6/23/2020 edoc
Verified Section 401

US Army Corps of Engineers ®
Seattle District

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.

AGENCY USE ONLY

Date received:

Agency reference #: _____

Tax Parcel #(s): _____

_____

_____

Part 1–Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [help]
10 Chelsea Farms Hammersley

Conversion of NWS permit #s: 2007-01578, 2007-01575

Part 2–Applicant

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

2a. Name (Last, First, Middle)			
Lentz, Kyle			
2b. Organization (If applicable)			
Chelsea Farms			
2c. Mailing Address (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

[1]Additional 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]To access an online JARPA form with [help] screens, go to 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.

Part 3–Authorized Agent or Contact

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

3a. Name (Last, First, Middle)			
Beagle, Marty			
3b. Organization (If applicable)			
Chelsea Farms			
3c. Mailing Address (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

Part 4–Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [help]

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

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

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

☐ Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete JARPA Attachment E to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Middle)
RAINS, FRANKLIN V & MARIE C/O KAREN GARRISON
4b. Organization (If applicable)
4c. Mailing Address (Street or PO Box)
4639 N NOBLE LOOP
4d. RIDGEFIELD WA 98642

4e. Phone (1)	**4f.** Phone (2)	**4g.** Fax	**4h.** E-mail
503-312-4605	( )	( )	

Part 5–Project Location(s)

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

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

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

☒ Private
☐ Federal
☐ Publicly owned (state, county, city, special districts like schools, ports, etc.)
☐ Tribal
☐ Department of Natural Resources (DNR) – managed aquatic lands (Complete JARPA Attachment E)

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

901 SE OLD ARCADIA RD

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

SHELTON WA 98584

5d. County [help]

MASON

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

¼ Section	Section	Township	Range
	22	20	3W

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

- Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83

Approximate center of parcel is 47.2055845 N lat. / -123.0359443 W

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

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

320224670010

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

Name	Mailing Address	Tax Parcel # (if known)
TAYLOR UNITED INC,	130 SE LYNCH ROAD SHELTON WA 98584-8615	320224170400
MILLER, ARTHUR P & BEVERLY J	861 SE OLD ARCADIA RD SHELTON WA 98584	320224600170

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 Hammersley Inlet, South Puget Sound

5k. Is any part of the project area within a 100-year floodplain? [help]

☐ Yes ☒ No, the project area is marine tideland ☐ Don't know

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

A. Shoreline riparian vegetation and habitat features

The uplands overlooking the tidelands are low bluffs with vegetation such as big leaf and vine maples, pacific madrones, douglas fir, and alder present on and above the toe of the bluffs. The understory in the uplands is comprised of fern species, salal, vines, and other vegetation typical of Puget Sound lowlands. Much of the upland property in the immediate vicinity is developed and landscaped. There are numerous bulkheads along the shoreline.

B. Aquatic substrate and vegetation

The project is a moderately sloping and protected beach located in Hammersley Inlet, South Puget Sound. There is no gravel and cobble sized material in the cultivation area. The upper intertidal area above +4' tidal elevation has a very small band of gravel and cobble that quickly gives way to medium grain sand that extends to the lower depths of the tidelands.

Based on visual surveys of the beach over the last 10 years there is no on-the-ground evidence of eelgrass (Zostera marina) or rooted kelp in the proposed project area. Very small quantities of loose, transient, brown and red kelps and Ulva spp. are likely to be found in the area during the summer months. The on-line tools for the Washington Marine Vegetation Atlas (Department of Natural Resources) along with the Washington State Coastal Zone Atlas (Department of Ecology) show an absence of eelgrass and kelp in the proposed project area. There is no native eelgrass in Totten

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

The proposed project location is in Hammersley Inlet, South Puget Sound, on private tidelands that are approximately 2.78 acres in area, extending to extreme low water. The predominant uses of Hammersley Inlet are residential, recreation, and shellfish aquaculture. The project area is used for recreational purposes such as beach walking. The surface waters over the proposed project location are used seasonally for boating and fishing. We have been cultivating geoducks on the property for over 10 years

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

Hammersley Inlet is a very active shellfish aquaculture inlet. The adjacent tidelands to the north and south are privately owned and are also commercial aquaculture sites containing oysters. The uplands to the south of the project tidelands are developed as single family residences in a land use classification of Rural.

5o. 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 closest highway to the project location, and attach a map. [help]

Access by boat only

Part 6–Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [help]

The project is a geoduck farm.

