



**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](mailto:ecyrefedpermits@ecy.wa.gov)

AGENCY USE ONLY

Date Received: **3/19/2024**  
Aquatics ID No.: **38628**  
Team: **NWRO**  
Valid Request: **3/19/2024**

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 information<sup>1</sup> to [ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov) and copy the federal permitting agency.

**A. Federal Permit or License Reference Number, if known:** \_\_\_\_\_

☐ Copy of the federal permit application package is required to be submitted with this WQC request.

**Department of Ecology (Ecology) Aquatics ID Number, if known:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_ **County:** \_\_\_\_\_

**B. Project Proponent Name:** \_\_\_\_\_

**C. Was a Pre-Filing Meeting Request submitted to Ecology prior to submitting this WQC request?**

☐ Yes, a pre-filing meeting request submitted on date: \_\_\_\_\_

**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)

<sup>1</sup> To submit documents over 25MB, e-mail [ecyrefedpermits@ecy.wa.gov](mailto: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](mailto: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](mailto: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 mark) 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.

- Include language in the plans that allows Ecology to review and approve all substantive changes to a plan prior to implementation.
- May also be required for some excavation projects.

**F. Required 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 DZ

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: [Signature] Date: 3/18/24

Print Name: Daniel J Zorn



# WASHINGTON STATE Joint Aquatic Resources Permit



US Army Corps  
of Engineers  
Seattle District

AGENCY USE ONLY

Date received: 3/19/2024 edoc  
Received WQC Request Form

## Application (JARPA) Form<sup>1,2</sup> [\[help\]](#)

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

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) [\[help\]](#)

The Home Depot - Port Orchard

### Part 2–Applicant

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

2a. Name (Last, First, Middle)			
Zoldak, Dan			
2b. Organization (If applicable)			
Lars Andersen & Associates, Inc.			
2c. Mailing Address (Street or PO Box)			
4694 W Jacquelyn Avenue			
2d. City, State, Zip			
Fresno, CA 93722			
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail
(559) 276-2790			dzoldak@larsandersen.com

<sup>1</sup>Additional forms may be required for the following permits:

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

<sup>2</sup>To access an online JARPA form with [\[help\]](#) screens, go to [http://www.epermitting.wa.gov/site/alias\\_resourcecenter/jarpa\\_jarpa\\_form/9984/jarpa\\_form.aspx](http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx).

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

<b>3a. Name</b> (Last, First, Middle)			
Quarterman, Steven			
<b>3b. Organization</b> (If applicable)			
Landau Associates Inc.			
<b>3c. Mailing Address</b> (Street or PO Box)			
155 NE 100th St Ste 302			
<b>3d. City, State, Zip</b>			
Seattle, WA, 98125			
<b>3e. Phone (1)</b>	<b>3f. Phone (2)</b>	<b>3g. Fax</b>	<b>3h. E-mail</b>
(425) 329-0321			squarterman@landauinc.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.

<b>4a. Name</b> (Last, First, Middle)			
Simmons, Barry			
<b>4b. Organization</b> (If applicable)			
The Home Depot			
<b>4c. Mailing Address</b> (Street or PO Box)			
2455 Paces Ferry Road, C-19			
<b>4d. City, State, Zip</b>			
Atlanta, Georgia, 30339			
<b>4e. Phone (1)</b>	<b>4f. Phone (2)</b>	<b>4g. Fax</b>	<b>4h. E-mail</b>
(678) 637-2140			barry.simmons@homedepot.com

