

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:	9/7/2023	
Aquatics ID No.:	137236	
Team:	ERO	
Valid Request:	9/7/2023	

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<u>BJT</u>

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<u>BJT</u>

Signature: TICE.BENJAMIN.J.1229098566 Digitally signed by TICE.BENJAMIN.J.1229098566 Date: 2023.09.06 07:21:59 -07'00' Date: 9-6-2023

Print Name: Benjamin J Tice





attle District

Date receiv US Army Corps of Engineers ®

A	GENCY USE ONLY
ved:	9/7/2023 edoc Rec'd Section 401 Req Form

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

Joint Aquatic Resources Permit

ncy reference #:
ncy reference #:

	Tax Parcel #(s):	
- i		
i.		

Part 1–Project Identification

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

Mill Creek Fish Ladder and Low Flow Channel

Part 2–Applicant

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

2a. Name (Last, First, Middle)			
Tice, Benjamin J			
2b. Organization (If app	blicable)		
U.S. Army Corps of E	ingineers		
2c. Mailing Address (Street or PO Box)			
201 North 3rd Ave			
2d. City, State, Zip			
Walla Walla, WA 99362			
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail
509-527-7267			ben.j.tice@usace.army.mil

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.

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.

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)			
Colter, Anneli K			
3b. Organization (If ap	plicable)		
U.S. Army Corps	of Engineers		
3c. Mailing Address (Street or PO Box)			
201 North 3rd Ave			
3d. City, State, Zip			
Walla Walla, WA 99362			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
509-527-7245			anneli.k.colter@usace.army.mil

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

Part 5–Project Location(s)

Identifying information about the property or properties where the project will occur. [help]

□ There are multiple project locations (e.g. linear projects). Complete the section below and use <u>JARPA</u> <u>Attachment B</u> for each additional project location.

Resources (DNR) – mana t be a PO Box. If there is no add	ged aquatic lands (Complete <u>-</u> dress, provide other location informati	on in 5p.) [<u>help]</u>
362		
wnship, and range for the	project location. [help]	
Section	Township	Range
23, 37	7 N	36 E
• • • •		
N. lat -118.226220 W. lo	ng	
r all adjoining property ow	/ners. (If you need more space, use	JARPA Attachment C.) [help]
Γ	lailing Address	Tax Parcel # (if known)
	Resources (DNR) – mana be a PO Box. If there is no add oject is not in a city or town, pro 362 wnship, and range for the <u>Section</u> 23, 37 d longitude of the project I lat. / -122.89142 W long. (Use of N. lat -118.226220 W. lo nber(s) for the project loca sor's office can provide this info 724210010 r all adjoining property ow	oject is not in a city or town, provide the name of the nearest city or t 362 wnship, and range for the project location. [help] Section Township 23, 37 7 N d longitude of the project location. [help] lat. / -122.89142 W long. (Use decimal degrees - NAD 83) N. lat -118.226220 W. long hber(s) for the project location. [help] sor's office can provide this information.

5i. List all wetlands on or ac	ljacent to the pro	ject location. [help]
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Rooks Park Pond. Small, in-channel wetlands

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

Mill Creek, Yellowhawk Creek, Jones Ditch, Rooks Park Pond

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

🖄 Yes 🛛 No 🗌 Don't know

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

There are sparse grasses and shrubs bordering the creek. There is a small amount of willows growing in the channel at the upstream edge of the project. There are small pockets of cattails and rushes growing in and along the channel.

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

The property is a flood risk reduction project that has been highly altered from natural conditions. The area is also used for public recreation.

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

Private residences, farming, and a community college.

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

The Mill Creek Diversion Dam (and an existing fish ladder) is located at the upstream end of the project area. This dam is for flood risk reduction purposes. There are 84 grade control weirs that span the channel from the diversion dam to the downstream end of the property. There is a wooden pedestrian bridge just downstream from the dam. There is a vault toilet on the left (south) bank near the middle of the work area. There are three concrete low-flow weirs which were constructed in 2012. The Mill Creek Division Dam is near the downstream end of the project area. This is for flood damage reduction and irrigation purposes. There is a stream gage and a concrete ford near the downstream end of the work area.

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

From U.S. 12, take the airport exit and head south. In 0.6 miles, turn left (east) on Reservoir Road. In 0.5 miles, turn left at the U.S. Army Corps of Engineers Mill Creek Project. The downstream end of the project starts near the parking lot. The upstream end of the project is about one mile upstream at the Mill Creek Diversion Dam adjacent to Rooks Park.

Part 6–Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [help]				
that meet current fish passage the National Marine Fisheries S	The project is to improve fish passage and water quality by constructing a new fish ladder and installing low-flow weirs that meet current fish passage criteria. These actions are requirements of Endangered Species Act consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. The projects will take at least two years to construct. Fish passage will be improved and fish will be able to pass through the reach at a wider range of flows. Water			
6b. Describe the purpose of	the project and why you war	nt or need to perform it. [help]	
See 6a.				
6c. Indicate the project cate	gory. (Check all that apply) [<u>help</u>]			
□ Commercial □ R	esidential 🛛 🗆 Instituti	onal 🛛 🗆 Transportatio	on 🛛 🕅 Recreational	
□ Maintenance ⊠ Environmental Enhancement				
6d. Indicate the major elements of your project. (Check all that apply) [help]				
 Aquaculture Bank Stabilization Boat House Boat Launch Boat Lift Bridge Bulkhead Buoy Channel Modification 	 Culvert Dam / Weir Dike / Levee / Jetty Ditch Dock / Pier Dredging Fence Ferry Terminal Fishway 	 Float Floating Home Geotechnical Survey Land Clearing Marina / Moorage Mining Outfall Structure Piling/Dolphin Raft 	 Retaining Wall (upland) Road Scientific Measurement Device Stairs Stormwater facility Swimming Pool Utility Line 	
	/ fish ladder that meets curre s fish passage and water qua		struction of a low-flow	

6e. Describe how you plan to construct each	project element checked in	6d. Include specific construction
methods and equipment to be used. [hel	p]	

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

Each of these structures will be constructed in and near Mill Creek and are mostly within the 100-year floodplain.

