



WASHINGTON STATE Joint Aquatic Resources Permit Application (JARPA) Form^{1,2} [help]

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

Date received:	6/23/2020 edoc Verified Section 401
Agency reference #:	
Tax Parcel #(s):	

AGENCY USE ONLY

Part 1-Project Identification

1. Pro	ject Name ((A name for	your pro	ject that	ou create.	Examples:	Smith's	Dock or	Seabrook Lane	Development') [help
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3 Chelsea Farms Eld Inlet

Conversion of NWS permit #s: 2007-01364, 2007-01349, 2007-01348, 2007-01351

Part 2-Applicant

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

2a. Name (Last, First, Middle)				
Lentz, Kyle				
2b. Organization (If app	olicable)			
Chelsea Farms				
2c. Mailing Address (S	Street or PO Box)			
6438 Young Road				
2d. City, State, Zip				
Olympia,WA 98502				
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail	
(360) 866 8059	(360) 742-9881	(360) 866 4003	kyle@chelseafarms.net	

http://www.epermitting.wa.gov/site/alias resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.

JARPA Revision 2015.1 Page 1 of 21

¹Additional forms may be required for the following permits:

If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.

If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx.

Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county
government to make sure they accept the JARPA.

 $^{^2\}mbox{To}$ access an online JARPA form with [help] screens, go to

Part 3-Authorize	ed Agent or Contac	ct					
Person authorized to re application.) [help]	epresent the applicant ab	out the project. (Note: Au	uthorized agent(s) must sign 11b of this				
3a. Name (Last, First, M	iddle)						
Beagle, Marty							
3b. Organization (If app	plicable)						
Chelsea Farms							
3c. Mailing Address (S	Street or PO Box)						
6438 Young Road							
3d. City, State, Zip							
Olympia, WA 98502							
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail				
(360) 866 8059	(360) 742-9881	()	marty@chelseafarms.net				
_	l	I					
Part 4-Property 0	Owner(s)						
Contact information for	people or organizations	0 , ,	where the project will occur. Consider both n the adjacent aquatic land. [help]				
Same as applicant.	·		, .				
Repair or maintenar	nce activities on existing	rights-of-way or easemer	nts. (Skip to Part 5.)				
There are multiple u for each additional p		Comp(lete the section be	low and fill out <u>JARPA Attachment A</u>				
	60) 902-1100 to determin		d aquatic lands. If you don't know, b. If yes, complete <u>JARPA Attachment E</u>				
4a. Name (Last, First, M	iddle)						
SCHARF, LINDA	SCHARF, LINDA						
4b. Organization (If app	plicable)						
4c. Mailing Address (S	Street or PO Box)						
7342 YOUNG RD N	NW						
4d.							
OLYMPIA, WA 9850	02						

JARPA Revision 2015.1 Page 2 of 21

4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail
360-866-2337	()	()	

Part 5-Project Location(s)

Identifying information about the property or properties where the pr	oject will	occur. [h	nelp]
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There are multiple project locations (e.g. linear projects). Complete the section below and use <u>JARPA Attachment B</u> for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [help]
□ Private □ Priva
☐ Federal
Publicly owned (state, county, city, special districts like schools, ports, etc.)
☐ Tribal
Department of Natural Resources (DNR) – managed aquatic lands (Complete <u>JARPA Attachment E</u>)
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help] 7342 YOUNG RD NW
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]
OLYMPIA, WA 98502
5d. County [help]
THURSTON

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

1/4 Section	Section	Township	Range
	17	19	2W

- **5f.** Provide the latitude and longitude of the project location. [help]
 - Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees NAD83 Approximate center of parcel is 47.137238 N lat. / -122.9543975 Wlong.
- **5g.** List the tax parcel number(s) for the project location. [help]
 - The local county assessor's office can provide this information.

12917130100, 36020011000

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

Name	Mailing Address	Tax Parcel # (if known)
VU, THUY QUOC	7238 YOUNG RD NW OLYMPIA, WA 98502	12917130401
DYE-WALSH, SUSAN	7310 STEAMBOAT ISLAND RD NW OLYMPIA, WA 98502	36020009000

JARPA Revision 2015.1 Page 3 of 21

5i. List all wetlands on or adjacent	to the project location. [help]		
Not applicable			
5j. List all waterbodies (other than	wetlands) on or adjacent to the	project location. [help]
Marine tideland (intertidal) on Eld Ir	llet, South Puget Sound		
5k. Is any part of the project area w	vithin a 100-year floodplain? [he	<u>lp</u>]	
☐ Yes ☐ No, the project ar	ea is marine tideland		☐ Don't know
51. Briefly describe the vegetation a	and habitat conditions on the pro	operty. [<u>help]</u>	
A. Shoreline riparian vegetation ar The uplands overlooking the tideland madrones, douglas fir, and alder precomprised of fern species, salal, vine property is developed (ie. single fam B. Aquatic substrate and vegetation The proposed project is a some +5' tidal elevation has a very sn that extends to the lower depths Based on visual surveys of the (Zostera marina) or rooted kelp red kelps and Ulva spp. are like Washington Marine Vegetation Coastal Zone Atlas (Department)	ds are low bluffs with vegetation sent on and above the toe of the ses, and other vegetation typical ily residences) and landscaped what exposed beach with a monall amount of gravel and cobbles of the tidelands. The beach has beach over the last 20 years, the in the proposed project area. So ly to be found in the area during Atlas (Department of Natural R	de bluffs. The under of Puget Sound I. Department of Puget Sound II. Department of Puget So	erstory in the uplands is owlands. Much of the upland upper intertidal area above es way to medium to fine sand slope to it. ground evidence of eelgrass loose, transient, brown and onths. The on-line tools for the with the Washington State
5m. Describe how the property is o	urrently used. [help]		
The proposed project location is in E acres in area. The tidelands are Bus predominant uses of Eld Inlet are resrecreational purposes such as beach seasonally for boating and fishing. Wover 20 years.	h Act second-class tidelands ex sidential, recreation, and shellfis n walking. The surface waters o	xtending to extrensh aquaculture. To ever the proposed	ne low water. The he project area is used for project location are used
5n. Describe how the adjacent prop	perties are currently used. [help]		
Eld Inlet is a very active shellfish acclams. The adjacent tideland to the suplands to the west of the project tidelassification of Rural. There is no dimmediate vicinity.	south is privately owned. The ti elands are mostly developed as	delands to the No s single family res	orth are privately owned. The idences in a land use