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

The purpose of the project is to commercially farm geoducks on intertidal ground so as to provide more food for the world.

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

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

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

☒ Aquaculture	☐ Culvert	☐ Float	☐ Retaining Wall (upland)
☐ Bank Stabilization	☐ Dam / Weir	☐ Floating Home	☐ Road
☐ Boat House	☐ Dike / Levee / Jetty	☐ Geotechnical Survey	☐ Scientific Measurement Device
☐ Boat Launch	☐ Ditch	☐ Land Clearing	☐ Stairs
☐ Boat Lift	☐ Dock / Pier	☐ Marina / Moorage	

☐ Bridge	☐ Dredging	☐ 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) for commercial harvest and sale on privately owned intertidal ground. The length of a single cycle from initial planting to final harvest may be a little as four years or as much as seven years, followed by repeated growing and harvest cycles as allowed by permit and lease.

B. Farm Location

The farm site is located in Hammersley Inlet, South Puget Sound, Mason County, WA on intertidal tideland on the southern portion of the inlet. All farming activities occur on privately owned tidelands. The adjacent tidelands to the north and south are privately owned.

C. Farming Techniques

The project area is approximately 2.78 acres, not all of which is used for geoduck cultivation. The final cultivation area of planted of geoducks is no larger than 0.79 acres.

No farming activities occur in the mid or upper intertidal area, i.e., above +2.0 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 comply with Mason County noise ordinance. Motors used for harvest are insulated for sound and have hospital grade exhaust systems; workers are 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.

Work conducted over the last 10 years of the project area to a tidal elevation of -4.0ft. 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.

The project area is not identified by the Washington Department of Fish and Wildlife Priority Habitat and Species report (accessed May 5, 2020) as documented and potential spawning area for forage fish. The nearest spawning area (for sand lance) is about 5,000 feet to the East of the project area.

If forage fish are 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)
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
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.)

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 our commercially active tideland parcels farming commenced prior to the requirement for a Substantial Shoreline Development Permit (SSDP) or Conditional Use Permit (CUP) in Mason County; they are exempt from requirements for those permits as activities undertaken were grandfathered in.
2. Surveys: Surveys for rooted aquatic vegetation: Included in biannual surveys of the area is 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.

B. 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.

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 hatcheries approved by Washington State Department of Fish & Wildlife brood stock. 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 2.0 ft. and -3.5 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 proposed cultivation area will be 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 is 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 well 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.

Four to five 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. Planting of the approximately 0.79 acre cultivation area can occur over multiple years to ensure a continual supply of market-ready clams. Each year a portion of the cultivation area may be designated for planting, and the planting is completed within the annual planting season (typically from March to October)

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 down-drift 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 are 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 left undisturbed until the eggs have hatched.

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), occurs if tide levels are not low enough for traditional “dry” harvest methods. The wet harvesting method is the same process as the traditional 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 area are accessed by boat. All harvesting equipment is vessel-based and no mechanical devices (ie. motors) operate on the beach. The harvest method that is used is the predominant method employed in Washington state for intertidal geoduck aquaculture: Harvesters employ 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 handheld 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 hand 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 are 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.

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 Mitigation

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

☐ Yes ☐ No ☐ Not applicable

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

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [help]

Activity (fill, drain, excavate, flood, etc.)	Wetland Name[1]	Wetland type and rating category[2]	Impact area (sq. ft. or Acres)	Duration of impact[3]	Proposed mitigation type[4]	Wetland mitigation area (sq. ft. or acres)

[1] 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.
[2] 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 or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.
[4] Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

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

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]

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

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

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

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

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

☐ Not applicable

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 +2 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 up to a depth of 36". No earth movement occurs, and although some sediment transport/turbidity does 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.

[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), 1 regional specific condition (specific 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 will make supplication thru individual consultation with the ACOEl

.

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

☒ Yes ☐ No

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

- **If Yes**, submit the plan with the JARPA package and answer 8d.
- **If No, or Not applicable,** explain below why a mitigation plan should not be required.

☐ Yes ☐ No ☒ Not applicable

There will no net negative impacts. Shellfish harvest techniques may result in local and temporary effects, but no long-term effects.

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

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

Not applicable

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

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	Hammersley Inlet	Hammersley Inlet	Temporary	Not applicable	Total area of planting and 0.79 acres

[1] If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.
[2] Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.
[3] Indicate the days, months or years the waterbody will be measurably impacted by the work. 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]

Not applicable

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

Not applicable

Part 9–Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

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

Agency Name	Contact Name	Phone	Most Recent Date of Contact
		( )	
		( )	

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

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

☐ Yes ☒ No

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

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

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.

