

AGENCY USE ONLY

Agency Reference #:

Date Received:

Circulated by:

(local govt. or agency)

Addendum E**JOINT AQUATIC RESOURCES PERMIT APPLICATION FORM (JARPA)**

(for use in Washington State)

PLEASE TYPE OR PRINT IN BLACK INK

- ☐ Application for a Fish Habitat Enhancement Project per requirements of RCW 77.55.290. You must submit a copy of this completed JARPA application form and the (Fish Habitat Enhancement JARPA Addition) to your local Government Planning Department and Washington Department of Fish & Wildlife Area Habitat Biologist on the same day.

NOTE: LOCAL GOVERNMENTS – You must submit any comments on these projects to WDFW within 15 working days.

Based on the instructions provided, I am sending copies of this application to the following: (check all that apply)

- ☐ Local Government for shoreline: ☐ Substantial Development ☐ Conditional Use ☐ Variance ☐ Exemption ☐ Revision
☐ Floodplain Management ☐ Critical Areas Ordinance
☐ Washington Department of Fish and Wildlife for HPA (Submit 3 copies to WDFW Region)
☐ Washington Department of Ecology for 401 Water Quality Certification (to Regional Office-Federal Permit Unit)
☐ Washington Department of Natural Resources for Aquatic Resources Use Authorization Notification
☐ Corps of Engineers for: ☐ Section 404 ☐ Section 10 permit
☐ Coast Guard for General Bridge Act Permit
☐ For Department of Transportation projects only: This project will be designed to meet conditions of the most current Ecology/Department of Transportation Water Quality Implementing Agreement

SECTION A - Use for all permits covered by this application. Be sure to ALSO complete Section C (Signature Block) for all permit applications.

1. APPLICANT

Diking District # 3 C/O David Olson

MAILING ADDRESS

18385 Torset Road, Mount Vernon, Washington 98273

WORK PHONE

(425) 870-9992

E-MAIL ADDRESS

HOME PHONE

(360) 445-3375

FAX #

If an agent is acting for the applicant during the permit process, complete #2. Be sure agent signs Section C (Signature Block) for all permit applications

2. AUTHORIZED AGENT

N/A

MAILING ADDRESS

WORK PHONE

E-MAIL ADDRESS

HOME PHONE

FAX #

3. RELATIONSHIP OF APPLICANT TO PROPERTY: ☐ OWNER ☐ PURCHASER ☐ LESSEE ☐ OTHER:

Diking District Commissioner

4. NAME, ADDRESS, AND PHONE NUMBER OF PROPERTY OWNER(S), IF OTHER THAN APPLICANT: N/A

5. LOCATION (STREET ADDRESS, INCLUDING CITY, COUNTY AND ZIP CODE, WHERE PROPOSED ACTIVITY EXISTS OR WILL OCCUR)

Diking District 3, hereafter referred to as DD #3, is located within the Skagit River Delta of Skagit County south of the City of Mount Vernon and north of Stanwood.

LOCAL GOVERNMENT WITH JURISDICTION (CITY OR COUNTY) Skagit County

WATERBODY YOU ARE WORKING IN

_____. Carpenter Creek, Sandy Creek, Johnson Creek, Fisher Creek, Hill Ditch, Fisher Slough and artificial drainage watercourses.

IS THIS WATERBODY ON THE 303(d) LIST? YES ☐ NO ☐

IF YES, WHAT PARAMETER(S)?

http://www.ecy.wa.gov/programs/wq/links/impaired_wtrs.html WEBSITE FOR 303d LIST

TRIBUTARY OF

South Fork Skagit River

WRIA #

Carpenter Creek 03.0197

Johnson Creek 03.0204

Sandy Creek 03.0204

Fisher Creek 03.0184

Little Fisher Creek 03.0181

¼ SECTION	SECTION Multiple	TOWNSHIP 33N	RANGE 04E	GOVERNMENT LOT	SHORELINE DESIGNATION	
LATITUDE & LONGITUDE:					ZONING DESIGNATION	
TAX PARCEL NO:					DNR STREAM TYPE, IF KNOWN	

6. DESCRIBE THE CURRENT USE OF THE PROPERTY, AND STRUCTURES EXISTING ON THE PROPERTY. HAVE YOU COMPLETED ANY PORTION OF THE PROPOSED ACTIVITY ON THIS PROPERTY? ☐ YES ☐ NO FOR ANY PORTION OF THE PROPOSED ACTIVITY ALREADY COMPLETED ON THIS PROPERTY, INDICATE MONTH AND YEAR OF COMPLETION.

