

Agency Reference #:
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JOINT AQUATIC RESOURCES PERMIT APPLICATION FORM (JARPA)

(for use in Washington State)



Please type only in white fields and use blank ink.



To fill in electronically, use F11 to move through the form. To use the help feature you must have an internet connection.

- 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](#) [Private Aids to Navigation](#) (for non-bridge projects)
- 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

PROJECT TITLE:

WDFW NLF Habitat Enhancement Project

PROJECT DESCRIPTION:

Construction of 26 five berms impacting 2.09 acres of Category II wetlands and the creation of 1.51 acres of Category II wetland for the enhancement of habitat utilized by the only population of the state-endangered and federal-species of concern, Northern Leopard Frog (NLF).

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

help 1. APPLICANT

Washington Department of Fish and Wildlife

MAILING ADDRESS

Attn: JoAnne Wisniewski or Rich Finger, 1550 Alder Street NW, Ephrata, WA 98823

WORK PHONE
509-754-4624

E-MAIL ADDRESS
wisnijw@dfw.wa.gov

HOME PHONE
(cell) 509-760-6600

FAX #
509-754-5257

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

help 2. AUTHORIZED AGENT

Ecological Land Services, Inc.

MAILING ADDRESS

Attn: Michele McGraw and/or Tessa Dennis, 1157 3rd Avenue Suite 220, Longview, WA 98632

WORK PHONE
360-694-9478

E-MAIL ADDRESS
michele@eco-land.com
tessa@eco-land.com

HOME PHONE

FAX #
360-694-9491

help 3. Relationship of applicant to property: OWNER PURCHASER LESSEE Consultant

help 4. Name, address and phone number of property owner(s) if other than applicant:

U.S. Bureau of Reclamation
Ephrata Field Office, Washington
Attn: Bruce Loranger, Supervisor, Land Resource and Environment Group
P.O. Box 815
Ephrata, WA 98823
Phone: 509-754-0210
Fax: 509-754-0239

help 5. Location (street address, including city, county and zip code, where proposed activity exists or will occur)

South of South Frontage Road and Interstate 90, west of the city of Moses Lake, in Grant County, Washington

help Local government with jurisdiction (city or county) N/A, federal and state land (Grant County)

help Waterbody you are working in

Wetlands and ponds in Potholes Reservoir Unit

help Tributary of

help WRIA #

help Is this waterbody on the 303(d) List** YES NO

N/A

41 (Lower Crab)

**For 303d List, http://www.ecy.wa.gov/programs/wq/303d/index.html					help Shoreline designation	None
					help Zoning designation	N/A
¼ Section	Section	Township	Range	Government Lot	help DNR stream type if known	None
	Sec. 1	T18N	R27E	N/A		
	Sec. 36	T19N	R27E			
	Sec. 31	T19N	R28E			
help Latitude and Longitude:				47.0925N, 119.36144 W	Tax Parcel Number	
161605000, 161300000, 170862000						

help 6. Describe (a) the current use of the property, (b) structures existing on the property, and (c) existing environmental conditions. 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.

The property, separated into Unit A (approximately 230 acres) to the east and Unit B (approximately 330 acres) to the west, is located south of South Frontage Road and Interstate 90, west of the City of Moses Lake in Grant County, Washington. The property is currently used as the Columbia Basin Wildlife Area and contains the Northern Leopard Frog Management Area (NLFMA) managed by WDFW and owned by U.S. Bureau of Reclamation and Washington Department of Natural Resources. The units consist of relatively undisturbed desert habitat with no existing structures and one dirt road accessing Unit B from the west. The project site is open to the public for recreational uses.

Unit A consists of rolling topography containing wetlands in the lower elevations and upland hummocks of varying size throughout the site. Unit B consists of slightly undulating topography with lower elevations in the central areas, containing wetlands with upland hummocks, and higher elevations in the western and eastern areas containing upland. There have been 44 and 23 ponds of varying size identified within Units A and B, respectively. Vegetation within both units is dominated by emergent species with scattered tree groupings within both units though greater amount within Unit A.

help Is the property agricultural land? YES NO **help** Are you a USDA program participant? YES NO

help 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.

The proposed Northern Leopard Frog (NLF) habitat enhancement project involves the creation of upland berms to provide surface water breaks as well as wetland breeding habitat. Construction of 26 berms is proposed including 16 within 12 wetland study areas (Sheets 8 – 11, and 16). A total of 2.09 acres of Category II wetlands will be impacted due to the construction of the upland berms. Wetland creation to provide additional habitat for NLF will produce 1.51 acres of Category II wetlands that will also serve as mitigation for the wetland impacts due to the berm construction (Sheets 12 and 13).

IMPACT			
Type	Description	Location	Area
Direct Wetland	Construction of berms to reduce predatory threats to NLF	Category II wetlands within Units A and B	2.09 acres

MITIGATION			
Method	Description	Ratio	Area
Wetland Creation	Creation of additional NLF breeding habitat adjacent to Category II wetlands within Units A and B	0.72:1	1.51 acres

With the proposed habitat enhancement, there will be temporary impacts to the associated 150-foot buffers. Wetland creation and portions of berms will be located within areas of the existing buffers on-site. Therefore, these areas will remain habitat as either upland berms or wetland breeding habitat. In any case, wetland buffer impacts are considered temporary, as they will be self-mitigating due to the overall NLF habitat enhancement.

The entire NLF enhancement project will be the responsibility of WDFW.

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.**

help 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 purpose of the project is to enhance existing NLF habitat and assist in controlling predation that is a serious threat to the reproduction and survival of the state-endangered species. NLF is listed as a state endangered species and as a federal species of concern and the NLFMA located within Columbia Basin Wildlife Area in Grant County, Washington currently contains the only known population in the state. Therefore, the NLFMA is the only feasible location for the proposed project.

