



Request for Clean Water Act
 Section 401 Water Quality Certification
 WA State Department of Ecology
 Phone: (360) 407-6076 or E-mail: ecy@ecy.wa.gov

AGENCY USE ONLY
 Date Received: 8/6/2021
 Agency: NWRO
 Valid Request: _____

Rec'd: 8/6/2021
 Aq. ID: 140880
 Team: NWRO
 Valid: 8/6/2021

A. Identify the applicable federal license or permit:

Permit or License Number (if known): _____

Federal Agency triggering the Water Quality Certification (WQC):

- U.S. Army Corps of Engineers U.S. Coast Guard
 U.S. Environmental Protection Agency Federal Energy Regulatory Commission
 Other: _____

B. Project Information:

Name: 206L Everett Project (Leeway Commercial Center) County: Snohomish

C. Documentation showing that the pre-filing meeting request was submitted at least 30 days prior to submitting this Section 401 WQC Request: Attached

D. Applicable Additional Information (Attached):

- Completed, signed, and dated Joint Aquatic Resources Permit Application (JARPA)
 Water Quality Monitoring Plan or WQ Monitoring and Protection Plan
 Mitigation Plan
 Wetland Delineation Report and ratings
 Copy of the federal permit or license application, including all accompanying information
 Suitability Determination for dredging projects with in-water disposal
 Dewatering Plan
 Revegetation/Restoration Plan
 Erosion and Sediment Control Plan
 NEPA and/or NRE decision

E. Certification Statements:

The project proponent hereby certifies that all information contained herein is true, accurate, and complete, to the best of my knowledge and belief.

Initial: AM

The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Initial: AM

Signature: _____ Date: August 5, 2021

Print Name: James Moore

Submit this CWA 401 Certification Request form along with a JARPA and supporting information to ecy@ecy.wa.gov and to the federal permitting agency.

To request an ADA accommodation, contact Ecology by phone at (360) 407-6076 or email at ecy@ecy.wa.gov, or visit www.ecy.wa.gov Accessibility & the Americans with Disabilities Act (ADA): For Relay Service or TTY call 711 or 877-800-4341.



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.



US Army Corps
of Engineers®
Seattle District

AGENCY USE ONLY

Date received: 8/6/2021 edoc
Rec'd 401 Req Form

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) [\[help\]](#)

SNBL Everett Project (Seaway Commercial Center)

Part 2—Applicant

The person and/or organization responsible for the project. [\[help\]](#)

2a. Name (Last, First, Middle)

Steven Meyer

2b. Organization (If applicable)

2c. Mailing Address (Street or PO Box)

21070 88th Place West

2d. City, State, Zip

Edmonds, WA 98026

2e. Phone (1)

425-327-7738

2f. Phone (2)

2g. Fax

2h. E-mail

slmeyer14@yahoo.com

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.
- 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.

²To 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)			
Shiels, Bill			
3b. Organization (If applicable)			
Talasaea Consultants, Inc.			
3c. Mailing Address (Street or PO Box)			
15020 Bear Creek Rd. NE			
3d. City, State, Zip			
Woodinville, WA 98077-7849			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
425-861-7550	206-399-0145	425-861-7549	bshiels@talasaea.com

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)			
4b. Organization (If applicable)			
4c. Mailing Address (Street or PO Box)			
4d. City, State, Zip			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail

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]			
<input checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input type="checkbox"/> Publicly owned (state, county, city, special districts like schools, ports, etc.) <input type="checkbox"/> Tribal <input type="checkbox"/> 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]			
7007 Seaway Blvd.			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Everett, WA 98203			
5d. County [help]			
Snohomish			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
SW	2	28 North	4 East, Willamette Meridian
5f. Provide the latitude and longitude of the project location. [help]			
<ul style="list-style-type: none"> Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83) 			
47.9400 N lat. / -122.2742 W long			
5g. List the tax parcel number(s) for the project location. [help]			
<ul style="list-style-type: none"> The local county assessor's office can provide this information. 			
28040200300500			
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)	
Please see Attachment C			

5i. List all wetlands on or adjacent to the project location. [\[help\]](#)

Wetlands A, B, C, D, F, G, H, I, J, K, L, and M

5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [\[help\]](#)

Narbeck Creek

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

Yes No Don't know

5l. Briefly describe the vegetation and habitat conditions on the property. [\[help\]](#)

The northwestern corner of the parcel was excluded from the project site even though it contains a small amount of wetland because 1) it is more than 700 feet from the proposed development, 2) is separated from the proposed development by more than 400 linear feet of parking lot, and 3) is within a different drainage basin.

