

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:	8/16/2023			
Aquatics ID No.	142757			
Team:	SWRO			
Valid Request:	8/16/2023			

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) <u>webpage</u> for more information about the Section 401 WQC Request process.

Submit this Section 401 WQC Request form along with a <u>Joint Aquatic Resources Permit Application</u> (JARPA) and supporting information.¹ to <u>ecyrefedpermits@ecy.wa.gov</u> 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.

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 <u>SEPA Guidance</u>)
 - □ SEPA is not required (e.g., federal agency projects)

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

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

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>https://ecology.wa.gov/accessibility</u>. For Relay Service or TTY call 711 or 877-833-6341.

- 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.

<u>Required depending on the project type:</u>

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 <u>wetland delineation resources</u> and <u>hiring a qualified wetland</u> <u>professional</u>.
- 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
 - U Wetland avoidance and minimization checklist
 - $\hfill\square$ Other aquatic resource avoidance and minimization demonstration
 - □ Mitigation Plan
 - Other:_____

Notes:

- Wetland <u>avoidance and minimization webpage</u>.
- 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 <u>wetland compensatory mitigation</u>.
- 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 informationon suitability determinations, see <u>Dredged Material Management Office</u>.
- 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

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.

Initia Date: 08/16/2023 Signature: SHERWIN Print Name: GROFFILEY





AGENCY USE ONLY

Date received:

attle District

8/16/2023 edoc Rec'd Section 401

. ". Request Form

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):	
1 ax 1 ar (c) #(s).	
۱ ـــــــ	

Part 1–Project Identification

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

Rolling Brook

Part 2–Applicant

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

2a. Name (Last, First, Middle)				
Sherwin, Geoffrey				
2b. Organization (If app	blicable)			
Entitle Fund Two, LLC				
2c. Mailing Address (S	Street or PO Box)			
PO Box 188				
2d. City, State, Zip				
Puyallup, Washington 98371				
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail	
253-840-5660	253-312-5780		geoff@jkmonarch.com	

¹Additional forms may be required for the following permits:

If your project may gualify 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)				
Mill, Megan				
3b. Organization (If ap	plicable)			
Ecological Land Servi	ces, Inc.			
3c. Mailing Address (S	Street or PO Box)			
1157 3 rd Avenue Suite 220A				
3d. City, State, Zip				
Longview, Washington 98632				
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail	
(360) 578-1371			megan@eco-land.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]

- \Box 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, Middle)				
Faubion, Susan				
4b. Organization (If app	licable)			
Juddville 1, LLC				
4c. Mailing Address (St	reet or PO Box)			
1802 Vista Loop S.W.				
4d. City, State, Zip				
Tumwater, Washington 98512				
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail	
360-561-3654				

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 of the property.	(Check all that apply.) [help]			
⊠ Private					
□ Federal					
Publicly owned (state, or	ounty, city, special districts like	schools, ports, etc.)			
🗆 Tribal					
□ Department of Natural	Resources (DNR) – mana	aged aquatic lands (Complete	JARPA Attachment E)		
5b. Street Address (Cann	ot be a PO Box. If there is no ad	dress, provide other location informa	tion in 5p.) [<u>help</u>]		
18501 B ST E					
5c. City, State, Zip (If the	project is not in a city or town, pr	ovide the name of the nearest city or	town.) [<u>help]</u>		
Spanaway, Washington S	98387				
5d. County [help]					
Pierce					
5e. Provide the section, t	ownship, and range for the	e project location. [<u>help]</u>			
¹ ⁄ ₄ Section	Section	Section Township Range			
	33	19N	3E		
	nd longitude of the project lat. / -122.89142 W long. (Use				
47.088829, -122.425313					
5g. List the tax parcel nu	mber(s) for the project loca	ation. [<u>help]</u>			
The local county asse	essor's office can provide this info	ormation.			
0319334055, 031933405	6, 0319334071, 03193340)72, and 0319334077			
5h. Contact information f	or all adjoining property ov	vners. (If you need more space, use	JARPA Attachment C.) [help]		
Name	I	Mailing Address	Tax Parcel # (if known)		
	18309 B Street	tE	5004450050		
Lopez, Clinton J & Sabrir	Spanaway, WA	A 98387	5004150650		
Matheson, Jennifer N &	723 186 th Stree	et E			
Plascencia Steven Spanaway, WA 98387 2221000010					
Balderas, Joseph	715 186 th Stree	et E			
	Spanaway, WA	A 98387-8372	2221000020		
Matthews, Clyde M Jr.	703 186 th Stree				
	Spanaway, WA	08387-8372	2221000030		