The new fish ladder will be constructed on the right bank adjacent to the Mill Creek Diversion Dam. The site will be dewatered by constructing a cofferdam at the upstream side of the dam. The area will be excavated with heavy equipment (excavator and dump trucks). Forms will be set and concrete placed to form the steps in the ladder and bypass channel. An access ramp to the stilling basin will be constructed. Dump trucks would haul fill material to the site and the material would be placed and spread with an excavator or bull dozer.

The low-flow channel will be constructed from the upstream end and progress downstream. A dewatering system will be installed. The existing concrete-capped gabion weirs will be sawcut to remove a section of the weirs. The area will be excavated with heavy equipment (excavator, loader, etc.). Forms will be placed and concrete placed to create the new low-flow weirs.

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: June 15, 2024	End Date: December 31, 2025	X See JARPA Attachment D
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6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]

\$20	0.0	00.	000	
$\psi - \dot{\psi}$	\circ, \circ	$\circ \circ$,	000	

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

- If yes, list each agency providing funds.
- 🗴 Yes 🗆 No 🗆 Don't know

Corps of Engineers

Part 7–Wetlands: Impacts and Mitigation

I 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 project is within a flood risk reduction project. Any wetlands within the channel are incidental and could be removed any year during high flows. They would also be removed if it was determined that they decreased the channel capacity of the flood risk reduction project.
7b Will the project impact wetlands? [belo]
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. 						
	he report, including o	data sheets, with the	e JARPA packa	ge.		
🗆 Yes 🖄 No						
7e. Have the wetlar System? [help]		0	Ū		/ashington We	tland Rating
	he wetland rating for		the JARPA pao	ckage.		
	Don't know					
	he plan with the JAR	PA package and a	nswer 7g.	·	s to wetlands?	[help]
If No, or Not a	pplicable, explain be	elow why a mitigatio	on plan should n	ot be required.		
🗆 Yes 🛛 No	Don't know	/				
This project is a minimal impacts	0 . ,	•	0	•		
7g. Summarize what used to design		olan is meant to	accomplish,	and describe l	now a watersh	ed approach was
	elow to list the ty type and amour ou can state (belo Wetland	nt of mitigation p	roposed. Or i	if you are subr	nitting a mitiga	
drain, excavate,	Name ¹	type and	area (sq.	of impact ³	mitigation	mitigation area
flood, etc.)		rating category ²	ft. or Acres)		type⁴	(sq. ft. or acres)
						40103/
 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: 						
rage number(s) for	similar mormatio	on in the mitigat	ion pian, il av			

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]

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]

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
In-water work would be performed in the (extended) summer in-water work window. The work areas would be dewatered. Fish salvage would be conducted. Concrete would be finished with smooth surfaces. Water quality monitoring would occur. The new structures would improve fish passage and water quality once complete.
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. 					
	pplicable, explain b		tion plan should r	not be required.	
🗌 Yes 🖄 No					
The project is a n	iitigation project r	required under	Endangered S	Species Act consultation.	
8d. Summarize wh used to design	.	plan is meant t	o accomplish.	Describe how a watershe	d approach was
If you already	completed 7g you do	o not need to restat	te your answer he	ere. [<u>help</u>]	
8e. Summarize imp	pact(s) to each wa	aterbody 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
Ladder Excavation	Mill Creek	In and adjacent	2.5 Years	Excavate 17,300 cubic yards	450 feet
Ladder Constructior		In and adjacent		Place 2,586 cubic yards of concrete and 1,470 cy of fill	450 feet
L-F Excavation	Mill Creek	In	2 Years	Remove 12,000 cubic yards	5,000 feet
L-F Construction	Mill Creek	In	2 Years	Place 1,350 cubic yards of concrete	5,000 feet
 ¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided. ² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain. ³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable. 8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [help] Fish ladder - After site excavation, 1,020 cubic yards of concrete will be placed to create the fish ladder floors, walls, and associated structures. Concrete will be pumped into forms. Approximately 450 cubic yards of material would be used for the stilling basin access ramp, dump trucks would haul the material to the ramp site and material would be spread with a bull dozer. L-F channel - Some gravel will be used to line the bottom of each new weir. Temporary forms would be placed and a total of about 1,350 cy of concrete would be pumped into the forms. 					

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]

Fish ladder - The site will be excavated with excavators to remove part of the levee adjacent to the dam. The material removed consists of riprap, cobble, gravel, sand, and silt that was used to construct the levee in the early 1940s. Any excess material will be disposed of on site, above the ordinary high water line, or hauled off site and disposed of in a legal manner by the contractor. An access ramp to the stilling basin would be constructed on the south side of the channel.

L-F channel - At each weir to be modified, the riverbed will be excavated with excavators and skidsteer loaders. The material removed consists of a small amount of riprap and a large amount (up to 12,000 cubic yards) of riverbed cobble, gravel, and sand. The riprap and some of the riverbed material would be reused on site. Excess material would be hauled off site and disposed of in a legal manner by the contractor.

8h.	Have you prepared a Water Quality Monitoring Plan (WQMP) for all in-water work (below ordinary high	
	water), over water work or discharges to waters of the state?	