## 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.

<b>5a.</b> Indicate the type of ownership of the property. (Check all that apply.) <a href="#">[help]</a>			
<input checked="" type="checkbox"/> Private			
<input type="checkbox"/> Federal			
<input type="checkbox"/> Publicly owned (state, county, city, special districts like schools, ports, etc.)			
<input type="checkbox"/> Tribal			
<input type="checkbox"/> Department of Natural Resources (DNR) – managed aquatic lands (Complete <a href="#">JARPA Attachment E</a> )			
<b>5b.</b> Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) <a href="#">[help]</a>			
Unlisted Bethel Road SE; northeast of Bethel Road SE and SE Salmonberry Road intersection			
<b>5c.</b> City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) <a href="#">[help]</a>			
Port Orchard, WA, 98366			
<b>5d.</b> County <a href="#">[help]</a>			
Kitsap			
<b>5e.</b> Provide the section, township, and range for the project location. <a href="#">[help]</a>			
<b>¼ Section</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>
	1	23N	1E
<b>5f.</b> Provide the latitude and longitude of the project location. <a href="#">[help]</a>			
Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)			
47.513883, -122.628445			
<b>5g.</b> List the tax parcel number(s) for the project location. <a href="#">[help]</a>			
The local county assessor's office can provide this information.			
012301-2-093-2001, 012301-2-085-2001, 012301-2-083-2003, 012301-2-068-2002, 012301-2-084-2002, 012301-2-069-2001, 012301-2-070-2008, 012301-2-072-2006, 012301-2-071-2007			
<b>5h.</b> Contact Information for all adjoining property owners.			
<b>Name</b>	<b>Mailing Address</b>	<b>Tax Parcel # (if known)</b>	
TRAYLOR DAISY G	10140 ASHLEY CIR NW SILVERDALE, WA 98383-9288	012301-2-090-2004	
VISCAYA VICTORIA GARCIA	8902 121ST ST SW LAKEWOOD, WA 98498-2614	012301-2-106-2006	
WALMART STORES 002325 ATTN WALMART PROPERTY TAX DEPT	PO BOX 8050 MS 0555 BENTONVILLE, AR 72716-0555	012301-2-104-2008	
SVARTHUMLE KJELL	2067 SE SERENADE WAY PORT ORCHARD, WA 98366-5930	4794-000-011-0207	

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

Wetlands A, B, C, D, H, and I

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

Ditches 1, 2, 3, 4, 5, 6, 7, and 8.

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

☐ Yes ☒ No ☐ Don't know

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

The western two-thirds of the site is primarily emergent and shrub species with few scattered trees, while the eastern one-third is forested with deciduous trees and some emergent and shrub species in the understory. Wetland plants within the western two-thirds of the property (wetlands A, B, C, and D) are primarily emergent and scrub shrub while wetland plants on the eastern one-third (wetland H) are forested with some understory shrubs and emergent sedges. Additionally, wet soil plants can be found in the wetland portions. The site consists of a heavily disturbed landscape due to past land uses and a tornado that occurred on the property in 2018. Himalayan blackberry is prevalent across the

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

The site is undeveloped and not actively being used by the property owner. Some homeless encampments have been observed on the site.

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

Properties to the north are primarily commercial, most notably, a Walmart Superstore runs along a majority of the northern boundary. Properties to the east and south are primarily residential. Bethel Road SE borders the site to the west. Additionally, on the southwest corner of the property there is a cannabis store and a bar and grill.

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

There are currently no structures on the property.

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



From Highway 16, take the exit for WA-160 E/Sedgwick Rd towards the Southworth Ferry. Turn right onto WA-160 E/Sedgwick Rd. After 0.7 miles, turn left onto Bethel Rd SE. The site is on the right in 0.7 miles.

Part 6–Project Description

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

The proposed project is a 137,470 square foot retail store with a parking lot and stormwater treatment basin over a total area of 10.28 acres. Primary development will occur on the western two-thirds of the site.

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

The purpose of the project is to provide building and home improvement materials to meet public demand in the south Kitsap County area. The need for a new Home Depot store is determined by demographic studies conducted by the Home Depot that correlates zip codes of credit cards used to distance traveled to the point of sale Home Depot location. The standard for new market entry is comprised of a geographic region serving approximately 40,000 households. Data showed that there are at least 71,000 households in the Port Orchard area that are not being served by existing stores.

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

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

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

- ☐ Aquaculture

☐ Culvert

☐ Float

☐ Retaining Wall (upland)

