



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 Seal/Wa District

AGENCY USE ONLY

Date received: Department of Ecology RECEIVED

Agency reference #: _____

Tax Parcel #(s): MAY 04 2012

Shorelands & Environmental Assistance Program

Part 1-Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [help]²

Bay View State Park Shoreline Stabilization, Improvements and Restoration

Part 2-Applicant

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

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

WA State Parks and Recreation Commission (contact: Murley, Tom)

2b. Mailing Address (Street or PO Box)

220 N. Walnut Street

2c. City, State, Zip

Burlington, WA 98233

2d. Phone (1)	2e. Phone (2)	2f. Fax	2g. E-mail
(360) 755-5262 x227	()	(360) 428-1094	tom.murley@parks.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) and Organization (if applicable)

3b. Mailing Address (Street or PO Box)

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.
- 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.

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 of Regulatory Assistance at 1-800-917-0043 or help@ora.wa.gov.

3c. City, State, Zip			
3d. Phone (1)	3e. Phone (2)	3f. Fax	3g. E-mail

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. [\[help\]](#)

- 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 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
()	()	()	

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"/> State Owned Aquatic Land (If yes or maybe, contact the Department of Natural Resources (DNR) at (360) 902-1100) <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Other publicly owned (state, county, city, special districts like schools, ports, etc.) <input type="checkbox"/> Tribal <input type="checkbox"/> Private			
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help]			
10901 Bay View-Edison Rd			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Mt Vernon, WA 98273			
5d. County [help]			
Skagit			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
SE	30	35 N	03 E

5f. Provide the latitude and longitude of the project location. [help]

- Example: 47.03922 N lat. / -122.89142 W long. (NAD 83)

48.487798 N -122.481694 W

5g. List the tax parcel number(s) for the project location. [help]

- The local county assessor's office can provide this information.

P34994, P35000

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)
Jennifer Capron Peters	PO Box 163	P35026 (10713 Bay View – Edison Road)
	Tres Piedra, NM 87577	
WA Dept. Ecology	PO Box 47612	P61026, P61028, P61030, (waterward parcels)
	Olympia, WA 98504	
WA State Parks Commission	1111 Israel Road S.W.	P61034, P61036, P61037 (waterward parcels)
	Olympia, WA 98504-	
Trina K Shepard	10955 Bay View – Edison Road	P34995
	Mount Vernon, WA 98273	
Fredric Bergstrom	1777 S Burlington	P35001 (12411 Farnham Street)
	Burlington, WA 98233	
Jason and Stephanie Johnson	PO Box 701	P124685 (12451 Parkside Lane)
	Burlington, WA 98233	
Harry and Virginia Sodeman	12519 Parkside Lane	P115466
	Mount Vernon, WA 98273	
Michael and Deborah Sandeman	12511 Parkside Lane	P120080 (12513 Parkside Lane)
	Mount Vernon, WA 98273	
Gerrit and Melissa Van Ness	12505 Parkside Lane	P120079
	Mount Vernon, WA 98273	
Donald and Debra Tapley	PO Box 98273	P35052 (12499 Parkside Lane)
	Mount Vernon, WA 98273	
Washizumi Uneek	215 14th Ave E Apt 302	P34989 (10731 Bay View – Edison Road)
	Seattle, WA 98112	

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

None

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

Padilla Bay, Puget Sound

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

Yes No Don't know

Upland areas of the park are mapped by Skagit County as being in the FEMA Q3 100 Year Flood Plain.

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

Bay View State Park consists of two main parts, which are separated by the County road (Bayview Edison Rd). The portion of the park that is east of the County road consists of camping and picnic areas. The camping and picnic areas are vegetated with native species and provide minimal habitat for wildlife species due to the heavy, existing public use of the park. The sewer treatment facility for the park is located within this area and drains to the drainfield located west of the County road (which is the primary purpose of the project). No development under this permit is proposed within this portion of the property and the existing use, habitat and vegetation will not be disturbed by this project.

The proposed project will occur within the portion of the property west of the County road, which is the day use, picnic area, and beach access area. This portion of the park was constructed by the placement of dredged fill and is nearly completely developed. The developed area is virtually flat and is located primarily between approximately +14 and +16 ft MLLW (approximately 4-6 ft above OHWM). Immediately west of the County road there is a steep slope that is completely vegetated with mature trees and shrubs, both native and non-native. Below the toe of the slope there is an existing gravel/dirt road (located parallel to the County road) providing access to the parking areas located at the north and south ends of this portion of the park. Waterward of the existing gravel/dirt access road there is a large, flat lawngrass area with upland weedy and forb species. This area is mowed and maintained and is heavily utilized as a day use recreation and picnic area. There are two existing vault toilets, a covered picnic area, a storage building, recreational amenities, and the sewer drainfield located in this lawngrass portion of the park. This lawngrass area extends to the top of the bank immediately landward of the OHWM. Below the top of the bank, the habitat consists of largely unvegetated, eroding sand, gravel and large angular rock. This existing habitat has been significantly impacted by the historic, permitted stabilization actions completed by the park to protect the existing fill. There are two existing rock revetments located at the northern and southern ends of the fill. These revetments have deteriorated over the years and a large amount of the angular rock has been scattered offshore onto the mudflat. There are also two small rock groins located on the western edge of the fill (from ~+13 ft to +5 ft MLLW), which have also deteriorated over the years and the angular rock has been scattered on the beach. The remainder of the shoreline is moderately sloped (~8H:1V) and consists of coarse sand and gravel below the top of the slope. Approximately 75 ft waterward of the top of the slope, the slope becomes flatter and the substrates consist of sand and silt.