JARPA Revision 2015.1 Page 4 of 21

50. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]				
No structures whatsoever.				
5p. Provide driving directions from the cl	osest highway to the project location, a	nd attach a map. [help]		
Access by boat only				
Part 6–Project Description				
	Vou can provide more detail in Ch. III	1		
6a. Briefly summarize the overall project.		<u>P</u> I		
The project is a geoduck and manila clan	паш			
6b. Describe the purpose of the project a	and why you want or need to perform it.	[help]		
The purpose of the project is to commerce so as to provide more food for the world.		eoducks) on intertidal ground		
6c. Indicate the project category. (Check a				
				
6d. Indicate the major elements of your project. (Check all that apply) [help]				
✓ Aquaculture ☐ Culvert ☐ Bank Stabilization ☐ Dam / W ☐ Boat House ☐ Dike / Le ☐ Boat Launch ☐ Ditch ☐ Boat Lift ☐ Dock / F	evee / Jetty Geotechnical Surv	Retaining Wall (upland) ey Scientific Measurement Device Stairs		

JARPA Revision 2015.1 Page 5 of 21

☐ Bridge	☐ Dreaging	☐ Mining	☐ Stormwater facility
Bulkhead	☐ Fence	Outfall Structure	☐ Swimming Pool
Buoy	☐ Ferry Terminal	☐ Piling/Dolphin	☐ Utility Line
☐ Channel Modification	☐ Fishway	☐ Raft	
Other:			

6e. Describe how you plan to construct each project element checked in 6d. 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 floodplain.

A. Project Goal

The goal of the project is to cultivate geoduck clams (Panopea abrupta) and manila clams for commercial harvest and sale on privately owned intertidal ground. The length of a single cycle from initial planting to final harvest may be two years for manila clams and from four years to as much as seven years for geoduck, followed by repeated growing and harvest cycles as allowed by permit and lease.

B. Farm Location

The farm site is located in Eld Inlet, South Puget Sound, Thurston County, WA on intertidal tideland on the Western portion of Eld Inlet. All farming activities will occur on privately owned tidelands within an area of approximately 4.71 acres. Chelsea Farms has been cultivating shellfish on these tidelands for over 20 years. The adjacent tidelands to the north and south are privately owned.

C. Farming Techniques

The proposed project area is approximately 8 acres. The final cultivation area of planted of geoducks is no larger than 3.83 acres.

No farming activities occur in the upper intertidal area, i.e., above +7.0 ft tidal elevation. All work activities are by manual labor, access is typically by boat or by a privately owned boat ramp, no motorized machinery operates on the beach beyond the boat ramp, no refueling of engines or motors occurs on the beach, no equipment is stored on site, no rooted aquatic vegetation or benthic organisms are removed from the site, no fill or grading occurs at the site, no chemical/environmental contaminants are used, and farming activities create no substantial interference with normal public use of the surface waters.

To maintain aesthetic quality, noise during all farming operations complies with Thurston County noise ordinance 10.36. Motors used for harvest are insulated for sound and have hospital grade exhaust systems; workers will be educated about noise minimization when working on the beach. If farm work activities occur at night, night lighting on the beach is provided by individual LED headlamps.

All employees are trained regarding local, state, and federal conditions for operations of commercial shellfish farms.

JARPA Revision 2015.1 Page 6 of 21

Work conducted over the last 20+ years of the project area to a tidal elevation of -4.5 ft. revealed that the site has no native eelgrass (Zostera marina) or rooted kelp (floating and non-floating canopied species) that would need to be avoided during farming activities.

As identified by the Washington Department of Fish and Wildlife Priority Habitat and Species report (accessed May 5, 2020) there are no documented and potential spawning areas for surf smelt, sand lance, or herring within the project area. The nearest listing for surf smelt habitat is 1,180 feet to the South of the project area.

If forage fish were found at the proposed project site, they may spawn concurrent with farming activities. Surf smelt and sand lance spawning typically occur at higher tidal elevations (above +5.0 ft. tidal elevation) than where farming activities take place. South Puget Sound herring stocks, which were not identified as being present in the near vicinity of the proposed project site, typically spawn on rocky, gravelly substrate in the absence of marine vegetation.

Below is an approximate timeline of significant farming milestones for the proposed project site. While various factors can influence the schedule (environmental storms, availability of seed, market conditions, etc.), the timeline presented is representative of other Chelsea Farms operations.