Washington State Interstate 5 (I-5) bisects DD #3 down the middle in a north to south direction. Land use along the I-5 corridor from the northern boundary of DD #3 to approximately Hickox Road is dominated by commercial development. With the exception of the residential and commercial land uses associated with the Town of Conway and the Conway/I-5 interchange, land use for the remainder of DD #3 is predominantly agriculture.

IS THE PROPERTY AGRICULTURAL LAND? ☐ YES ☐ NO

ARE YOU A USDA PROGRAM PARTICIPANT? ☐ YES ☐ NO

7a. DESCRIBE THE PROPOSED WORK THAT NEEDS AQUATIC PERMITS: COMPLETE PLANS AND SPECIFICATIONS SHOULD BE PROVIDED FOR ALL WORK WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE, INCLUDING TYPES OF EQUIPMENT TO BE USED. IF APPLYING FOR A SHORELINE PERMIT, DESCRIBE ALL WORK WITHIN AND BEYOND 200 FEET OF THE ORDINARY HIGH WATER MARK. IF YOU HAVE PROVIDED ATTACHED MATERIALS TO DESCRIBE YOUR PROJECT, YOU STILL MUST SUMMARIZE THE PROPOSED WORK HERE. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

Conduct routine maintenance of drainage infrastructure within the jurisdictional boundary of Diking District 3 (DD#3) consistent with the provisions and elements of the attached Drainage Maintenance Agreement and Drainage Management Plan which were developed collaboratively and cooperatively between the duly elected Commissioners of the District and WDFW, and in consultation with the Skagit River System Cooperative.

PREPARATION OF DRAWINGS: SEE SAMPLE DRAWINGS AND GUIDANCE FOR COMPLETING THE DRAWINGS. **ONE SET OF ORIGINAL OR GOOD QUALITY REPRODUCIBLE DRAWINGS MUST BE ATTACHED.** NOTE: APPLICANTS ARE ENCOURAGED TO SUBMIT PHOTOGRAPHS OF THE PROJECT SITE, BUT THESE DO NOT SUBSTITUTE FOR DRAWINGS. **THE CORPS OF ENGINEERS AND COAST GUARD REQUIRE DRAWINGS ON 8-1/2 X 11 INCH SHEETS. LARGER DRAWINGS MAY BE REQUIRED BY OTHER AGENCIES.**

7b. DESCRIBE THE PURPOSE OF THE PROPOSED WORK AND WHY YOU WANT OR NEED TO PERFORM IT AT THE SITE. PLEASE EXPLAIN ANY SPECIFIC NEEDS THAT HAVE INFLUENCED THE DESIGN.

The drainage maintenance activities of DD #3 do not include culvert, bridge or tidegate maintenance. The following types of drainage maintenance activities are considered typical of work necessary to routinely maintain watercourses that comprise the drainage infrastructure of DD #3.

- Trash Racks - debris removal, minor repairs, major repairs and replacement
- Flood Gates – debris removal, minor repairs, major repairs and replacement
- Channel In-water Bucket Mowing - channel maintenance
- Channel Out-of-Water Mowing - channel maintenance
- Dredging - channel maintenance and debris removal

Drainage Maintenance Activities – General Descriptions

Trash Racks

Trash racks are systems designed to prevent foreign material from getting into a pump facility or tide gate. Foreign material is any man made or natural material that could be carried by the water and get lodged in the system or accumulate and cause flow disruption or prevent a pump or tide gate from functioning properly. Normal maintenance of trash racks includes removal of accumulated debris as necessary, replacement of worn or damaged trash rack components or replacement of structure. Typical design of trash racks include a constructed lumber unit with vertical spaced 2 inch dimensional boards that at approximately 3-5 inches apart. The unit is set down in the water usually set in the water at an incline down to or near the bottom of the drainage ditch. The incline allows for cleaning debris by raking it to the top and removing from the ditch.

Flood Gates

Floodgates are one-way check valves that allow accumulated water to move from a field into a drainage system during and after a high water event. The maintenance of such structures is same as tide gates and must have debris removed in order to function properly. Necessary repair and replacement must be done as needed.

Channel In-Water Bucket Mowing

Channel in-water bucket mowing is a technique using a hydraulically operated sickle bar mower that is mounted on the front edge of a dredging bucket. The machine mows vegetative material below the water line and accumulates the material in the bucket. The material is then deposited on the ground away from the ditch. This type of mowing provides removal of vegetative material but does not remove root system or remove soil.

