

Request for Clean Water Act Section 401 Water Quality Certification WA State Department of Ecology

Phone: (360) 407-6076 or E-mail: ecyrefedpermits@ecy.wa.gov

AGENCY US	SE ONLY
Date Received:	12/22/2021
Aquatics ID#:	141064
Team:	SWRO
Valid Request:	12/22/2021
L	

A.	Identify	the a	pplicable	federal	license	or permit:	

 Permit or License Number (if known): Aquatics ID 141064

 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: SW Eaton Blvd, SR-503 to SW 20th Ave.

_ County: Clark

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

D. Applicable Additional Information (Attached):

Completed, signed, and dated Joint Aquatic Resources Permit Application (JARPA) Attachment A

UWater Quality Monitoring Plan or WQ Monitoring and Protection Plan

Mitigation Plan Attachment A (JARPA, Attachment F)

Wetland Delineation Report and ratings Attachment A (JARPA, Attachment G)

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

SEPA and/or NEPA decision A NEPA Categorical Exclusion is in process with WSDOT, the 401 certification is required to complete the NEPA process

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 (MCH)

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	
Signature: Mah Herrey	Date: 12/22/2021

Print Name: Mark Herceg

Submit this CWA §401 Certification Request form along with a JARPA and supporting information to <u>ecyrefedpermits@ecy.wa.gov</u> and cc the federal permitting agency.

To request an ADA accommodation, contact Ecology by phone at (360) 407-6076 or email at <u>ecyrefedpermits@ecy.wa.gov</u>, or visit <u>Accessibility & the Americans with Disabilities Act (ADA)</u>. For Relay Service or TTY call 711 or 877-833-6341.





of Engineers

District

s Date received:

12/22/2021 edoc Verified Section 401

Application (JARPA) Form^{1,2} [help] USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.

Joint Aquatic Resources Permit

Agency reference #:	_
Tax Parcel #(s):	_

AGENCY USE ONLY

Part 1–Project Identification

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

SW Eaton Boulevard, SR-503 to SW 20th Ave.

Part 2–Applicant

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

2a. Name (Last, First, Middle)			
Herceg, Mark			
2b. Organization (If app	olicable)		
City of Battle Ground			
2c. Mailing Address (Street or PO Box)			
109 SW 1 st St.			
2d. City, State, Zip			
Battle Ground, WA 98	604		
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail
360-342-5075			mark.herceg@cityofbg.org

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 <u>http://www.epermitting.wa.gov/site/alias</u> 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, M	liddle)		
Currens, Kristen			
3b. Organization (If ap	plicable)		
MacKay Sposito			
3c. Mailing Address (Street or PO Box)			
1325 SE Tech Center Dr. #140			
3d. City, State, Zip			
Vancouver, WA 98683	3		
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
360-344-5176			kcurrens@mackaysposito.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]

- \boxtimes 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 <u>JARPA Attachment A</u> 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 <u>JARPA Attachment E</u> to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Mid	ldle)		
Refer to Attachment A			
4b. Organization (If appl	licable)		
4c. Mailing Address (St	reet 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 <u>JARPA</u> <u>Attachment B</u> for each additional project location.

5a. Indicate the type of o	wnership o	of the property.	(Check all that apply.) [help]	
⊠ Private				
□ Federal				
Publicly owned (state, o	county, city, s	pecial districts like s	schools, ports, etc.)	
☐ Tribal			and any attallanda (Comulata	
Department of Natura	I Resource	s (DNR) – mana		
SW Eaton Boulevard at 9	SP 503 mi	lenost 7 1		on in sp.) [neip]
500 Laton Doulevald at C			avide the name of the nearest sity or t	
Dettle Cround MA 0860		in a city of town, pr		
Battle Ground, WA, 9860)4			
5d. County [help]				
Clark				
5e. Provide the section, t	township, a	and range for the	e project location. [help]	
¹ ⁄ ₄ Section	S	Section Township		Range
	3, 4, 9, 10	10 3N 2E		
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)				
Start : 45.766300, -122.544543; End: 45.766074, -122.558753				
5g. List the tax parcel number(s) for the project location. [help]				
The local county asse	The local county assessor's office can provide this information.			
192363000, 192406000, 19	2358000, 19	92389000, 192369	9000, 192616000, 192409000, 1924	599002
South side of Eaton Blvd. East to West: 194063000, 194083005, 194083000, 194071000, 194090000, 194078000, 194169000, 194054000, 194077000, 193773062				
5h. Contact information for all adjoining property owners. (If you need more space, use JARPA Attachment C.) [help]				
Name	Name Mailing Address Tax Parcel # (if known)			
See Attachment C	ee Attachment C			
5i. List all wetlands on or adjacent to the project location. [help]				
Wetlands A-D and Wetland Swales				
5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]				
Ditch 1				
5k. Is any part of the pro	ject area w	vithin a 100-year	floodplain? [help]	