Primary Activity	Time Frame
Site Prep	None necessary
Planting	Spring to late summer- install capped and banded tubes, plant seed, install area netting (if needed) Manila clams are simply cast on the substrate
Maintenance	Ongoing throughout growing cycle- 6-12 months after planting- remove caps and bands from tubes; retain area netting if used
	18-24 months after planting- remove tubes and area netting
	Manila clams require little maintenance
Harvesting	5 to 7 years after planting- start harvest
	6 to 24 months after initiation of harvest- complete harvest (time varies depending on harvest method, suitable tides, market conditions, etc.)
	Manila clams are hand harvested after 24 months

A. Pre-planting Preparation

- .1. Permits and Permissions: all necessary state, and local permits were obtained at some point in time over the last 30+ years. On many of the commercially active tideland parcels farming commenced prior to the requirement for a Substantial Shoreline Development Permit (SSDP) or Conditional Use Permit (CUP) in Thurston County; they are exempt from requirements for those permits as activities undertaken were grandfathered in.
- 2. Surveys for rooted aquatic vegetation: Included in biannual surveys of the area w an examination for native eelgrass (Zostera marina) and rooted kelp (floating and non-floating canopied species). No native eelgrass or rooted kelp are present in the proposed project area.

JARPA Revision 2015.1 Page 7 of 21

A. Planting Activities

1. Strategy: The planting process is the most importance aspect in cultivation of geoducks. The juvenile clams or seed (10 mm-15 mm in length) are quite fragile and must be handled in a delicate fashion. They must have adequate protection from predators and deleterious environmental conditions in order to survive, grow, and gradually dig deeper into the substrate where they will thrive and prosper until harvested. Planting techniques are utilized that minimize disturbance of the proposed project area (and thus to listed species and critical habitat) and also reduce aesthetic impacts to the surrounding landowners. Good planting technique gives a better chance of a high rate of survival.

The beginning of the planting season is typically aligned with the first occurrence of low daytime tides in the spring and continues during subsequent low tides into October if necessary to complete the work. Chelsea Farms strives to complete the planting of the portion of the cultivation that is slated for planting that year within the season, planting the lowest portions of the plot first in the spring, and the upper reaches of the plot in late summer and fall.

For manila clams planting is: Seed is cast onto the substrate on an incoming tide. The manila clams quickly dig into the substrate. Anti-predator area netting is employed to increase the survival rate.

Methodology

Site Preparation-The planting area requires no site preparation prior to planting activities. There is no removal of benthic organisms or any substrate material from the site. There is no redirection of beach seepage or seasonal upland runoffs.

Seed- Chelsea Farms obtains seed from hatcheries certified by Washington State Department of Fish & Wildlife. No seed grow-out activities take place in the proposed project area.

Tube Placement-

PVC anti-predator "culture" tubes (4" diameter by 10" length) are placed into the beach substrate at a density of one tube per square foot. They protrude approximately 3 in. to 4 in. above the surface of the sand. The tubes are thin wall PVC with a specific gravity greater than 1.0 and weigh approximately 0.7 lbs. each and thus do not float. Tube placement and planting occurs within an area defined by 2 ft. and -4.5 ft tidal elevations MLLW. Each tube that is placed has a mesh cap that is secured with a specialized rubber band containing the compound EPDM that imparts resistance to UV light and salt water. These mesh caps act as barriers to predators in the intertidal zone.

The tubes are typically off-white or grey when placed but within weeks become heavily fouled with marine organisms and algae. They appear dark and blend in with the beach. Mesh caps are of a neutral color and also blend well with the beach. The geoduck cultivation area is visible during daylight hours only when tides are below +2.0 ft. tidal elevation- in June that is approximately 21% of daylight hours; in September it will be visible for approximately 13.7% of daylight hours. From mid-September through mid-March the area under cultivation will not be visible during daylight hours as the lower tides occur at night.

Area netting comprised of 40 ft. x 40 ft. squares (3 in. or smaller stretched mesh) is often employed over the tubes to act as an containment measure and/or predator discouragement. The netting is secured to the sand with 24 in. U-shaped rebar, spaced every five feet around the perimeter. While the proposed project site is somewhat sheltered from extreme weather events, area netting in conjunction with maintenance patrols (see section below) is an efficient method to keep loose cultivation materials on the farm site.

Six to twelve tide cycles would be required to plant and net the annual planting portion of the proposed project area, depending on the method employed (wet or dry), how many individuals participate, weather conditions, and the work-window open during a particular tide cycle.

Thus, depending on the time of year and other factors, "wet" planting methods may be employed instead of dry planting. Chelsea Farms primarily farms geoducks in a tidal range from -4.5 to 3.0 ft MLLW. Planting of the approximately 4.71 acre cultivation area may be broken up into sections which are planted annually in succession. The current year planting is completed within the annual planting season (typically from March to October).

Manila clam Methodology: Similar to infant geoducks, Manila clam seed is delicate and care must be taken when commencing the planting process. Our typical planting protocol for manila clams is to distribute clam seed at a density of approximately 100 per square foot on an incoming tide. We typically cultivate manila clams in a tidal

JARPA Revision 2015.1 Page 8 of 21

range from +4 feet to +5 feet but sometimes (as on this parcel) up to +7 feet MLLW.

Maintenance:

Maintenance of the site includes routine inspection at a frequency of at least twice a month while tubes are present and includes documentation of any fish or wildlife found in the anti-predator netting. Inspections are made downdrift of the farm site for a distance of at least 1,000 feet. All site visits are made by boat.

Any live entangled fish or wildlife when encountered are documented, photographed, and released, and any loose nets, tubing, or aquaculture related debris discovered during inspections is removed from the site. Earnest effort is made to ensure tubes, nets, and fasteners do not wash off of the farm area. A site visit occurs after any major storm event.

Tube and Net Removal- As they grow the clams burrow deeper into the substrate. Sometime between 18-24 months after planting the clams have reached a depth of 18-20 inches that is deep enough to provide protection from the vast majority of predators. At this point the tubes and netting can be removed from the site. Workers access the site by boat and pull and bag the tubes as well as roll up the area netting, if any is employed. All materials are removed from the area by boat.