The project site is located within a continuous vegetative corridor that links the local watersheds to the significant biological areas within the Narbeck wetland system. Narbeck Creek is an off-site Non-Fish Seasonal (Type Ns), intermittent stream that flows north from the Narbeck Wetland Sanctuary (SE of the site) adjacent to the eastern property line.

There is no USFWS-mapped critical habitat for Federally-listed species within or adjacent to the project site and due to its heavily urbanized surroundings, it is unlikely to provide suitable habitat for any Federally-listed species. Likewise, the non-fish-bearing status of Narbeck Creek precludes the presence of bull trout (*Salvelinus confluentus*). Furthermore, due to its intermittent flows, Narbeck Creek is not expected to provide suitable habitat for the yellow-billed cuckoo (*Coccyzus americanus*). However, the project site likely provides habitat for various species of birds and small mammals, as well as amphibians and reptiles. The on-site habitat has been classified based on the presence of the following vegetative communities: mixed coniferous/deciduous upland forest, maintained urban uplands, forested wetlands, and scrub-shrub wetlands.

The existing upland vegetation on the site primarily consists of second growth mixed forest. The dominant species of trees within the mixed coniferous/deciduous upland forest include red alder (*Alnus rubra*) and western red cedar (*Thuja plicata*), with lesser quantities of bitter cherry (*Prunus emarginata*), black cottonwood (*Populus balsamifera*), big-leaf maple (*Acer macrophyllum*), Douglas fir (*Pseudotsuga menziesii*), and western hemlock (*Tsuga heterophylla*). The common understory species include vine maple (*Acer circinatum*), Indian plum (*Oemleria cerasiformis*), red elderberry (*Sambucus racemosa*), salal (*Gaultheria shallon*), and sword fern (*Polystichum munitum*).

Maintained urban uplands include lawn grasses and landscape species that border any existing buildings and parking lots.

The forested wetlands are dominated by Pacific willow (*Salix lasiandra*) and red alder with a shrub understory of salmonberry, and Douglas spirea (*Spirea douglasii*), with forbs such as slough sedge (*Carex obnupta*), lady fern (*Athyrium filix-femina*), piggyback plant (*Tolmiea menziesii*), stinging nettle (*Urtica dioica*), skunk cabbage (*Lysichiton americanus*), bitter nightshade (*Solanum dulcamara*) and American speedwell (*Veronica americana*). The scrub shrub wetlands are generally dominated by the same species, without the presence of overstory trees. Although the site is dominated by native species, invasive species are present and interspersed throughout.

The following avian species were observed during the site visits: American Robin, downy woodpecker, black capped chickadee, and spotted towhee.

5m. Describe how the property is currently used. [help]
An existing SNBL facility and associated parking lot are located within the northwest corner of the parcel. The remaining portions of the parcel are undeveloped. The parcel is zoned industrial (M-1: Office and Industrial Park) and would be developed under the requirements outlined in §19.27 of the Everett Municipal Code.
5n. Describe how the adjacent properties are currently used. [help]
The parcel to the north of the subject parcel is occupied by an industrial warehouse (Wilpro Given USA, Inc.) owned by Rainier Properties, LLC; the parcel to the east is undeveloped and ownership information is not available from the City of Everett or Snohomish County; the parcel to the south is occupied by Seaway Boulevard, the Narbeck Wetland Sanctuary, and a development owned by the Fluke Electronics Corporation; and the parcels to the west are occupied by the Embry-Riddle Aeronautical University and the Altasciences Preclinical and Bioanalysis facility.
5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]
The only existing structure on the subject parcel appears to be a relatively small single-story building and a much larger parking lot. Neither the building structure nor the parking lot are expected to extend below the ground surface.
5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]
See attached.

Part 6—Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [help]
The applicant proposes to construct an industrial warehouse (193,630 sf) and an associated access road and parking area within the eastern portion of the site. Additional features on the site will include interior circulation routes, truck loading/unloading zones, parking, pedestrian walkways, and supporting utility and stormwater facilities.
6b. Describe the purpose of the project and why you want or need to perform it. [help]
The purpose of the proposed warehouse/manufacturing facility has not yet been determined.
6c. Indicate the project category. (Check all that apply) [help]
<input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential <input type="checkbox"/> Institutional <input type="checkbox"/> Transportation <input type="checkbox"/> Recreational <input type="checkbox"/> Maintenance <input type="checkbox"/> Environmental Enhancement