 \Box Yes \boxtimes No \Box Don't know

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

Almost all native vegetation in the project footprint has been removed for forestry, agriculture, or residential uses, although areas of scattered, regenerating native vegetation are present. Vegetation at the project site is found primarily along the roadside, in areas of grass hay production, and in areas of residential development. These areas are dominated by non-native species such as meadow foxtail (*Alopecurus pratensis*), bluegrass (*Poa* sp.), and reed canary grass (*Phalaris arundinacea*).

Several small areas of regenerating native vegetation are also scattered throughout the project footprint. These areas are dominated by Garry oak (*Quercus garryana*), Douglas-fir (*Pseudotsuga menziesii*), red alder (*Alnus rubra*), black cottonwood (*Populus balsamifera*), Oregon ash (*Fraxinus latifolia*), spiraea (*Spiraea douglasii*), snowberry (*Symphoricarpos albus*), and sword fern (*Polystichum munitum*).

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

The Project is located in a corridor that includes a mixture of residential, agricultural and commercial uses. The Project is aligned along the existing transportation right-of-way of SW Eaton Blvd, SR 503, and SW 20th Ave.

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

Adjacent properties are a mixture of residential, agricultural, commercial, and transportation uses.

50. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]

SW Eaton Blvd and SW 20th Ave are existing 2-lane roads that lack bike lanes, sidewalks, and stormwater management infrastructure. SR 503 is a 5-lane highway within the project footprint.

5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]

From I-5, take exit 9 toward NE 19th Avenue. Turn right onto NE 199th Street and continue onto SW Eaton Blvd.

Part 6–Project Description

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

SW Eaton Blvd will be reconstructed to a three lane section including bike lanes and sidewalks between SW 20th Ave and SR-503 to improve traffic capacity, safety, and mobility. A signalized intersection will be added at SW Eaton Blvd and SW 20th Ave. Signal improvements are proposed at SW Eaton and SR 503. Stormwater management infrastructure and utility upgrades are proposed throughout the project footprint.

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

Currently, SW Eaton Blvd between SW 20th Ave and SR 503 lacks adequate travel lanes and there is no sidewalk or bike access. Also, both intersections cannot handle the existing and future traffic volume and they are at failure level of service. The proposed project will provide adequate travel lanes, pedestrian and bicycle access as well as improve traffic capacity at each intersection to an acceptable level of service.

6c. Indicate the project cate	GOIY. (Check all that apply) [help]			
Commercial F	esidential 🛛 Institutional 🖂 Transportation 🗌 Recreational			
□ Maintenance □ E	invironmental Enhancement			
6d. Indicate the major elem	ents of your project. (Check all	that apply) [help]		
□ Aquaculture	⊠ Culvert	□ Float	□ Retaining Wall	
□ Bank Stabilization	🗆 Dam / Weir	□ Floating Home	(upland)	
□ Boat House	🗆 Dike / Levee / Jetty	□ Geotechnical Survey	🛛 Road	
□ Boat Launch	⊠ Ditch	□ Land Clearing	Scientific Measurement Device	
□ Boat Lift	Dock / Pier	🗆 Marina / Moorage	□ Stairs	
□ Bridge	Dredging	Mining	Stormwater facility	
□ Bulkhead	□ Fence	Outfall Structure	□ Swimming Pool	
□ Buoy	□ Ferry Terminal	Piling/Dolphin	⊠ Utility Line	
□ Channel Modification	🗆 Fishway	□ Raft	,	
□ Other:		1		

- **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.

The nearest waterbody is Mill Creek, located 1 mile northwest of the project footprint. No activities are proposed within the 100-year floodplain of any waterbodies.

Ditches

New 3-foot-wide v-shaped swales will be graded throughout the corridor on the outer edges of the fill footprint. New swales will be graded at the beginning of construction at the same time existing, impacted swales are filled.

Road construction

Heavy construction equipment will be utilized to complete the roadway widening, bike lanes, and sidewalks, including but not limited to a grader, excavator, paver, roller, and concrete trucks. Fill will be brought onsite using dump trucks.

Stormwater facilities

Stormwater Pond A and Pond C, located in Wetlands A and C, respectively, will be excavated and then lined. Stormwater Pond B will also be located within Wetland C; this pond will be excavated to flatten the bottom of the pond surface with no liner or other fill actions. Details regarding the Stormwater Pond B construction methods, monitoring, and reporting are included in Attachment E.