Prior to removal of the tubes, inspections are made to determine if herring stocks have used any of the materials on the site as spawning substrate. Inspection is especially important if the tube removal is slated for January through March. If any herring spawn is found, the site is unoccupied until the eggs have hatched.

Maintenance of the site for manila clams is minimal. In some cases, antipredator canopy netting is used to protect the clams. We inspect and maintain such netting in the same manner as that for the geoduck portions.

Harvesting:

Geoducks are harvested after they have reached marketable size (1.5 to 2 lbs.) in five to seven years, though this time period can be influenced by several factors (market demand, environmental conditions, etc.) "Wet" harvesting from below the waterline by divers using surfaced-supplied air (SSA), will occur if tide levels are not low enough for traditional "dry" harvest methods. The method is the same except that it all happens underwater. Chelsea Farms presently utilizes the wet harvesting technique approximately 80% of the harvest time.

The rate of harvest for this site is a function of market demand, price, export availability, harvesting activities on other Chelsea Farm beaches, etc. As geoducks are a fresh food, there is no long term storage of the product, thus harvesting efforts must follow market demands.

There is no overland access to the beach- all activities associated with the project are accessed by boat. All harvesting equipment is vessel-based and no mechanical devices (ie. motors) operate on the beach. The harvest method used is the predominant method employed in Washington state for intertidal geoduck aquaculture: Harvest employs the use of low-pressure water pumps with a "stinger/wand" nozzle that has an inside diameter of 5/8" or less. The nozzles are hand held and controlled by the operator, with nozzle pressure being limited to approximately 40 psi. measured at the pump. Water intake lines on the pumps are fitted with mesh screens that meet or exceed National Marine Fisheries Service (NMFS) screening criteria to prevent sucking up any small critters/fish. The water hose wand is placed into sediment adjacent to the geoduck and loosens the sediment around the clam, allowing it to be easily removed by hand. The pump is vessel mounted and equipped with a muffler. Sound level readings of 60 dB above ambient noise were obtained at a distance of fifty feet from the vessel.

During beach harvest operations which can occur during both day and night, the vessel containing the water pump is moored offshore. Hoses are laid to the beach and harvesters remove one geoduck at a time from the substrate, which are then transported in crates to the vessel (similar in fashion to the dive harvesters),. During either type of harvest work, "dry" or "wet", workers have no need to access the upper intertidal of the beach.

Dive harvest sessions often last two to four hours for each of two divers, depending on market demand, clarity of the water, and density of clams. The harvest process is managed to ensure Clean Water Act 401 water quality certification standards are met. Noise from farm operations and light generation is minimized; all people and equipment are brought to the site by boat and removed from the beach at the end of each day. Harvest activities occur well below forage fish spawning elevations.

Harvesting of Manila Clams: Manila clams are hand harvested by workers accessing the cultivation area during appropriate tide levels. The duration of activity is typically during one tide cycle, about four hours.

JARPA Revision 2015.1 Page 9 of 21

JARPA Revision 2015.1 Page 10 of 21

6f. What are the anticipated start and end dates for project construction? (Month/Year) 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: Ongoing End date: Ongoing See JARPA Attachment D
Fair market value of the project, including materials, labor, machine rentals, etc. [help]
Not applicable, this is an ongoing farming operation, not a one time construction project
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 Mitigatio3 Check here if there are wetlands or wetland buffers on or adjacent to the project area. (If there are none, skip to Part 8.) [help]
7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [help]
⊠ Not applicable
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 and answer 7g. If No. or Not applicable, explain below why a mitigation plan should not be required.

JARPA Revision 2015.1 Page 11 of 21

☐ Yes ☐ No	o 🗌 Not appli	cable				
7g. Summarize what used to design	at the mitigation p the plan. [help]	lan is meant to a	accomplish, a	nd describe ho	ow a watershed	d approach was
	·					
7h. Use the table be				•		
	type and amount u can state (belo					on plan with a
Activity (fill, drain, excavate,	Wetland Name ¹	Wetland type and	Impact area (sq.	Duration of impact ³	Proposed mitigation	Wetland mitigation area
flood, etc.)		rating category ²	ft. or Acres)		type⁴	(sq. ft. or acres)
¹ If no official name for the w	vetland exists create a	unique name (such as	"Wetland 1") The	name should be co	nsistent with other r	project documents, such
 If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report. Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package. 						
³ Indicate the days, months ⁴ Creation (C), Re-establish	ment/Rehabilitation (R),	Enhancement (E), Pre	eservation (P), Miti	gation Bank/In-lieu		
) for similar inforn				U t	
7i. For all filling activities identified in 7h, 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]						
7: For all access the	a o ativitic - isla - U	المحادة المحادة	ho the susse	الحجائم مسرمانا	upo opel cas	nt of monterial in
7j. For all excavatin cubic yards you	g activities identif will remove, and				ype and amou	nt of material in

JARPA Revision 2015.1 Page 12 of 21

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

Shellfish culture must have a healthy marine ecosystem in order to flourish. Chelsea Farms will continue to review and employ proven state-of-the-art practices to minimize local, temporary adverse impacts. The cultivation of shellfish has been viewed as beneficial to the shoreline environment, not detrimental, as it provides structure, water filtration, and coupling of nutrients.

Farming activities do not occur in the upper intertidal area (eg. above +5 foot tidal elevation). All work activities are by manual labor, all access is by boat, and no motorized machinery operates on the beach, no refueling occurs on the beach, no equipment storage at the site, no rooted aquatic vegetation or benthic organisms removed from the site, no fill or grading happens, and no chemical/environmental contaminants are used.

The maximum time a work vessel might be grounded on the beach is approximately four hours during a low tide cycle, after which time it is removed.