⊠ Yes □ No

If NO describe the monitoring that you will be conducting including parameters, equipment and locations, or explain why monitoring will not be necessary. [help]

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
lational Marine Fisheries ervice	Colleen Fagan	541-805-1509	August 2023
.S. Fish and Wildlife ervice	Kat Sarensen	509-795-4776	August 2023
ervice /ashington Department of sh and Wildlife	Dave Karl	509-527-4138	August 2023

 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
Ammonia-N - Category 1 Chloride - Category 1 Lead - Category 2 pH - Category 4A Temperature - Category 4A Dissolved Oxygen - Category 4A Bacteria - Fecal coliform - Category 5
 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.
HUC 12 - 170701020204
 9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [help] Go to https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up to find the WRIA #.
WRIA 32
 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.
🛛 Yes 🗆 No 🗆 Not applicable
 9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help] If you don't know, contact the local planning department. For more information, go to: https://ecology.wa.gov/Water-Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases.
Urban I 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.
⊠ Yes □ No
Name of manual:
 9i. Does the project site have known contaminated sediment? [help] If Yes, please describe below.
□ Yes 凶 No

9j. If you know what the property was used for in the past, describe below. [help]
The property has been used for flood risk reduction since 1942.
9k. Has a cultural resource (archaeological) survey been performed on the project area? [help]
If Yes, attach it to your JARPA package.
🛛 Yes 🗆 No

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]
Mid-Columbia Steelhead Columbia Basin Bull Trout
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]
Riparian Instream Bull trout Chinook salmon Rainbow trout/steelhead Black-crowned night-heron Great blue heron Hooded merganser

Part 10–SEPA Compliance and Permits

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

- Online Project Questionnaire at <u>http://apps.oria.wa.gov/opas/</u>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.
- For a list of addresses to send your JARPA to, click on 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 (lead agency). The expected decision date is
□ 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:
IX SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [help]		
Local Government Shoreline permits:		
□ Substantial Development □ Conditional Use □ Variance		
X 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.		
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):		
\Box Section 404 (discharges into waters of the U.S.) \Box 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. <u>BJT</u> (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. <u>BJT</u> (initial)

)9 Digitally signed by		
Benjamin J Tice	8566	TICE.BENJAMIN.J.1229098566 Date: 2023.09.07 09:45:14 -07'00'	9/6/2023
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.

Anneli K Colter	1221560267	COLTER.ANNELI.K.1231568367 Date: 2023.09.07 08:27:43 -07'00'	9/6/2023
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.

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



WASHINGTON STATE US Army Corp of Engineers © Seattle District Seattle Dist

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.

4	AGENCY USE ONLY	
Date received:		
Agency referen	nce #:	
Tax Parcel #(s):		
TO BE COM	PLETED BY APPLICANT [help]	
Project Name:	Mill Creek Fish Ladder and Low Flow Channel	
Justion Name	Walla Walla County	

Name Mailing Address Tax Parcel # (if know				
Name	-			
Hoalst, Dean	3301 Reservoir Road	360723110014		
	Walla Walla, WA 99362			
Phillips, Charles	3240 Reservoir Road	360723120003		
······································	Walla Walla, WA 99362			
Walla Walla Community	472 N. Tausick Way	360714340028		
College	Walla Walla, WA 99362			
Klicker, Nancy				
Rioker, Runoy	Walla Walla, WA 99362			
Jepson, Kenneth and Dawn	on Kenneth and Dawn 270 Lookingglass Road			
oopeen, nonnear and Dami	Walla Walla, WA 99362			
249 Lookingglass Road				
Holme, Susan	Walla Walla, WA 99362			
Glynn, James and Tracy	vnn James and Tracy 215 Lookingglass Road			
	Walla Walla, WA 99362	360713500008		
Ervin, Richard and Cecile	hard and Cecile 183 Lookingglass Road			
	Walla Walla, WA 99362			

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



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

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

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

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

A	AGENCY USE ONLY	
Date received:		
Agency referen	ice #:	
Tax Parcel #(s):		
TO BE COM	PLETED BY APPLICANT [help]	
Project Name:	Mill Creek Low Flow Channel and Fish Ladder	
Location Name	Walla Walla County	
Location Maine		

1. Contact information for all adjoining property owners. [help]			
Name	Mailing Address	Tax Parcel # (if known)	
RF Kibler Farm, LLC	658 Mill Creek Road		
	Walla Walla, WA 99362	000710010020	
Lane, Philip and Suthida	756 Mill Creek Road	360713130007	
	Walla Walla, WA 99362		
Winters, Pauline	662 Mill Creek Road	360713310021	
	Walla Walla, WA 99362		

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 Corp of Engineers WASHINGTON STATE **Joint Aquatic Resources Permit** Application (JARPA) [help]

Attachment D: Construction sequence [help]

Use this attachment only if your project will be constructed in phases or stages. Complete the outline showing the construction sequence and timing of activities, including the start and end dates of each phase or stage.

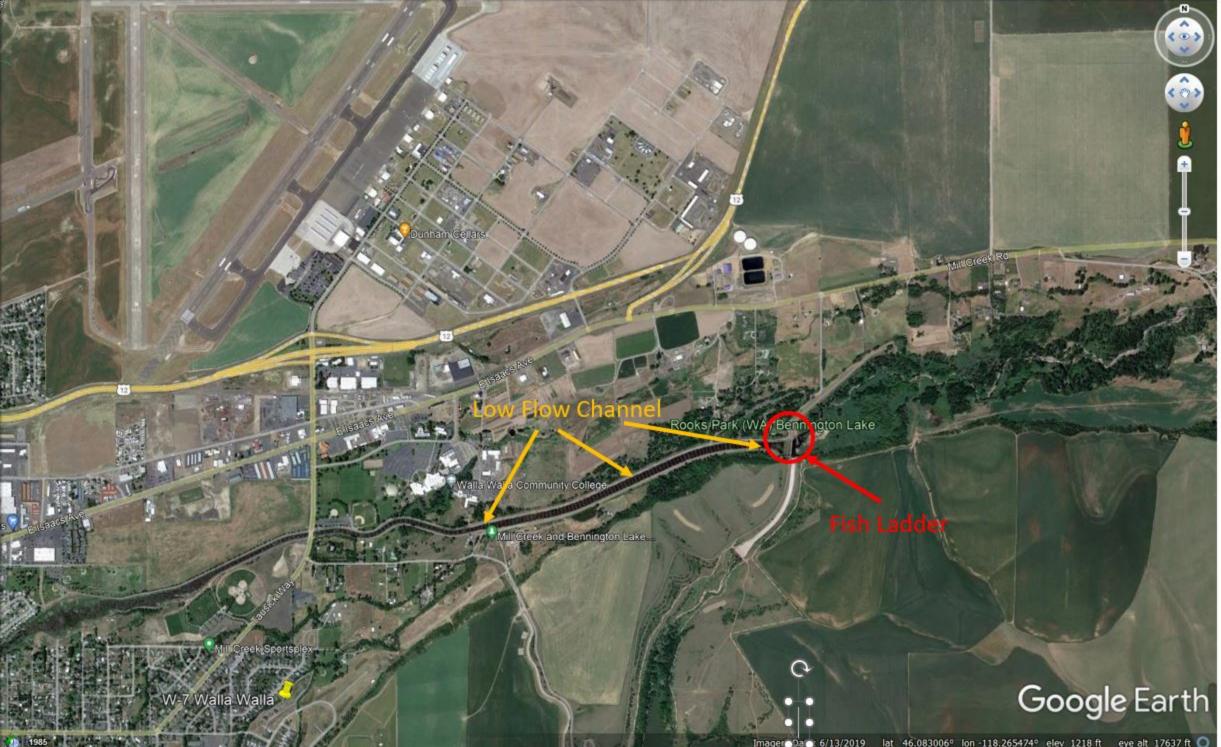
Use black or blue ink to enter answers in white spaces below.

