



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

AGENCY USE ONLY	
Date Received:	10/3/2023
Aquatics ID No.:	140753
Team:	NWRO
Valid Request:	10/5/2023

This Section 401 Water Quality Certification (WQC) Request form identifies information needed in order to review and process a Section 401 WQC Request. Please see Department of Ecology's (Ecology) [webpage](#) for more information about the Section 401 WQC Request process.

Submit this Section 401 WQC Request form along with a [Joint Aquatic Resources Permit Application](#) (JARPA) and supporting information¹ to ecyrefedpermits@ecy.wa.gov and copy the federal permitting agency.

A. Federal Permit or License Reference Number, if known: _____
Department of Ecology (Ecology) Aquatics ID Number, if known: _____
Project Name: _____ **County:** _____

B. Project Proponent Name: _____

C. Documentation showing that the Pre-Filing Meeting Request was submitted at least 30 days prior to submitting this Section 401 WQC Request. Attach either of the following:

- E-mail acknowledgement of receipt from Ecology
- Copy of previously submitted Pre-Filing Meeting Request Form

D. A completed, signed, and dated JARPA should be submitted with this form.

Did you attach a JARPA? Yes No

E. The following is a list of documents needed for Ecology's WQC review, along with a brief explanation. Depending on the project, additional information may be requested.

Please let us know what information you are submitting with this WQC request form.

Required for all projects:

1. State Environmental Policy Act (SEPA) determination and/or checklist:
 - Final SEPA determination attached
 - SEPA determination pending
 - Exempt from SEPA (see [SEPA Guidance](#))
 - SEPA is not required (e.g., federal agency projects)

¹ To submit documents over 25MB, e-mail ecyrefedpermits@ecy.wa.gov to request a secure link.

To request an ADA accommodation, contact Ecology by phone at (360) 407-6076 or email at ecyrefedpermits@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>.
For Relay Service or TTY call 711 or 877-833-6341.

Si necesita este formulario en español, por favor, llámenos a (360) 407-6076
o envíenos un correo electrónico a: ecyrefedpermits@ecy.wa.gov

2. Project drawings attached:

- Vicinity map
- Plan view
- Cross-section(s)
- Plan set
- Other: _____

3. Best management practices and construction methodology, provided in the attached:

- JARPA
- Water Quality Monitoring and Protection Plan (WQMPP)
- Project drawings, sheets: _____
- Mitigation Plan pages: _____
- Other document(s): _____

Notes:

- This is needed for in-water work (below ordinary high water mark), including wetlands.
- Describe best management practices to be implemented to protect water quality.
- Describe construction sequencing and methodology.

4. Water quality monitoring, provided in the attached:

- Water Quality Monitoring Plan (WQMP).
- Water Quality Monitoring and Protection Plan (WQMPP is similar to WQMP, but includes best management practices).
- Other (please identify location, such as JARPA, Part 8): _____

Notes:

- Include language in the plans that allows Ecology to review and approve all substantive changes to a plan prior to implementation.
- A plan is needed when conducting work in a waterbody (e.g., creek, ditch, river, lake, pond, marine, estuarine).
- Include water quality parameters such as turbidity, oil sheen, pH (e.g., poured in-place concrete, concrete demolition), etc.
- See [State Water Quality Standards for Surface Waters](#) (Chapter 173-201A-200 or -210 WAC)
- If needed, templates are available.

Required depending on the project type:

5. Erosion and sediment control for upland work (above ordinary high water make) that addresses stormwater during construction and long-term:

This information is included in the attached:

- JARPA
- Project drawings, sheets: _____
- Stormwater Pollution Prevention Plan, pages: _____
- Mitigation Plan, pages: _____
- Other document(s): _____

6. Wetland report, including the attached:

- Wetland delineation report
- Delineation data sheets
- Wetland rating forms

Notes:

- Needed when there is a discharge (dewatering, excavation or fill) to wetlands.
- Report needs to include both a wetland delineation and rating.
- Include delineation data sheets and rating forms.
- For more information see [wetland delineation resources](#) and [hiring a qualified wetland professional](#).
- Include language in the plans that allows Ecology to review and approve all substantive changes to a plan prior to implementation.