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

Wetland A

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

Stream A

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

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

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

Approximately two-thirds of the project site is forested with a series of trails throughout. Areas within the western portion of the site are cleared and contained gravelly soil with various grasses and weedy forbes. The north-central portion of the site contains small trees and a dense shrub layer. The remaining areas onsite are forested with native deciduous and coniferous species.

Wetland A extends onsite from the north and is situated in a depression within the central portion of the project site. Wetland A outlets to Stream A near the southern project site boundary. Wetland A is composed of emergent, scrub-shrub, and forested vegetative communities dominated by creeping buttercup (*Ranunculus repens*, FAC), water parsley (*Oenanthe sarmentosa*, OBL), lady fern (*Athyrium cyclosorum*, FAC), cattail (*Typha latifolia*, OBL), slough sedge (*Carex obnupta*, OBL), salmonberry (*Rubus spectabilis*, FAC), and red alder (*Alnus rubra*, FAC). Wetland A was rated as a Category III, depressional, emergent, scrub-shrub, and forested wetland that is seasonally flooded with a seasonally flowing stream within the wetland. Wetland A provides moderate habitat functions as it is located within an area with high land use intensities and minimal accessible habitat. Wetland A has three vegetative communities and is adjacent to a seasonal stream and Oregon white oak trees, which provide additional habitat. The habitat corridors in the vicinity of the project site are rather limited, though the forested areas where the wetland complex extends to the north provides valuable habitat connectivity.

Stream A is a non-fish, seasonal (Type N2) stream that originates from Wetland A. Stream A flows south for approximately 126 feet before it outlets to an offsite wetland. Stream A's channel is shallow and approximately two-feet wide. The channel contains a silt bottom with little gravel and cobble present. The banks of Stream A are partially vegetated with native and invasive species including Douglas fir (*Pseudotsuga menziesii*, FACU), bitter cherry (*Prunus emarginata*, FACU), salmonberry, Himalayan blackberry (Rubus bifrons, FAC), sword fern, trailing blackberry, and English ivy (*Hedera helix*, FACU). Stream A does not provide migration or spawning opportunities because it lacks a connection to a fish-bearing waterbody. Due to the above stream characteristics, the onsite stream likely has a higher temperature with lowered water quality and does not provide suitable fish habitat. Wetland A and Stream A provide low habitat functions as they are located within an area of high land use intensities and minimal accessible habitat.

A total of 245 Oregon white oak trees were identified throughout the project site. Of the oaks onsite, 24 met the County requirements for being significant oaks. It is assumed the oaks are utilized as a source of food, refuge, and nesting habitat. The existing oak canopy is contiguous with coniferous and deciduous species that make up a very limited habitat corridor that extends slightly offsite. The understory of the onsite oaks consisted of various herbaceous and scrub-shrub species, providing additional functions to support wildlife and plant species diversity.

Dominant vegetation within forested, upland portions of the project site consist of sword fern (*Polystichum munitum*, FACU), salal (*Gaultheria shallon*, FACU), common snowberry (*Symphoricarpos albus*, FACU), beaked hazelnut (*Corylus cornuta*, FACU), Himalayan blackberry (*Rubus bifrons*, FAC), trailing blackberry (*Rubus ursinus*, FACU), nootka rose (*Rosa nutkana*, FAC), vine maple (*Acer circinatum*, FACU), scotch broom (*Cytisus scoparius*, FACU), black twinberry (*Lonicera involucrate*, FAC), red alder, bitter cherry (*Prunus emarginata*, FACU), Oregon white oak, and Douglas fir (*Pseudotsuga menziesii*, FACU).

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

The property is currently unused and vacant.

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

The project site is surrounded by residential zoned properties, with Spanaway Water Company directly north of the project site.