Channel Out of Water Mowing

Channel out of water mowing is routine removal of vegetative material above the water line to the bank top. It is completed using various types of mechanical mowers (rotary or flail designs) and reduces the vegetative material during the growing cycle.

Dredging

Dredging is completed, as needed utilizing a hydraulically operated boom type excavator. The excavator has a wide flat bottomed bucket that scraped down one side, rounds the bottom and come up opposite side in one continuous motion. Thus the result leaves the ditch with inclined side and a round bottom feature that minimizes side sloughing and erosion in bottom of ditch. All material removed is deposited landward of the ditch so that it will not return to the ditch and will later be moved back into the adjoining field or hauled away as necessary. When work is completed in ditches too large for the boom type excavator, a drag-line type excavator is utilized. The process is the same except that the drag line will work from the middle of the ditch to one side and then work the opposite side.

7c. DESCRIBE THE POTENTIAL IMPACTS TO CHARACTERISTIC USES OF THE WATER BODY. THESE USES MAY INCLUDE FISH AND AQUATIC LIFE, WATER QUALITY, WATER SUPPLY, RECREATION, and AESTHETICS. IDENTIFY PROPOSED ACTIONS TO AVOID, MINIMIZE, AND MITIGATE DETRIMENTAL IMPACTS, AND PROVIDE PROPER PROTECTION OF FISH AND AQUATIC LIFE. IDENTIFY WHICH GUIDANCE DOCUMENTS YOU HAVE USED. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

Sedimentation: Implementing the typical drainage maintenance work describe above will cause temporary and localized suspension of sediments into the

water. Drainage maintenance work will not be conducted in or above documented salmonid spawning habitats. Implementation of the Best Management Practices (BMPs) included in the attached Drainage Maintenance Agreement will minimize the localized and temporary water quality impacts associated with the suspension of sediments into the water.

Salmonids: In those watercourses where salmonids may be present, the above described work will temporary displace those fish to an upstream or downstream location. The work timing restrictions and fish salvage Best Management Practices (BMPs) included in the attached Drainage Maintenance Agreement will minimize potential adverse impacts to salmonids.

Habitat Impacts: Direct and indirect impacts to fish related habitat in those watercourses that support salmonids, as identified in the Drainage Maintenance Agreement and Drainage Maintenance Plan, will be minimized and avoided through the implementation of the BMPs included in the attached Drainage Management Agreement. Unavoidable impacts to fish habitat will be offset through the implementation of the Habitat Improvement Projects identified in the attached Drainage Maintenance Agreement.

Best Management Practices (BMPs) – The district recognizes the need for safeguards and protocols to ensure the protection of fish and fish habitat in conjunction with maintenance of drainage infrastructure. The BMPs included in the attached Drainage Management Agreement were developed cooperatively and collaboratively by representatives of the Western Washington Agriculture Association, WDFW and SRSC.

7d. FOR IN WATER CONSTRUCTION WORK, WILL YOUR PROJECT BE IN COMPLIANCE WITH THE STATE OF WASHINGTON WATER QUALITY STANDARDS FOR TURBIDITY WAC 173.201A-110? ☐ YES ☐ NO (SEE [USEFUL DEFINITIONS AND INSTRUCTIONS](#))

8. WILL THE PROJECT BE CONSTRUCTED IN STAGES? ☐ YES ☐ NO

PROPOSED STARTING DATE: Drainage maintenance activities will begin immediately and will occur as needed for a period of 5 years. In any given year, drainage maintenance activities will comply with the timing restrictions specified by the BMPs included in the attached Drainage Maintenance Agreement.

ESTIMATED DURATION OF ACTIVITY: Drainage maintenance activities at any given location along the watercourse will typically occur within a short period of time. Some maintenance activities, such as dredging or mowing, may occur over a longer period of time (weeks), however the work occurs over a longer section of the watercourse.

