

2010

WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form¹

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

US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received:

Department of Ecology
RECEIVED

Agency reference #:

Tax Parcel #(s):

DEC 12 2011

Shorelands & Environmental
Assistance Program

Part 1—Project Identification

1. Project Name (A name for your project that you create. ²

Tiffany Park Residential Community.

Part 2—Applicant - The person or organization responsible for the project.

2a. Name (Last, First, Middle) and Organization (if applicable)

CHAFFEUR, Jim

2b. Mailing Address (Street or PO Box)

6602 Sunny Bay Road NW

2c. City, State, Zip

Gig Harbor, Washington, 98335

2d. Phone (1)

2e. Phone (2)

2f. Fax

2g. E-mail

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jimchaffeur@gmail.com

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.)

3a. Name (Last, First, Middle) and Organization (if applicable)

DEMING, Thomas – Habitat Technologies

3b. Mailing Address (Street or PO Box)

PO Box 1088

3c. City, State, Zip

Puyallup, Washington 98371

3d. Phone (1)

3e. Phone (2)

3f. Fax

3g. E-mail

(253) 845-5119

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(253) 841-1942

habitattech@qwestoffice.net

¹ Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_ESA
- If you are applying for an Aquatic Resources Use Authorization you will need to fill out and submit an Application for Authorization to Use State-Owned Aquatic Lands form to DNR, which can be found at http://www.dnr.wa.gov/Publications/aqr_use_auth_app.doc
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you think you will need a Shoreline permit, contact the appropriate city or county government to make sure they will accept the JARPA.

² To access an online JARPA form with [help] screens, go to

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

For other help, contact the Governor's Office of Regulatory Assistance at 1-800-917-0043 or help@ora.wa.gov.

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. ☐

X 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 property owners. Complete the section below and fill out JARPA Attachment A for each additional property owner.

4a. Name (Last, First, Middle) and Organization (if applicable)			
4b. Mailing Address (Street or PO Box)			
4c. City, State, Zip			
4d. Phone (1)	4e. Phone (2)	4f. Fax	4g. E-mail
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Part 5—Project Location(s)

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

☐ 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.)			
<input type="checkbox"/> State Owned Aquatic Land (If yes or maybe, contact the Department of Natural Resources (DNR) at (360) 902-1100)			
<input type="checkbox"/> Federal			
<input type="checkbox"/> Other publicly owned (state, county, city, special districts like schools, ports, etc.)			
<input type="checkbox"/> Tribal			
X Private			
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.)			
Vacant parcels accessed between 722 Hazel Avenue North and 746 Hazel Avenue North.			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.)			
Kent, Washington 98031			
5d. County <input type="checkbox"/>			
King County			
5e. Provide the section, township, and range for the project location. <input type="checkbox"/>			
¼ Section	Section	Township	Range
SW	18	22N	05E
5f. Provide the latitude and longitude of the project location.			
Lat 47.38722 N / Long -122.22176 W			
5g. List the tax parcel number(s) for the project location.			
1822059118 and 1822059129			

5h. Contact information for all adjoining property owners. (If you need more space, use JARPA Attachment C.)

Name	Mailing Address	Tax Parcel # (if known)
Charles and Michelle Schulte	746 Hazel Ave. North, Kent, WA 98031	1822059029
Mitchell and Christina Ajifu	928 Valley Place, Kent, WA 98031	1822059315 and 8856500040
Brutsche Family Rev Trust	805 Stetson Ave, Kent, WA 98031	8856500170
Franklin Pitts	804 Stetson Ave, Kent, WA 98031	8856500180
Theodore and Terri Reinhart	803 Alvord Ave. N. Kent, WA 98031	5163700045
Mark Reinhart	755 Alvord Ave. N. Kent, WA 98031	5163700020
Frederick Angehrn	751 Alvord Ave. N. Kent, WA 98031	5163700015
Mary Kathryn Defranco	743 Alvord Ave. N. Kent, WA 98031	5163700010
Kenneth Cobleigh	517 Alvord Ave. N. Kent, WA 98031	1598600209
Richard and Verna Smith	727 Alvord Ave. N. Kent, WA 98031	1822059136
Maharukh Ghadiali	735 Alvord Ave. N. Kent, WA 98031	5163700005
Lemuel Caldonga	717 Alvord Ave. N. Kent, WA 98031	1822059325
Sean Stark	707 Alvord Ave. N. Kent, WA 98031	1822059032
Kent Church of the Nazarene	930 E. James St. Kent, WA 98030	5502700040
Anthon and Charlotte Kibbie	614 Hazel Ave. N. Kent, WA 98030	5502700005
Federal Home Loan Mortgage	704 Hazel Ave. N. Kent, WA 98031	1822059172
DW Roberts	714 Hazel Ave. N. Kent, WA 98031	1822059030
Claude Slaughter	722 Hazel Ave. N. Kent, WA 98031	1822059302

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

A single wetland identified in the north-central portion of the project site. Project site surrounded by existing urban developments.

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

A series of excavated ditches are present onsite which convey stormwater runoff from adjacent developed properties and constructed stormwater facilities.