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

There are no structures onsite.

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

Driving north on I-5, take exit 122B towards Thorne Lane. Keep right and merge onto Murray Road SW and keep left. Continue to the traffic circle and take the 2nd exit onto 150th Street SW for 2.1 miles, then continue onto Perimeter Road for 2.4 miles. Perimeter Road turns right and becomes WA-704 E. Continue straight onto 176th Street E, the turn right onto B Street E for 0.5 miles. The project site is on the left.

Part 6–Project Description

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

The proposed residential development consists of three construction phases, which includes a 71-lot, single family residential (SFR) Planned Development District (PDD) subdivision, open space, critical area preservation, stormwater retention facilities, internal public access roads to serve the development, and a County required road connection.

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

The proposed project conforms with the zoning designation of the project site and will provide residential housing in a quickly growing area of Pierce County. The project will provide housing to satisfy a growing need throughout Pierce County and particularly within this area of Spanaway. The project will provide access for commuters to the nearby Interstate.

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
□ 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:			

- **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 portion of the proposed through street is within the 100-year floodplain.

The project proposes to develop 71-lot, single family residential (SFR) Planned Development District (PDD) subdivision within the approximate 15.5-acre project site. The project also includes open space, critical area preservation, stormwater retention facilities, internal public access roads to serve the development, and a County required road connection. Primary activities associated with the project include grading, extending municipal water and sanitary sewer utilities onsite, constructing single family homes and interior streets, and creating open space for recreation. Stormwater generated from the development will be treated and retained within the proposed retention facilities. The proposal includes a Zone Change application for the portion of the project site that is currently zoned Single-Family (SF) and proposes Moderate Density Single Family (MSF) in order to be consistent with the remaining portions of the project site already zoned MSF.

The County is requiring a through-street connecting B Street E to 8th Avenue. The proposed road crossing is being directed by Pierce County for connectivity purposes which will provide a higher level of service for vehicular circulation and emergency services. This road crossing is placed in a location to minimize critical area disturbance at the most narrow location. The road crossing will consist of a large CMP arch culvert to preserve the natural drainage course location from north to south. Additionally public utilities that are typically associated with a public road extension will be installed as well.

The project will be served by B Street East to the west side and 8th Avenue East on the east side, both of which may include half street improvements required by Pierce County. The completed development will be served by Pierce County Sewer and Spanaway Water. Consistent with the PDD requirement to provide an additional amenity, the project proposes to increase the minimum 500 square feet per lot requirement to approximately 1,023 square feet per lot for project recreational space.

The project will result in impacts to the onsite wetland, stream, and their respective buffers. Unavoidable impacts arising from the road connection include 0.011 acres (488 square-feet) of direct impact to the onsite Category III wetland, 0.005 acres (219 square-feet; 32-linear feet) of direct impact to the onsite Type N2 stream, and 0.167 acres (7,283 square-feet) of impacts to the critical area buffers. Temporary impacts as a result of grading

for the road construction include 0.013 acres (552 square-feet) of Wetland A and 0.108 acres (4,790 square-feet) of the critical area buffers. Additionally, 0.077 acres (3,367 square-feet) of Wetland A's buffer will be impacted by lot construction.

Impacts to the wetland as a result of the road construction will be mitigated through onsite enhancement within a portion of Wetland A. Impacts to Stream A will be mitigated through riparian enhancement within the remaining onsite portion of Stream A and its buffer. Impacts to the onsite buffers as a result of the road construction will be mitigated through onsite enhancement within the remaining portion of Wetland A's buffer. Because the stream and wetland buffers overlap, mitigation for permanent and temporary buffer impacts will be focused in the remaining portion of Stream A. Impacts to the wetland A buffer, as it will benefit both the remaining wetland and downstream portion of Stream A. Impacts to the wetland buffer as a result of lot development will be mitigated through buffer averaging.