Below the top of the slope, vegetation is limited based on the energy and substrates. Vegetation is limited to saltmarsh species below the top of the bank and consists of dune grass, orache, plantain and atriplex. Very little vegetation is present on the western side of the park. There are small areas of dunegrass both on the slope and below the slope on the gravel/sand beach. These areas are small and do not provide significant amounts of habitat. Sparse macroalgae (primarily focus) is present below approximately +8.4 ft MLLW and zosteria japonica is present below approximately +1 ft MLLW. There is a large area just to the north of the park that is heavily covered with dune grass, which will not be impacted as part of this project. On the southern side of the park, the vegetation is sparse and limited to the areas devoid of scattered angular rock (part of the deteriorated revetment). Vegetation on the south side consists of primarily upland weedy species on the slope and saltmarsh species below approximately +10 ft MLLW. Saltmarsh species consist of dune grass, orache, plantain and atriplex. Coverage within this area is variable and ranges between 5-30 percent.

Overall, the portion of the park west of the County road is providing deteriorated habitat due to the existing, heavy public use of the park and the historic maintenance activities above and below the OHWM. Below the OHWM, the site is providing minimal habitat due to the presence of scattered angular rock and coarse sand and gravel (material historically placed as part of shoreline stabilization activities). In addition, the placement of the revetments, groins and beach fill have further resulted in the degradation of habitat. Above the top of the bank the habitat is limited due to the maintenance of the park and existing, heavy public use.

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

Bay View State Park is a 25-acre camping park with 1,285 feet of saltwater shoreline operated by Washington State Parks. The park offers year round day-use and overnight facilities. The area of the park proposed for project improvements is for day use, shoreline, and beach access. Upland facilities include parking, restrooms, and day-use facilities including picnic areas. The remainder of the park (east of Bayview Edison road) includes overnight camping facilities.

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

Adjacent upland properties are residential; adjacent aquatic properties are state-owned (Ecology and Parks Commission) for purposes of recreation and conservation.

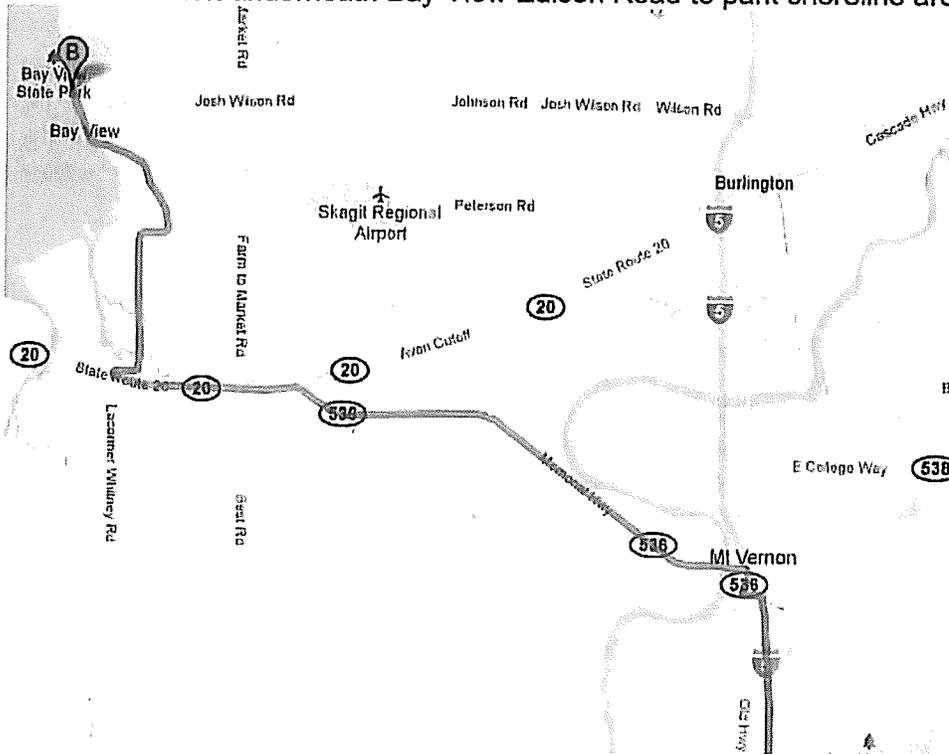
5o. Describe the structures (above and below ground) on the property, including their purpose(s). [\[help\]](#)

There are several structures within the portion of the park to the west of Bayview Edison Road. Structures include two vault toilets, a storage shed, and a picnic shelter. There is one vault toilet at the toe of the slope near the gravel/dirt access road and the other is located in the center of maintained lawngrass area. The picnic shelter is located waterward of the gravel/dirt access road on the southern portion of the park. The storage shed is located at the toe of the slope near the gravel/dirt access road. There is also a drain field that is used by the sewer facility located on the east side of the County road, which will be improved and protected as part of this project (see response 6). There is also existing deteriorated shoreline armoring (revetments and groins) above OHW and armoring and groins below OHW, which are being removed or improved as part of project (see response 6). Other minor structures include split-rail fencing and picnic tables.