The farm site is at elevations below the spawning elevations of sand lance and surf smelt, and there is no presence of native eelgrass or other rooted vegetation necessary to attract herring spawn.

Harvest work disturbs the substrate for short periods to a depth of 36". No earth movement occurs, and although some sediment transport/turbidity will result temporarily, the beach quickly returns to original condition.

The proposed project is typical of shellfish farm activities and locations that were included in the 2015 *Programmatic Biological Assessment* (PBA) of the Army Corps of Engineers (ACOE) and the subsequent reviews/biological opinions conducted by National Marine Fisheries Service and U.S. Fish and Wildlife Service (the Services).1 All farm activities that we are proposed here (e.g., species, equipment, methods, location, etc.), and their impacts on the aquatic environment, were evaluated by the ACOE and the Services and thus their documents serve as the reference biological evaluation for this project. 2 Chelsea Farms will consult with the ACOE and obtain their permission utilizing the individual permit pathway and all national, regional, and ACOE Seattle District conditions applicable to this farm activity will be followed—these conditions are, in part, the result of the Services' reviews and therefore are intended to protect ESA-listed species, critical habitat, and essential fish habitat. The most recent set of NWP 48 ACOE-Seattle District specific conditions (aka conservation measures) is available on the ACOE website.3

1 Programmatic Biological Assessment, Shellfish Activities in Washington State Inland Marine Waters, U.S. Army Corps of Engineers Regulatory Program, Seattle District, October 2015; Endangered Species Act (ESA) Section 7(a)(2) Biological Programmatic Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation, National Marine Fisheries Service, Reference No. 01EWFW00-2016-F-0121, September 2, 2016 and September 30, 2016; Endangered Species Act-Section 7 Consultation, Biological Opinion, U.S. Fish and Wildlife Service, Reference No. 01EWFW00-2016-F-0121, August 26, 2016.

JARPA Revision 2015.1 Page 13 of 21

2 Prior to implementation of the PBA, new farm proposals to the ACOE under NWP 48 required individual consultation with the Services; preparation of a biological evaluation by the applicant formed the basis of this consultation. Implementation of the PBA streamlined this process. As long as an applicant's proposed shellfish activities meet the following three criteria, the PBA functions as the applicant's biological evaluation: (1) the proposed activities fall within the scope of activities described in the PBA (which ours do), (2) the applicant can & will meet the PBA's conservation measures (which we can & will), and (3) the proposed site occurs within the geographic area considered by the PBA (which ours does). 3 NWP 48 is the ACOE's nationwide permit for "Commercial Shellfish Aquaculture Activities". Commercial shellfish farms in Washington cannot legally operate without a permit from the ACOE—the most common form of that permit is NWP 48. Currently, NWP 48 includes 31 national general conditions (some applicable to shellfish aquaculture), 10 Seattle District regional general conditions (some applicable to shellfish aquaculture), and most recently, a revised list of 33 Seattle District specific conditions or conservation measures (specific to shellfish aquaculture). Recent legal decisions have created difficulties in the Nationwide Permit process; therefore Chelsea Farms is making application thru individual consultation with the ACOEI .
8b. Will your project impact a waterbody or the area around a waterbody? [help]
⊠ Yes □ No

JARPA Revision 2015.1 Page 14 of 21

8c. Have you prepa waterbodies? [h		olan to compen	sate for the pro	pject's adverse impacts to	non-wetland
	 If Yes, submit the plan with the JARPA package and answer 8d. If No, or Not applicable, explain below why a mitigation plan should not be required. 				
☐ Yes ☐ No	Not applic	able			
There will be no net negative impacts. Shellfish harvest techniques may result in local and temporary effects, but no long-term effects.					
to design the p	lan.		·	escribe how a watershed	approach was used
If you already control Not applicable	ompleted 7g you do r	not need to restate	e your answer here	e. [<u>help]</u>	
8e. Summarize impa	act(s) to each wa	terbody in the	table below. [he	elp]	
Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Shellfish Cultivation	Eld Inlet	Eld Inlet	Temporary	Not applicable	Total area of planting and harvesting is 4.71 acres
415 55 11			(01 48) 71		
² Indicate whether the impact indicate whether the impact	ct will occur in or adjace will occur within the 10	ent to the waterbody. 0-year flood plain.	If adjacent, provide	e name should be consistent with ot the distance between the impact an Enter "permanent" if applicable	

8f. For all activities identified in 8e, 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]

JARPA Revision 2015.1 Page 15 of 21

Not applicable			
		d in 8e, describe the method for d where the material will be dis	
Not applicable	indicinal you will remove, an	d whole the material will be all	, <u>(101)</u>
rtet applicable			
Dant O. Additional In	.f.,		
Part 9-Additional In			aia at Camandata ao mayah af
	s ok if you cannot answer a	reviewer(s) understand your pro question.	ojeci. Complete as much of
9a. If you have already v	worked with any governmer	nt agencies on this project, list	them below. [help]
Agency Name	Contact Name	Phone	Most Recent Date of Contact
Washington State Dept. of Health			
Washington State Dept of Fish and Wildlife		()	
		()	
		() d in Part 7 or Part 8 of this JAR	PA on the Washington
Department of Ecolog	gy's 303(d) List? [help]	() d in Part 7 or Part 8 of this JAR	PA on the Washington
Department of EcologIf Yes, list the parameter	gy's 303(d) List? [help] eter(s) below.		
Department of Ecolog If Yes, list the parameter If you don't know, use http://www.ecy.wa.gov	gy's 303(d) List? [<u>help]</u> eter(s) below. Washington Department of Ecolo	() d in Part 7 or Part 8 of this JAR ogy's Water Quality Assessment tools	
 Department of Ecolog If Yes, list the parameter If you don't know, use 	gy's 303(d) List? [<u>help]</u> eter(s) below. Washington Department of Ecolo		
Department of Ecolog If Yes, list the parameter If you don't know, use http://www.ecy.wa.gov	gy's 303(d) List? [<u>help]</u> eter(s) below. Washington Department of Ecolo		
Department of Ecolog If Yes, list the parameter If you don't know, use http://www.ecy.wa.gov	gy's 303(d) List? [<u>help]</u> eter(s) below. Washington Department of Ecolo		
Department of Ecolog If Yes, list the parameter If you don't know, use http://www.ecy.wa.gov	gy's 303(d) List? [<u>help]</u> eter(s) below. Washington Department of Ecolo		