Construction access to the project site will be provided by B Steet East to the west. Silt fencing will be installed along the edge of grading and along critical areas boundaries. Lots along wetland boundaries and buffers will be fenced to prevent intrusion by humans and pets. Site-specific best management practices (BMPs) include demarcating clearing limits, and installing erosion control measures, including silt fencing and bio-filter bags around catch basins. The areas to be developed will be cleared of vegetation and levelled prior to construction using heavy machinery that will utilize approved construction entrances and remain within clearing limits and adjacent uplands. Further BMPs implemented during construction include hydroseeding stockpiles and bare soils, developing constructed slopes in a manner that minimizes erosion, and dust control measures during dry weather construction periods. Following the completion of work, all disturbed areas and bare soils will be re-seeded with a native seed mix. Equipment to be used includes excavator, large trucks, crane/boom truck, and bull dozers.

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: Summer 2024 Er	nd Date: TBD
----------------------------	--------------

□ See JARPA Attachment D

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

Approximately \$3,000,000.

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

• If yes, list each agency providing funds.

 \Box Yes \boxtimes No \Box 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 preferred mitigation sequencing of first avoidance, then minimization, and finally compensation for unavoidable wetland impacts was taken into consideration during the project design process. The project has been designed to minimize direct wetland impacts to those solely caused by the County required east/west road connection between B Street and 8th Ave. The location of the road crossing has been determined to create the smallest impact to the wetland and buffer. Further impacts are being minimized by locating construction activities and building footprints as far outside of onsite wetland and stream buffers as possible while retaining functionality of the project site for residential development. The lots proposed for the project site are located in areas unencumbered by the wetland, stream, or buffers.

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.				
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 goal of this mitigation plan is to enhance the wetland, riparian, and wetland buffer mitigation areas by establishing a native, multi-layer understory where there is currently an influence by invasive plant species. Compensate for 0.011 acres (488 square-feet) of permanent impacts and 0.013 acres (552 square-feet) of temporary impacts, for a total of 0.024 acres (1,040 square-feet) of impact to Wetland A by improving wetland functions and initiating a trend toward a more robust wetland system through installation of native shrubs and persistent emergent species within a sparsely vegetated emergent area of Wetland A. Planting native shrubs and rigid emergent species will result in an increase in diversity, water quality, and hydrologic functions by facilitating slowing of water flow, aid in ability to trap sediments and pollutants and improve groundwater recharge functions.				
0.108 acres (4,709 square-feet) of temporary impacts to onsite critical area buffers by improving the vegetative community and increasing habitat through installation of a mixture of native tree and shrub species within the remaining portion of Wetland A's buffer. The enhancement will increase plant species diversity, increase hydrologic functions by facilitating slowing of water flow in native vegetation areas, and improve habitat functions by creating more foraging and refuge opportunities.				
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 Name1Wetland type and rating category2Impact area (sq.Duration of impact3Proposed mitigation type4Wetland mitigation area (sq. ft. or acres)				

Fill	Wetland A	Depressional, Category III	0.011 acres (488 square- feet)	Permanent	Onsite	0.145 acres (6,295 square- feet)
Grading	Wetland A	Same as above	0.013 acres (552 square- feet)	Temporary	Onsite	Same as above
such as a wetland delinea ² Ecology wetland category with the JARPA package. ³ Indicate the days, months ⁴ Creation (C), Re-establish Page number(s) for information.	based on current West or years the wetland w ment/Rehabilitation (R similar information	rill be measurably impa), Enhancement (E), Pr on in the mitigatio	cted by the activit eservation (P), M on plan, if av	y. Enter "permanel itigation Bank/In-lie ailable: <u>Page</u>	nt" if applicable. eu fee (B) 1-4 has buffe	er mitigation
7i. For all filling acti cubic yards that		1 7h, describe the how and where				
Approximately 250 Approximately 500 clean road base roo or an approved sou	cubic yards will b k, asphalt, concr	e placed within t ete, and galvaniz	he wetland b zed pipe. Fill	uffer. Materia material will e	ls may incluc either come f	le clean fill dirt, rom the project site
7j. For all excavatin cubic yards you	-	fied in 7h, descri where the mater			, type and ar	nount of material in
A rubber-tired backl and stream. All exca yards.				•		

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 preferred mitigation sequencing of first avoidance, then minimization, and finally compensation for unavoidable stream impacts was taken into consideration during the project design process. The project has been designed to minimize direct stream impacts to those solely caused by the County required east/west road connection between B Street and 8th Ave. The location of the road crossing has been determined to create the smallest impact to the wetland; however, this requires the onsite portion of the stream to be completely reconstructed. Further impacts are being minimized by locating construction activities and building footprints as far outside of onsite wetland and stream buffers as possible while retaining functionality of the project site for residential development. The lots proposed for the project site are located in areas unencumbered by the wetland, stream, or buffers.