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

From I-5 (Mount Vernon):

Exit 226 for Kincaid Street / WA 536 – follow WA 536 west (toward Anacortes). Merge onto WA-20 / Memorial Highway west (towards Anacortes). Exit (right) at LaConner - Whitney Road (becomes Whitney - Bay View) and immediately left onto Bay View-Edison Road. Bay View State Park is approximately 3.4 miles north. Exit to right and continue left underneath Bay View Edison Road to park shoreline area.



Part 6–Project Description

6a. Summarize the overall project. You can provide more detail in 6d. [\[help\]](#)

Washington State Parks (Parks) Bay View Park facilities on-site waste water treatment system includes a drain field located within the nearshore uplands along Padilla Bay. This serves as the sole waste treatment facility for the entire park. As a part of improving the waste treatment system, Parks is required to maintain a WA Department of Health (WDOH) imposed minimum 100-ft buffer distance between the ordinary high water mark (OHWM) and the edge of the drain field. This buffer is required in order to operate the parks on-site wastewater treatment system and for protection of water quality. Beach erosion at the park has resulted in progressive landward migration of OHWM toward the drain field. Protection of the remaining upland buffer is required in order to continue to operate the onsite wastewater treatment facility and correspondingly the state park facility. Historical activities to protect the park and buffer have resulted in the installation of rock groins, rock revetments and the placement of coarse sands and gravels on the slope. The west beach has progressively receded landward since the time of the last beach re-nourishment in 1993. The current position of OHWM is within 4 feet of the WDOH required 100ft buffer thereby threatening continued operation of the drain field. Immediate stabilization of the shore is required in order to maintain continued use of the facility. A description of the existing conditions is shown graphically in the sheet sets.

The proposed project has been designed to both provide immediately protection of the 100 ft buffer, creating a hardened backstop at the 100 ft buffer, and to provide a soft stabilization of the shoreline that will provide protection of the shoreline and maximize habitat. Due to the concerns over impacts and budgetary concerns, Parks will construct the Project in two sequential phases (Phases 1 and 2). All Phase 1 work activities would be conducted landward of the OHWM. The elevation of OHWM at this site is approximately +10 ft MLLW (see Phase 1 Sheets 1-6). Note that MHHW at this site is +8.4 ft MLLW, approximately 1.5 ft below OHWM. These elevations are important as they are the regulatory boundaries for the State (WDFW) and Federal agencies (USACE, NMFS and USFWS). Phase 2 work will occur both above and below the OHWM and will entail the soft stabilization and restoration of the shoreline. Each phase is discussed separately below and to facilitate ease in review the Sheet set for both Phases are also separated (Phase 1 Sheets 1-6 and Phase 2 Sheets 1-6).

Phase 1 Stabilization and Upland Reconfiguration

As stated above, Phase 1 activities will all occur landward of the +10 ft MLLW. The main purpose of the Phase 1 activities is to provide a permanent protection measure for the 100 ft buffer from the existing drainfield. This will be accomplished by the installation of a buried rock revetment landward of the OHWM. In order to install the rock revetment landward of the OHWM and 100 ft from the drainfield, Phase 1 will also entail minor modifications to the existing drainfield to ensure that the 100 ft buffer is maintained long term.

Upland Reconfiguration

Currently the distance from the drainfield to the OHWM is approximately 104 ft. To ensure that the minimum 100 ft buffer is maintained, the project will abandon the waterward two laterals from the existing drainfield. Each of the lateral lines consists of gravelless drainfield units with 1 1/2" diameter laterals 150 ft long (300 ft total for both lines; Sheet 6). In order to maintain the same drainfield area, 15 feet will be added to both ends of each of the remaining laterals (Phase 1, Sheets 1-6). This will allow construction of the Phase 1 of the project above the OHWM while providing the required 100 ft buffer distance needed for compliance following installation of the buried revetment. The relocation of the two lateral lines will result in the excavation of approximately 200 cy over approximately 3,500 sf.

In addition to the relocation of the laterals, extension of the laterals will require removal of the existing vault toilet adjacent to the drainfield. The existing vault toilet is approximately 12.5 ft by 12.5 ft. The proposed project entails the replacement of the existing toilet with either a bathroom facility or a vault toilet (depending on budget availability) totaling approximately 800 sf of new impervious surface in the location shown on the project plans. Construction of this facility will likely require a Skagit County Building Permit at a later date. If a bathroom facility is constructed then this will require connection to the upland sewer and water systems and extension of electrical to the new building. This would result in a total of 200 cy of trench excavation.

Structural Stabilization

Parks is proposing immediate protection of the drain field by installing 620 linear ft of rock revetment entirely landward of OHWM (Phase 1 Sheets 1-6; Photographs 1-2). The intent of the rock revetment is to provide long term, minimal maintenance shore protection along the west beach in order to maintain the required 100-ft-wide buffer for drain field operation. The revetment will consist of a geotextile filter fabric, bedding layer (375 cubic yards (cy)), and 3 ft thick armor stone layer (650 cy). The structure will extend from a crest elevation of +12 ft MLLW down to an elevation of +6 feet (MLLW) at a slope of 1.5H:1V. (Note that the excavation would extend to an elevation +6 ft MLLW but will be located landward of the OHWM.) Material excavated (existing sand and pea gravel; 3,700 cy) for installation of the revetment structure will be reused in various locations on the shoreline as dune features. Five new 10 ft wide pedestrian access points will be installed to provide formalized access from the uplands to the beach. The access points will be surfaced with pre-cast, hand placed concrete pavers above the top of the slope. Shoreline areas in between the access points will be backfilled with excavated material to provide shoreline dune enhancements and will be protected from pedestrian impacts through the installation of a cedar split rail fence. Finally, as a part of this phase Parks proposes planting of shrubs/grasses to aid in stabilizing the upper beach and scarp.