JARPA Revision 2015.1 Page 16 of 21

 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.
17110019
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 14 Kennedy-Goldsborough
 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.
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 Aquatic Conservancy Other
9g. What is the Washington Department of Natural Resources Water Type? [help]
Go to http://www.dnr.wa.gov/forest-practices-water-typing for the Forest Practices Water Typing System.////////////////////////////////////
☐ Shoreline ☐ Fish ☐ Non-Fish Perennial ☐ Non-Fish Seasonal
 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.
Name of manual:
9i. Does the project site have known contaminated sediment? [help] • If Yes, please describe below.
☐ Yes No
9j. If you know what the property was used for in the past, describe below. [help]
We have been cultivating shellfish in this area for the past 30 years.

JARPA Revision 2015.1 Page 17 of 21

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

• If Yes, attach it to your JARPA package.

A cultural resource assessment (CRA) was not conducted for this project area. The Area of Potential Effects (APE) for the proposed project is along the same shoreline and is adjacent to previously permitted intertidal shellfish farms.

The physical attributes of the proposed project area and the previously permitted projects are similar with medium bank, unstable steep slope, and shallow sandy tidelands. In each case, the APE consists of substrates in the lower intertidal zone (+.0' to -4.5') on privately owned tideland.

The records search and literature review for previous CRA's of nearby sites included examination of materials located on the Washington State Department of Archaeology and Historic Preservation's online database, the Washington Information System for Archaeology and Archaeological Records Database (WISAARD). No listed archaeological sites were identified within one mile of the project.

JARPA Revision 2015.1 Page 18 of 21

9I. 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]

Common Name	Scientific Name	Listing Date	Federal Status	Critical Habitat
Fishes				
Bull trout (PS/Coastal DPS)	Salevelinus confluentus	11/1/1999	Threatened	Yes*
Chinook salmon (PS ESU)	Onchorhynchus tshawytscha	6/28/2005	Threatened	Yes
Steelhead (PS DPS)	O. mykiss	1/5/2006	Threatened	Proposed
Bocaccio rockfish(PS/GB DPS)	Sebastes paucispinis	4/28/2010	Endangered	Proposed
Yelloweye rockfish (PS/GB DPS)	S. ruberrimus	4/28/2010	Threatened	Proposed
Birds				
Marbled murrelet (WA/OR/CA DPS)	Brachyramphus marmoratus	10/1/1992	Threatened	Yes*
Marine Mammals				
Southern resident killer whale	Orcinus orca	11/18/2005	Endangered	Yes
DPS- distinct population segment; ESU: Evolutionary Significant Unit; PS- Puget Sound; GB-Georgia Basin; WA- Washington OR-Oregon; CA- California				
*Critical habitat identified, but does not occur within the proposed area	_			

9m. 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]

JARPA Revision 2015.1 Page 19 of 21

Species listed in the vicinity of the project area: Seabirds, Harbor seals, Salmonoids, Pacific sand lance, surf smelt, Pacific herring, Rock sole, Bald eagles, Wild geoduck

Part 10-SEPA Compliance and Permits

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

- Online Project Questionnaire at http://apps.oria.wa.gov/opas/.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.
- For a list of addresses to send your JARPA to, click on agency addresses for completed JARPA.

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.
\square A copy of the SEPA determination or letter of exemption is included with this application.
☐ A SEPA determination is pending with _ (lead agency). The expected decisiondate is
☐ I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]
☐ 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.

JARPA Revision 2015.1 Page 20 of 21

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 – Attach Exemption Form You must submit a check for \$150 to Washington Department of Fish and Wildlife, unless your project qualifies for an exemption or alternative payment method below. Do not send cash.		
Check the appropriate boxes: \$150 check enclosed. Check #		
Washington Department of Natural Resources: ☐ Aquatic Use Authorization Complete JARPA Attachment E and submit a check for \$25 payable to the Washington Department of Natural Resources. Do not send cash.		
Washington Department of Ecology: ☑ Section 401 Water Quality Certification		
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: Private Aids to Navigation (for non-bridge projects)		

JARPA Revision 2015.1 Page 21 of 21

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [help]

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.

Kyle Lentz President Kylly 18
Applicant Printed Name Applicant Signature Date

For Chelsea Farms

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.

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

Not required if project is on existing rights-of-way or easements (provide copy of easement with JARPA).

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.

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 for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-011 rev. 09/2018





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

Attachment A: For additional property owner(s) [help]

AGENCT USE ONLT
Date received:
Agency reference #:
Tax Parcel #(s):
TO BE COMPLETED BY APPLICANT [<u>help</u>]
Project Name: 3 Chelsea Farms Eld Inlet
Location Name (if applicable):
Document (in applicable).

Use this attachment <u>only</u> if you have more than one property owner. Complete <u>one</u> attachment for <u>each</u> additional property owner impacted by the project.

