



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

AGENCY USE ONLY	
Date Received:	10/24/2023
Aquatics ID No.:	143056
Team:	NWRO
Valid Request:	10/24/2023

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

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

A. Federal Permit or License Reference Number, if known: _____

Department of Ecology (Ecology) Aquatics ID Number, if known: _____

Project Name: _____ **County:** _____

B. Project Proponent Name: _____

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

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

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

Did you attach a JARPA? ☐ Yes ☐ No

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

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

Required for all projects:

1. State Environmental Policy Act (SEPA) determination and/or checklist:

- ☐ Final SEPA determination attached
- ☐ SEPA determination pending
- ☐ Exempt from SEPA (see [SEPA Guidance](#))
- ☐ SEPA is not required (e.g., federal agency projects)

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

To request an ADA accommodation, contact Ecology by phone at (360) 407-6076 or email at ecyrefedpermits@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>.

For Relay Service or TTY call 711 or 877-833-6341.

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

2. Project drawings attached:

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

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

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

Notes:

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

4. Water quality monitoring, provided in the attached:

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

Notes:

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

Required depending on the project type:

5. Erosion and sediment control for upland work (above ordinary high water 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 LS

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 LS

Signature: 

Date: 10/24/2023

Print Name: Laura Schumacher



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) Form^{1,2} [\[help\]](#)

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



US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received: 10/24/2023 ECY MFT link
Rec'd Section 401 Req Form

Agency reference #: _____

Tax Parcel #(s): _____

Part 1—Project Identification

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

Watershed Business Park Projects 2 and 3

Part 2—Applicant

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

2a. Name (Last, First, Middle)

Rogerson, Heather

2b. Organization (If applicable)

Port of Skagit

2c. Mailing Address (Street or PO Box)

15400 Airport Drive

2d. City, State, Zip

Burlington, WA 98233

2e. Phone (1)

2f. Phone (2)

2g. Fax

2h. E-mail

360.757.0011

360.757.9828

heatherr@portofskagit.com

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [\[help\]](#) screens, go to

http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

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

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
Bartlett, Joanne			
3b. Organization (If applicable)			
Ecological Land Services			
3c. Mailing Address (Street or PO Box)			
1157 3 rd Avenue, Suite 220A			
3d. City, State, Zip			
Longview, WA 98632			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
360.578.1371			joanne@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. [\[help\]](#)

- ☒ Same as applicant. (Skip to Part 5.)
- ☐ Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- ☐ There are multiple upland property owners. Complete the section below and fill out [JARPA Attachment A](#) for each additional property owner.
- ☐ Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete [JARPA Attachment E](#) to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Middle)			
4b. Organization (If applicable)			
4c. Mailing Address (Street or PO Box)			
4d. City, State, Zip			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail

Part 5—Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- ☐ There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [help]			
<input type="checkbox"/> Private			
<input type="checkbox"/> Federal			
<input checked="" 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 JARPA Attachment E)			
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help]			
Bay Ridge Drive			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Burlington, WA 98233			
5d. County [help]			
Skagit County			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
	3	34 North	3 E. WM
5f. Provide the latitude and longitude of the project location. [help]			
• Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)			
48.4674 N lat. / -122.4008 W long			
5g. List the tax parcel number(s) for the project location. [help]			
• The local county assessor's office can provide this information.			
Skagit County Tax Parcel Nos. P20983, P134144, and P21031			
5h. Contact information for all adjoining property owners. (If you need more space, use JARPA Attachment C.) [help]			
Name	Mailing Address		Tax Parcel # (if known)

5i. List all wetlands on or adjacent to the project location. [help]
Wetland C is located in the southwest corner of the Watershed Business Park. Wetlands A and B are small slope systems upslope of the proposed pond.
5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]
None
5k. Is any part of the project area within a 100-year floodplain? [help]
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know
5l. Briefly describe the vegetation and habitat conditions on the property. [help]
The vegetation is composed of maintained fallow agricultural fields dominated by common grasses and weed species. There is no habitat available within the project area including within Wetlands A, B, and C.
5m. Describe how the property is currently used. [help]
Maintained agricultural field and the Trans Mountain pipeline across the upper half.
5n. Describe how the adjacent properties are currently used. [help]
Adjacent properties are owned by the Port of Skagit and are mostly composed of maintained fields (north, west, and east). Industrial development is located to the north beyond the fields while residential housing developments one of which is associated with a golf course to the east. Forested areas are immediately south with small farms beyond.
5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]
There are no structures on the proposed business park properties.
5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]
Travel to Port of Skagit offices at 15400 Airport Drive via Highway 20 and Higgins Airport Road. Check in at the office before accessing the site from Peterson Road.

Part 6—Project Description

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

The Port of Skagit proposes development of industrial properties within the Watershed Business Park. Most of the property is on the higher eastern 3/4s with a moderate slope down to the southwest where the stormwater pond is proposed. The pond will impact 0.41 acres of Wetland C and the remaining 1.11 acres will be filled to eliminate potential wildlife habitat within the Skagit Regional Airport flight lines and approaches. Wetlands A and B will be filled because of their small size and location within a couple of the lots.