The revetment does not provide any shore stabilization or habitat improvements to the south beach nor any recreational or habitat improvements to the west beach (Phase 1 Sheet 2). Removal of up to two of the waterward drain field lateral pipes will be allowed by WDOH as long as they are reinstalled as extensions to the remaining lateral pipes.

Revetment construction volumes consist of the following:

- Armor Rock (riprap) = 650 cy
- Bedding Stone = 375 cy
- Revetment Length = 620 ft
- Excavation = 3,700 cy

Phase 2: Soft Stabilization and Restoration

After Phase 1 has been completed, Parks proposes to conduct soft shore stabilization and restoration (removal of rock from failed armoring) below OHWM (Phase 2 Sheets 1-6; Photographs 3-6). This work will consist of removal of rock from the intertidal beach and shoreline, various beach fill, revegetation, and a new rock groin and beach sill. Soft shore stabilization will provide added protection to the shoreline and upland areas while improving habitat conditions through substrate and slope improvements. Phase 2 actions will provide a soft shoreline armorment that will minimize the potential for the rock revetment, installed in Phase 1, becoming exposed (Phase 2 Sheets 3-4).

Phase 2 will provide long term protection for the Bay View State Park shoreline while still providing a recreational beach area for the public and habitat for fish and wildlife species. Phase 2 will provide forage fish spawning substrate on the west and south beaches. Phase 2 will also significantly reduce the erosion at the west beach and the requirement for continual re-nourishment of the west beach. Phase 2 will also provide a more gradual sloped shoreline that will significantly reduce the potential for erosion at the west beach to expose the rock revetment that will be installed within the upland to ensure the 100 ft buffer off of the drain field is maintained. Finally, Phase 2 will minimize shoreline disturbance and erosion by installing dune restoration areas.

Revetment and Groin Removal

The proposed project will remove the existing deteriorated revetments and groins installed as part of the previous shoreline stabilization activities. This will consist of the removal of the revetments located at the northwest and southwest corners of the park and the two rock groins on the west side of the park. The removal of the revetments will also entail the removal of angular rock that was scattered to the north and south of the revetments. The scattered rock will be removed from areas within the Parks property above +1 ft MLLW. Rock removal areas will be restored by backfilling with native onsite excavated sand materials. The revetments will be replaced with a rock groin and beach sill (described below). The removal of these structures will occur using land based equipment.

Rock removed from the beach and shoreline will be separated into small and large size classifications. The smaller size will be reused as the base for the new south groin. Larger stone removed from the beach will be reused as landscaping features at Bay View Park within upland areas.

Beach Restoration volumes consist of the following:

- Riprap and Scattered Rock Removal
 - 59,500 sf (total) and 47,860 sf (below MHHW)
 - 1,400 cy (total)

Beach Sill Installation

A low profile beach sill will be installed at the northwest corner of the park to aid in the retention of beach fill material and minimize loss of west beach due to southwest wind waves. The beach sill will be constructed of rounded cobble and boulder size material. The crest of the beach sill will be 50 ft long and 4 ft wide, with over 20 ft located landward of the OHWM. The landward end of the crest (20 ft) will be constructed at +12 ft MLLW and then will be sloped at 10H:1V for the next 30 ft. Below +9 ft MLLW, the remainder of the sill to the north and northwest will be sloped at 5H:1V. Excavation for the sill will occur above the OHWM and is required for the installation of a cobble toe at the landward end of the sill (at the base of the proposed revetment). Following construction the portion of the sill located above +12 ft MLLW will be covered with the excavated material. The sill will act to prevent components of the soft shore protection from being lost to the north of the project site carried by longshore transport. The sill will extend perpendicular to the existing shoreline at the northwest corner of the beach park.

Beach Sill construction volumes consist of the following:

- Cobble/Boulder = 200 cy (total) and 125 cy (below MHHW)
- Sill Length = 67 ft
- Excavation = 100 cy
- Structure footprint = 1,650 sf (below MHHW)