7. Mitigation, avoidance and minimization

- Wetland [avoidance and minimization checklist](#)
- Other aquatic resource avoidance and minimization demonstration
- Mitigation Plan
- Other: _____

Notes:

- Wetland [avoidance and minimization webpage](#).

8. Mitigation plan, provided in the attached:

- Riparian Planting and Monitoring Plan (Needed when riparian vegetation is removed or modified)
- Wetland or stream/other aquatic resource Mitigation Plan
- Wetland Mitigation Bank Use Plan (use when proposing mitigation bank use)
- In-Lieu Fee (ILF) Use Plan (use when proposing ILF mitigation)
- Project drawings, sheets: _____
- Other: _____

Notes:

- Needed to offset impacts to wetland, stream, marine, or other aquatic habitat.
- Include language in the plans that allows Ecology to review and approve all substantive changes to a plan prior to implementation.
- For more information, see [wetland compensatory mitigation](#).

9. Dredging

- Dredging Plan attached
- Suitability Determination attached

Notes:

- Needed when sediments will be dredged for maintenance, navigation, or other purposes.
- Covers in-water disposal and sediment anti-degradation.
- Dredging Plan should include dredge footprint and depth, dredge type, best management practices, disposal plan, off-loading plan for upland disposal, etc.
- Include language in the plans that allows Ecology to review and approve all substantive changes to a plan prior to implementation.
- For information on suitability determinations, see [Dredged Material Management Office](#).

10. Dewatering

- Dewatering Plan attached

Notes:

- Needed for complex in-water work or management of excavated/dredged material.



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: 10/3/2023 edoc
Rec'd Section 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]
Bothell Senior Living

Part 2—Applicant

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

2a. Name (Last, First, Middle)			
Winters, Jordan			
2b. Organization (If applicable)			
SP Martha Real Co, LLC			
2c. Mailing Address (Street or PO Box)			
1220 20 th St SE Ste 310			
2d. City, State, Zip			
Salem, OR, 97302			
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail
503-209-6034			winters@santepartners.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, William E.			
3b. Organization (If applicable)			
Talasaea Consultants			
3c. Mailing Address (Street or PO Box)			
15020 Bear Creek Rd. NE			
3d. City, State, Zip			
Woodinville, WA 98077			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
425-861-7550			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 likeschools, 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]			
N/A			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Bothell, WA 98012			
5d. County [help]			
Snohomish			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
SW	20	27	5
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) 			
47.811322 N lat. / -122.200795 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. 			
27052000300100			
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)
Willow Tree Grove I LLC	11100 Main St. Ste. 301		27052000300900
	Bellevue, WA 98004		
Housing Authority of Sno Co	12625 4 th Ave. W #200		27052000301700
	Everett, WA 98204		
20225 Bothell LLC	6400 Fiddler's Green Circle #1200		27052000203200
	Greenwood Village, CO 80111		
SP Martha Real Co, LLC	1220 20 th St. SE		27052000300700
	Salem, OR 97302		

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

Wetlands A, B, C, D, X

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

Stream 1, 2

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. [\[help\]](#)

Approximately 50% of Site is occupied by Palustrine Scrub-Shrub wetlands dominated by red alder (*Alnus rubra*), black cottonwood (*Populus balsamifera*), skunk cabbage (*Lysichiton americanum*), black twinberry (*Lonicera involucrata*), and creeping buttercup (*Ranunculus repens*). Additionally, there are a number of mature western red cedars (*Thuja plicata*) located throughout the property. A large portion of these is located in the upland section within the northern extent of the property. Canopy cover in low lying areas within or adjacent to the wetlands is dominated by large black cottonwood (*Populus balsamifera*) and red alder (*Alnus rubra*), with approximately 60% of the trees being in poor health.

The northwest corner of the property has high densities of invasive vegetation. This area is highly disturbed with Himalayan blackberry (*Rubus armeniacus*), having a percent cover of 95%. High densities of blackberry are also found along Maltby Road, and in sporadic patches found throughout the Site (approximately 15% cover). Other invasive species observed onsite include English ivy (*Hedera helix*), English holly (*Ilex aquifolium*), and creeping buttercup (*Ranunculus repens*).

