



2009

WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form [help]



US Army Corps of Engineers \* Seattle District

AGENCY USE ONLY

Date received: RECEIVED

OCT 23 2009

Agency reference # HABITAT PROGRAM

Tax Parcel #(s):

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

Part 1-Project Identification

Unique project information that makes it easy to identify. [help]

1a. Unique Project Identifier Number (UPI #) [help]

- Don't have one yet? Get one at http://www.epermitting.wa.gov or call the Washington Governor's Office of Regulatory Assistance at (800) 917-0043.

447826-09-01

1b. Project Name (Examples: Smith's Dock or Seabrook Lane Development) [help]

Pier Repair

Part 2-Applicant

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

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

2b. Mailing Address (Street or PO Box)

2c. City, State, Zip

2d. Phone (1)

2e. Phone (2)

2f. Fax

2g. E-mail

( )

( )

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)

3c. City, State, Zip

3d. Phone (1)

3e. Phone (2)

3f. Fax

3g. E-mail

## Part 4—Property Owner(s) [\[help\]](#)

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 use [JARPA Attachment A](#) for each additional property owner.

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

## Part 5—Project Location(s)

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

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

<b>5a. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5n.) <a href="#">[help]</a></b>			
<b>5b. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) <a href="#">[help]</a></b>			
Mercer Island, WA 98040			
<b>5c. County <a href="#">[help]</a></b>			
King			
<b>5d. Provide the section, township, and range for the project location. <a href="#">[help]</a></b>			
<b>¼ Section</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>
SE	30	24N	05E
<b>5e. Provide the latitude and longitude of the project location. <a href="#">[help]</a></b>			
• Example: 47.03922 N lat. / -122.89142 W long			
Latitude: 47.535655N Longitude: -122.21338W			
<b>5f. List the tax parcel number(s) for the project location. <a href="#">[help]</a></b>			
• The local county assessor's office can provide this information.			
<b>5g. Indicate the type of ownership of the property. (Check all that apply.) <a href="#">[help]</a></b>			
<input type="checkbox"/> State Owned Aquatic Land <input type="checkbox"/> Tribal <input checked="" type="checkbox"/> Private			
<input type="checkbox"/> Other publicly owned (federal, state, county, city, special districts like schools, ports, etc.)			

**5h. Contact information for all adjoining property owners, lessees, etc. (If you need more space, use JARPA Attachment C.) [help]**

Name	Mailing Address	Tax Parcel # (if known)

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

Yes  No  Don't know

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

Upland vegetation is primarily lawn with some ornamental plantings. The substrate consists of sand and muck.

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

The current use of the property is single family residential with a residence, concrete bulkhead, private moorage pier, boatlift, platform lift and mooring pile.

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

North and south adjacent properties are both single family residential with moorage structures.

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

The site has a single family residence occupied by the applicant.

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

From I-90 East or West take Island Crest Way, Exit 7B, turn left onto 70<sup>th</sup> St and follow to the end, turn Right onto E Mercer Way and follow to the driveway for 7444 on the right toward Lake Washington.

## Part 6—Project Description

**6a. Summarize the overall project. You can provide more detail in 6d. [help]**

The project includes:

- Repair existing 504s/f solid surface pier by replacing all caps, stringers and decking with a fully grated surface.
- All work will take place within the existing footprint and there will be no change in size, location or configuration.
- All existing piles will be reused.
- There will be no inwater work or pile driving.
- The barge will not be allowed to ground out at any time during construction.
- Unrestricted work windows are requested since the repair will take place above and out of the water.

**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 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 checked="" 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: \_\_\_\_\_

**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.
1. Mobilize construction barge to the site with all construction materials and equipment on board. Moor the barge as to prevent grounding on the lake bottom at any time during construction.
  2. Install silt containment curtain around work area to contain any debris that may fall into lake waters. In the event any materials enter lake waters they will be retrieved immediately and placed on the barge.
  3. Using the barge-based crane, remove existing pier decking, stringers and caps in small sections and place on construction barge for subsequent disposal at an approved upland site.
  4. Clean all pile tops in preparation for fabricated pier sections.
  5. Using the barge-based crane install pre-fabricated pier sections and secure to piling.
  6. Demobilize and dispose of all debris at approved upland disposal site.

**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.

Start date: \_\_\_\_\_ End date: \_\_\_\_\_  See JARPA Attachment D  
 Upon receipt of all required permits. Unrestricted work window requested due to all above and out of water work.

