES

August 7, 2009

Diamond M Ranch
Len McIrvine
P.O. Box 99
Laurier, WA 99146

RE: Parcel #2518800
W2 NW4 NE4; W RIVER SW4 NE4
All in Twp. 33 N, Rge. 39 EWM

Dear Mr. McIrvine:

This office is in receipt of your application concerning the **removal of sediment** within the Colville River, adjacent to the confluence of Huckleberry Creek. To be consistent with the intent of the Stevens County Shoreline Management Master Program, the following conditions apply:

1. All applicable permits and/or approvals shall be obtained.
2. Proper disposal of dredge materials must be on an approved upland site and shall not be placed in biological wetlands.
3. No fill shall be placed in wetlands.
4. Precautions must be taken during activities to minimize damage to shoreline vegetation.
5. Reasonable means must be taken to avoid air pollution (dust) generated during the transportation of the dredge materials.
6. Substantial alteration to the project will require additional County review and/or permitting.
7. All work permitted below the ordinary high water mark shall occur during times of low water.
8. In evaluating permit applications for any dredging project, the adverse effects of the initial dredging, subsequent maintenance dredging and dredge disposal that will be necessary should be considered. Dredging and dredge disposal should only be permitted where the proposed action will not:
 - i. Result in significant and/or on going damage to water quality, fish and other essential biological elements; or
 - ii. Adversely alter natural drainage and circulation patterns, currents, rivers or significantly reduce flood water capacities.
9. Proposals for dredging and dredge disposal shall include all feasible mitigating measures to protect aquatic habitats and to minimize adverse impacts.
10. Permitted dredging in biological wetlands shall be done in accordance with all applicable county, state and federal standards.
11. Dredging below the ordinary high water mark shall only occur:
 - i. For navigation or navigational access;
 - ii. In conjunction with a water-dependent use of water bodies or adjacent shorelands;
 - iii. As part of an approved habitat improvement project;

Building Division: (509) 684-8325
FAX: (509) 685-0674

Planning Division: (509) 684-2401
FAX: (509) 684-7525

MAILING ADDRESS: 215 S. Oak St. - Courthouse Annex • Colville, WA 99114
STREET ADDRESS: 260 S. Oak St. - Courthouse Annex • Colville, WA 99114

iv. To improve water flow or water quality, provided that all dredged material shall be contained and managed so as to prevent it from reentering the water;
v. For mining and/or mineral extraction, as provided for in the Mining sections;
vi. In conjunction with a bridge, navigational structure or waste-water treatment facility for which there is a documented public need and where other feasible sites or routes do not exist.

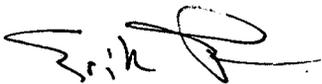
12. Containment dikes and adequate settling basins shall be built and maintained to minimize surface runoff.
13. Proper diversion of surface discharge shall be provided to maintain the integrity of the natural streams, wetlands, and drainage ways.
14. Disposal runoff water should be controlled so as to enter a waterway through grassy swales or other treatment features at a location that maximizes circulation and flushing.
15. Revegetation of land disposal sites shall occur as soon as possible in order to retard wind and water erosion and to restore the wildlife habitat value of the site.
16. Dredging for the primary purpose of obtaining material for landfill shall not be permitted.
17. Depositing of dredge materials in water areas shall be allowed only for wildlife habitat improvement or to correct problems of material distribution adversely affecting fishing resources.
18. Depositing of dredge materials shall not be permitted in wetlands, significant plant communities and/or public access areas.

As presented to this office, this project would not materially interfere with the normal use of public waters. This project would be in accordance with, and exempt from the requirements of a Substantial Development Permit pursuant to Section 8.07.a and 7.13 of the Stevens County Shoreline Master Program. Section 13.20.052 of the Stevens County Critical Areas Ordinance allows existing and on-going agriculture uses in critical areas and their required buffers provided that the activities use best management practices and comply with all applicable required local, state and federal regulations.

Please be advised that this letter of exemption and review for consistency applies only to the requirements established under the Act and would not apply to any other state, federal, or local agency permits or approvals that may be required. You are encouraged to contact these agencies for information concerning their requirements.

Please feel free to contact our office if you have additional questions.

Sincerely,



Erik Johansen
Stevens County Planner

cc: Hafer Land Inc. % G Cary Hafer
Allen Palmanteer, WDFW
Doug Rochester, NRCS
Tim Erkle, Army Corps of Engineers
Michael Maher, DOE Eastern Region