Topography is undulating through the southern to central extents of the property, with a large, level plateau area in the central portion of Site. More distinct slopes are found in the northwest with a gradient of approximately 12% with a southern aspect, and in the east with a gradient of approximately 20% with a western aspect.

5m. Describe how the property is currently used. [\[help\]](#)

The Site is currently undeveloped but has been subject to historic clearing.

5n. Describe how the adjacent properties are currently used. [\[help\]](#)

The Site is bordered to the north by an apartment complex and undeveloped forest, to the east by undeveloped forest, to the south by Maltby Road and residential lots, and to the west by undeveloped forested and apartment complex property with wetland areas.

5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [\[help\]](#)

The Site is currently undeveloped; there are no structures on the property.

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

Traveling on I-405 N, exit WA-527 toward Bothell/Mill Creek and turn right onto WA-527 N. Turn right onto Maltby Rd and the project location is on the left after approximately 0.2 mi. Map is attached as Figure 1 in the Critical Areas Report

Part 6–Project Description

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

SP Martha Real Co, LLC is proposing a phased development of 200,800 sf combined independent living, assisted living, and memory care facility with parking and an access road. The building will be located in the central upland portion of the Site, but will encroach into Wetlands A, C, X, and Stream 2. All of Wetland X and C will be filled as part of the development. The calculated buffer areas will also be encroached upon for Wetland A, and Streams 1 and 2. The result is a total area of wetland and stream fill of 0.33 acres (14,560 sf) and a total area of buffer impact of 4.15 acres (180,939 sf). In addition, an associated trail network of 990 LF will be constructed in the northwestern portion of the site, meandering through areas of 0.80 acres (34,929 sf) of newly constructed wetlands proposed for mitigation.

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

Presently, senior citizens are being underserved by the pure supply of quality senior housing opportunities in this area of Snohomish County. Our analysis indicates that by 2028 (anticipated year of operational stabilization), if no new supply is built, there will insufficient supply of senior housing to care for 113 independent living residents, 71 assisted living residents, and 35 memory care residents. These individuals will be forced to seek care outside of their primary living area or go on waiting lists while they wait for vacancies to open up in facilities located in their primary living area. To meet the demand of these kinds of numbers, sufficiently sized land with favorable zoning needs to be of focus. Simply put, this is the only land opportunity present in this market area that can serve these kinds of demands and for which zoning will allow for both the density needed and physical characteristics of the building (namely height) to allow for minimum disturbance of the land. For this reason, we are seeking to develop a small portion of the overall site with which to cater to these elders. The project proposes to construct only on open portions of the site that are least encumbered by wetlands. The site plan has been assessed several times for modifications that would minimize impact to the wetlands, including siting of the vehicular entries and relocating parking areas.

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) [\[help\]](#)

- | | | | |
|---|---|---|--|
| <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 checked="" type="checkbox"/> Channel Modification | <input checked="" 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 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 type="checkbox"/> Utility Line |
|---|---|---|--|

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 36-inch culvert of approximately 458 feet in length will be installed along the central portion of Stream 2 adjacent to Maltby Road. The culvert will need to be able to accommodate a 100-year flood event.

A temporary bypass will need to be utilized during the culvert installation and stream relocation. This will require damming of the upstream channel and the downstream area of the work area, and pumping the water to below the work area.

Four wetlands will be created in the northwestern corner of the property. Construction of the wetland creation areas will include removal of existing invasive Himalayan blackberry, grading, installation of rootwad clusters and other large woody debris (snags, down logs, stumps), and native plantings. Soil will be amended with clay to retard infiltration and improve water quality functions. Additionally, the soils type in the area (Alderwood gravelly sandy loam, 0-8 percent slopes) are conducive to maintaining soil hydrology, as they are poorly drained and designated as a hydric soil. Hydrology will be supplied primarily by creating a diversion channel in Stream 1 to route some flows into the wetlands. Furthermore, a channel will be created between the two wetlands to allow water movement throughout the created wetland system. Grading to within 12 inches of the early growing season groundwater level will also ensure wetland hydrology is maintained.

Sump pumps will be used to redirect the water during temporary damming. Typical construction equipment, such as excavators equipment with grading and bucket attachments, will be used to perform the work. Per the Storm Water Pollution Prevention Plans, straw waddles, silt fencing and water filtration will be utilized to minimize erosion and contamination of waters and soils immediately adjacent while work is underway.