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

 \boxtimes Yes \Box No

8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetla waterbodies? [help]	nd
• 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 used to design the plan.	was
If you already completed 7g you do not need to restate your answer here. [help]	
The goal of this mitigation plan is to enhance the wetland, riparian, and wetland buffer mitigation areas establishing a native, multi-layer understory where there is currently an influence by invasive plant spe The mitigation plan will compensate for 0.005 acres (219 square-feet; 32-linear feet) of impacts to Stre by improving the low to moderate functions currently provided by the onsite riparian habitat through ba stabilization and native plant installation within the downstream portion of Stream A and the remaining buffer. The proposed riparian enhancement will increase functions by providing screening and protection surrounding land use for wildlife, foraging and refuge opportunities, filtration, shading, soil stabilization, reduction of sediment and nutrient input into the stream from surrounding runoff. This will result in a hid	cies. am A nk riparian on from , and

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

plant species density and diversity while creating a diverse, native riparian habitat.

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
Road crossing	Stream A	Outside of the OHWM	Permanent	100 CY	0.005 acres (219 square-feet; 32- linear feet)

provided. ² Indicate whether the impa indicate whether the impa ³ Indicate the days, months 8f. For all activities	 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] 				
Approximately 100 cubic yards of fill will be placed within the northern portion of the onsite streambed. Approximately 500 cubic yards will be placed within the stream buffer. Materials may include clean fill dirt, clean road base rock, asphalt, concrete, and galvanized pipe. Fill material will either come from the project site or an approved source in Pierce County. The excavator will load trucks and haul material on site or offsite.					
•	0 0 0			ribe the method for excava material will be disposed.	0 0
A rubber tire backhoe and/or excavator will be used for removing material from within the future road prism at the critical area crossing location. We anticipate the amount of material to be no more than 1,350 cubic yards The native material excavated from the critical area will be suitable for landscaping and/or yard areas. We do not anticipate a need to export material from this site.					

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.

Agency Name	Contact Name	Phone	Most Recent Date of Contact
Pierce County	Dara Kessler	(253) 798-2584	5/19/2023
USACE	Suzanne Anderson	(206) 764-3708	11/22/2022
 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: <u>https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d</u>. 			
□ Yes ⊠ No			

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

• Go to <u>http://cfpub.epa.gov/surf/locate/index.cfm</u> to help identify the HUC.

The project site lies within Hydrological Unit Code (HUC) 171100190302 Clover Creek.
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 #.
The project site lies within Water Resource Inventory Area (WRIA) 12 Chambers - Clover watershed.
 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.
\boxtimes Yes \square No \square 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-manage
planning/Shoreline-laws-rules-and-cases.
□ Urban □ Natural □ Aquatic □ Conservancy □ Other:
 9g. What is the Washington Department of Natural Resources Water Type? [help] Go to http://www.dnr.wa.gov/forest-practices-water-typing for the Forest Practices Water Typing System.
🗆 Shoreline 🛛 Fish 🖓 Non-Fish Perennial 🖾 Non-Fish Seasonal
 9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help] If No, provide the name of the manual your project is designed to meet.
Name of manual: 2021 Stormwater Management Manual for Pierce County
 9i. Does the project site have known contaminated sediment? [help] If Yes, please describe below.
9j. If you know what the property was used for in the past, describe below. [help]
Several homeless encampments previously occupied the project site, but they have since been removed, leaving behind a series of trails and scattered rubbish piles.
9k. Has a cultural resource (archaeological) survey been performed on the project area? [help]

• If Yes, attach it to your JARPA package.