9. CHECK IF ANY TEMPORARY OR PERMANENT STRUCTURES WILL BE PLACED:

☐ WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH OR TIDAL WATERS; AND/OR
This application is only for the maintenance and repair of existing drainage infrastructure. New permanent structures will not be placed waterward of the ordinary high water line. Temporary structures associated with sediment control or fish salvage BMPs may be placed within the channels.
☐ WATERWARD OF MEAN HIGHER HIGH WATER LINE IN TIDAL WATERS

10. WILL FILL MATERIAL (ROCK, FILL, BULKHEAD, OR OTHER MATERIAL) BE PLACED:

☐ WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH WATERS? IF YES, VOLUME (CUBIC YARDS) ____/AREA ____ (ACRES)
This application is only for the maintenance and repair of existing drainage infrastructure.
Temporary fill associated with sediment control BMPs may be placed waterward of the ordinary high water line. Fill would be associated with temporary cofferdam constructed to bypass watercourse flows around a maintenance site.
☐ WATERWARD OF THE MEAN HIGHER HIGH WATER FOR TIDAL WATERS? IF YES, VOLUME (CUBIC YARDS) ____ AREA ____ (ACRES)

11. WILL MATERIAL BE PLACED IN WETLANDS? ☐ YES ☐ NO

IF YES: Temporary fill associated with sediment control BMPs may be placed in the watercourse channel waterward of the ordinary high water line. Fill would be associated with temporary cofferdam constructed to bypass watercourse flows around a maintenance site.

A. IMPACTED AREA IN ACRES:

B. HAS A DELINEATION BEEN COMPLETED? IF YES, PLEASE SUBMIT WITH APPLICATION. ☐ YES ☐ NO

C. HAS A WETLAND REPORT BEEN PREPARED? IF YES, PLEASE SUBMIT WITH APPLICATION. ☐ YES ☐ NO

D. TYPE AND COMPOSITION OF FILL MATERIAL (E.G., SAND, ETC.):

E. MATERIAL SOURCE:

F. LIST ALL SOIL SERIES (TYPE OF SOIL) LOCATED AT THE PROJECT SITE, & INDICATE IF THEY ARE ON THE COUNTY'S LIST OF HYDRIC SOILS. SOILS INFORMATION CAN BE OBTAINED FROM THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS):

G. WILL PROPOSED ACTIVITY CAUSE FLOODING OR DRAINING OF WETLANDS? ☐ YES ☐ NO

IF YES, IMPACTED AREA IS ____ ACRES OF DRAINED WETLANDS.

NOTE: If your project will impact greater than 1/2 of an acre of wetland, submit a mitigation plan to the Corps and Ecology for approval along with the JARPA form

NOTE: a 401 water quality certification will be required from Ecology in addition to an approved mitigation plan if your project impacts wetlands that are: a) greater than 1/2 acre in size, or b) tidal wetlands or wetlands adjacent to tidal water. Please submit the JARPA form and mitigation plan to Ecology for an individual 401 certification if a) or b) applies.

12. STORMWATER COMPLIANCE FOR NATIONWIDE PERMITS ONLY:

THIS PROJECT IS (OR WILL BE) DESIGNED TO MEET ECOLOGY'S MOST CURRENT STORMWATER MANUAL, OR AN ECOLOGY APPROVED LOCAL STORMWATER MANUAL ☐ YES ☐ NO

IF YES – WHICH MANUAL WILL YOUR PROJECT BE DESIGNED TO MEET _____.

IF NO – FOR CLEAN WATER ACT SECTION 401 AND 404 PERMITS ONLY – PLEASE SUBMIT TO ECOLOGY FOR APPROVAL, ALONG WITH THIS JARPA APPLICATION, DOCUMENTATION THAT DEMONSTRATES THE STORMWATER RUNOFF FROM YOUR PROJECT OR ACTIVITY WILL COMPLY WITH THE WATER QUALITY STANDARDS, WAC 173.201(A)

13. WILL EXCAVATION OR DREDGING BE REQUIRED IN WATER OR WETLANDS?

☐ YES ☐ NO

IF YES: Periodic Maintenance dredging will be required in the drainage watercourses within the jurisdictional boundaries of LDD #3.

A. VOLUME: (CUBIC YARDS) /AREA (ACRES) Dredge volumes will vary but in most instances will exceed 50 cubic yards.

B. COMPOSITION OF MATERIAL TO BE REMOVED: _The majority of dredge materials will be composed of silts and fines typical of the geology for the adjacent lowland farmland. At some limited sites adjacent steeper gradient upland areas, dredge materials will include courser sand and gravel typical of the geology of the adjacent upland headwater sections of the channel.

C. DISPOSAL SITE FOR EXCAVATED MATERIAL: Materials dredged from the drainage channels will be deposited and distributed landward from the top of the channel bank in such a manner that the dredged materials can not re-enter the watercourse.