Currently, predation by freshwater fish and bullfrogs is a serious detriment to the NLF's reproduction and survival. Habitat enhancement proposed will include constructing berms from on-site upland soils to isolate individual water bodies by eliminating surface water connection. Isolation of breeding ponds will allow the removal and/or control of predatory fish and bullfrogs. Enhancement will also include excavation of upland areas adjacent to existing wetlands to increase the area of suitable shallow-water breeding habitat for NLF. The overall habitat enhancement project is designed to increase the likelihood of the survival and the overall population size of the state endangered species.

help 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.

Construction of 26 berms from upland soils excavated on-site is proposed including 16 within 12 wetland study areas for a total of 2.09 acres of Category II wetland impact. Excavation within upland areas adjacent to existing Category II wetlands will provide habitat enhancement and mitigation for the direct wetland impacts within Units A and B through wetland creation. There will be six wetland creation areas in Unit A and five wetland creation areas in Unit B (Sheets 12 and 13). The wetland creation areas will be natural in appearance with a gradual slope into uplands assisting in wildlife movement and self-vegetated through natural distribution.

Wetland impacts were avoided through the limitation of the number of berms proposed while still allowing for sufficient protection of the NLF from serious predatory threats. The project has minimized further potential impacts by the careful planning of the berm placement. Upland areas, existing fish berms, and narrow wetland areas were utilized wherever feasible for the proposed berm locations, thus minimizing impact to wetlands. Alternative options were considered in the place of berms including sheet piling and screening. However, sheet piling would not have a natural appearance and would be aesthetically displeasing while causing unnecessary destruction of sensitive habitat due to greater use of heavy machinery for placement, negative effects to waterfowl, possibly inhibit subsurface hydrology movement, and more importantly inhibit movement of the NLF. In addition, a series of screens would not prevent the movement of fish eggs and bullfrog eggs/tadpoles into NLF habitat. The proposed berms will provide surface water breaks while still allowing the natural subsurface hydrology processes. To compensate for the direct wetland impacts due to the berm construction that could not be avoided, using wetland creation already proposed by the project for greater habitat area, 1.51 acres of Category II wetlands adjacent to existing wetlands within Units A and B (0.72:1 ratio) will be created. Upland soils excavated for wetland creation will be utilized for the proposed construction of the berms.

There will be no potential impacts to characteristic uses of the wetlands on-site by fish and wildlife though NLF will be benefited by the project. The project is proposing to enhance the current use of NLF by providing more breeding habitat and fish and tadpole barriers to decrease predation. Resident fish will remain within the wetland areas they currently utilize and the project prevents further migration into the wetland habitat on-site. On-site upland and wetland habitat will continue to be utilized by a wide variety of wildlife as well as both the upland and wetland habitat creation areas.

help 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)

help 8. Will the project be constructed in stages? YES NO
Proposed starting date: November 1, 2008 (depending on weather and NLF behavior)
Estimated duration of activity: Approximately 30 days

help 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
 Waterward of the mean higher high water for tidal waters?

help 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)
 Waterward of the mean higher high water for tidal waters?
If YES, VOLUME (cubic yards) / AREA (acres)

help 11. Will material be placed in wetlands? YES NO
If YES:

help A. Impacted area in acres: 2.09 acres

help B. Has a delineation been completed? If YES, please submit with application. YES NO SEE ATTACHED

help C. Has a wetland report been prepared? If YES, please submit with application YES NO SEE ATTACHED

help D. Type and composition of fill material (e.g., sand, etc.) Native upland soils (fine sands)

help E. Material source: On-site Uplands

help F. List all soil series (type of soil) located at the project site, and indicate if they are on the county's list of hydric soils. Soils information can be obtained from the natural Resources Conservation Service (NRCS).

Burbank loamy fine sand, 0-5% slopes (26), Qunicy fine sand, 2-15% slopes (97), Wanser-Quincy fine sands, 0-5% slopes (176)
HYDRIC, Winchester sand, 2-5% slopes (186)

help 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.

help 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 N/A

If **YES** – Which manual will your project be designed to meet?

help 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)

help 13. Will excavation or dredging be required in water or wetlands? YES NO

If **YES**:

A. Volume: _____ (cubic yards) /area _____ (acre)

B. Composition of material to be removed:

C. Disposal site for excavated material:

D. Method of dredging:

help 14. Has the State Environmental Policy Act (SEPA) been completed YES NO

SEPA Lead Agency:

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

help 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?
None					

help 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:

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

help 17a. Total cost of project. This means the fair market value of the project, including materials, labor, machine rentals, etc.
 Approximately \$50,000.00

help 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. Pending approval – US Fish and Wildlife Service

help 18. Local government with jurisdiction: N/A, federal and state land (Grant County)

help 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
U.S. Department of Interior	Bureau of Reclamation	
Washington Dept. of Transportation	North Central Region, Real Estate Services, PO Box 98, Wenatchee, WA 98807	
Maytal Golf Partnership	PO Box 492, Gig Harbor, WA 98335	
Michael B. Hansen	1828 Fairway Dr. NE, Moses Lake, WA 98837	

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.

<i>Nick S. Frazier</i> SIGNATURE OF APPLICANT	DATE 3/20/2008
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<i>Sessa M. Dennis</i> SIGNATURE OF AUTHORIZED AGENT	DATE 3/20/2008
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I HEREBY DESIGNATE Ecological Land Services 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.

<i>Nick S. Frazier</i> SIGNATURE OF APPLICANT	DATE 3/20/2008
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<i>Stephanie Otter</i> SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)	DATE 3/21/08	US Bureau of Reclamation
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THIS APPLICATION MUST 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