☒ Yes ☐ No ☐ Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help]

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

☐ Rural ☐ Urban ☐ Natural ☐ Aquatic ☐ Conservancy ☐ Other_____ _

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

- Go to http://www.dnr.wa.gov/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.

☒ Yes ☐ No Not applicable

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 on this parcel for the past 20 years.

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 the project area.

9l. 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]

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.

☐ 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 decision date 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.

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 #_____
Attach check made payable to Washington Department of Fish and Wildlife.

☒ My project is exempt from the application fee. (Check appropriate exemption)_____

- ☐ HPA processing is conducted by applicant-funded WDFW staff.
  Agreement #_____
- ☐ Mineral prospecting and mining.
- ☒ Project occurs on farm and agricultural land.
  (Attach a copy of current land use classification recorded with the county auditor, or other proof of current land use.)
- ☐ Project is a modification of an existing HPA originally applied for, prior to July 10, 2012.
  HPA #_____

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)

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. KL (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. KL (initial)

Kyle Lentz, President	Kyle Lentz for Chelsea Farms	4/30/2020
Applicant Printed Name	Applicant Signature	Date

11b. Authorized Agent Signature [help]

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

MARTIN C BEAGLE	Martin C Beagle	4/30/2020
Authorized Agent Printed Name	Authorized Agent Signature	Date

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.

Kyle Lentz	Kyle Lentz for Lessee, Chelsea Farms	6/16/2020
Property Owner Printed Name	Property Owner Signature	Date

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

If you require this document in another format, contact the Governor's Office 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]

US Army Corps of Engineers ®
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

TO BE COMPLETED BY APPLICANT [help]

Project Name: 10 Chelsea Farms Hammersley

Location Name (if applicable): _____

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

Use this attachment only if you have more than one property owner. Complete one attachment for each 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.

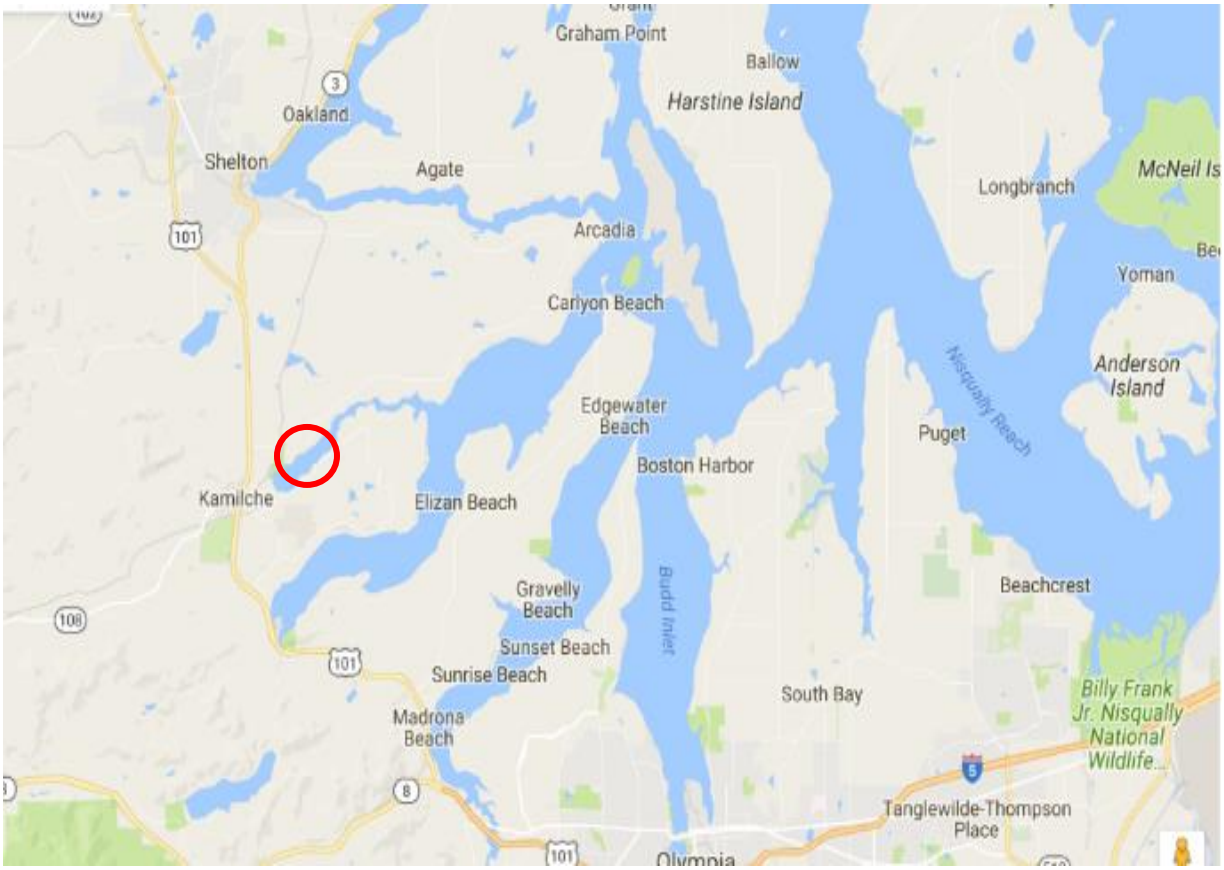
Use black or blue ink to enter answers in white spaces below.