Utility lines

The existing utility lines will be relocated by trenching and backfilling within the overall fill footprint of the Project. All utilities will remain active throughout construction. A waterline will be relocated within the westbound travel lane of Eaton Blvd. A sanitary sewer line will be installed on the eastbound of Eaton Blvd.

Culvert Replacement

The Ditch 1 culvert will be replaced to accommodate the wider roadway with a slight realignment to avoid Stormwater Pond B. The existing 35-foot culvert will be replaced with a new 150-foot culvert. The diameter of the culvert will not change. Flows within Ditch 1 will be maintained at all times during the culvert replacement by installation of a temporary culvert.

6f. What are the anticipated start and end dates for project construction? (Month/Year) [help]

If the project will be constructed in phases or stages, use <u>JARPA Attachment D</u> to list the start and end dates of each phase or stage.

Start Date: <u>1/1/23</u>	End Date: <u>1/1/24</u>	See JARPA Attachment D
		Note: Federal funding requires all permits and Federal Highways Administration (FHWA) NEPA documentation to be complete by July 1, 2022 to avoid potential loss of funding.
6g. Fair market value of the	project, including materials, labor, r	machine rentals, etc. [help]
\$4.5M		

6h. Will any portion of the project receive federal funding? [help]

• If yes, list each agency providing funds.

 \boxtimes Yes \square No \square Don't know FHWA funding administered through Washington Department of Transportation (WSDOT) Federal Aid Number: STPUL-4460(001). A NEPA Categorical Exclusion (d(13)) is being prepared for the project. WSDOT has approved a no effect memorandum for the project (Attachment D) and is also coordinating Section 106 consultation.

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

There are extensive areas of wetlands and wetland swales located throughout the project alignment. Numerous alternatives were considered throughout the alignment to avoid and minimize impacts to all wetlands and waters. As SW Eaton Blvd is an existing alignment, to accomplish the purpose and need of increasing mobility and safety along the corridor, all of the alternatives considered were on-site options.

Overall Project Alternatives

- Initially, the vertical grades in many areas of the project were proposed 3 feet above the grades currently proposed, which would have supported stormwater treatment options that require a 5-foot grade drop. However, this vertical elevation would have required a larger fill footprint to support constructible retaining walls and side slopes, which would have resulted in larger wetland impacts. As such, the vertical grades were reduced by 3 feet and alternative stormwater technology that does not require as much vertical drop were selected, which minimized the fill footprint in wetlands.
- Shifts in the alignment of SW Eaton Blvd were originally considered to avoid/minimize impacts to wetlands and a residential garage. However, no shifts in the road alignment were carried through to the proposed design because it would cause offset intersection and create traffic safety issues for drivers from weaving at the required 40 mph design speed. Also, shifting the road alignment would cause conflict with other existing houses and wetlands adjacent to the roadway.
- A narrower road section, including elimination of the center turn lane near Wetland C, was reviewed. This alternative would require shifts in the roadway, similar to the alternative described above, which would create safety issues for drivers and was therefore not carried forward to the proposed design.

Stormwater Pond B/Wetland C Alternatives and Minimization Measures

Stormwater Pond B will account for a large percentage of project impacts. As such, avoidance and minimization measures for this pond have been extensively analyzed and are discussed below.

- An alternative location southwest of the proposed location, within upland on the south side of SW Eaton Blvd, was analyzed. However, this area is approximately 5 feet higher than the proposed location. This meant that not all stormwater in the central portion of the project could be treated and detained and a pump station would be required, rather than the gravity-flow system at the proposed location. When other alternatives exist, pump stations are typically not used due to the potential for mechanical issues that would result in potential flooding and release of unacceptable amounts of untreated and undetained stormwater. As such, this alternative was not carried forward in the proposed design.
- A liner was originally designed within Stormwater Pond B, which would have cut the pond off from the
 groundwater interactions and removed all wetland functions to 1.166 acre of wetland. As an alternative
 that we have carried forward into the proposed design, the liner has been eliminated and the only work
 within the central, 0.613-acre portion of the storm pond will be excavation to flatten out the high points of
 the bottom of the pond. A summary of the proposed excavation, monitoring, and reporting methods to
 ensure no more than incidental fallback occurs within the 0.613-acre area, is include in Attachment E.
 This minimization measure will allow for groundwater interaction and retention of wetland characteristics

and functions. Note that treated stormwater will outfall into this area, which will only be used to detain and outfall stormwater at pre-development condition flow rate.