Rock Groin Installation

A rock groin structure will be installed at the SW corner of the site to provide wave attenuation on the south beach from north waves in order to install soft shore stabilization along the south beach, which will replace the existing deteriorated revetment (Phase 2 Sheets 3 and 5). The groin will also aid in the retention of the west beach fill material from being mobilized by north wind waves. The groin will be positioned to reshape the south beach and corresponding intersection with the west beach to a more natural curvilinear shape rather than attempting to stabilize the shoreline at its current position. This reduces the footprint of new construction area waterward of OHWM as well as creates a more natural south beach orientation for beach performance relative to south/southwest impacting waves. The groin will consist of a geotextile fabric layer, an inner rock core layer, and an outer flat slope small armor layer. The installation of the groin will require the excavation of approximately 850 cy of material. Following excavation, a geotextile fabric will be installed as a base for the groin core stone. The inner core layer will utilize onsite rock obtained from the beach restoration work. Above the core stone, a 3 ft layer of armor stone will be installed, which will consist of riprap. The crest of the groin will be 5 ft wide and approximately 155 ft long. The landward 30 ft located above +12 ft MLLW will be covered with excavated sand. Below +12 ft MLLW the crest will be sloped at 25H:1V for 125 ft. The west and north sides of the groin will be sloped at 5H:1V, while the south side of the groin will be sloped at 1.5H:1V. Additionally, the 3 ft thick armor stone layer will be top-dressed with fish mix gravel to fill the interstices of the armoring layer. Excavation for groin foundation will be conducted using excavators during the time periods of low tide (when tidal waters are not within work area) and to a minimum depth of 2 feet below the natural beach grade. Excavated material will be utilized onsite as backfill below the imported beach fill materials.

Groin construction volumes consist of the following:

- Armor Rock (riprap) = 850 cy (total) and 525 cy (below MHHW)
- Core Stone = 200 cy (total) and 200 cy (below MHHW)
- Fish mix = 125 cy
- Groin Length = 155 ft
- Excavation = 850 cy (total)
- Structure footprint = 7,900 sf (below MHHW)

West Beach Fill

West beach fill will consist of augmentation of the existing west beach to rebuild the upper beach berm for improved shore stabilization, recreation and habitat enhancements (Photographs 4-5; Phase 1 Sheets 3-4). The west beach fill will entail the excavation of existing material and the installation of two layers of select material that would provide protection for the beach and habitat for fish and wildlife species. The goal of the west beach fill is to construct a gradually sloped shoreline that would both protect the beach from eroding and exposing the stabilization installed in Phase 1, while providing natural habitat.

Excavation will be completed by land based equipment and will remove the existing material to allow for the placement of the two layers of select material. Excavation of the existing substrates will occur landward of the +5 ft MLLW elevation in order to provide a minimum 18 inch of beach fill. A large portion of the shoreline will not require excavation due to the existing grades. The majority of the excavated substrates will consist of gravel and sand that has either eroded from the park or was placed on the beach to protect the shoreline. Approximately 2,800 cy of material will be excavated from the shoreline. Following the excavation, a cobble/gravel toe will also be installed within the area above MHHW along the toe of the rock revetment structure to provide toe protection and cover in the event an extreme major storm results in removal of the new west beach fill material. Beach fill will consist of a 3.5" minus cobble/gravel/sand habitat mix type material. This material is expected to be winnowed by wave action to result in a surface gradation of materials that is dynamic yet stable within the wave environment at the site. It is expected that wave action will develop pockets of finer substrate that would be suitable for sand lance spawning. This design feature has been developed based on the results of wave and sediment stability numerical modeling conducted by Coast and Harbor Engineering and incorporates an advanced approach to shoreline protection. Specifically, the design incorporates a uniform layer that contains a graded mix of material that ranges in size from sand to large gravel or cobble. This material would be placed approximately 1.5 feet thick to allow wave energy to winnow the material resulting in a surface gradation of materials that is stable within specific wave environments.

The beachfill will be installed to a 7H:1V slope up to a crest elevation of +11 ft (MLLW). A variable berm crest of 12ft to 20ft will be installed with beach fill and then top dressed with a layer of excavated over the entire berm width. Large woody debris (LWD) removed from the south beach restoration area will be placed near the waterward edge of the west beach berm. Up to 10 LWD will be installed on the west beach fill, which would be anchored into the existing beach. Sand will be backfilled up to the back edge of the LWD.

A dune will be reconstructed utilizing excavated sand at the landward edge of the berm crest. The dune will be revegetated for long term stabilization. Dune vegetation will further stabilize the shoreline. The dune restoration action will also localize beach access points, which will minimize shoreline disturbance and erosion by focusing human use of the shoreline to specific points.

The west beach fill will be installed to tie into a beach sill at the north terminus and a rock groin at the south terminus. West Beach construction volumes consist of the following:

- Beach Fill = 1,900 cy (total) and 950 cy (below MHHW)
- Cobble Toe = 400 cy (total) and 0 cy (below MHHW)
- Beach Fill Length = 590 ft
- Excavation = 2,800 cy
- Beach fill footprint = 25,000 sf (below MHHW)

South Beach Fill

The south beach restoration will result in substantial nearshore habitat improvements and has been designed to maximize nearshore habitat function (Photograph 6). South beach restoration includes the removal of existing deteriorated revetment and the scattered angular rock from the intertidal beach (described above), the placement of 2" minus habitat mix type material for the purpose of shore stabilization (replacement of riprap) and habitat/recreational improvements (Phase 2 Sheets 3 and 5). Following the removal of the deteriorated revetment and scattered rock, the south beach will be shaped by installing excavated beach sand followed by the placement of a 2 foot thick gravel/sand beach fill cover layer. The beach fill cover layer will be installed from +11 ft MLLW down to between +4 ft to +6 ft MLLW. The landward approximately 22 ft of the beach fill cover layer will be covered with excavated sand, which will be revegetated with dune grass. Waterward of the +11 ft MLLW elevation the beach fill cover layer will be sloped at 8H:1V with the toe of the fill varying from +4 ft to +6 ft MLLW. As with the west beach fill, the south beach fill material has been specified to be winnowed by wave action and to be stable in the wave environment at the park. This material is a finer mix than the west beach fill material, which is possible due to the more protected nature of the south beach and the proposed rock groin immediately northwest of the south beach. This material is expected to provide pockets of sand lance spawning habitat for the entire length of the south beach fill.