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 [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start Date: Q4, 2024

End Date: Q3, 2025

See JARPA Attachment D

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [\[help\]](#)

\$42,500,000.00

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

The proposed development plan has been through multiple iterations to reduce as much encroachment into mapped critical areas as possible, which included modification of the parking areas to minimize direct impacts to Wetland A, and reducing the impacts to Wetland A buffers.

The proposed development site is located in the most desirable location that will cause the least amount of impact to the surrounding wetlands. A combination of mitigation strategies, including wetland buffer enhancements, wetland creation, and off-site mitigation at an approved mitigation bank, will be used to provide an equal or greater level of wetland function and ecological value. Additionally, by integrating outdoor community amenities with the natural area, the project will ensure that the remaining wetlands on the Site are preserved and protected from future development impacts.

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 Don't know

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

The primary goal of the proposed mitigation plan is to replace the functions, services, and values lost due to direct wetland impacts of 0.28 acres, the direct stream impacts of 0.06 acres and indirect stream and wetland impacts of 3.80 acres resulting from the displacement of wetland buffers. To accomplish this, the proposed mitigation plan will create no less than 0.80 acres of wetland and enhance no less than 1.49 acres of existing degraded wetland/stream buffers onsite. A combination of mitigation strategies, including wetland buffer enhancements (through native vegetation restoration and the addition of habitat features), wetland creation (for water quality and habitat), and off-site mitigation at an approved mitigation bank, will be used to provide an equal or greater level of wetland function and ecological value. Additionally, by integrating outdoor community amenities with the natural area, the project will ensure that the remaining wetlands on the Site are preserved and protected from future development impacts.

Four wetlands will be created in the northwest corner of the property. This will create approximately 34,929 sf of new wetland to offset the filling of wetlands A, C and X, and to partially offset the proposed indirect wetland impacts resulting from displacement of buffer.

In addition to the wetland creation, the project also proposes to restore 39,134 sf of wetland and wetland buffer disturbed by construction activity, and to enhance 65,032 sf of wetland buffers that are currently inundated by invasive plants.

SP Martha Real Co, LLC will also purchase credits equivalent to 3.55 acres (154,495 sf) from an approved mitigation bank to compensate for the indirect impacts to wetlands. An application will be submitted either to a private bank or an ILF for approval of these credits.

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	Cat III	10,218 sf	Permanent	(C)	34,929 sf
Fill	Wetland X	Cat III	1,112 sf	Permanent	(C)	
Fill	Wetland C	Cat IV	50 sf	Permanent	(C)	50 sf
Fill	Wetland A	Cat III	485 sf	20 months	(R) (C)	485 sf
Fill	Wetland A	Cat III	15,073 sf	20 months	(R) (C)	15,073 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: Page 10 of attached Critical Areas Report and Conceptual Mitigation Plan

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 of fill is TBD.
 The amount of fill in wetland areas is approximately 8,150 cy and will be placed directly over the building site, and associated drive aisles and parking areas. Imported fill will be transported onto the site from either of the 2 designated drive entries. The boundaries of the building site will have a lock and load wall constructed to limit spill of fill into surrounding wetlands, and the fill for the building site will be placed in lifts within those boundaries. Areas of cut for the building site are outside of wetlands, so wall construction necessary in those parts of the site will not affect wetlands.

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. [\[help\]](#)

Wetland creation will require grading activities that include excavation of non-wetland areas in the northwest corner of the site. An excavator and truck access will be required to traverse a narrow portion of Wetland A, impacting approximately 485 sf that will be restored once the new wetlands are created.
 Approximately 3,000 cy of native soil and subsoil will be excavated and removed off site to a location yet to be determined.
 Additional construction impacts to wetlands will occur directly adjacent to the building site and road improvements, as well as in the areas of stream relocation and creation. These areas total to 15,073 sf and will be restored following completion of the project.

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 proposed development area has been through multiple iterations to reduce as much encroachment into mapped critical areas as possible. The proposed development site is in the most desirable location that will cause the least amount of impact to the surrounding waterbodies. A combination of mitigation strategies will be used to provide an equal or greater level of waterbody function and ecological value. Additionally, by integrating outdoor community amenities with the natural area, the project will ensure that the remaining critical areas on the Site are preserved and protected from future development impacts.