- Other alternatives considered to minimize the impact within Stormwater Pond B and Wetland C included:
 - Retaining walls rather than a berm for the storm pond were analyzed. However, the walls would need to be 6 feet high to support the volume of water in the pond; this in conjunction with the existing wet soils would create safety concerns for the long-term operation and maintenance of the pond and were not carried forward to the proposed design.
 - Deep excavation with the use of a liner were considered to minimize the area of the pond. However, due to the existing flat grades at the site, not all of the stormwater could not be gravity outfalled and a pump station would be required. For the reasons described above regarding pump stations, this alternative was not carried forward.
 - A 12-foot-wide access road was initially proposed around the north, east, and west sides of Stormwater Pond B within Wetland C. Coordination with maintenance personnel at the City allowed for a reduction of the access road to 6-feet-wide located only on the west side of the pond. These changes resulted in a narrower fill footprint within Wetland C.
 - The storm pond location was carefully sited to avoid several large Garry oak (*Quercus garryana*) trees in the wetland and was also sited as close to SW Eaton Blvd as possible to avoid additional impacts.
 - A wet pond concept for stormwater detention and treatment was reviewed. This alternative would require discharge of untreated stormwater to the pond, which would degrade the functions of the wetland. This alternative would also require a liner, which would prevent natural groundwater fluctuations in the wetland. For these reasons, this concept was not carried forward in the proposed design.

Stormwater Pond A/Wetland B

- The location of Stormwater Pond A, located in the western portion of the project, was also review in detail. The initial design called for the pond to be located within Wetland B in the southwest quadrant of the SW Eaton Blvd and SW 20th Ave intersection. However, this location would have required extensive direct and indirect impacts to Wetland B and its intact, functioning buffer. This pond was moved to the proposed location at the northeast quadrant of the same intersection, where the majority of direct wetland impacts are avoided and buffer impacts are occurring to significantly degraded buffer (maintained lawn).
- Stormwater Pond A was shaped and designed to avoid the majority of direct impacts to Wetland A.

Other Avoidance and Minimization Measures

- A stormwater pond was originally considered within the southeast quadrant of the SR-503 and SW Eaton Blvd intersection within Wetland D and its buffer. Additional design analysis led to changing the existing roadway and ditch grading to reduce the amount of runoff tributary to this area basin. As the result, detention pond facility was not required at this location which allowed for complete avoidance of Wetland D and its buffer.
- Approximately 580 feet of retaining wall is proposed to minimize wetland impacts associated with road widening along Wetland C, which results in over 0.11 acre of direct wetland avoidance.
- Wetland swales are located immediately adjacent to the roadways throughout the project corridor and cannot be avoided by the project. However, many swales will be constructed outside of the new roadway grading (fill) footprint. These new features will be graded at the same time as the fill of the existing features, so there will be no temporal loss. Additional details are included in the mitigation section, 7g.

☑ Yes □ No □ Don't know 7c. Will the project impact wetland buffers? [help]	7b. Will the	project ir	npact wetlands? [help]
7c. Will the project impact wetland buffers? [help]	⊠ Yes	🗆 No	Don't know
	7c. Will the	project ir	npact wetland buffers? [help]
⊠ Yes □ No □ Don't know	⊠ 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.
\boxtimes Yes \Box No Refer to Attachment G.
 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 Refer to Attachment G, Appendix C.
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.

 \boxtimes Yes \Box No \Box Don't know

A mitigation bank use plan has been prepared to utilize credits from the East Fork Lewis River Mitigation Bank. Refer to Attachment F.

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

We are proposing replacement of directly and indirectly impacted portions of Wetlands A, B, and C and their buffers at the East Fork Lewis River Mitigation Bank. Partial replacement of wetland swales will be conducted onsite, details on this proposed mitigation are below. Of the 0.502 acre of wetland swale impacted by the Project, 0.289 will be replaced onsite and the remaining 0.213 will be replaced at the East Fork Lewis River Mitigation Bank.

Note that no mitigation is proposed for the bottom of Pond B within Wetland C. This 0.613-acre area will be minimally excavated only to flatten the bottom of the pond, an action that is not regulated by the USACE. A construction methodology and monitoring and reporting memo is provided in Attachment E, which describes how the City will ensure that no more than incidental fallback occurs within this area. As described above, no liner or other material will be placed in the Pond B bottom, which will allow the pond to maintain wetland conditions. As the pond will function as a stormwater detention feature after rainfall events, woody plantings cannot be installed within or adjacent to the feature because vegetation would reduce the capacity of the pond. However, no woody vegetation is currently located within this portion of Wetland C, and existing non-native grasses are mowed several times per year. Therefore, the vegetation condition within the wetland will remain similar to current conditions.