Once the beach fill is completed, excavated sand will be placed for dune reconstruction work within the near shore uplands, located greater than 12 feet landward of the top of beach slope. One beach access point may need to be modified in this phase from the parking lot down to the south beach. The restored dune will be replanted with native vegetation to maximize habitat and provide additional stabilization for the finer material. The dune areas will also be fenced to prevent impacts by pedestrians. As with the west beach, the dune restoration will be designed to focus pedestrian shoreline access to specific points to localize and minimize impacts to the shoreline.

South Beach construction volumes consist of the following:

- Gravel Beach Fill = 1,100 cy (total) and 800 cy (below MHHW)
- Sand Backfill = 1,460 cy (total) and 500 cy (below MHHW)
- Beach Fill Length = 250 ft
- Excavation = 225 cy
- Beachfill footprint = 14,900 sf (below MHHW)

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

- Commercial Residential Institutional Transportation Recreational
 Maintenance Environmental Enhancement

6c. 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"/> Road |
| <input checked="" type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Ditch | <input type="checkbox"/> Marina / Moorage | <input type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Dredging | <input type="checkbox"/> Outfall Structure | <input type="checkbox"/> Utility Line |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Piling | |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Retaining Wall (upland) | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> Fishway | | |

Other: wastewater treatment drainfield reconfiguration, shoreline restoration and enhancement.

6d. Describe how you plan to construct each project element checked in 6c. 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 flood plain.

Phase 1 work will be conducted using earthmoving equipment mobilized and operated from the areas located landward of OHWM. The location of OHWM and rock revetment will be delineated by electronic surveying methods prior to the start of onsite construction activities.

Phase 2 work will include operation of equipment on the beach, shoreline and upland areas on the project site. Rock excavation will occur using an excavator to pick up the rocks and place them in the upland. This will entail minimal substrate disturbance. Substrate excavation, placement of rock materials, and placement of bedding sand will also occur using an excavator. To the extent possible, the excavator will be located in the upland and work will occur in the dry, as allowed by tidal inundation.

6e. What are the 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.

Construction will begin as soon as possible pending receipt of necessary permits and authorizations. Each of the phases will require approximately 4-6 weeks completing individually.

All proposed work is above the OHW and therefore timing restrictions typically used for in-water work as defined in various aquatic permits and approvals are not anticipated.

Start date: Phase 1 May 2012; Phase 2 June 15

End date: Phase 1 June 2012; Phase 2 January 31

See JARPA Attachment D

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

Beach erosion at the park has resulted in progressive landward migration of OHWM. The proposed project would significantly minimize future actions required at the park to protect the shoreline and consequently the day use area and drain field. This will be accomplished by Phase 1 (rock revetment) and Phase 2 (soft stabilization). The primary purpose of Phase 1 is to maintain the WDOH imposed minimum 100-ft buffer distance between the OHWM and the edge of the drain field. This buffer is required in order to operate the parks onsite wastewater treatment system and for protection of water quality. Phase 2 will restore the shoreline habitat by removal of the scattered substrates (angular rock and riprap) that were placed as part of previous stabilization activities, the placement of select fill material, and establishment of dune areas with native vegetation. All of these actions will result in an increase in aquatic and shoreline habitat quality. The proposed project would also establish hardened public access points that will limit the impact of public use on the shoreline and would provide safe access to the shoreline.

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

\$625 Thousand

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]						
<input type="checkbox"/> Not applicable						
7b. Will the project impact wetlands? [help]						
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know						
7c. Will the project impact wetland buffers? [help]						
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know						
7d. Has a wetland delineation report been prepared? [help]						
<ul style="list-style-type: none"> If yes, submit the report, including data sheets, with the JARPA package. 						
<input type="checkbox"/> Yes <input type="checkbox"/> No Not Applicable						
7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [help]						
<ul style="list-style-type: none"> If yes, submit the wetland rating forms and figures with the JARPA package. 						
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know Not Applicable						
7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [help]						
<ul style="list-style-type: none"> 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. 						
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable						
7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [help]						
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)
<small> 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) </small>						
Page number(s) for similar information in the mitigation plan, if available: _____						
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

One of the primary purposes of this project is to ensure that the minimum 100 ft buffer is maintained between the Park's wastewater treatment drain field and aquatic areas, minimizing risks that water quality in Padilla Bay would be affected by this facility. Stabilizing the shoreline also will enhance shoreline by improving slope, substrate, and dune vegetation in a documented forage-fish spawning area. These long-term improvements will benefit aquatic habitat used by a variety of aquatic organisms including many protected by federal or state regulators (see responses 9k and 9l). The long term improvements would also reduce the potential for future construction activities associated with protection of the 100 ft buffer.

Phase 1:

All Phase I work proposed in this application will be conducted landward of OHWM. The work would occur using earth-moving equipment staged in the upland. Silt fences would be erected between the work and the OHWM to prevent silt from entering the water and the contractor from operating below the OHWM. Typical construction BMPs will be implemented to prevent spills of hazardous materials, and to minimize the potential for spilled materials from entering the water should a spill occur. The proposed project will occur in an area devoid of habitat due to the heavy public use of the park.