5k. Is any part of the project area within a 100-year flood plain?

☐ Yes ☒ **No** ☐ Don't know

5l. Briefly describe the vegetation and habitat conditions on the property.

The project site was vacant and had undergone prior land use manipulations to include forest harvest, clearing, grading, ditching, culvert installation, fencing, internal and external road construction, and the development of adjacent properties. The majority of the project site exhibited a deciduous forest overstory with dense shrubs and herbs. The southwestern portion of the project site was dominated by Himalayan blackberry. Seasonal surface water runoff from adjacent parcels was directed onto the project site and then generally conveyed onsite via a series of excavated ditches to a public stormwater collection system located along Hazel Avenue. Available habitats are very limited and the project site is surrounded by urban developments.

5m. Describe how the property is currently used.
The project site is presently vacant.
5n. Describe how the adjacent properties are currently used.
Adjacent properties are dominated by existing single family homesites, public roadways, and a community church.
5o. Describe the structures (above and below ground) on the property, including their purpose(s).
No structures onsite.
5p. Provide driving directions from the closest highway to the project location, and attach a map.
From southbound on the Valley Freeway (SR167) exit onto Central Avenue North. At the end of the exit turn south onto Central Avenue North and continue southbound to East James Street. Turn east onto East James Street and continue eastbound to Hazel Avenue. Turn north onto Hazel Avenue and continue to fourth parcel on the east – which is the western edge of the project site.

Part 6–Project Description

6a. Summarize the overall project. You can provide more detail in 6d. □			
The overall project is develop a residential community within the project site consistent with the City of Kent comprehensive plan and local zoning. The project includes wetland creation, wetland restoration, and associated buffer restoration for unavoidable minor impacts to identified wetlands to create a viable access roadway connection to Hazel Avenue.			
6b. Indicate the project category. (Check all that apply)			
<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Institutional	<input type="checkbox"/> Transportation
<input type="checkbox"/> Maintenance	<input type="checkbox"/> Environmental Enhancement	<input type="checkbox"/> Recreational	
6c. Indicate the major elements of your project. (Check all that apply)			
<input type="checkbox"/> Aquaculture <input type="checkbox"/> Bank Stabilization <input type="checkbox"/> Boat House <input type="checkbox"/> Boat Launch <input type="checkbox"/> Boat Lift <input type="checkbox"/> Bridge <input type="checkbox"/> Bulkhead <input type="checkbox"/> Buoy <input type="checkbox"/> Channel Modification	<input type="checkbox"/> Culvert <input type="checkbox"/> Dam / Weir <input type="checkbox"/> Dike / Levee / Jetty <input type="checkbox"/> Ditch <input type="checkbox"/> Dock / Pier <input type="checkbox"/> Dredging <input type="checkbox"/> Fence <input type="checkbox"/> Ferry Terminal <input type="checkbox"/> Fishway	<input type="checkbox"/> Float <input type="checkbox"/> Geotechnical Survey <input type="checkbox"/> Land Clearing <input type="checkbox"/> Marina / Moorage <input type="checkbox"/> Mining <input type="checkbox"/> Outfall Structure <input type="checkbox"/> Piling <input type="checkbox"/> Retaining Wall (upland)	<input checked="" type="checkbox"/> Road <input type="checkbox"/> Scientific Measurement Device <input type="checkbox"/> Stairs <input type="checkbox"/> Stormwater facility <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Utility Line

X Other: Wetland and buffer restoration as a part of a residential community development.

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

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

Moderate to large sized earth moving equipment shall be used to initially construct the internal roadway system and place utilities. The roadway shall impact (fill) the western edge of the identified onsite wetland and the very southern tip of the identified wetland.

A small excavator of similarly sized backhoe shall be used to remove the dense thickets of blackberries within the retained wetland and buffer area and to create the compensatory wetland area.

6e. What are the start and end dates for project construction? (month/year)

- 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: _mid-July 2012_ End date: _mid-August 2014_ ☐ See JARPA Attachment D

6f. Describe the purpose of the project and why you want or need to perform it.

The purpose is to create affordable housing within the City of Kent which is close to the City's commercial center and available public transportation.

The only viable access location into the project site is via Hazel Avenue since the City will not allow an access via East James Street and access from Stetson Avenue would require significant adverse impacts to identified onsite wetlands. Onsite topography also controls the location of the proposed assess and site planning efforts have minimized direct impacts to the identified wetland to the least possible while also creating a safe roadway.

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

\$1,000,000.00

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

- If **yes**, list each agency providing funds.

☐ Yes ☒ **No** ☐ Don't know

Part 7–Wetlands: Impacts and Mitigation

X Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands.

☐ Not applicable

Directly impacts to wetlands have been avoided and minimized by the design of the internal access roadway and the placement of the new homesite lots as much as safely possible away from the identified wetland. However, a minor amount of wetland impact cannot be avoided because of the limited location of the access and the existing site topography.

7b. Will the project impact wetlands?

X Yes ☐ No ☐ Don't know

7c. Will the project impact wetland buffers?