Onsite, In-Kind Replacement

The onsite replacement of wetland swales will be provided in-kind through construction of new swales at the outer edge of the project's fill footprint. The construction of the replacement swales will occur concurrently with the fill of the existing features to ensure there is no temporal loss of function. The replacement swales will be constructed as a minimum 3-foot-wide v-shaped ditches with gradual longitudinal slope. The sides slopes will be 3H:1V or flatter where there is no retaining wall. Upon completion of grading, the swales will be stabilized with a mix of grass species. Due to the location of the swales next to a roadway and agricultural fields and lawns, native grasses are expected to be outcompeted; therefore, a grass mixture similar to the composition of the existing swale cover is proposed, including meadow foxtail (*Alopecurus pratensis*) and bluegrass (*Poa* sp.).

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 (Acres)	Duration of impact ³	Proposed mitigation type⁴	Wetland mitigation area (Acres)
Direct: Roadway widening, Pond A	A	PEM, III	0.077	Permanent	В	0.081
Indirect	A	PEM, III	0.144	Permanent	В	0.076
Direct: Roadway widening, Pond A	A Buffer	N/A	0.084	Permanent	В	0.084
Direct: Roadway widening	В	PEM, III	0.082	Permanent	В	0.086
Indirect	В	PEM, III	0.068	Permanent	В	0.036
Direct: Roadway widening	B Buffer	N/A	0.183	Permanent	В	0.037
Direct: Roadway widening, Pond B, Pond C (Fill Only)	С	PEM, II	1.3025	Permanent	В	1.641
Direct: Pond B (Removal Only)	С	PEM, II	0.613	Permanent	N/A	N/A
Indirect	С	PEM, III	0.157	Permanent	В	0.099
Direct: Roadway widening, Pond B, Pond C	C Buffer	N/A	0.726	Permanent	В	0.145
Avoided	D	PEM, IV	0.000	N/A	N/A	N/A
Direct: Roadway widening	Wetland Swale	PEM, III	0.213	Permanent	В	0.224
Direct: Roadway widening	Wetland Swale	PEM, III	0.289	Permanent	С	0.289
Total			2.332			
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						

² Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating for 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)

⁵Excludes 0.613 acre of excavation-only within the bottom of Stormwater Pond B.

Page number(s) for similar information in the mitigation plan, if available: Table 6

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]

Fill material will include gravel, crushed rock, asphalt, concrete, and soil.

	Fill (cy)
Wetland A	230
Wetland B	210
Wetland C	7080
Wetland Swales	1740
Total	9260

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]

All material removed from the site will be disposed of in an approved upland facility.

	Cut (cy)
Wetland A	30
Wetland B	10
Wetland C	260
Wetland Swales	10
Total	310

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.)

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
Culvert Extension	Ditch 1	Near Wetland C, flowing under SW Eaton Blvd	Permanent	1 cy cut 35 cy fill	621 sq ft (125 linear feet)
 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]					
Fill material will include gravel, riprap (at the Stormwater Pond B outfall to Ditch 1), crushed rock, asphalt, concrete, and soil.					
1 cy cut 35 cy fill					
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	
Department of Ecology	Miranda Adams	360-210-2783	11/1/21	
USACE	Jim Carsner	206-316-3047	12/20/21	
WSDOT	Jodie Beall	360-705-6975	11/3/21	
WDFW	Issac Holowatz	360-773-8943	12/13/21	
 9b. Are any of the wetlar Department of Ecolog If Yes, list the parame If you don't know, use <u>Shorelines/Water-quant</u> 	ids or waterbodies identified i gy's 303(d) List? [<u>help]</u> eter(s) below. Washington Department of Ecolog <u>lity/Water-improvement/Assessmer</u>	n Part 7 or Part 8 of this JAR y's Water Quality Assessment tools <u>nt-of-state-waters-303d</u> .	PA on the Washington at: <u>https://ecology.wa.gov/Water-</u>	
9c. What U.S. Geologica	I Survey Hydrological Unit Co	ode (HUC) is the project in? [help]	
All ground-disturbing wor Creek).	k will take place in hydrologic	unit code (HUC) 170800030	103 (Lower Salmon	
 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 #. 				
 9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help] Go to https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria for the standards. 				
	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: https://ecology.wa.gov/Water-Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases. 				
🗆 Urban 🗆 Natura	al 🗆 Aquatic 🗆 Conserv	ancy ⊠ Other: <u>N/A</u>		
 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 □ Fis	h 🗌 Non-Fish Perennial	□ Non-Fish Seasonal		

9h. Will this pro	ject be designed to r	meet the Washingto	n Department c	of Ecology's most	current stormwater
manual? [h	ielp]				

• If No, provide the name of the manual your project is designed to meet.