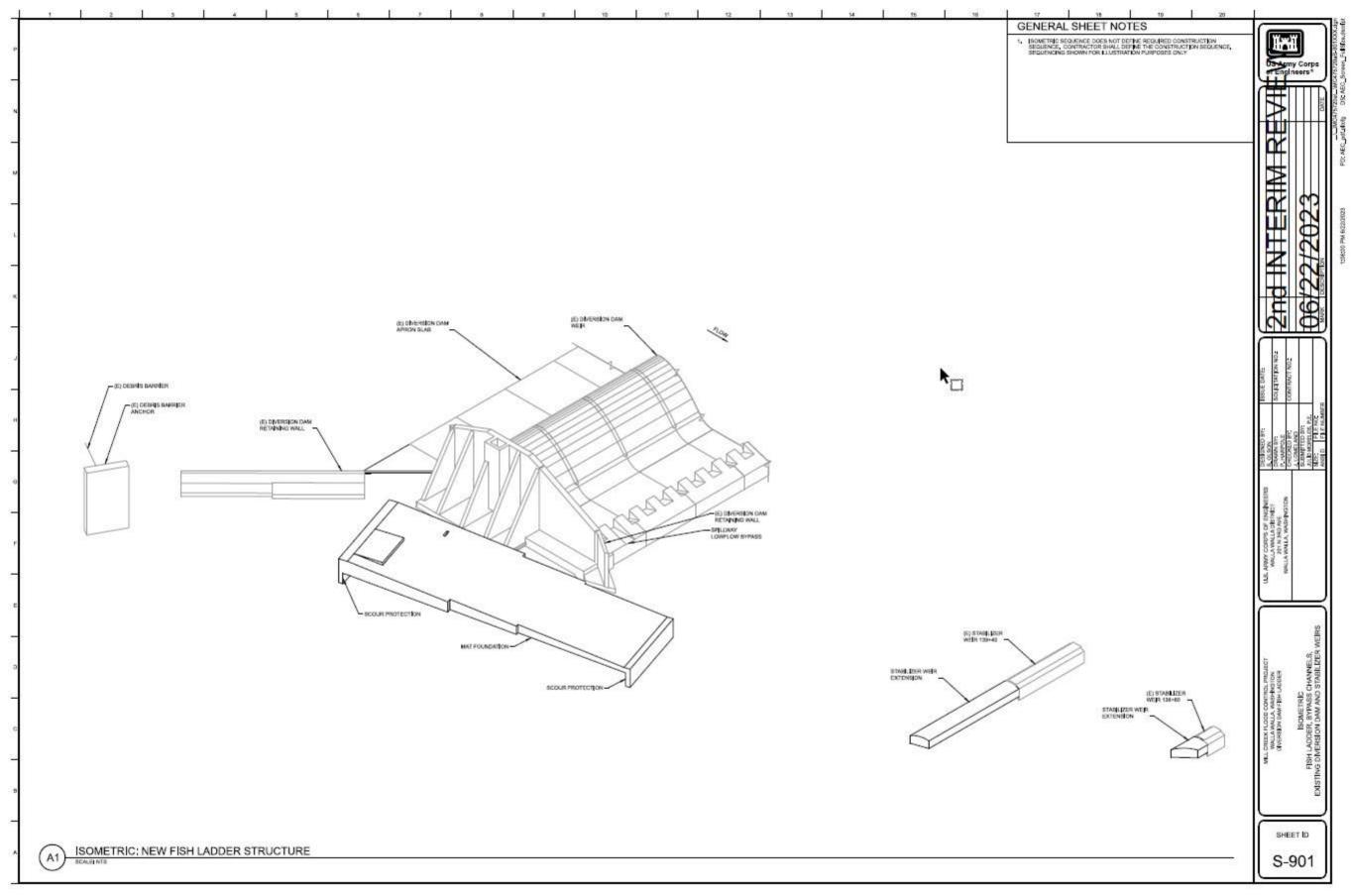
s	AGENCY USE ONLY
	Date received:
	Agency reference #:
	Tax Parcel #(s):
	TO BE COMPLETED BY APPLICANT [help]
5	Mill Creek Fish Ladder and Low Flow Project Name: Channel
	Location Name (if applicable): Walla Walla, County