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

<input type="checkbox"/> Aquaculture <input type="checkbox"/> Bank Stabilization <input type="checkbox"/> Boat House <input type="checkbox"/> Boat Launch <input type="checkbox"/> Boat Lift <input type="checkbox"/> Bridge <input type="checkbox"/> Bulkhead <input type="checkbox"/> Buoy <input type="checkbox"/> Channel Modification	<input type="checkbox"/> Culvert <input type="checkbox"/> Dam / Weir <input type="checkbox"/> Dike / Levee / Jetty <input type="checkbox"/> Ditch <input type="checkbox"/> Dock / Pier <input type="checkbox"/> Dredging <input type="checkbox"/> Fence <input type="checkbox"/> Ferry Terminal <input type="checkbox"/> Fishway	<input type="checkbox"/> Float <input type="checkbox"/> Floating Home <input checked="" type="checkbox"/> Geotechnical Survey <input checked="" type="checkbox"/> Land Clearing <input type="checkbox"/> Marina / Moorage <input type="checkbox"/> Mining <input type="checkbox"/> Outfall Structure <input type="checkbox"/> Piling/Dolphin <input type="checkbox"/> Raft	<input checked="" type="checkbox"/> Retaining Wall (upland) <input checked="" type="checkbox"/> Road <input type="checkbox"/> Scientific Measurement Device <input type="checkbox"/> Stairs <input checked="" type="checkbox"/> Stormwater facility <input type="checkbox"/> Swimming Pool <input checked="" type="checkbox"/> Utility Line
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Other: Construction of an industrial warehouse and associated load/unload, parking, access road, and pedestrian walkways.

<p>6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [help]</p> <ul style="list-style-type: none"> Identify where each element will occur in relation to the nearest waterbody. Indicate which activities are within the 100-year floodplain.
<ol style="list-style-type: none"> Conduct a site meeting between the Contractor, Talasaea Consultants, and the Applicant to review the project plans, work areas, staging/stockpile areas, and material disposal areas. Survey clearing/grading limits. Flag existing trees and other vegetation near construction limits to ensure no unintentional damage occurs. Install silt fencing, tree protection fencing (if required), and any other erosion and sedimentation control BMPs necessary for work in the project areas. Complete clearing, grubbing, and grading activities for construction of the warehouse and other project elements using the most appropriate small and large construction equipment, based on the grading/design plans provided by the project engineer. These activities will occur in proximity to Wetlands B, C, D, F, G, H, I, J, M, and Narbeck Creek. Wetland A will be entirely impacted by grading. Grub out any invasive species in temporary wetland buffer impact areas simultaneously with construction activities. Place topsoil or soil amendments as required. Mulch all graded wetland buffers impacted. Install a critical areas perimeter fence as indicated in the mitigation plan. Complete site cleanup and install plants as indicated on the planting plan. <p>There are no 100-year floodplains mapped within the project site.</p>
<p>6f. What are the anticipated start and end dates for project construction? (Month/Year) [help]</p> <ul style="list-style-type: none"> 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.
<p>Start Date: <u>Spring 2022</u> End Date: <u>Winter 2022</u> <input type="checkbox"/> See JARPA Attachment D</p>
<p>6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]</p> <p>\$20,000,000</p>
<p>6h. Will any portion of the project receive federal funding? [help]</p> <ul style="list-style-type: none"> If yes, list each agency providing funds.
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know</p>

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.) [\[help\]](#)

<p>7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [help]</p> <p><input type="checkbox"/> Not applicable</p>
<p>The design of the proposed project employs mitigation sequencing as required by Everett Municipal Code (EMC) Chapter 19.37.120(2)b. The requirements of this chapter state the following:</p> <p><i>“Where impacts cannot be avoided, and the applicant demonstrates through a mitigation sequencing analysis that reduction in the size, scope, configuration, or density of the project as proposed and all alternative designs of the project as proposed that would avoid or result in less adverse impact on a regulated wetland or its buffer are not feasible and will not accomplish the basic purpose of the project;”</i></p>

Avoiding Impacts: The proposed project has been designed to avoid impacts to on-site critical areas to the maximum extent practicable, while still allowing for an economically viable development that meets all City of Everett code requirements. The project will avoid impacting all but one (1) wetland, of the 10 located onsite, with only buffer modifications proposed for some of the remaining 9 onsite wetlands.

Minimizing Impacts: The proposed project has been designed to minimize impacts to onsite buffers and offsite critical areas. This has been accomplished through the geometry of the building, which is elongated vertically, rather than horizontally, which minimizes impacts to Wetlands J and F buffers to the maximum extent practicable.