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

- The Watershed Business Park is proposed to provide new, large sized, light industrially used lots. This overall project will be performed by a total of three projects. Project's #2 and #3 will occur over approximately 85 acres of property, east of the developed Bay Ridge Business Park, and southerly of Peterson Road, in Skagit County, Washington.
- The stormwater facility is proposed in the southwest corner, which is the lowest portion of the project site. The pond will serve the WSBP as well as at least 77-acres of offsite port owned property to the west of this site.
- For the development of these two binding site plan projects and their associated future lot development, mitigation of stormwater runoff is required by the Washington State DOE Stormwater Manual for Western Washington (DOE Manual). DOE specifies that the stormwater discharge from the site, after development, must match discharge durations determined for predeveloped site conditions duration, therefore a detention facility must be provided to provide mitigation for these projects.
- For the stormwater facilities to be sufficient to meet the DOE requirement for detention there are three criteria that must be met at the project site's discharge point: (1) The post-developed flow duration values must not exceed any of the predevelopment flow levels between 50% and 100% of the two-year predeveloped peak flow values, (2) The post-developed flow duration values must not exceed any of the predevelopment flow level between 100% of the two-year and 100% of the 50-year predeveloped peak flow more than 10% of the time (110% threshold), and (3) No more than 50% of the flow duration levels exceed the 100% threshold.
- This project will use an open pond with infiltration through a portion of the pond bottom to detain and infiltrate a majority of developed runoff waters. A small amount of developed runoff will be discharged into the existing water course located near the southwest corner of the overall property; however, these discharge amounts will be regulated and will not exceed the allowable amounts as dictated by DOE. Runoff will be discharged from the pond's control structure via a 36-inch diameter storm pipe that will extend southwesterly to the existing natural drainage course that conveys the sites predeveloped runoff.
- The pond is proposed within the onsite portion of Wetland C and the remainder of the wetland will be filled to prevent creation of wildlife habitat in the flight lines and approaches.

Wetlands A and B will be filled in their entirety because of their small sizes and location within the developed project site.

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

- | | | | | |
|--------------------------------------|--|---|---|---------------------------------------|
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Residential | <input checked="" type="checkbox"/> Institutional | <input type="checkbox"/> Transportation | <input type="checkbox"/> Recreational |
| <input type="checkbox"/> Maintenance | <input type="checkbox"/> Environmental Enhancement | | | |

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

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Culvert | <input type="checkbox"/> Float | <input type="checkbox"/> Retaining Wall (upland) |
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Floating Home | <input type="checkbox"/> Road |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Ditch | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input type="checkbox"/> Marina / Moorage | <input checked="" type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Dredging | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Outfall Structure | <input type="checkbox"/> Utility Line |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Piling/Dolphin | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> Fishway | <input type="checkbox"/> Raft | |

☒ Other: Industrial development on publicly owned properties.

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

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

The proposed detention pond will be excavated down using traditional excavation equipment at 2:1 side slopes to reach a bottom elevation of 55.5 feet. Heavy equipment on the pond bottom will take special care not to compact the underlying soils. Excavated materials will be removed from the site and disposed of offsite.

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

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start Date: June 2024

End Date: October 2024

☐ See JARPA Attachment D

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

Development of industrial lots will be around \$5,000,000 for each of the 2 projects.

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

- If yes, list each agency providing funds.

☐ Yes ☐ No ☒ Don't know

Part 7–Wetlands: Impacts and Mitigation

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

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

☐ Not applicable

The stormwater pond is proposed in the lowest point of the WSBP where it can provide the maximum storage potential. The slopes from the north and east reduce the amount of suitable area for the pond and a large portion is composed of wetland further limiting the area available for the pond. The project is not able to avoid impacts to Wetland C because of the limitations caused by the moderate slopes and the size of the pond needed to provide adequate stormwater storage. The remainder of Wetland C will be filled to eliminate development of wildlife habitat downslope of the stormwater pond. The elimination of wildlife habitat is necessary to prevent airplane/bird interactions within the airport flight lines and approaches. Because of the needs of the airport requirements and the need for stormwater storage, the project cannot avoid the 1.52 acres of wetland fill/excavation and is unable to minimize the impacts further.

Wetlands A and B are small slope systems that have minimal function for water quality, hydrologic, and habitat functions. Keeping them in place would be detrimental to their minimal functions because they would be significantly impacted by development activities including excess runoff and pollutants. Filling them and mitigating them at bank will result in improved functions over those provided by these small wetland areas.

7b. Will the project impact wetlands? [\[help\]](#)

☒ Yes ☐ No ☐ Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

☒ Yes ☐ No ☐ Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If Yes, submit the report, including data sheets, with the JARPA package.

☒ Yes ☐ No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- If Yes, submit the wetland rating forms and figures with the JARPA package.

☒ Yes ☐ No ☐ Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 7g.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

☒ Yes ☐ No ☐ Don't know

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

The Port of Skagit will be purchasing wetland mitigation bank credits to compensate for impact to the Watershed Business Park wetlands (A, B, and C). The Watershed Business Park is within the service areas of two mitigation banks, which includes the Nookachamps Wetland Mitigation Bank and the Skagit Environmental Bank. The purchase of credits will be from one of the two banks. By purchasing credits from one of the two mitigation banks, the project is following the watershed approach criteria to benefit the watershed of either bank program.