☐ Bank Stabilization

☐ Dam / Weir

☐ Floating Home
- ☐ Boat House

☐ Boat Launch

☐ Boat Lift

☐ Bridge

☐ Bulkhead

☐ Buoy

☐ Channel Modification

☒ Other: Commercial development
- ☐ Dike / Levee / Jetty

☐ Ditch

☐ Dock / Pier

☐ Dredging

☐ Fence

☐ Ferry Terminal

☐ Fishway
- ☐ Geotechnical Survey

☒ Land Clearing

☐ Marina / Moorage

☐ Mining

☐ Outfall Structure

☐ Piling/Dolphin

☐ Raft
- ☐ Road

☐ Scientific Measurement Device

☐ Stairs

☒ Stormwater facility

☐ Swimming Pool

☐ Utility Line

<b>6e.</b> Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. <a href="#">[help]</a> <ul style="list-style-type: none"> <li>Identify where each element will occur in relation to the nearest waterbody.</li> <li>Indicate which activities are within the 100-year floodplain.</li> </ul>
<p>Site preparation will include clearing and grading to provide level surface for paving and construction of the proposed building and utilities. Most of the dirt will be moved within the site for the purpose of grading and creating a flat area for the building, parking lot, and to manage all of the drainage. Staging will occur on the subject property, and will be limited to areas of proposed development. Standard construction equipment is anticipated, and may include but not limited to, backhoe, excavator, concrete mixer, compactor, grader, and rollers. Pile driving may occur based on geotechnical recommendations.</p> <p>No activities will occur within the 100-year floodplain.</p>
<b>6f.</b> What are the anticipated start and end dates for project construction? (Month/Year) <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If the project will be constructed in phases or stages, use <a href="#">JARPA Attachment D</a> to list the start and end dates of each phase or stage.</li> </ul>
<p>Start Date: <u>Summer 2024</u>      End Date: <u>Summer 2025</u>      <input type="checkbox"/> See JARPA Attachment D  (may commence 2025)      (Duration of construction 12 months)</p>
<b>6g.</b> Fair market value of the project, including materials, labor, machine rentals, etc. <a href="#">[help]</a>
<p>\$20,000,000</p>
<b>6h.</b> Will any portion of the project receive federal funding? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If <b>yes</b>, list each agency providing funds.</li> </ul>
<p><input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> Don't know</p>

## Part 7–Wetlands: Impacts and Mitigation

- ☒ Check here if there are wetlands or wetland buffers on or adjacent to the project area.  
(If there are none, skip to Part 8.) [\[help\]](#)

<b>7a.</b> Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. <a href="#">[help]</a>
<p><input type="checkbox"/> Not applicable</p>
<p>During the development planning process, the footprint for the proposed project was optimized to avoid impacts to Wetland B, Wetland C, Wetland H, and Wetland I. Impacts were avoided through site-sensitive design of the project to consolidate development to the approximate western two-thirds of the site and prevent encroachment into these features. The entirety of these wetlands occur in a "Remainder Wetlands Parcel" to remain undeveloped.</p> <p>Minimization of impacts is achieved by employing best management practices (BMPs). BMPs include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Implementing a temporary erosion and sedimentation control (TESC) plan;</li> <li>Disposing of excess and unsuitable material upland and off site in accordance with applicable regulations;</li> <li>Use of spill prevention and response equipment to prevent the release of petroleum products and other hazardous substances;</li> <li>Flagging/fencing boundaries of clearing limits associated with Site access and construction limits to prevent ground disturbance outside the lim</li> </ul>

<ul style="list-style-type: none"> <li>Minimizing use of galvanized material that may contribute zinc in site runoff (i.e., use of aluminum gutters/downspouts, rubberized or asphalt roof shingles)</li> <li>Temporary sedimentation pond and permanent detention pond for water quality treatment during construction and for the completed project will be provided</li> </ul>						
<b>7b.</b> Will the project impact wetlands? <a href="#">[help]</a>						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know						
<b>7c.</b> Will the project impact wetland buffers? <a href="#">[help]</a>						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know						
<b>7d.</b> Has a wetland delineation report been prepared? <a href="#">[help]</a>						
<ul style="list-style-type: none"> <li>If <b>Yes</b>, submit the report, including data sheets, with the JARPA package.</li> </ul>						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No						
<b>7e.</b> Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? <a href="#">[help]</a>						
<ul style="list-style-type: none"> <li>If <b>Yes</b>, submit the wetland rating forms and figures with the JARPA package.</li> </ul>						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know						
<b>7f.</b> Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? <a href="#">[help]</a>						
<ul style="list-style-type: none"> <li>If <b>Yes</b>, submit the plan with the JARPA package and answer 7g.</li> <li>If <b>No, or Not applicable</b>, explain below why a mitigation plan should not be required.</li> </ul>						
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know						
<b>7g.</b> Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. <a href="#">[help]</a>						
<p>The proposed mitigation plan is onsite wetland creation and buffer enhancements to provide compensatory mitigation for unavoidable permanent wetland and buffer impacts. The proposed wetland creation plan includes grading in the onsite "Remainder Wetlands Parcel" located east of the proposed development. Buffer enhancements will occur within the "Reminder Wetlands Parcel" and adjacent to Wetland A within "Wetlands Tract B".</p> <p>Approximately 71,097 square feet (1.6 ac) of wetland will be created and minimum 105 ft buffer provided. A total of 61,970 sf (1.42 ac) of created wetland will occur within the 105 ft buffer. The project proposes to provide a minimum mitigation ratio of 2:1 for wetland creation in accordance with the City of Port Orchard Municipal Code (POMC). Ditches are not regulated under the POMC and mitigation ratio of 1:1 is proposed for mitigation of unavoidable ditch impacts presumed to be regulated as waters of the U.S. Similarly, a 1:1 mitigation ratio is proposed for unavoidable buffer impacts. The proposed mitigation is in excess of the mitigation ratios.</p>						
<b>7h.</b> 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. <a href="#">[help]</a>						
Activity (fill, drain, excavate, flood, etc.)	Wetland Name <sup>1</sup>	Wetland type and rating category <sup>2</sup>	Impact area (sq. ft. or Acres)	Duration of impact <sup>3</sup>	Proposed mitigation type <sup>4</sup>	Wetland mitigation area (sq. ft. or acres)
Fill	Wetland A	PFO/PSS depressional; Category III	202 sq ft.	Permanent	On site wetland creation	1.42 acres