X Yes ☐ No ☐ Don't know

7d. Has a wetland delineation report been prepared?

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

X Yes ☐ No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System?

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

X Yes ☐ No ☐ Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands?

- 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.

X Yes ☐ No ☐ Not applicable

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan.

As compensation for the unavoidable filling of 0.20 acres of identified wetland the mitigation plan shall create 0.22 acres of new wetland area onsite, restore 0.40 acres of existing degraded wetland, and restore 0.55 acres of existing degraded buffer.

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. []

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 to create road	Wetland A	PFOBd, Cat 3	0.20 acres	permanent	Creation and restoration	0.22 acres of new wetland. 0.40 acres of restored wetland, 0.55 acres of restored buffer.

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: **Pages 3 through 9**

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.

Imported clean fill from an approved local gravel pit shall be used to create the new internal access roadway which shall cover a portion of the identified onsite wetland. Onsite clean fill shall also be used where obtained from initial site grading to fill the new homesite lots and a small part of the identified onsite wetland.

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.

Moderate to large equipment shall be used to clear vegetation and initially grade the new roadway corridor. Approximately 1,780 cy of material (vegetation and sediments) would be stripped and removed along the new internal roadway. Removed materials would be taken offsite or used onsite as approved by the City of Kent. Approximately 1,200 cy of clean fill suitable for the construction base of the internal roadway would be imported onto the site from an approved local surface mine facility.

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, "waterbodies" refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.)

☐ 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.

☐ Not applicable

All surface water drainage from the project site presently enters a City of Kent Public Stormwater System. The proposed development would incorporate stormwater retention and treatment prior to release into this public system.

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

☐ Yes ☒ No

8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies?

- 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 ☒ Not applicable

The project would not impact waterbodies on or adjacent to the project site.

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.

8e. Summarize impact(s) to each waterbody in the table below. ☐

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material 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.

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.

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. []

Agency Name	Contact Name	Phone	Most Recent Date of Contact
City of Kent	Andre Gates	(253) 856-5556	June 2010
		()	

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 on the Washington Department of Ecology's 303(d) List?

- If yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <http://www.ecy.wa.gov/programs/wq/303d/>.

☐ Yes ☒ No

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

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

17110013

9d. What Water Resource Inventory Area Number (WRIA #) is the project in?

- Go to <http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm> to find the WRIA #.

WRIA #9

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity?

- Go to <http://www.ecy.wa.gov/programs/wq/swqs/criteria.html> 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?

- If you don't know, contact the local planning department.
- For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html.

☐ Rural ☐ Urban ☐ Natural ☐ Aquatic ☐ Conservancy ☒ Other NA

9g. What is the Washington Department of Natural Resources Water Type?

- Go to http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx 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?

- If no, provide the name of the manual your project is designed to meet.

X Yes ☐ No

Name of manual:

9i. If you know what the property was used for in the past, describe below.

Vacant for several years, but may have been used as small pastures or gardens associated with adjacent homesites.

9j. Has a cultural resource (archaeological) survey been performed on the project area?

- If yes, attach it to your JARPA package.

☐ Yes **X No**

9k. 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.

Bald eagle (*Haliaeetus leucocephalus*) a federally listed species of concern occur in the vicinity of the project site. However, the project site does not provide critical habitats for this species.

9l. 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.

No state listed priority habitats or species would appear to be adversely impacted by this action.

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.ecy.wa.gov/opas/>.
- Governor's Office of Regulatory Assistance at (800) 917-0043 or help@ora.wa.gov.
- For a list of agency addresses to send your application, click on the "where to send your completed JARPA" at <http://www.epermitting.wa.gov>.

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.)

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

X 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.)

☐ 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.)

LOCAL GOVERNMENT

Local Government Shoreline permits:

☐ Substantial Development ☐ Conditional Use ☐ Variance

☐ Shoreline Exemption Type (explain): _____

Other city/county permits:

☐ Floodplain Development Permit **X Critical Areas Ordinance**

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

☐ Hydraulic Project Approval (HPA) ☐ Fish Habitat Enhancement Exemption

Washington Department of Ecology:

X Section 401 Water Quality Certification

Washington Department of Natural Resources:

☐ Aquatic Resources Use Authorization

FEDERAL GOVERNMENT

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

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

United States Coast Guard permits:

☐ General Bridge Act Permit ☐ Private Aids to Navigation (for non-bridge projects)

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. []

11a. Applicant Signature (required) []

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. JM (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. JM (initial)

JAMES M Chaffeur
Applicant Printed Name

James M Chaffeur
Applicant Signature

DEC 5, 2011
Date

11b. Authorized Agent Signature []

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

Thomas D Doming
Authorized Agent Printed Name

Thomas D Doming
Authorized Agent Signature

8 Dec 11
Date

11c. Property Owner Signature (if not applicant). []

Not required if project is on existing rights-of-way or easements.

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.

James M Chaffeur
Property Owner Printed Name

James M Chaffeur
Property Owner Signature

DEC 5 2011
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 of Regulatory Assistance (ORA). People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341.

ORA publication number: ENV-019-09