Signatures of property owners are not needed for repair or maintenance activities on existing rights-of-way or easements.

Use black or blue ink to enter answers in white spaces below.			
1. Name (Last, First, Middle) and Organization (if applicable)			
CLARK, KEITH L & SUSAN A			
2. Mailing Address (Str	reet or PO Box)		
7244 YOUNG RD NW			
3. City, State, Zip			
OLYMPIA, WA 98502			
4. Phone (1)	5. Phone (2)	6. Fax	7. E-mail
360-866-7425			
Address or tax parcel number of property you own:			
12917130301, 92051601000			
Signature of Property Owner			
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.			
Not Applicable - permission granted from Chelsea Farms lessee			
Printed Name Signature			

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-012 rev. 10/2016





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

Attachment A: For additional property owner(s) [help]

	AGENCY USE ONLY
Dat	e received:
Age	ncy reference #:
Tax	Parcel #(s):
_	
	TO BE COMPLETED BY APPLICANT [help]
Pro	ject Name: <u>3 Chelsea Farms Eld Inlet</u>

Use this attachment <u>only</u> if you have more than one property owner. Complete <u>one</u> attachment for <u>each</u> additional property owner impacted by the project.

Use black or blue ink to enter answers in white spaces below.

Signatures of property owners are not needed for repair or maintenance activities on existing rights-of-way or easements.

1. Name (Last, First, Middle) and Organization (if applicable)			
LEFFLER, CHRIS E & SUSAN M			
2. Mailing Address (Street or PO Box)			
PO BOX 4352			
3. City, State, Zip			
TUMWATER, WA			
4. Phone (1)	5. Phone (2)	6. Fax	7. E-mail
360-705-7692	360-866-1841		whitestarloghome@hotmail.com
Address or tax parcel number of property you own:			
12917130302			
Signature of Property Owner			
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. Not Applicable - permission granted from Chelsea Farms lessee			
Printed Name Signature			

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-012 rev. 10/2016





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

Attachment A: For additional property owner(s) [help]

AGENCY USE ONLY

Date received:

Agency reference #:

Tax Parcel #(s):

TO BE COMPLETED BY APPLICANT [help]

Project Name: 3 Chelsea Farms Eld Inlet

Location Name (if applicable):

Use this attachment <u>only</u> if you have more than one property owner. Complete <u>one</u> attachment for <u>each</u> additional property owner impacted by the project.

Use black or blue ink to enter answers in white spaces below

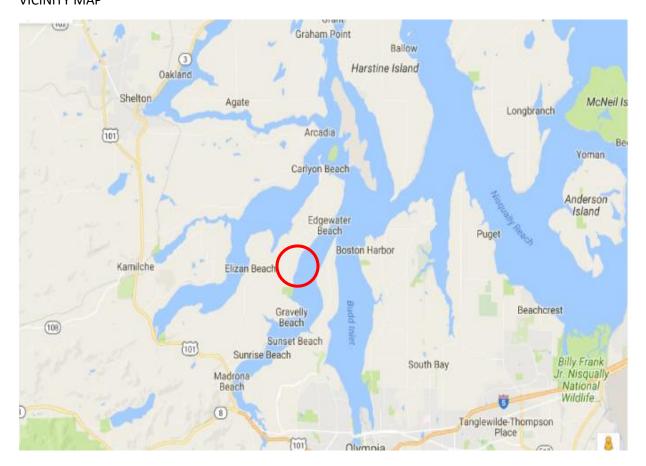
Signatures of property owners are not needed for repair or maintenance activities on existing rights-of-way or easements.

1. Name (Last, First, Middle) and Organization (if applicable)			
RIEGEL, V KAY			
2. Mailing Address (Street or PO Box)			
2611 NE 135TH ST			
3. City, State, Zip			
SEATTLE, WA 98125-3435			
4. Phone (1)	5. Phone (2)	6. Fax	7. E-mail
206-799-9036	206-282-5698		kriegel@gjerding,org
Address or tax parcel number of property you own:			
12917130101, 12917130200, 93020500000			
Signature of Property Owner			
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. Not Applicable - permission granted from Chelsea Farms lessee			
Printed Name Signature			

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-012 rev. 10/2016

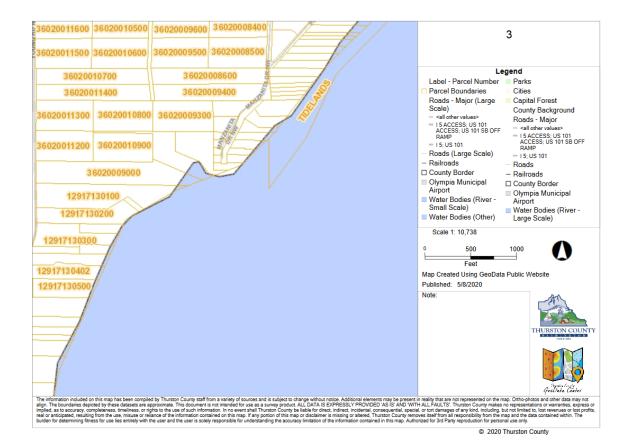
12917130200, 93020500000, 36020011000

VICINITY MAP



12917130200, 93020500000, 36020011000

PARCEL MAP



12917130200, 93020500000, 36020011000

PROJECT AREA



Lat/Long of PROJECT area:

A: 47.1370602 -122.9543884

B: 47.1373062 -122.9539638

C: 47.1364388 -122.9566105

D: 47.135967 -122.9564771

NEAR/AT: Shelton, WA PROP. PRJCT: Shellfish aquaculture REFERENCE: LAT/LONG: 47.137238 / -122.9543975 IN: Eld Inlet, WA APPLICANT: Chelsea Farms LOCATION (PARCEL): 12917130301, 12917130302, DATE: 5/7/2020 **COUNTY: Thurston** 12917130101, 12917130100, 92051601000 PROJ: 3 Chelsea Farms Eld Inlet STATE: Washington