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

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. [\[help\]](#)

Please refer to 7g.

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
fill	Stream 2	In waterbody	Permanent	682 cy	2,558 sf

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. [\[help\]](#)

The source and nature of fill material is TBD.

Approximately 682 cy of material is proposed to fill parts of Stream 2 to accommodate right of way improvements, a driveway, and to re-route a portion of the stream away from the southeast portion of the building site to provide greater protection for stream habitat. A temporary bypass will be installed for the stream while the work to re-route the stream is being performed.

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. [\[help\]](#)

Filling that portion of the stream channel for the right of way improvements and driveway will require the use of heavy equipment which may access the area of fill from within the property and from the right of way. For that portion where the stream will be relocated, that work may be performed by lighter equipment: the use of a Bobcat to fill and the use of a mini excavator to form the re-routed channel.

Fill for the stream channel will be material similar in structure as native material, and topsoil will be placed for mitigation planting to revegetate the area; excavated material may be used as part of the site fill areas.

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
WDFW	Jesse Dykstra	(564) 200-3689	March 2023
Snohomish County	Emily Swaim	(425) 388-3213	October 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.

171100120302

<p>9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [help]</p> <ul style="list-style-type: none"> Go to https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up to find the WRIA #.
WRIA 8
<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.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable
<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.
<input type="checkbox"/> Urban <input type="checkbox"/> Natural <input type="checkbox"/> Aquatic <input type="checkbox"/> Conservancy <input checked="" type="checkbox"/> Other: <u>Not in shoreline zone</u>
<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.
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Fish <input type="checkbox"/> Non-Fish Perennial <input type="checkbox"/> Non-Fish Seasonal
<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.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Name of manual: <u>2021 Edition: Snohomish County Drainage Manual</u>
<p>9i. Does the project site have known contaminated sediment? [help]</p> <ul style="list-style-type: none"> If Yes, please describe below.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>9j. If you know what the property was used for in the past, describe below. [help]</p>
N/A
<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.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No A cultural resources survey was prepared in August, the results were negative.
<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]</p>
Chinook salmon (<i>Oncorhynchus tshawytscha</i>) Steelhead trout (<i>Oncorhynchus mykiss</i>)
<p>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]</p>

WDFW's Priority Habitat and Species (PHS) online mapping tool shows the Site within sensitive forested, scrub-shrub, and emergent wetlands associated with the North Creek drainage basin.

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]
<ul style="list-style-type: none">• For more information about SEPA, go to https://ecology.wa.gov/regulations-permits/SEPA-environmental-review.
<input type="checkbox"/> A copy of the SEPA determination or letter of exemption is included with this application.
<input checked="" type="checkbox"/> A SEPA determination is pending with <u>Snohomish County</u> (lead agency). The expected decision date is <u>to be determined</u> .
<input type="checkbox"/> I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]
<input type="checkbox"/> This project is exempt (choose type of exemption below). <input type="checkbox"/> Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt? _____
<input type="checkbox"/> Other: _____
<input type="checkbox"/> 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: <input type="checkbox"/> Substantial Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance <input type="checkbox"/> Shoreline Exemption Type (explain): _____
Other City/County permits: <input type="checkbox"/> Floodplain Development Permit <input checked="" type="checkbox"/> Critical Areas Ordinance
STATE GOVERNMENT
Washington Department of Fish and Wildlife: <input checked="" type="checkbox"/> Hydraulic Project Approval (HPA) <input type="checkbox"/> 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

Authorization to impact waters of the state, including wetlands (Check this box if the proposed impacts are to waters not subject to the federal Clean Water Act)

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:

Bridge Permit: D13-SMB-D13-BRIDGES@uscg.mil

Private Aids to Navigation (or other non-bridge permits): D13-SMB-D13-PATON@uscg.mil

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.

By initialing the _____ 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.

Jordan Winters
Applicant Printed Name

Applicant Signature

05/11/2023
Date

11b. Authorized Agent Signature

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.

William E Shiels

Authorized Agent Printed Name

Authorized Agent Signature

Date

5/11/2023

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