1. Name (Last, First, Middle) and Organization (if applicable)			
LARSEN, CARL B & KIMBERLY D			
2. Mailing Address (Street or PO Box)			
931 SE OLD ARCADIA RD			
3. City, State, Zip			
SHELTON WA 98584			
4. Phone (1)	**5.** Phone (2)	**6.** Fax	**7.** E-mail
360-742-4273	360-426-8562		
Address or tax parcel number of property you own:			
320224600190			
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 by 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

REFERENCE: NEAR/AT: Shelton, WA PROP. PRJCT: Shellfish aquaculture
APPLICANT: Chelsea Farms LAT/LONG: 47.2055845 / -123.0359443 IN: Hammersley Inlet, WA
DATE: 6/16/2020 LOCATION (PARCEL): 320224600190, 320224670010 COUNTY: Mason
PROJ: 10 Chelsea Farms Hammersley STATE: Washington

VICINITY MAP

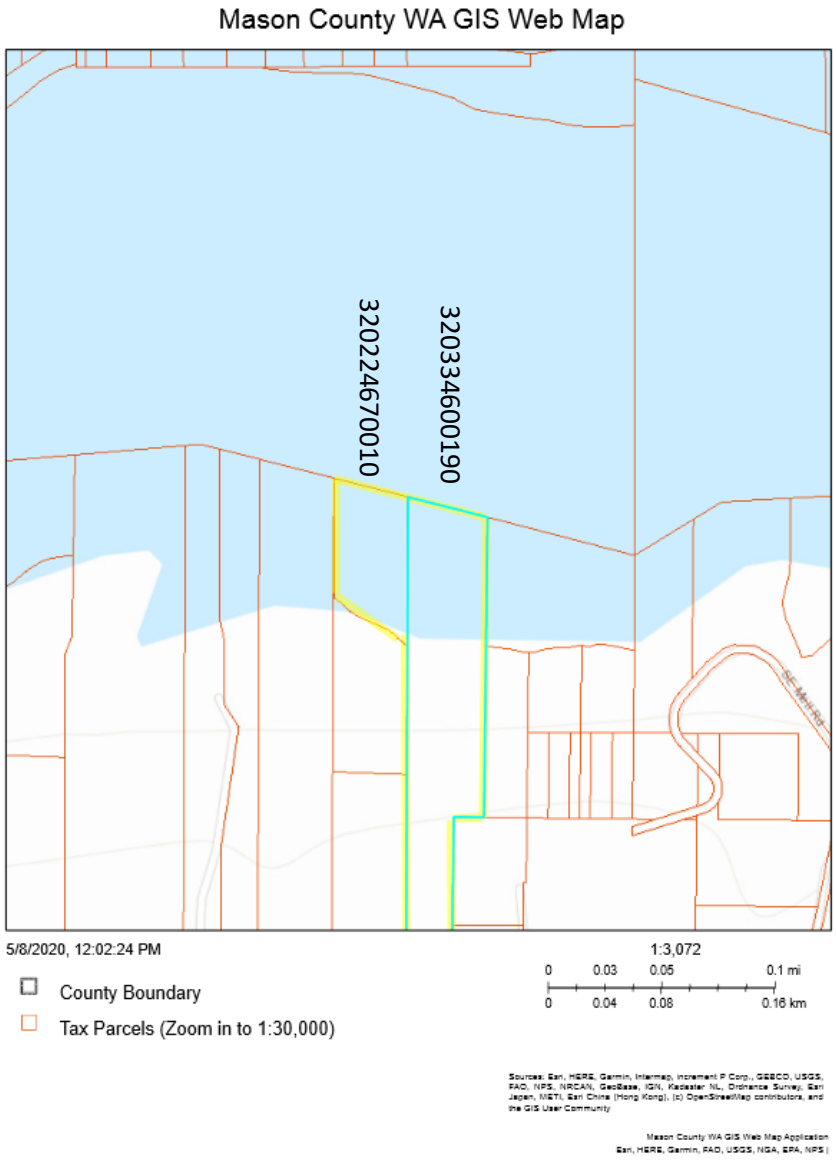


REFERENCE:
APPLICANT: Chelsea Farms
DATE: 6/16/2020
PROJ: 10 Chelsea Farms Hammersley

NEAR/AT: Shelton, WA
LAT/LONG: 47.2055845 / -123.0359443
LOCATION (PARCEL): 320224600190, 320224670010

PROP. PRJCT: Shellfish aquaculture
IN: Hammersley Inlet, WA
COUNTY: Mason
STATE: Washington

PARCEL MAP



PROJECT AREA

Lat/Long for PROJECT area:

A: 47.2053547 -123.0358708

B: 47.2056526 -123.0366164

C: 47.2051204 -123.0359467

D: 47.2051418 -123.0361155

CULTIVATION AREA

Lat/Long for CULTIVATION area:

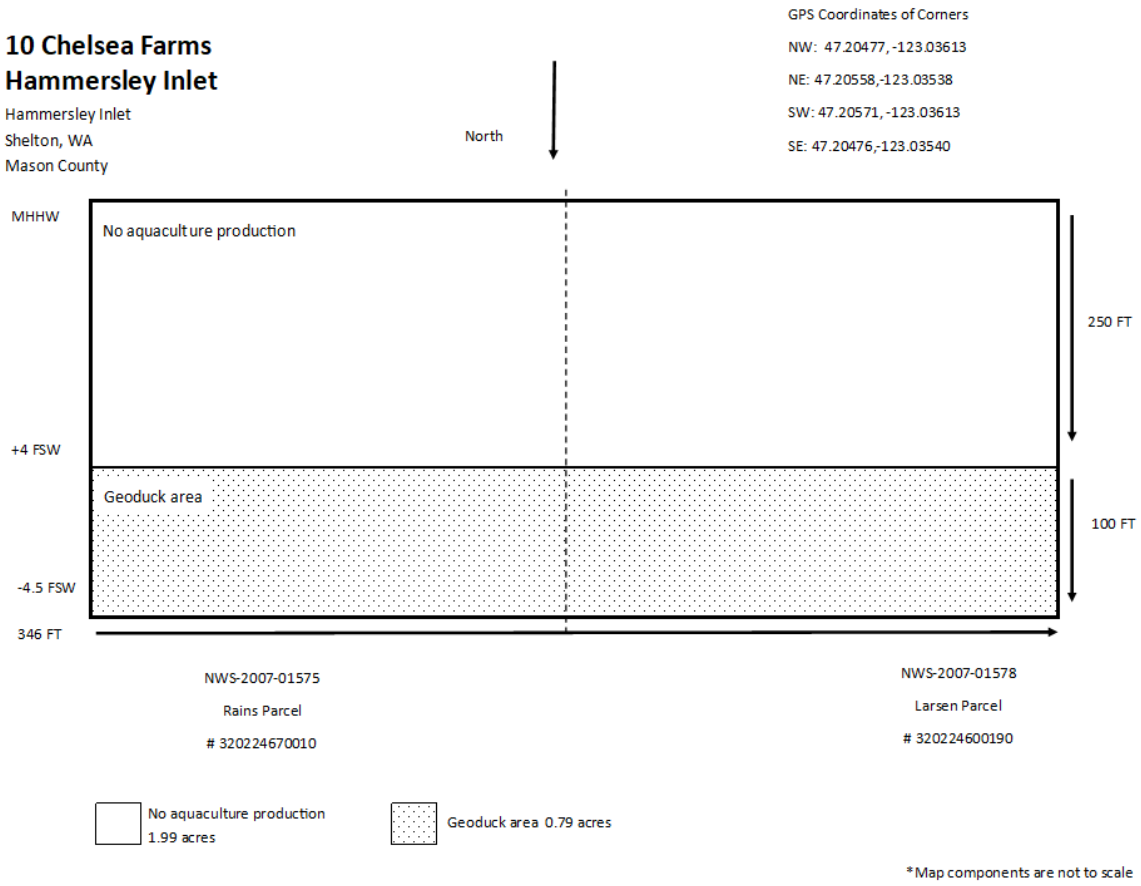
A: 47.2058118 -123.0359386

B: 47.205706 -123.0355126

C: 47.205567 -123.0357894

D: 47.2054671 -123.0363522

PLAN VIEW


10 Chelsea Farms
Hammersley Inlet
Hammersley Inlet
Shelton, WA
Mason County
North
GPS Coordinates of Corners
NW: 47.20477,-123.03613
NE: 47.20558,-123.03538
SW: 47.20571,-123.03613
SE: 47.20476,-123.03540
MHHW
No aquaculture production
250 FT
+4 FSW