🛛 Yes 🛛 No

Name of manual: 2014 Stormwater Management Manual for Western Washington

9i. Does the project site have known contaminated sediment? [help]

- If Yes, please describe below.
- □ Yes 🛛 No

The Battle Ground Meter Station site (facility site #7804689, 19709 NE 122nd Ave) is located immediately north of the project footprint at an elevation of approximately 286 feet amsl. Approximate groundwater elevation in this area is 276 feet amsl. According to Ecology file review, the site has metals concentrations in soil and groundwater below Model Toxic Control Act (MTCA) cleanup levels and no contamination remains above the applicable MTCA cleanup levels. Battle Ground Meter Station site is a Voluntary Cleanup Program Site. The site has been issued "No Further Action" required designation by Ecology.

The site is considered "Low Risk" because project development is unlikely to encounter contaminated soil or groundwater requiring regulatory management from the Battle Ground Meter site, the site is downgradient, and the site has an NFA designation from Ecology. Based on the information reviewed, there is limited potential for environmental impacts to the project footprint.

9j. If you know what the property was used for in the past, describe below. [help]

In the past, the project footprint was used for agriculture with low-density residences.

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

• If Yes, attach it to your JARPA package.

 \boxtimes Yes \square No WSDOT is completing Section 106 review.

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]

WSDOT has concurred with a no effect determination for all listed species identified in the table below with the potential to be impacted by the proposed project. Refer to Attachment D for the approved No Effect Assessment Report.

Common name	Scientific Name	Status	Critical Habitat
Steelhead Lower Columbia River DPS	Oncorhynchus mykiss	Threatened	Designated, none in action area
Coho salmon Lower Columbia River ESU	Oncorhynchus kisutch	Threatened	Designated, present in action area
Chinook salmon Lower Columbia River ESU	Oncorhynchus tshawytscha	Threatened	Designated, none in action area
Chum salmon Columbia River ESU	Oncorhynchus keta	Threatened	Designated, none in action area
Bull trout ¹	Salvelinus confluentus	Threatened	Designated, none in action area
Streaked horned lark	Eremophila alpestris strigata	Threatened	Designated, none in action area
Yellow-billed cuckoo	Coccyzus americanus	Threatened	Designated, none in action area
Golden paintbrush	Castilleja levisecta	Threatened	Not designated
Water howellia	Howellia aquatilis	Threatened	Not designated

Sources: USFWS 2020, NMFS 2021, NWIFC 2021

DPS = distinct population segment; ESU = evolutionarily significant unit

1 Although they are identified by USFWS (2020) as potentially present in the action area, bull trout do not occur in the Salmon Creek subbasin (LCFRB 2010; NWIFC 2021). The nearest waterbody where bull trout are known or expected to be present is the Columbia River, more than 25 miles downstream from the project area. As such, bull trout have no potential to be present in the action area, and this species is not addressed further in this document.

LCFRB (Lower Columbia Fish Recovery Board). 2010. Washington Lower Columbia salmon recovery and fish & wildlife subbasin plan. Subbasin Chapter M: Salmon. May 2010. Available at https://www.lcfrb.gen.wa.us/librarysalmonrecovery. Accessed June 14, 2021.

NMFS. 2021. ESA-listed threatened and endangered species in the West Coast Region. Available at: https://www.fisheries.noaa.gov/species-directory/threatened-endangered. Accessed June 14, 2021.

NWIFC (Northwest Indian Fisheries Commission). 2021. Statewide Washington Integrated Fish Database. Available at https://geo.nwifc.org/swifd/. Accessed June 14, 2021.

USFWS (U.S. Fish and Wildlife Service). April 3, 2020. List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project. Updated June 9, 2021.

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]

The Washington Department of Fish and Wildlife conducted a project-specific Priority Habitat and Species database review for species records within 1 mile of the project footprint. No ESA-listed wildlife species results were identified in the database results (WDFW 2020). In addition, no federally listed plant species are documented in the Washington State Natural Heritage Program within 1 mile of the project footprint (WDNR 2020a, b).

WDFW (Washington Department of Fish and Wildlife). 2020. Project-specific Priority Habitat and Species Database review for records within one mile of the SW Eaton Boulevard, SR 503 to SW 20th Ave Project.

WDNR (Washington State Department of Natural Resources). 2020a. Washington Natural Heritage Program Database Review for current records within one mile of the SW Eaton Boulevard, SR 503 to SW 20th Ave Project. https://datawadnr.opendata.arcgis.com/datasets/34fb23d474d14a55bfbf670d065209c3_2/explore?location=47.279550%2C-120.830750%2C7.90. Accessed December 10, 2020.