12917130200, 93020500000, 36020011000

CULTIVATION AREA



Lat/Long of CULTIVATION area:

A: 47.1375466 -122.9540023

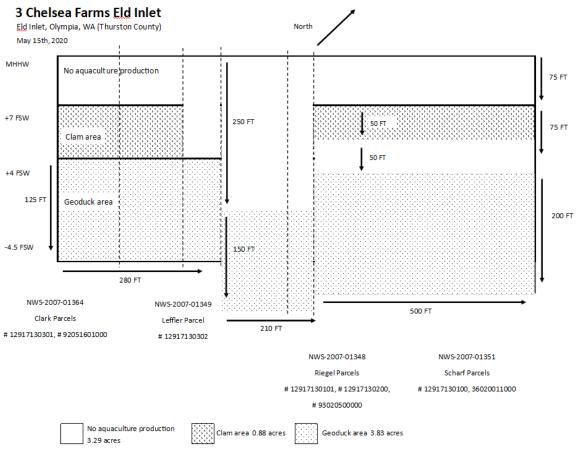
B: 47.1370316 -122.9536231

C: 47.1360216 -122.9554908

D: 47.1363177 -122.9559557

12917130200, 93020500000, 36020011000

PLAN VIEW



Chelsea Farms 6438 Young Rd NW Olympia, WA 98502

Washington State Department of Ecology 3190 160th Ave SE Bellevue, WA 98008

Chelsea Farms is submitting multiple electronic applications for 401 Water Quality Permits. Where it was deemed logical (primarily because of proximity), we have selected multiple individual parcels and placed them into 13 individual projects.

Below, you will find the project names:

- 1 Chelsea Farms Eld Inlet (NWS-2020-588-AQ)
- 2 Chelsea Farms Eld Inlet (NWS-2007-01345)
- 3 Chelsea Farms Eld Inlet (NWS-2020-590-AQ)
- 4 Chelsea Farms Cooper Point (NWS-2020-592-AQ)
- 5 Chelsea Farms Hunter Point (NWS-2020-597-AQ)
- 6 Chelsea Farms Green Cove (NWS-2020-598-AQ)
- 7 Chelsea Farms Flapjack (NWS-2012-01315)
- 8 Chelsea Farms Totten (NWS-2020-599-AQ)
- 9 Chelsea Farms Gallagher (NWS-2020-600-AQ)
- 10 Chelsea Farms Hammersley (NWS-2020-604-AQ)
- 11 Chelsea Farms Nisqually (NWS-2017-0821)
- 12 Chelsea Farms Harstine (NWS-2020-606-AO)
- 13 Chelsea Farms Henderson (NWS-2020-607-AQ)

Should you have any questions or concerns, please contact:

Marty Beagle Chelsea Farms (360) 742-9881 marty@chelseafarms.net

Deven Ropes Chelsea Farms deven@chelseafarms.net

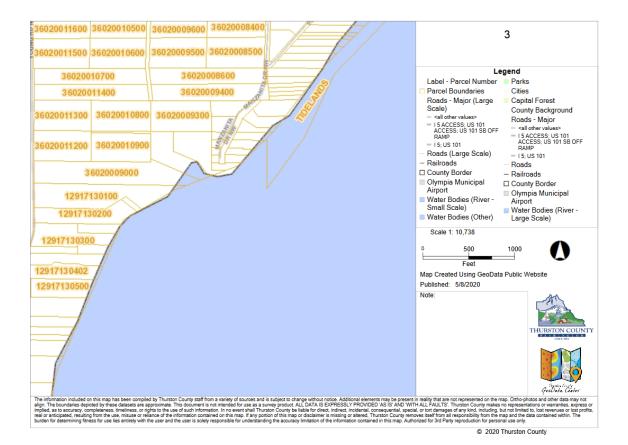
12917130200, 93020500000, 36020011000

VICINITY MAP



12917130200, 93020500000, 36020011000

PARCEL MAP



12917130200, 93020500000, 36020011000

PROJECT AREA



Lat/Long of PROJECT area:

Α	47.138299°	-122.953458°
В	47.137314°	-122.952161°
С	47.135803°	-122.955293°
D	47.136460°	-122.956616°

12917130200, 93020500000, 36020011000

CULTIVATION AREA

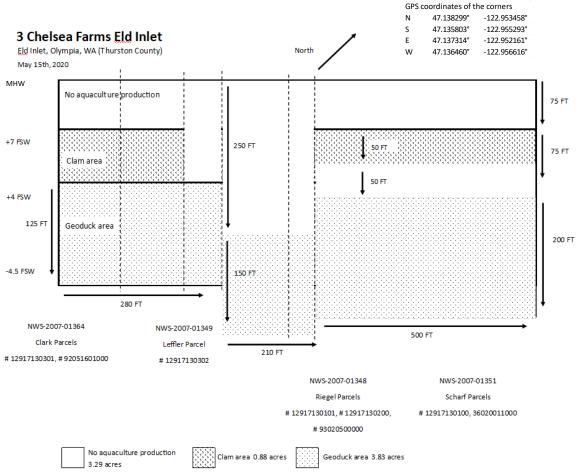


Lat/Long of CULTIVATION area:

Α	47.137840°	-122.953294°
В	47.137203°	-122.952448°
С	47.135886°	-122.955281°
D	47.136329°	-122.956262°

12917130200, 93020500000, 36020011000

PLAN VIEW



*Map components are not to scale