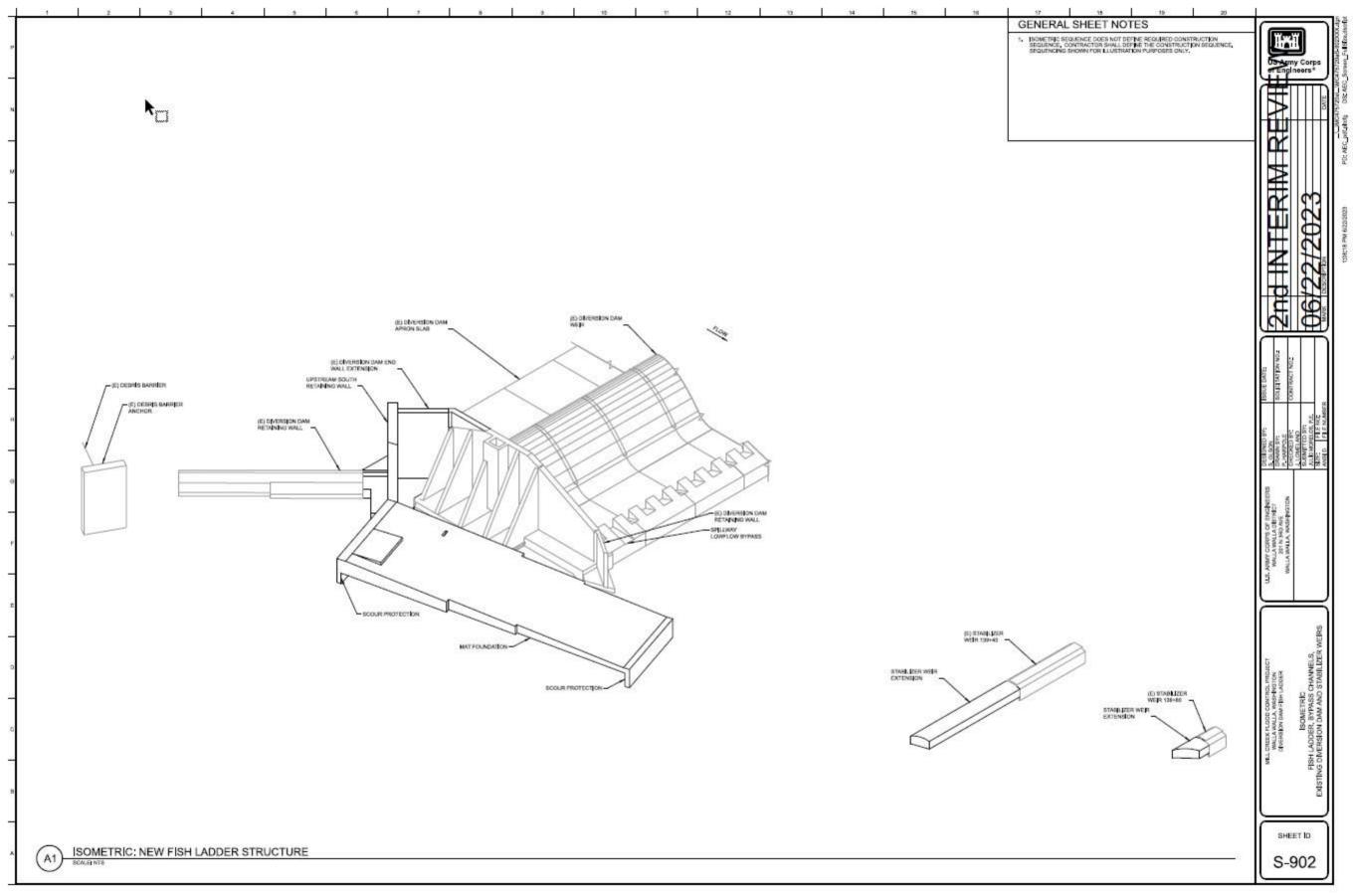
Phase or Stage	Start Date	End Date	Activity Description
Ladder	June 15, 2024	December 31, 2025	A new fish ladder will be constructed at the Mill Creek Diversion Dam. It will take 2 years (2 in-water work windows) to complete this work. Once the cofferdam is in place, work behind the cofferdam will continue outside of the in-water work window.
Low Flow Channel	June 15, 2024	October, 31, 2025	A low flow channel will be constructed on the Federally owned portion of Mill Creek. It will take at least 2 years (2 in-water work windows) to complete 80 weirs.