Geoduck area
100 FT
-4.5 FSW
346 FT
NWS-2007-01575
Rains Parcel
320224670010
NWS-2007-01578
Larsen Parcel
320224600190
No aquaculture production
1.99 acres
Geoduck area 0.79 acres
*Map components are not to scale

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-AQ)
- 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

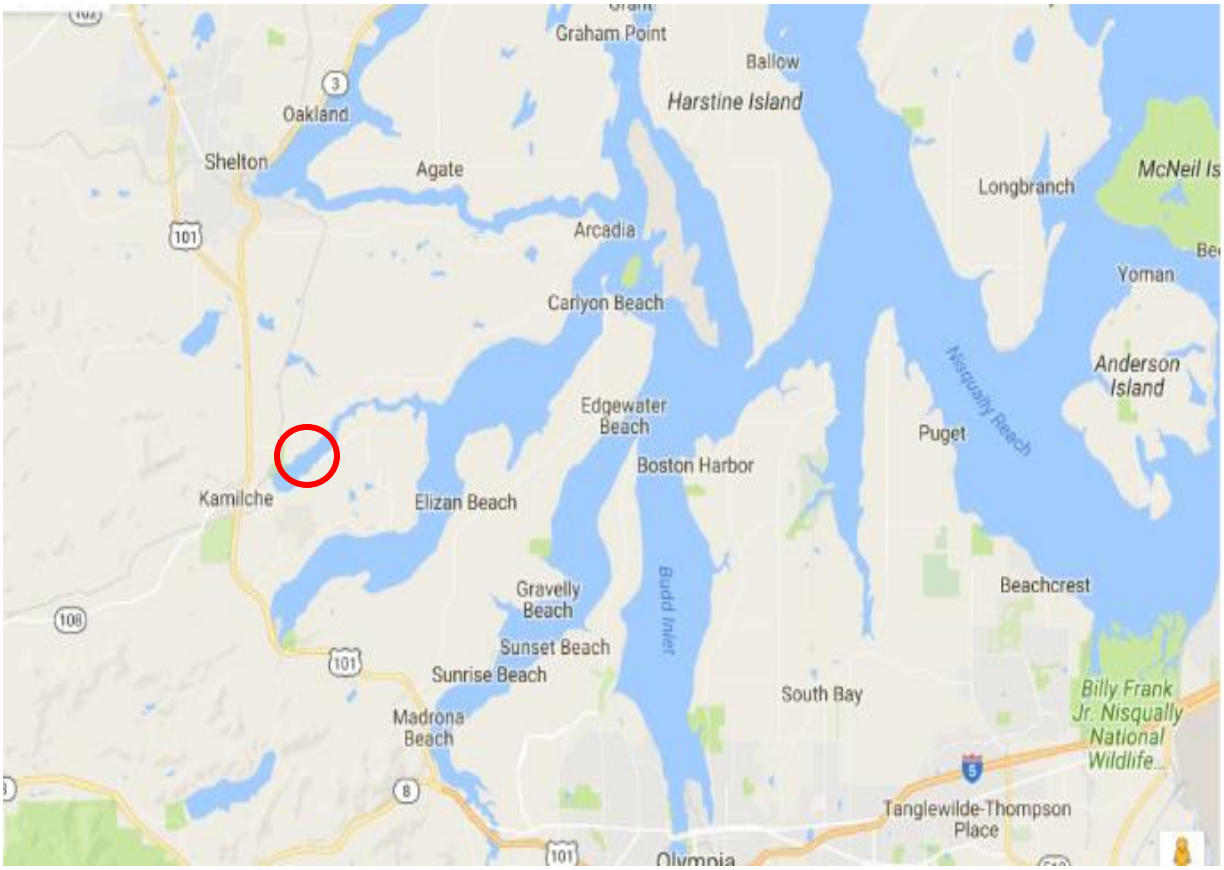
Deven Ropes
Chelsea Farms
deven@chelseafarms.net