D. METHOD OF DREDGING: Dredging will be conducted with a track excavator or dragline.

14. HAS THE STATE ENVIRONMENTAL POLICY ACT (SEPA) BEEN COMPLETED? Yes

☐ YES ☐ NO

SEPA LEAD AGENCY: _WDFW

SEPA DECISION: DNS, MDNS, EIS, ADOPTION, EXEMPTION DECISION DATE (END OF COMMENT PERIOD): _____

SUBMIT A COPY OF YOUR SEPA DECISION LETTER TO WDFW AS REQUIRED FOR A COMPLETE APPLICATION

15. LIST OTHER APPLICATIONS, APPROVALS, OR CERTIFICATIONS FROM OTHER FEDERAL, STATE OR LOCAL AGENCIES FOR ANY STRUCTURES, CONSTRUCTION, DISCHARGES, OR OTHER ACTIVITIES DESCRIBED IN THE APPLICATION (I.E., PRELIMINARY PLAT APPROVAL, HEALTH DISTRICT APPROVAL, BUILDING PERMIT, SEPA REVIEW, FEDERAL ENERGY REGULATORY COMMISSION LICENSE (FERC), FOREST PRACTICES APPLICATION, ETC.) ALSO INDICATE WHETHER WORK HAS BEEN COMPLETED AND INDICATE ALL EXISTING WORK ON DRAWINGS.

NOTE: FOR USE WITH CORPS NATIONWIDE PERMITS, IDENTIFY WHETHER YOUR PROJECT HAS OR WILL NEED AN NPDES PERMIT FOR DISCHARGING WASTEWATER AND/OR STORMWATER.

TYPE OF APPROVAL	ISSUING AGENCY	IDENTIFICATION NO.	DATE OF APPLICATION	DATE APPROVED	COMPLETED?
SEPA	WDFW				
Hydraulic Project Approval	WDFW				
Section 10 Permit	Corps				
Section 404 Permit	Corps				
Section 401 Permit	DOE				

16. HAS ANY AGENCY DENIED APPROVAL FOR THE ACTIVITY YOU'RE APPLYING FOR OR FOR ANY ACTIVITY DIRECTLY RELATED TO THE ACTIVITY DESCRIBED HEREIN? ☐ YES ☐ NO IF YES, EXPLAIN: No

SECTION B - Use for Shoreline and Corps of Engineers permits only:

17a. TOTAL COST OF PROJECT. THIS MEANS THE FAIR MARKET VALUE OF THE PROJECT, INCLUDING MATERIALS, LABOR, MACHINE RENTALS, ETC.

17b. IF A PROJECT OR ANY PORTION OF A PROJECT RECEIVES FUNDING FROM A FEDERAL AGENCY, THAT AGENCY IS RESPONSIBLE FOR ESA CONSULTATION. PLEASE INDICATE IF YOU WILL RECEIVE FEDERAL FUNDS AND WHAT FEDERAL AGENCY IS PROVIDING THOSE FUNDS. SEE INSTRUCTIONS FOR INFORMATION ON ESA**

FEDERAL FUNDING ☐ YES ☐ NO IF YES, PLEASE LIST THE FEDERAL AGENCY _____

18. LOCAL GOVERNMENT WITH JURISDICTION:

19. FOR CORPS, COAST GUARD, AND DNR PERMITS, PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ADJOINING PROPERTY OWNERS, LESSEES, ETC...
PLEASE NOTE: SHORELINE MANAGEMENT COMPLIANCE MAY REQUIRE ADDITIONAL NOTICE — CONSULT YOUR LOCAL GOVERNMENT.

NAME	ADDRESS	PHONE NUMBER

SECTION C - This section MUST be completed for any permit covered by this application

20. APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES. I HEREBY GRANT TO THE AGENCIES TO WHICH THIS APPLICATION IS MADE, THE RIGHT TO ENTER THE ABOVE-DESCRIBED LOCATION TO INSPECT THE PROPOSED, IN-PROGRESS OR COMPLETED WORK. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.

SIGNATURE OF APPLICANT	DATE
SIGNATURE OF AUTHORIZED AGENT	DATE
DATE	
I HEREBY DESIGNATE TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT.	
SIGNATURE OF APPLICANT	DATE
SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)	
THIS APPLICATION <u>MUST</u> BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED.	

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.

COMPLETED BY LOCAL OFFICIAL

A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any)

B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view:

C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought:

These Agencies are Equal Opportunity and Affirmative Action employers.
For special accommodation needs, please contact the appropriate agency in the instructions.