Phase 2:

During in-water work, the following avoidance and minimization measures will be implemented:

- A sand lance spawning survey will be conducted prior to substrate-disturbing work below OHWM to avoid impacting sand lance eggs.
- As much work as is practicable will be completed in the dry during periods of tidal exposure.
- Equipment will be mobilized from upland areas as much as is practicable; equipment will only operate on the beach in the dry during periods of tidal exposure.
- Excavated materials, construction debris and equipment shall not be staged or stockpiled in aquatic areas.
- All natural habitat features on the beach larger than 12 inches in diameter shall be retained on the beach following construction. These habitat features may be moved during construction if necessary.
- The contractor will comply with water quality restrictions imposed by Ecology and implement corrective measures if temporary water quality standards are exceeded.
- The contractor will have a spill containment kit, including oil-absorbent materials, on site to be used in the event of a spill or if any oil product is observed in the water.

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

Yes No **Phase 1 will occur in areas adjacent to, but not within, Padilla Bay. Phase 2 will occur in Padilla Bay**

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 Not applicable

The proposed project would not result in adverse impacts to the aquatic habitat. The proposed project has been designed to provide long term protection for the existing drainfield and 100 ft buffer. By doing this the project minimizes the need for future construction activities at the site that would result in a continued disturbance to the site. Phase 1 will occur completely above the OHWM and will disturb portions of the shoreline that are currently degraded due to the heavy public use of the site. The shoreline at the parks is a heavily used public access and because of that the habitat is limited. All activities associated with Phase 1 will not result in conditions that would directly or indirectly affect the aquatic habitat below the OHWM. Phase 1 will also not impact any critical areas at the site as no critical areas exist. The site does not contain wetlands or riparian areas and the nature of the project will not result in impacts to the flood zone as the project will not significantly alter the existing grade of the shoreline. The project also will install a pedestrian control fence and five access points to funnel access to the shoreline, which will minimize the erosion caused by public access and limit the disturbance of the vegetation on the slope and dune features (installed as a part of Phase 2).

Phase 2 will remove all of the existing revetments, groins and coarse substrates that have been installed in the past to protect the shoreline and have deteriorated and scattered below the OHWM. In total, non-native material (placed as part of previous stabilization projects) will be removed from over 107,000 sf of shoreline below the MHHW. This includes the removal of the deteriorated rock revetments, groins and scattered rock. In addition, the project will result in the placement of native gravel and sand over approximately 39,900 sf of the shoreline, which will maintain the existing slopes and maximize habitat at the park. The placement of select material will provide protection to the shoreline and provide habitat. Approximately 14,900 sf of the placement of material will occur on the south side of the park and will consist of a sand and gravel mixture. Finer material is proposed in this area is due to the lower energy levels, which will allow for a high quality of habitat. This area will result in a gradually sloped sand and gravel beach that will provide suitable conditions for sand lance spawning and saltmarsh development. The proposed project will result in the installation of a rock groin and a beach sill that will cover approximately 9,500 sf below MHHW. The beach sill will consist of cobbles and boulders and the rock groin will consist of riprap. The riprap will be covered with fish mix that will fill the interstices that will reduce the impacts of the riprap. Both of these actions will result in negative impacts to the aquatic habitat. Overall the project will result in an increase in habitat and functions above the MHHW at the property site as the positive aspects of the property far outweigh the negative aspects of the project, resulting in a net increase in habitat functions. In addition to the net increase in habitat below the MHHW at the site, the project will also increase habitat above the MHHW by constructing dune features above the OHWM. The dune features will be planted with dune grass and along with the split fence and access points will minimize the impacts to the shoreline habitat from public use.

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. [\[help\]](#)

The Project is a necessary restoration action to maintain the required 100-ft buffer around the site's wastewater treatment drainfield and to protect the revetment installed landward of the OHWM from being exposed. The Project has been designed to reduce shoreline erosion by implementing soft shoreline stabilization techniques including a groin, a low-profile beach sill, substrate improvements, and dune restoration planting areas. This will reduce energy on the shoreline and maintain the drainfield buffer, minimizing the potential for water quality impacts resulting from a large storm event. The Project has been designed to result in a net long-term benefit to existing substrate, including removal of existing revetments, groins and scattered angular rock, as well as the placement of fish mix habitat substrate over a substantial portion of the shoreline, while maintaining public use of the shoreline. Dune features will include plantings and will localize pedestrian access points that will reduce shoreline erosion. The Project's short-term impacts are mitigated by the avoidance and minimization measures listed above. No unavoidable impacts will occur that would require compensatory mitigation as the project will result in an increase in habitat and functions above the MHHW at the property site as the positive aspects of the property far outweigh the negative aspects of the project, resulting in a net increase in habitat functions.