REFERENCE:
APPLICANT: Chelsea Farms
DATE: 6/16/2020
PROJ: 10 Chelsea Farms Hammersley

NEAR/AT: Shelton, WA
LAT/LONG: 47.2055845 / -123.0359443
LOCATION (PARCEL): 320224600190, 320224670010

PROP. PRJCT: Shellfish aquaculture
IN: Hammersley Inlet, WA
COUNTY: Mason
STATE: Washington

VICINITY MAP



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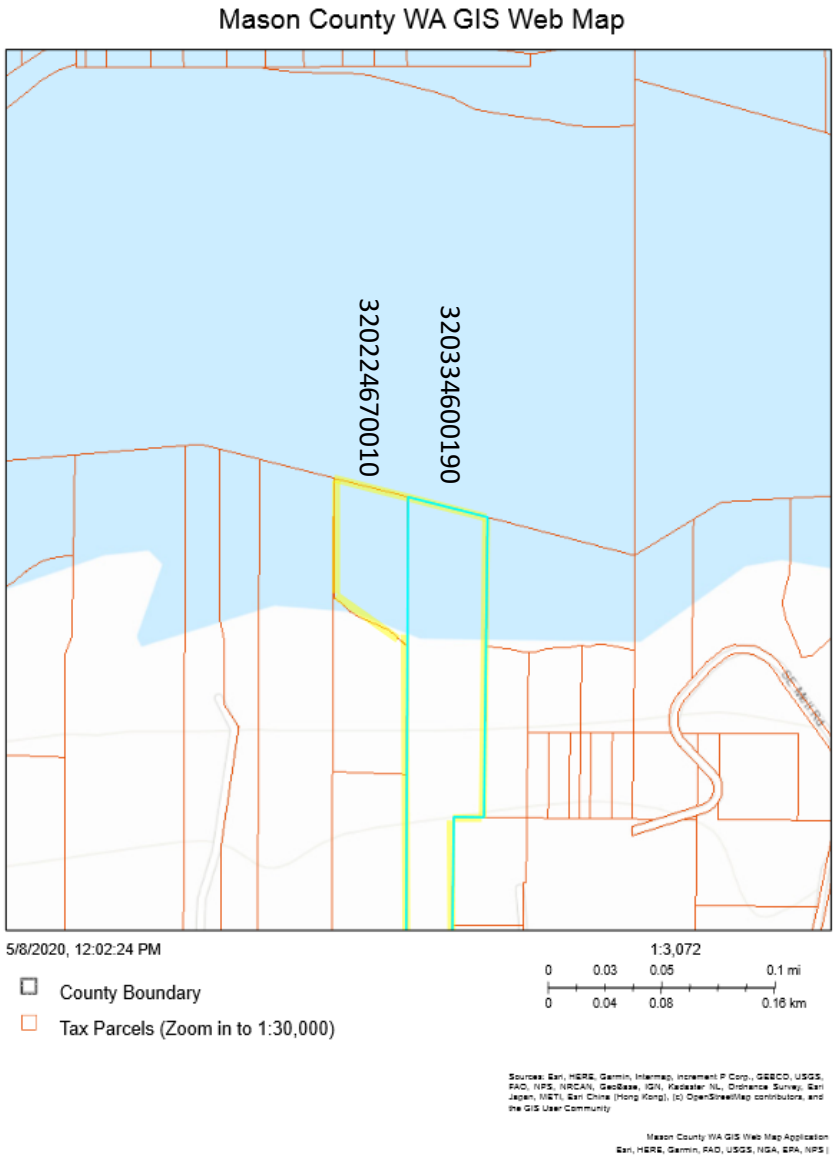
DATE: 6/16/2020
PROJ: 10 Chelsea Farms Hammersley

NEAR/AT: Shelton, WA
LAT/LONG: 47.2055845 / -123.0359443
LOCATION (PARCEL): 320224600190, 320224670010

PROP. PRJCT: Shellfish aquaculture
IN: Hammersley Inlet, WA
COUNTY: Mason
STATE: Washington