WDNR (Washington State Department of Natural Resources). 2020b. Washington Natural Heritage Program Database Review for historical records within one mile of the SW Eaton Boulevard, SR 503 to SW 20th Ave Project. https://datawadnr.opendata.arcgis.com/datasets/520d10c22f3a4b0cb4f0ad7d5b38c078_3/explore?location=47.283000%2C-120.796950%2C7.87. Accessed December 10, 2020.

Part 10–SEPA Compliance and Permits

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

- Online Project Questionnaire at <u>http://apps.oria.wa.gov/opas/</u>.
- 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 <u>agency addresses for completed JARPA</u>.

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that	apply.) [<u>help]</u>
For more information about SEPA, go to https://ecology.wa.gov/regulations-permits/SEP	A-environmental-review.
\Box A copy of the SEPA determination or letter of exemption is included with	this application.
☑ A SEPA determination is pending with <u>the City of Battle Ground</u> (lead a decision date is <u>April 2022</u> .	gency). The expected
\Box I am applying for a Fish Habitat Enhancement Exemption. (Check the box b	pelow in 10b.) [<u>help]</u>
\Box This project is exempt (choose type of exemption below).	
Categorical Exemption. Under what section of the SEPA administrative	e code (WAC) is it exempt?
□ Other:	
\Box 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 – <u>Attach Exemption Form</u>		
Washington Department of Natural Resources:		
\Box Aquatic Use Authorization		
Complete <u>JARPA Attachment E</u> and submit a check for \$25 payable to the Washington Department of Natural Resources. <u>Do not send cash.</u>		
Washington Department of Ecology:		
Section 401 Water Quality Certification		
FEDERAL AND TRIBAL GOVERNMENT		
United States Department of the Army (U.S. Army Corps of Engineers):		
\boxtimes Section 404 (discharges into waters of the U.S.) \square 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: <u>d13-pf-d13bridges@uscg.mil</u>		
□ 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. (MCH) (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. (MCH) (initial)

Mark Herceg, Public Works Director Applicant Printed Name

Applicant Signature 12/22/2021

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.

Kristen Currens, PWS	Krstn. amer	12/22/21
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

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

Attachment List

Attachment A	Owner Information
Attachment B	Figures
Attachment C	Adjoining Owner Information
Attachment D	No Effect Memorandum
Attachment E	Wetland C Construction Memo
Attachment F	Mitigation Bank Use Plan
Attachment G	Wetland and Waters Assessment Report

SW Eaton Blvd, SR-503 to SW 20^{th} Ave. JARPA

Attachment A

Owner Information

SW Eaton Boulevard, SR-503 to SW 20th Ave.

Property Access Information

Project work is proposed within City of Battle Ground right-of-way (ROW), Washington Department of Transportation ROW, and on private property. The City of Battle Ground has received rights-of-entry for all properties with wetland/waters impacts. With 48-hour notice, the City will provide access to any private properties with impacts. Contact Kristen Currens, Authorized Agent, 360-334-5176, for entry access.



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

Date	received.
Agen	cy reference #:
Tax P	Parcel #(s):
	TO BE COMPLETED BY APPLICANT [help]
Proje	ct Name:
Locat	tion Name (if applicable):

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

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)						
Noyes, Dennis, Washington Department of Transportation						
2. Mailing Address (Street or PO Box)						
11018 NE 51st Cir.	11018 NE 51st Cir.					
3. City, State, Zip						
Vancouver WA 98682	-6686					
4. Phone (1)	5. Phone (2)	6. Fax	7. E-mail			
360-905-2298			NoyesD@wsdot.wa.gov			
Address or tax parcel number of property you own:						
SR 503 right of way						
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.						
N/A (Public ROW)						
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

SW Eaton Blvd, SR-503 to SW 20^{th} Ave. JARPA

Attachment C

Adjacent Owner Information



WASHINGTON STATE US Army Corp of Engineers & Seattle District & Application (JARPA) [help]

Attachment C: Contact information for adjoining property owners. [help]

Use this attachment <u>only</u> if you have more than four adjoining property owners.