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)
Fill	A	IV	Direct 0.08 ac.	Permanent	Mitigation Bank	Credit purchase from Skagit Environmental Bank or Nookachamps Wetland Mitigation Bank
Fill	B	IV	Direct 0.03 ac.			
Excavate and Fill	C	IV	Direct 1.52 ac.			

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: 17

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 for the pond will be provided by the use of clean onsite materials if allowed by the project geotechnical engineer. Only a very small amount of fill is estimated for the construction of this pond along the southside. Surface modeling estimations note a total of approximately up to 20 cy of fill is anticipated to be needed to create the pond. Up to an additional 100 cy of fill is likely needed to fill the remainder of Wetland C to an elevation similar to the lower pond berm.

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. [\[help\]](#)

The anticipated volume to be excavated within the wetland area is estimated to be 6,700 cy to provide a pond bottom elevation of 55.5 as proposed. These excavated materials are to be disposed of offsite. The pond will be excavated using typical construction means such as use of an excavator and backhoe. Careful consideration will be taken to not compact the underlying soils in the pond bottom areas where infiltration will be proposed. The site will be protected to assure no dirty stormwater is allowed to leave the site during construction.

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

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

☐ Yes ☒ No

8c. Have you prepared a mitigation plan to compensate for the project’s adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 8d.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

☐ Yes ☒ No ☐ Don’t know

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

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

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

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected

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. [\[help\]](#)

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. [\[help\]](#)

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.

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
WA Dept. of Ecology	Chris Leurkens	clue461@ecy.wa.gov	July 10, 2023

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If Yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d>.

☐ Yes ☒ No

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

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

17110002007245

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 3-Lower Skagit-Samish Watershed

<p>9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help]</p> <ul style="list-style-type: none"> Go to https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria for the standards. <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not applicable</p>
<p>9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help]</p> <ul style="list-style-type: none"> If you don't know, contact the local planning department. For more information, go to: https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases. <p><input type="checkbox"/> Urban <input type="checkbox"/> Natural <input type="checkbox"/> Aquatic <input type="checkbox"/> Conservancy <input type="checkbox"/> Other: _____</p>
<p>9g. What is the Washington Department of Natural Resources Water Type? [help]</p> <ul style="list-style-type: none"> Go to http://www.dnr.wa.gov/forest-practices-water-typing for the Forest Practices Water Typing System. <p><input type="checkbox"/> Shoreline <input type="checkbox"/> Fish <input type="checkbox"/> Non-Fish Perennial <input type="checkbox"/> Non-Fish Seasonal</p>
<p>9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help]</p> <ul style="list-style-type: none"> If No, provide the name of the manual your project is designed to meet. <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Name of manual: _____</p>
<p>9i. Does the project site have known contaminated sediment? [help]</p> <ul style="list-style-type: none"> If Yes, please describe below. <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>9j. If you know what the property was used for in the past, describe below. [help]</p> <p>Agricultural uses prior to purchase by the Port of Skagit.</p>
<p>9k. Has a cultural resource (archaeological) survey been performed on the project area? [help]</p> <ul style="list-style-type: none"> If Yes, attach it to your JARPA package. <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [help]</p> <p>There are no species within the project areas that are listed under the federal Endangered Species Act.</p>
<p>9m. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [help]</p> <p>Freshwater Emergent Wetland-Aquatic Habitat</p>

Part 10–SEPA Compliance and Permits

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

- Online Project Questionnaire at <http://apps.oria.wa.gov/opas/>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

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

- 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: _____

☐ 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 – [Attach Exemption Form](#)

Washington Department of Natural Resources:

☐ Aquatic Use Authorization

Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.

Do not send cash.

Washington Department of Ecology:

☐ Section 401 Water Quality Certification

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

FEDERAL AND TRIBAL GOVERNMENT

United States Department of the Army (U.S. Army Corps of Engineers):

☒ Section 404 (discharges into waters of the U.S.) ☐ Section 10 (work in navigable waters)

United States Coast Guard:

For projects or bridges over waters of the United States, contact the U.S. Coast Guard at:

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

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

United States Environmental Protection Agency:

☐ Section 401 Water Quality Certification (discharges into waters of the U.S.) on tribal lands where tribes do not have treatment as a state (TAS)

Tribal Permits: (Check with the tribe to see if there are other tribal permits, e.g., Tribal Environmental Protection Act, Shoreline Permits, Hydraulic Project Permits, or other in addition to CWA Section 401 WQC)

☐ Section 401 Water Quality Certification (discharges into waters of the U.S.) where the tribe has treatment as a state (TAS).

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

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

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. HR (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. HR (initial)

Heather Rogerson
Applicant Printed Name

[Signature]
Applicant Signature

9/8/23
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.

Joanne Bartlett
Authorized Agent Printed Name

Joanne Bartlett
Authorized Agent Signature

6/30/23
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