Fill	Wetland D	PEM/PFO depressional; Category III	21,120 sq. ft.	Permanent	On site Wetland creation
Fill	Ditches	Not applicable	8,265 sq ft	Permanent	On site wetland creation

<sup>1</sup> 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.

<sup>2</sup> Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

<sup>3</sup> Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

<sup>4</sup> 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: refer to Wetland Critical Areas Mitigation Report

**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 will include soil from onsite grading, and any additional fill will be sourced from a licensed facility. There will be about 45,000 cubic yards of dirt moved for grading purposes on the site. Standard construction equipment is anticipated for placement of fill, and may include but not limited to, backhoe and excavator.

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

Site preparation will include clearing and grading to provide level surface for paving and construction of the proposed building and utilities. There will be about 45,000 cubic yards of dirt moved on the site for grading purposes. Most of the dirt will be moved within the site for the purpose of grading and creating a flat area for the building parking lot, and to manage all of the draining. Any waste materials will be disposed of at a licensed/permitted facility.

## 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.)

<b>8a.</b> Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. <a href="#">[help]</a>
<input checked="" type="checkbox"/> Not applicable
<b>8b.</b> Will your project impact a waterbody or the area around a waterbody? <a href="#">[help]</a>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

Not applicable.

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

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

Not applicable.

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

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name <sup>1</sup>	Impact location <sup>2</sup>	Duration of impact <sup>3</sup>	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Not applicable.					

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

**8f.** For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

Not applicable.

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

Not applicable.

## Part 9—Additional Information

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

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

Agency Name	Contact Name	Phone	Most Recent Date of Contact
USACE	Sarah Albright-Garland	(206) 561-6746	12/19/2022
USACE	Kelly Werdick	(360) 826-0434	12/19/2022

Washington Department of Ecology	Neil Molstad	(425) 389-5549	12/19/2022
City of Port Orchard	Nick Bond	(360) 874-5533	9/30/22
<b>9b.</b> 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? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If <b>Yes</b>, list the parameter(s) below.</li> <li>If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <a href="https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d">https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d</a>.</li> </ul>			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>9c.</b> What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>Go to <a href="http://cfpub.epa.gov/surf/locate/index.cfm">http://cfpub.epa.gov/surf/locate/index.cfm</a> to help identify the HUC.</li> </ul>			
17110019			
<b>9d.</b> What Water Resource Inventory Area Number (WRIA #) is the project in? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>Go to <a href="https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up">https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up</a> to find the WRIA #.</li> </ul>			
WRIA 15			
<b>9e.</b> Will the in-water construction work comply with the State of Washington water quality standards for turbidity? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>Go to <a href="https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria">https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria</a> for the standards.</li> </ul>			
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not applicable			
<b>9f.</b> If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If you don't know, contact the local planning department.</li> <li>For more information, go to: <a href="https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases">https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases</a>.</li> </ul>			
<input type="checkbox"/> Urban <input type="checkbox"/> Natural <input type="checkbox"/> Aquatic <input type="checkbox"/> Conservancy <input type="checkbox"/> Other: _____			
<b>9g.</b> What is the Washington Department of Natural Resources Water Type? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>Go to <a href="http://www.dnr.wa.gov/forest-practices-water-typing">http://www.dnr.wa.gov/forest-practices-water-typing</a> for the Forest Practices Water Typing System.</li> </ul>			
<input type="checkbox"/> Shoreline <input type="checkbox"/> Fish <input type="checkbox"/> Non-Fish Perennial <input type="checkbox"/> Non-Fish Seasonal			
<b>9h.</b> Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If <b>No</b>, provide the name of the manual your project is designed to meet.</li> </ul>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Name of manual: _____			
<b>9i.</b> Does the project site have known contaminated sediment? <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If <b>Yes</b>, please describe below.</li> </ul>			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