 \Box Yes \boxtimes No *Will be completed by end of July 2023

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]

The following species are listed under the federal Endangered Species Act that occur in the vicinity of the project area: Bull Trout (*Salvelinus confluentus*), North American Wolverine (*Gulo gulo luscus*), Marbled murrelet (*Brachyramphus marmoratus*), Yellow-billed Cuckoo (*Coccyzus americanus*), Streaked Horned lark (*Eremophila alpestris strigata*), Monarch Butterfly (*Danaus plexippus*), Taylor's Checkerspot (*Euphydryas editha taylori*), and Golden Paintbrush (*Castilleja levisecta*). The project site does not contain adequate habitat for the above listed species, and it is outside of all proposed and designated critical habitats.

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]

There will be impacts to onsite priority Oregon white oak (*Quercus garryana*) trees. A habitat management plan has been prepared to offset all proposed impacts to this species. The WDFW PHS map also identifies Townsend's Big-eared Bat (Corynorhinus townsendii) within the township; however, the exact location of this species is masked. There should be no impacts to this 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.
- 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.) [help]		
 For more information about SEPA, go to https://ecology.wa.gov/regulations-permits/SEPA-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>Pierce County</u> (lead agency). The expected decision date is <u>July 2023</u> .		
□ I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]		
\Box This project is exempt (choose type of exemption below).		
Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?		

□ Other:				
□ SEPA is pre-empted by federal law.				
10b. Indicate the permits you are applying for. (Check all that apply.) [help]				
LOCAL GOVERNMENT				
Local Government Shoreline permits:				
Substantial Development Conditional Use Variance				
□ Shoreline Exemption Type (explain):				
Other City/County permits:				
🗆 Floodplain Development Permit 🛛 🛛 Critical Areas Ordinance				
STATE GOVERNMENT				
Washington Department of Fish and Wildlife:				
⊠ Hydraulic Project Approval (HPA) □ Fish Habitat Enhancement Exemption – <u>Attach Exemption Form</u>				
Washington Department of Natural Resources:				
□ 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				
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)				
\Box 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. (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 (initial) related to the project.

06/19/2023 Date Signature Applic Applicant Printed Name

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.

Megan Mill	Mur	6/15/2023	
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.

6/19/2023

Property Owner Printed Name

Property Owner Signature

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

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-011 rev. 09/2018



WASHINGTON STATE US Army Corps 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 receiv	ed:
Agency ref	erence #:
Tax Parcel	#(s):
TO BE	COMPLETED BY APPLICANT [help]
Project Na	me: <u>Rolling Brook</u>
	ame (if applicable): <u>18501 B</u> naway, Washington 98387

Name	Mailing Address	Tax Parcel # (if known)
Caldwell, Reinhilde	625 186 th Street E	2221000040
	Spanaway, WA 98387	
Hollesen, Nicholas	617 186 th Street E	2221000050
	Spanaway, WA 98387	
Fletcher, Paul W & Cheryl J	10857 S Via Salida	2221000060
	Yuma, AZ 85367	
Martin, Todd & Karen	525 186 th Street E	2221000070
Andrews, Marian & Richard	Spanaway, WA 98387	
Prestwich, James D	519 186 th Street E	2221000080
	Spanaway, WA 98387	
Clinton, Robert P &	1877 E Hamlin Street	0319334060
Coppermann, Paula	Seattle, WA 98112	
Owner Unknown	Pierce Co Assessor Treasure 2401 S 35 th Street	0319334078
	Tacoma, WA 98409	
Dependable Builders, LLC	115 167 th Street E	0319334004
	Spanaway, WA 98387	

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-16-014 rev. 10/2016



US Army Corps of Engineers ® WASHINGTON STATE **Joint Aquatic Resources Permit** Application (JARPA) [help]

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

Use this attachment only 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 #:
1	
1	Tax Parcel #(s):
1	
	TO BE COMPLETED BY APPLICANT [help]
	Project Name: <u>Rolling Brook</u>
	Location Name (if applicable): <u>18501 B</u> ST E Spanaway, Washington 98387

1. Contact information for all adjoining property owners. [help]			
Name	Mailing Address	Tax Parcel # (if known)	
Spanaway Water Co.	PO BOX 1000	0319334076	
	Spanaway, WA 98387		
Owner Unknown	Pierce County Assessor 2401 S 35 th Street	0319334077	
	Tacoma, WA 98409		

attle District

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-16-014 rev. 10/2016