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 to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Structural shoreline stabilization	Padilla Bay	Adjacent to		None	None
Revetment and groin removal (riprap and scattered rock)	Padilla Bay/ Puget Sound	In Water	Permanent	~1,400 cy (total) scattered rock revetment removed	59,500 sf total; 47,860 sf below MHHW
Rock Groin	Padilla Bay/ Puget Sound	In Water	Permanent		7,900 sf below MHHW
Armor rock	Padilla Bay/ Puget Sound	In Water	Permanent	850 cy total; 525 below MHHW placed	
Core stone	Padilla Bay/ Puget Sound	In Water	Permanent	200 cy (below MHHW) placed	
Fish mix	Padilla Bay/ Puget Sound	In Water	Permanent	125 cy placed	
Excavation	Padilla Bay/ Puget Sound	In Water	Permanent	850 cy total removed , ~525 cy below MHHW	
West Beach Fill	Padilla Bay/ Puget Sound	In Water	Permanent		25,000 sf
Beach fill	Padilla Bay/ Puget Sound	In Water	Permanent	1,900 cy total; 900 cy below MHHW; placed	
Cobble toe	Padilla Bay/ Puget Sound	In Water	Permanent	400 cy; ALL ABOVE MHHW	
Excavation	Padilla Bay/ Puget Sound	In Water	Permanent	2,800 cy removed	
Beach Sill	Padilla Bay/ Puget Sound	In Water	Permanent		1,650 sf
Cobble boulder	Padilla Bay/ Puget Sound	In Water	Permanent	200 cy total; 125 cy below MHHW; placed	
Excavation	Padilla Bay/ Puget Sound	In Water	Permanent	100 cy total/below MHHW; removed	
South Beach Fill	Padilla Bay/ Puget Sound	In Water	Permanent		14,900 sf
Gravel beach fill	Padilla Bay/ Puget Sound	In Water	Permanent	1,100 cy total; 800 cy below MHHW; placed	
Sand backfill	Padilla Bay/ Puget Sound	In Water	Permanent	1,460 cy total; 500 cy below MHHW; placed	

¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.

² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

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

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

Approximately 850 cy of armor rock and 375 cy of bedding stone would be placed above OHWM (Phase 1). All fill materials placed above and below OHWM (Phase 2) will be obtained from local quarries, depending on price and availability. The revetment removed from the north shoreline area will be used as the inner core stone for the groin structure. The nature and volume of the material is described above, ranging in size from sand to armor stone revetment. Please see Phase 2 Sheet 3 for the placement location each material type. All material will be placed by an excavator staged in the upland to the extent possible, or on the beach during low tide when not possible from the upland.

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. [\[help\]](#)

Approximately 3,700 cy of excavation will occur above OHWM for the rock revetment and approximately 400 cy for the relocation of the outer two laterals and the potential trench for the relocated vault toilet (Phase 1). The material to be excavated would include sand and gravel and will be disposed of at an appropriate upland location. Materials to be excavated from below OHWM (Phase 2) include existing sand/silty substrate and existing failed revetment materials (angular gravel/cobble/boulder and riprap). The volume of the material is described in response 8e above. Please see Phase 2 Sheet 2 for the excavation location each material type. All material will be excavated by an excavator staged in the upland to the extent possible, or on the beach during low tide when not possible from the upland.

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
Skagit County	John Cooper	(360) 336-9410	October 2011
USACE	Randel Perry	(360) 734-3156	June 2011
WDFW	Doug Thompson	(360) 466-4345 ext 251	May 2011
Skagit River System Cooperative	Stan Walsh	(360) 466-1512	May 2011
Samish Indian Nation	Christine Woodward	(360) 293-6404 ext 108	May 2011

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? [\[help\]](#)

- 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

The waters of Padilla Bay immediately adjacent to Bay View State Park are not included on the 303(d) list, however listings mapped near March Point and Fidalgo Bay which include Padilla Bay generally in their description include 303(d) listing for Chrysene (tissue) and Benzo(a)anthracene (tissue).

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.

17110019 – Puget Sound

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

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

2 – Lower Skagit/Samish

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [\[help\]](#)

- 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? [\[help\]](#)

- 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 _____

9g. What is the Washington Department of Natural Resources Water Type? [\[help\]](#)

- 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? [\[help\]](#)

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

Yes No

Name of manual:

9i. If you know what the property was used for in the past, describe below. [\[help\]](#)

The property has been owned and operated as a public park since 1925.

9j. Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If yes, attach it to your JARPA package.

Yes No The park to the west of the County road is fill and will not likely require a cultural survey.

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. [\[help\]](#)

A Biological Evaluation for submission to the US Army Corps of Engineers (Corps) has been prepared addressing the following species:

Puget Sound Chinook Salmon; Coastal-Puget Sound Bull Trout; Puget Sound Steelhead Trout; Bocaccio rockfish; Canary rockfish; Yelloweye rockfish; Eulachon; Southern Resident Killer Whale; Humpback Whale; Steller Sea Lion; Leatherback Sea Turtle; Marbled Murrelet

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. [\[help\]](#)

In addition to those federally listed species above, the online WDFW PHS mapper identifies the following species and habitats within approximately one half-mile of Bay View State Park:

Species:

Snowy Owl

Habitats:

estuarine intertidal; estuarine zone; forage fish spawning (potential and documented, surf smelt and sand lance); palustrine wetlands; oyster beds; water fowl concentrations; Padilla Bay wetlands

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

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

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

A SEPA determination is pending with **State Parks** (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

Washington Department of Ecology:

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):

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. [\[help\]](#)

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

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

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

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. _____ (Initial)

THOMAS B. MURLEY T B. M APRIL 25, 2012
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.

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.

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 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