<b>9j.</b> If you know what the property was used for in the past, describe below. <a href="#">[help]</a>
<p>The site, or portions thereof, was previously used for residential, commercial and agricultural purposes.</p>
<b>9k.</b> Has a cultural resource (archaeological) survey been performed on the project area? <a href="#">[help]</a>
<p>· If <b>Yes</b>, attach it to your JARPA package.</p>
<p><input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p>

**9l.** Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

Species lists were obtained from the US Fish and Wildlife Services and NOAA Fisheries websites, and listed threatened or endangered species that potentially occur in the site vicinity include:

- ✓ Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*)
- ✓ Puget Sound steelhead (*O. mykiss*)
- ✓ Coastal-Puget Sound bull trout (*Salvelinus confluentus*)
- ✓ Marbled murrelet (*Brachyramphus marmoratus*)
- ✓ Yellow-billed cuckoo (*Coccyzus americanus*)

Refer to project Biological Evaluation for assessment of effects to these species.

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

WDFW Priority Habitat and Species (PHS) on the web does not identify any listed species occurring in the project vicinity. The site does not contain streams or other aquatic habitat for listed fish species and does not provide suitable habitat for listed terrestrial species.

## 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](mailto:help@oria.wa.gov).
- ✓ For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

**10a.** Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [\[help\]](#)

- ✓ For more information about SEPA, go to <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>.

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

☒ A SEPA determination is pending with The City of Port Orchard (lead agency). The expected decision date is TBD.

☐ I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [\[help\]](#)

☐ This project is exempt (choose type of exemption below).

☐ Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

☐ Other: \_\_\_\_\_



<input type="checkbox"/> SEPA is pre-empted by federal law.
<b>10b.</b> Indicate the permits you are applying for. (Check all that apply.) <a href="#">[help]</a>
<b>LOCAL GOVERNMENT</b>
<b>Local Government Shoreline permits:</b> <input type="checkbox"/> Substantial Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance <input type="checkbox"/> Shoreline Exemption Type (explain): _____
<b>Other City/County permits:</b> <input type="checkbox"/> Floodplain Development Permit <input checked="" type="checkbox"/> Critical Areas Ordinance
<b>STATE GOVERNMENT</b>
<b>Washington Department of Fish and Wildlife:</b> <input type="checkbox"/> Hydraulic Project Approval (HPA) <input type="checkbox"/> Fish Habitat Enhancement Exemption – <a href="#">Attach Exemption Form</a>
<b>Washington Department of Natural Resources:</b> <input type="checkbox"/> Aquatic Use Authorization Complete <a href="#">JARPA Attachment E</a> and submit a check for \$25 payable to the Washington Department of Natural Resources. <u>Do not send cash.</u>
<b>Washington Department of Ecology:</b> <input checked="" type="checkbox"/> Section 401 Water Quality Certification <input type="checkbox"/> 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)
<b>FEDERAL AND TRIBAL GOVERNMENT</b>
<b>United States Department of the Army (U.S. Army Corps of Engineers):</b> <input checked="" type="checkbox"/> Section 404 (discharges into waters of the U.S.) <input type="checkbox"/> Section 10 (work in navigable waters)
<b>United States Coast Guard:</b> For projects or bridges over waters of the United States, contact the U.S. Coast Guard at: <input type="checkbox"/> Bridge Permit: <a href="mailto:D13-SMB-D13-BRIDGES@uscg.mil">D13-SMB-D13-BRIDGES@uscg.mil</a> <input type="checkbox"/> Private Aids to Navigation (or other non-bridge permits): <a href="mailto:D13-SMB-D13-PATON@uscg.mil">D13-SMB-D13-PATON@uscg.mil</a>
<b>United States Environmental Protection Agency:</b> <input type="checkbox"/> 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)
<b>Tribal Permits:</b> (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) <input type="checkbox"/> 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. [initials] (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. [initials] (initial)

Daniel J Zarsh [Signature] 11/8/23

Applicant Printed Name Applicant Signature Date

11b. Authorized Agent Signature [help]

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

Daniel J Zarsh [Signature] 11/8/23

Authorized Agent Printed Name Authorized Agent Signature Date

Steven Quarterman

2/1/24

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