PARCEL MAP



PROJECT AREA

Lat/Long for PROJECT area:

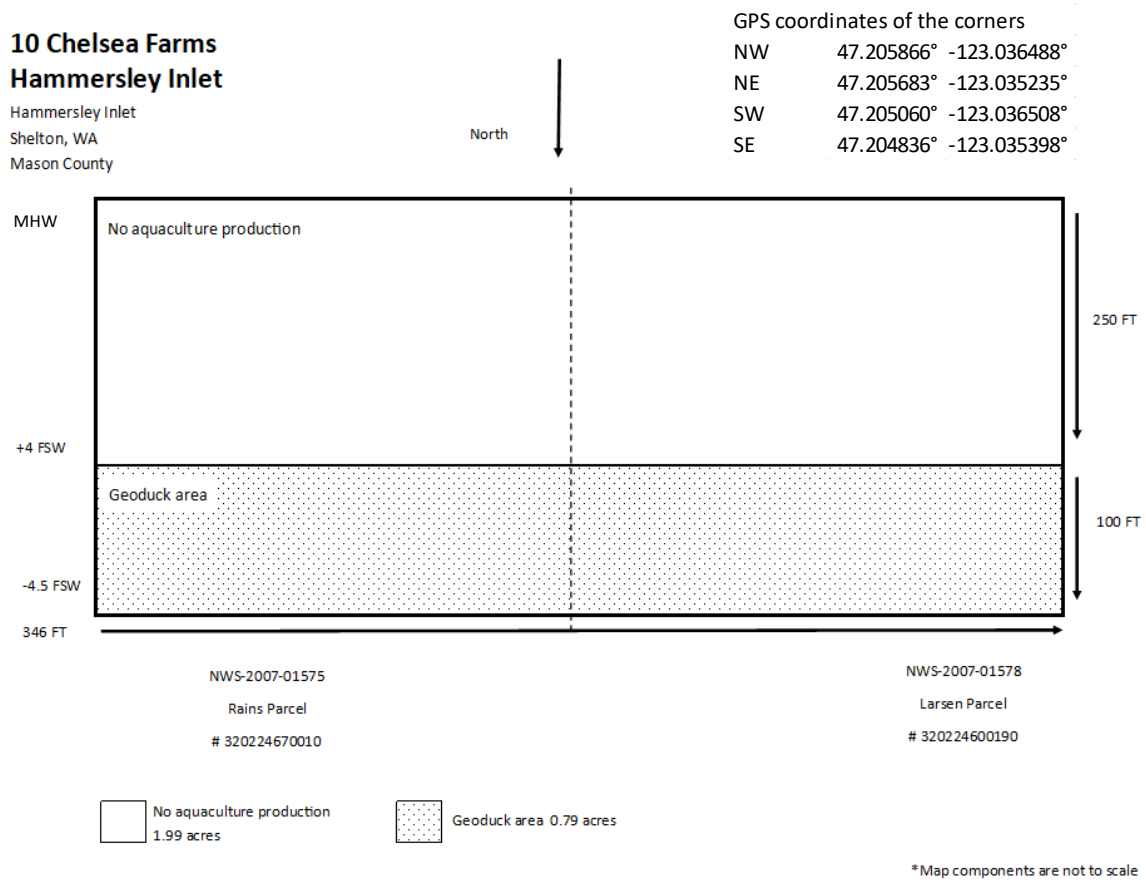
A	47.205866°	-123.036488°
B	47.205683°	-123.035235°
C	47.204836°	-123.035398°
D	47.205060°	-123.036508°

CULTIVATION AREA

Lat/Long for CULTIVATION area:

A	47.205702°	-123.036446°
B	47.205697°	-123.035463°
C	47.205463°	-123.035443°
D	47.205476°	-123.036423°

PLAN VIEW


10 Chelsea Farms
Hammersley Inlet
Hammersley Inlet
Shelton, WA
Mason County
North
GPS coordinates of the corners
NW 47.205866° -123.036488°
NE 47.205683° -123.035235°
SW 47.205060° -123.036508°
SE 47.204836° -123.035398°
MHW
No aquaculture production
250 FT
+4 FSW
Geoduck area
100 FT
-4.5 FSW
346 FT
NWS-2007-01575
Rains Parcel
320224670010
NWS-2007-01578
Larsen Parcel
320224600190
No aquaculture production
1.99 acres
Geoduck area 0.79 acres
*Map components are not to scale