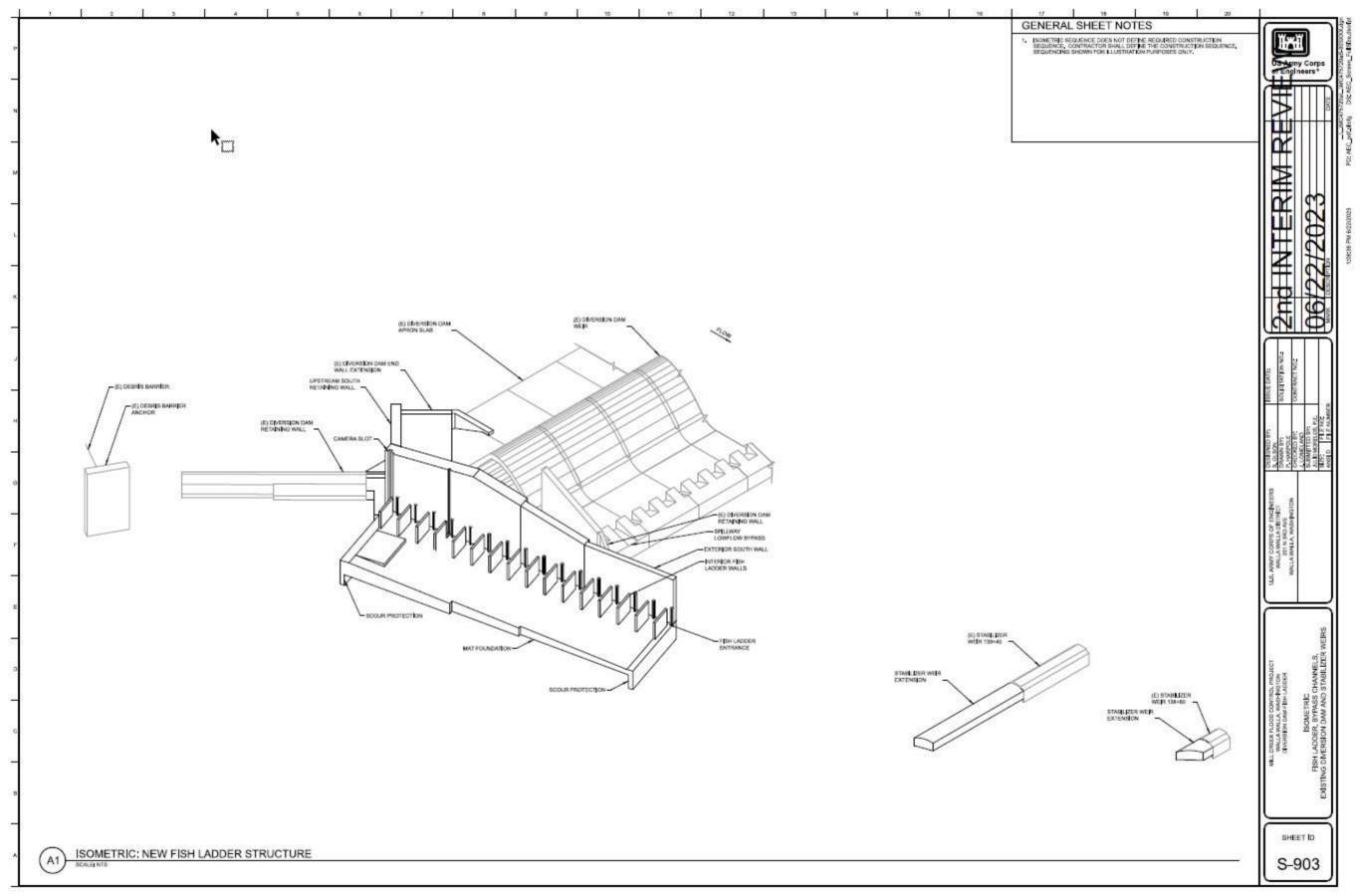
attle District

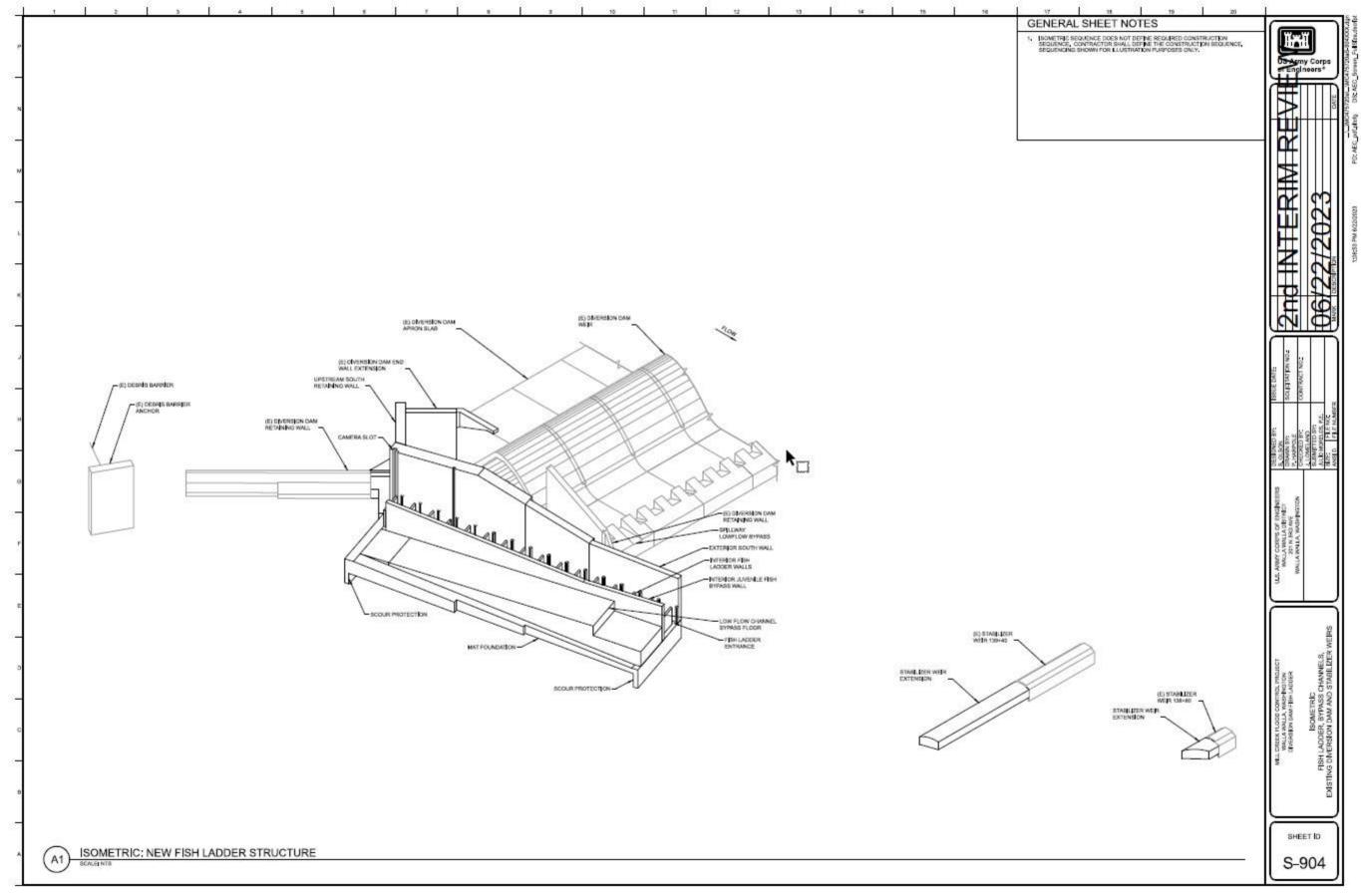
If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-015 rev. 10/2016