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

AGENCY USE ONLY
Date received:
Agency reference #•
Tax Parcel #(s):
TO BE COMPLETED BY APPLICANT [help]
Project Name:
Location Name (if applicable):

1. Contact information for all adjoining property owners. [help]					
Name	Mailing Address	Tax Parcel # (if known)			
IQ CREDIT UNOIN	PO BOX 1739	91103184			
	VANCOUVER WA, 98668				
DRAGON PROPERTIES LLC	4402 NW SENECA CT	91103183			
	CAMAS WA, 98607				
BATTLE GROUND HEALTHCARE	11117 NE 189TH ST STE 216	91103185			
	BATTLE GROUND WA, 98604				
JEAN ANNE LLC	4949 N ORCHARD ST	91103180			
	TACOMA WA, 98407				
BATTLE GROUND SCHOOL DISTRICT #119	C/O MAPLE GROVE ELEMENTARY SCH 204 W MAIN ST	91103143			
	BATTLE GROUND WA, 98604				
DIAMOND GEORGE N & CAIN BARRY A & COHEN JIMMY D	199TH STREET LLC 19767 SW 72ND AVE STE 100	194151000			
	TUALATIN OR, 97062				
MEISNER JERRY 1/2 INT	1020 W 44TH ST	194063000			
	VANCOUVER WA, 98660				
GRAHAM GWENDA F	2200 SW 10TH AVE	194182000			
	BATTLE GROUND WA, 98604				
LML VENTURES LLC	2210 W MAIN ST STE 107 #131	194083005			
	BATTLE GROUND WA, 98604				
LML VENTURES LLC	2210 W MAIN ST STE 107 #131	194083000			
	BATTLE GROUND WA, 98604				
HANLEY G DALE	PO BOX 782	194071000			
	BATTLE GROUND WA 98604				

GWEI BATTLE GROUND 199TH LLC	10609 LEDERER AVE	194090000	
	CHARLOTTE NC, 28277		
SHOCKLEY DALLAS & SHOCKLEY DEE TRUSTEE	KATHY STERNOFF, EXECUTOR PO BOX 408	194078000	
	REDMOND WA, 98073		
SCHLECHT DUANE R & SCHLECHT	1707 SW EATON BLVD	194169000	
TAMARA R	BATTLE GROUND WA, 98604		
SCHLECHT TIMOTHY A & SCHLECHT	PO BOX 1104	194054000	
KATIE A	BATTLE GROUND WA, 98604		
PATTERSON ALFRED & PATTERSON	1911 SW EATON BLVD	194077000	
PAMELA	BATTLE GROUND WA, 98604		
LARSEN MEADOWS HOMEOWNERS	11102 NE 196TH ST	193773062	
ASSOCIATION	BATTLE GROUND WA, 98604		
IVERSON BLAKE A	11020 NE 199TH ST	192614000	
	BATTLE GROUND WA, 98604		
CAOUETTE BONNIE M	11112 NE 199TH ST	192616000	
	BATTLE GROUND WA, 98604		
SANCHEZ JORGE & SANCHEZ KATHY	1906 SW 20TH AVE	192619000	
	BATTLE GROUND WA, 98604		
SANCHEZ JORGE & SANCHEZ KATHY	1906 SW 20TH AVE	192620000	
	BATTLE GROUND WA, 98604		
MANCIA JULIO F	1915 SW 20TH AVE	192369000	
	BATTLE GROUND WA, 98604		
SINJEM DAWN	8902 NE 239TH ST	192412000	
	BATTLE GROUND WA, 98604		
HEREFORD JEFFREY L TRUSTEE	708 NW 6TH AVE	192389000	
	BATTLE GROUND WA, 98604		
WILL JESSE (C/B)	16620 NE 72ND AVE	192358000	
	VANCOUVER WA, 98686		
MATOY PHILLIP D & MATOY CELESTE	16108 PLACID DR	192406000	
D	WHITTIER CA, 90604		
MATOY PHILLIP & MATOY CELESTE	16108 PLACID DR	192363000	
	WHITTIER CA, 90604		
QUAIL HAVEN LLC	4501 NE MINEHAHA ST #200	192350000	
	VANCOUVER WA, 98661		
PERU SHELLEY & PERU RAYNA	1912 SW 10TH AVE	192366000	
	BATTLE GROUND WA, 98604		
PERU SHELLEY & PERU RAYNA	3910 NE RANCHO DR	192385000	
	VANCOUVER WA, 98682		
NORTHWEST PIPELINE GP	PO BOX 2400	192408000	
	TULSA OK, 74102		

NORTHWEST NATURAL GAS COMPANY	250 SW TAYLOR ST PORTLAND OR, 97204	192409000
PERU SHELLEY J & PERU RAYNA O	3910 NE RANCHO DR	192378000
	VANCOUVER WA, 98682	
PS 1 LLC	7710 NE GREENWOOD DR STE 150	192373000
	VANCOUVER WA, 98662	

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SW Eaton Blvd, SR-503 to SW 20th Ave. JARPA

Attachment B

Figures





