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 See attached

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 See attached

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 Don't know See attached

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

The project proposes a combination of several different mitigation measures intended to fully compensate for direct wetland impacts and buffer functions and values lost through reduced buffer widths and temporary buffer impacts from construction. All mitigation measures will be accomplished within the same watershed as the project, with the majority occurring onsite. The proposed mitigation is described below.

Offsite Wetland Creation

The project proposes offsite mitigation for the direct fill of Wetland A. Approximately 923 sf of direct wetland impacts will be mitigated through the purchase of wetland credits at the Skykomish Habitat Wetland Mitigation Bank (SHWMB) credits for direct wetland fill purchased at a 1:1 compensation ratio.

Buffer Replacement

Buffer replacement is proposed as mitigation for buffer reduction associated with Wetland F and Wetland J.

All buffer reduction areas will be replaced contiguous with the affected wetland buffers. Buffer replacement for reductions to the Wetland F buffer will be replaced north of the proposed building to provide a protected wildlife corridor between Wetland F, Wetland G, and Wetland H. Buffer replacement area totals 15,399 sf, resulting in a net gain of 2,959 sf of buffer area. This buffer replacement is in addition to the buffer enhancement that will occur on the west side of the Wetland F buffer.

Direct Wetland Enhancement

Direct wetland enhancement is proposed as mitigation for paper fill impacts associated with Wetland F and Wetland J. According to *Table 37.4 Standard Wetland Compensation Ratios* in Chapter 19.37.120 B(5) of the EMC, wetland enhancement must be proposed at a ratio of 8:1 to mitigate for direct impact. This ratio would require the project to enhance 376 sf of Wetland J and 22,712 sf of Wetland F. The Project proposes to enhance a 22,725-sf area of Wetland F and a 1,475-sf area of Wetland J surrounding the area affected by paper fill. These portions of Wetland F and Wetland J are vegetated with a mix of native and invasive species. Native vegetation will be retained and invasive vegetation (primarily bittersweet nightshade) will be removed from this area and replaced with native plant species (Refer to Sheet W4.0, Appendix C of the attached Critical Areas Report and Conceptual Mitigation Plan (CARCMP)).

Enhancement measures will include:

- Removal of all non-native/invasive species and any exotic ornamental landscape plants, as needed.
- Planting a wide selection of native evergreen and deciduous tree, shrub, and groundcover species.

Buffer Enhancement

Buffer enhancement is proposed as voluntary enhancement in addition to the buffer replacement and direct wetland enhancement measures. The Project will enhance a 14,104-sf area of the Wetland F buffer that is currently cleared of native vegetation. This portion of the buffer is mostly devoid of vegetation, but the remaining vegetated areas are heavily infested with Himalayan blackberry (*Rubus armeniacus*). Blackberry will be removed from this area and replaced with native plant species (refer to Sheet W4.0 in Appendix C of attached CARCMP).

Enhancement measures will include:

- Removal of all non-native/invasive species and any exotic ornamental landscape plants, as needed.
- Amending soils with compost and topsoil; and
- Planting a wide selection of native evergreen and deciduous tree, shrub, and groundcover species.

Temporary Buffer Impact Restoration

Temporary buffer impacts on graded slopes and within the proposed sewer alignment will be mitigated through replanting of these areas with a diversity of native plants (Appendix C - Sheet W4.0 of attached CARCMP). Habitat features, including down logs and stumps, will also be placed within these areas to create habitat for terrestrial species that occupy wetland buffer areas.

Permanent Fencing and Signage

Permanent fencing and critical areas signs shall be installed at the buffer boundaries. Where the buffer is at grade, a two-rail fence will be installed. Critical Area Protection Area (CAPA) signs will be installed every 100 feet (Sheets W2.0 and W2.1 in Appendix C of CARCMP).

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)
Fill	Wetland A	Depressional Category IV	923 SF	Permanent	B	923 SF

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: Pages 15-24 of attached CARCMP

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. [\[help\]](#)

Source will be a local pit of the contractors choosing. Approximately 190 CY of native soils will be excavated in/around Wetland A to achieve the desired finishing grades for the parking lot. Subsequently 25 CY of compacted depth crushed surfacing base course and asphalt will be placed as fill, specifically within the limits of Wetland A. This fill quantity has been estimated assuming a pavement section comprised of 6" of crushed surface basing course (CSBC) and 3" hot mix asphalt (HMA). However, this is subject to change depending on the geotechnical recommendations for the site.