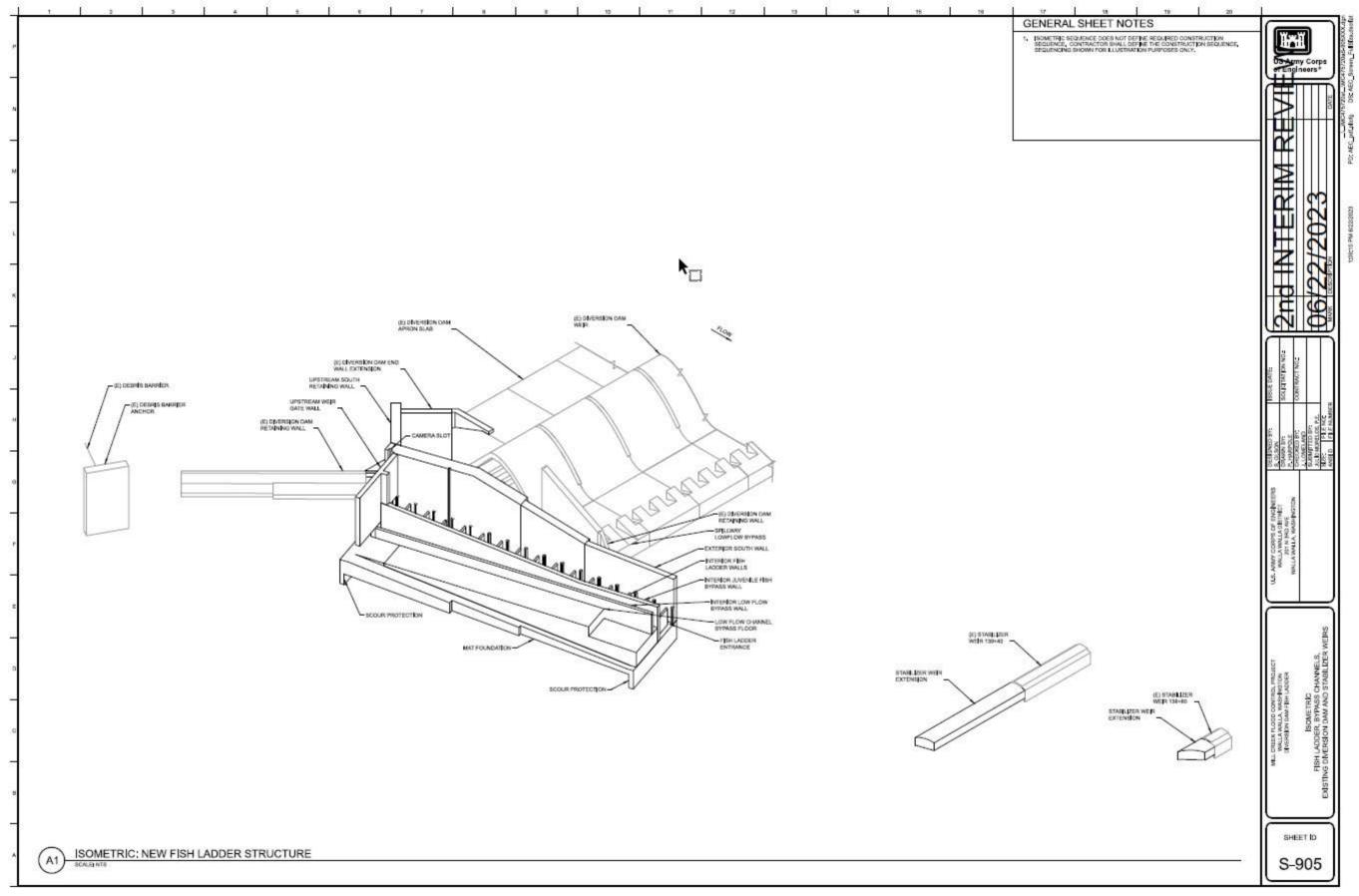


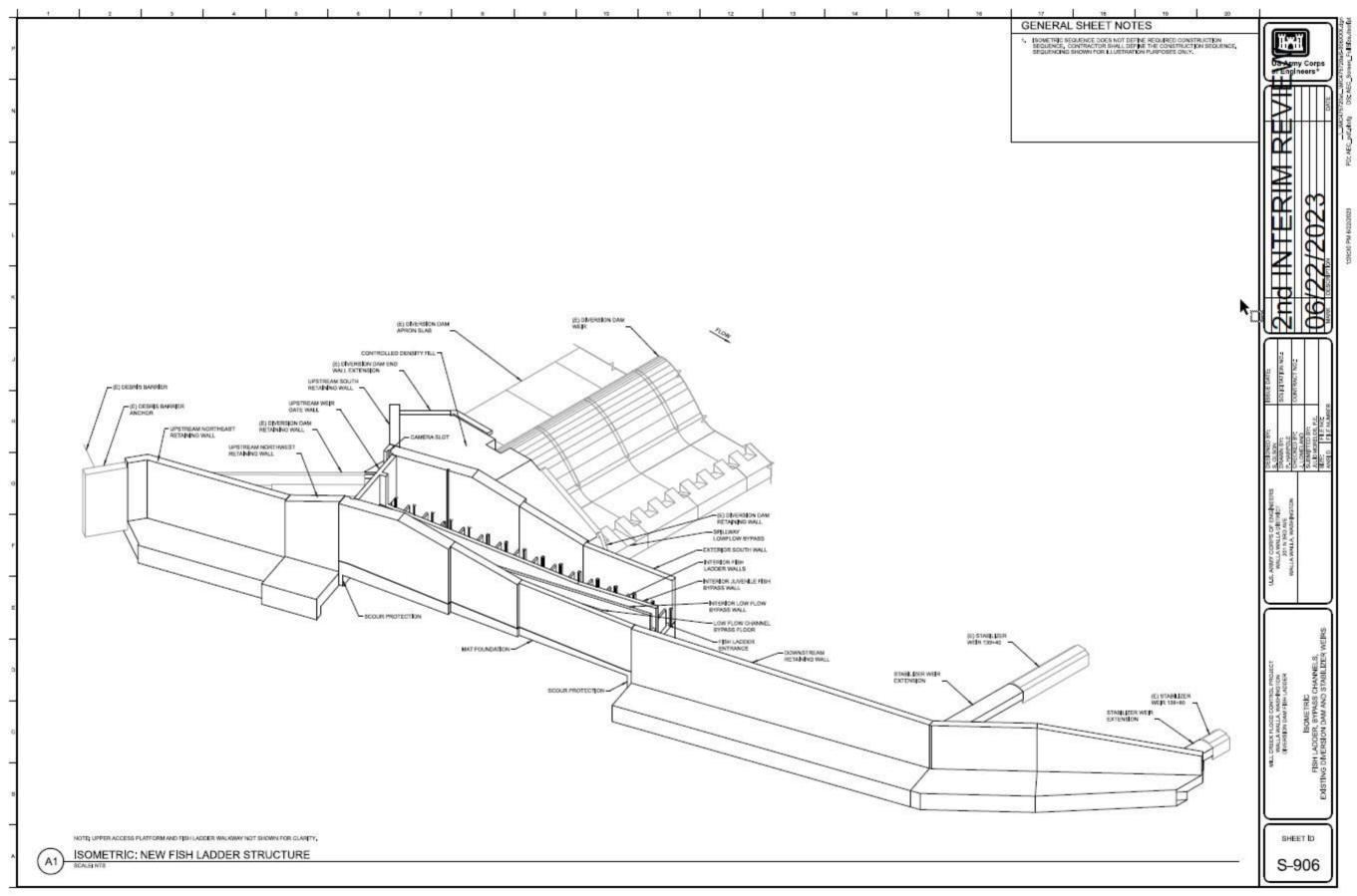


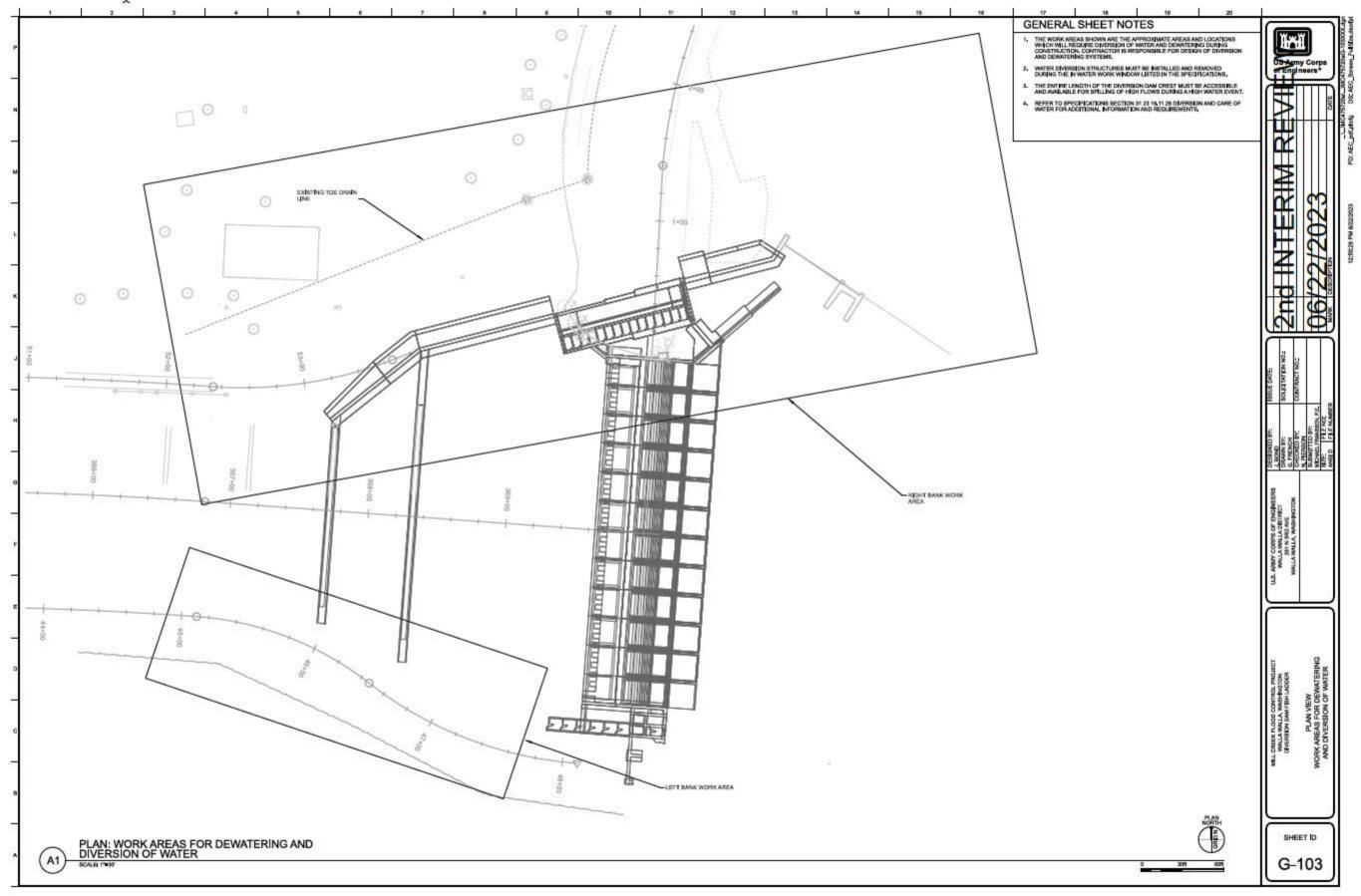


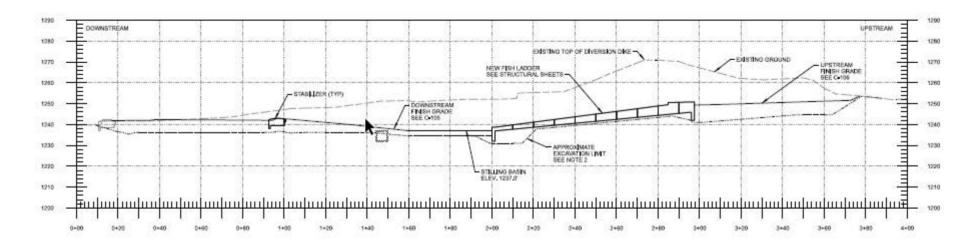












0 20 40

PROFILE: FISH LADDER ALIGNMENT

A3) SCALE; 190