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. [\[help\]](#)

N/A

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

The project as proposed will not impact Narbeck Creek, which is located adjacent to the project site's eastern boundary. Although a portion of the stream's 50-foot buffer will be temporarily impacted during construction for grading activities, a split-rail fence and Critical Area signs will be installed along the onsite portions of its 50-foot buffer to avoid future impacts to the stream and buffer. Additional measures, such as the implementation of a Stormwater Pollution Prevention Plan (SWPP), are included in the project, as well as other Best Management Practices (BMPs) designed to prevent sediment and other pollutants from entering the creek.

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 Don’t know

A Mitigation Plan has not been prepared to compensate for impacts to non-wetland waterbodies because no non-wetland waterbodies will be impacted by the project.

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. [\[help\]](#)

N/A

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
N/A					

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. [\[help\]](#)

N/A

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. [\[help\]](#)

N/A

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
City of Everett	Dennis Osborn	425-257-7176	2/4/2021

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: <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-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.

171100190202

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up> to find the WRIA #.

WRIA 7

<p>9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help]</p> <ul style="list-style-type: none"> Go to https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria for the standards.
<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not applicable</p>
<p>9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help]</p> <ul style="list-style-type: none"> If you don't know, contact the local planning department. For more information, go to: https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases.
<p><input type="checkbox"/> Urban <input type="checkbox"/> Natural <input type="checkbox"/> Aquatic <input type="checkbox"/> Conservancy <input checked="" type="checkbox"/> Other: <u>N/A</u></p>
<p>9g. What is the Washington Department of Natural Resources Water Type? [help]</p> <ul style="list-style-type: none"> Go to http://www.dnr.wa.gov/forest-practices-water-typing for the Forest Practices Water Typing System.
<p><input type="checkbox"/> Shoreline <input type="checkbox"/> Fish <input type="checkbox"/> Non-Fish Perennial <input checked="" type="checkbox"/> Non-Fish Seasonal</p>
<p>9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help]</p> <ul style="list-style-type: none"> If No, provide the name of the manual your project is designed to meet.
<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Name of manual: _____</p>
<p>9i. Does the project site have known contaminated sediment? [help]</p> <ul style="list-style-type: none"> If Yes, please describe below.
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p> </p>
<p>9j. If you know what the property was used for in the past, describe below. [help]</p> <p>The property is almost entirely undeveloped with the exception of the existing structures in the western portion as indicated above under Section 5m. The other portions of the parcel remain undeveloped, with some areas occupied by second growth mixed forest.</p>
<p>9k. Has a cultural resource (archaeological) survey been performed on the project area? [help]</p> <ul style="list-style-type: none"> If Yes, attach it to your JARPA package.
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

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. [\[help\]](#)

The following Federally-listed species have been identified by the USFWS as having the potential to occur on or in the vicinity of the project site:

Gray Wolf (*Canis lupus*), Western Distinct Population Segment – **Proposed Endangered**
Marbled Murrelet (*Brachyramphus marmoratus*), Population: (CA, OR, WA) – **Threatened**
Streaked Horned Lark (*Eremophila alpestris strigata*) – **Threatened**
Yellow-billed Cuckoo (*Coccyzus americanus*), Population: Western U.S. DPS – **Threatened**
Bull Trout (*Salvelinus confluentus*) – **Threatened**

There are no mapped critical habitats on or in the vicinity of the project site.

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. [\[help\]](#)

No species or habitats that are listed on the WDFW’s Priority Habitats and Species List are mapped within the project site.

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 <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>.

A copy of the SEPA determination or letter of exemption is included with this application.

A SEPA determination is pending with City of Everett (lead agency). The expected decision date is Unknown at this time.

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](#)

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 Non-Federally Regulated Waters

FEDERAL AND TRIBAL GOVERNMENT

United States Department of the Army (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:

For projects or bridges over waters of the United States, contact the U.S. Coast Guard at: d13-pf-d13bridges@uscg.mil

- Bridge Permit Private Aids to Navigation (or other non-bridge permits)

United States Environmental Protection Agency:

- Section 401 Water Quality Certification (discharges into waters of the U.S.) on tribal lands where tribes do not have treatment as a state (TAS)

Tribal Permits: (Check with the tribe to see if there are other tribal permits, e.g., Tribal Environmental Protection Act, Shoreline Permits, Hydraulic Project Permits, or other in addition to CWA Section 401 WQC)

- Section 401 Water Quality Certification (discharges into waters of the U.S.) where the tribe has treatment as a state (TAS).

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. SLM (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. SLM (initial)

Steven Meyer	<i>Steven L. Meyer</i>	April 19, 2021
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.

Bill Shiels		4/16/2021
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.

Property Owner Printed Name	Property Owner Signature	Date
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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