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

The purpose of the project is restore the pier to a condition comparable to its original state. The replacement of the existing solid surface with a fully grated surface reflects an environmental improvement.

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

\$46,000.00

**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.)

<b>7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands.</b> <a href="#">[help]</a> <input type="checkbox"/> Not applicable					
<b>7b. Will the project impact wetlands?</b> <a href="#">[help]</a> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know					
<b>7c. Will the project impact wetland buffers?</b> <a href="#">[help]</a> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know					
<b>7d. Has a wetland delineation report been prepared?</b> <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If yes, submit the report, including data sheets, with the JARPA package.</li> </ul> <input type="checkbox"/> Yes <input type="checkbox"/> No					
<b>7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System?</b> <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If yes, submit the wetland rating forms and figures with the JARPA package.</li> </ul> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know					
<b>7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands?</b> <a href="#">[help]</a> <ul style="list-style-type: none"> <li>If yes, submit the plan with the JARPA package.</li> </ul> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable					
<b>7g. Use the table below to list the type and rating of each wetland that will be impacted; the extent and duration of the impact; and the type and amount of compensatory mitigation proposed. If you are submitting a compensatory mitigation plan with a similar table, you may simply state (below) where we can find this information in the mitigation plan.</b> <a href="#">[help]</a>					
Activity causing impact (fill, drain, excavate, flood, etc.)	Wetland type and rating category <sup>1</sup>	Impact area (sq. ft. or acres)	Duration of impact <sup>2</sup>	Proposed mitigation type <sup>3</sup>	Wetland mitigation area (sq. ft. or acres)
<sup>1</sup> Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.					
<sup>2</sup> Indicate the time (in months or years, as appropriate) the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.					
<sup>3</sup> 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: _____					
<b>7h. For all filling activities identified in 7g., 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.</b> <a href="#">[help]</a>					
<b>7i. For all excavating activities identified in 7g., describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed.</b> <a href="#">[help]</a>					

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

## 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

- Existing pier has a solid surface; proposed pier will have a fully grated surface with 50% open area.
- Existing pier surface is 1'-6" above the OHWL, proposed pier surface will be 1'-9" above OHWL.
- The construction barge will not be allowed to ground out on the lake bottom at any time during construction.
- There will be no inwater work or pile driving.

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

Yes  No

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

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

<sup>1</sup> 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.

<sup>2</sup> Indicate the time (in months or years, as appropriate) the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

8d. 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.

Yes  No

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

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

N/A

8f. For all activities identified in 8c, 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. [\[help\]](#)

N/A

8g. For all excavating or dredging activities identified in 8c, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

N/A

## Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project.

**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
		( )	

**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

DOE website query did not return any parameters for this Section, Township and Range of Lake Washington.

**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.

17110112

**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 #.

WRIA 8

**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/wa/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](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](http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx) for the Forest Practices Water Typing System.

S    F    Np    Ns

**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    Not Applicable

Name of manual:

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

All past records show the site as being residential.

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

- If yes, attach it to your JARPA package.

Yes    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. [help]

Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*Oncorhynchus kisutch*), Bull Trout (*Salvelinus confluentus*), and Puget Sound Steelhead (*Oncorhynchus mykiss*)

**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]

None of the species or habitat on the WDFW Priority Habitat and Species List will be affected by the proposed work.

## Part 10—Identify the Permits You Are Applying For

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

- Online Project Questionnaire at <http://apps.ecy.wa.gov/opus/>.
- Governor's Office of Regulatory Assistance at (800) 917-0043 or [help@ora.wa.gov](mailto:help@ora.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](http://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 \_\_\_\_\_ (lead agency). The expected decision date is \_\_\_\_\_.

I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.)

- Submit the Fish Habitat Enhancement Project form with this application. The form can be found at <http://www.epermitting.wa.gov/Portals/JarpaResourceCenter/images/default/fishenhancement.doc>

This project is exempt (choose type of exemption below).

Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?  
197-11-800(3) Repair, Remodeling and Maintenance Activities

Other: \_\_\_\_\_

SEPA is pre-empted by federal law. [help]

**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): 173-27-040(2)(b) Normal Maintenance or Repair

#### 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 [http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=Home\\_Page](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=Home_Page)

#### Washington Department of Ecology:

Section 401 Water Quality Certification

#### Washington Department of Natural Resources:

Aquatic Resources Use Authorization



**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 required before submitting the JARPA package.

**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)

Applicant \_\_\_\_\_

Date 10/7/09

**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 \_\_\_\_\_

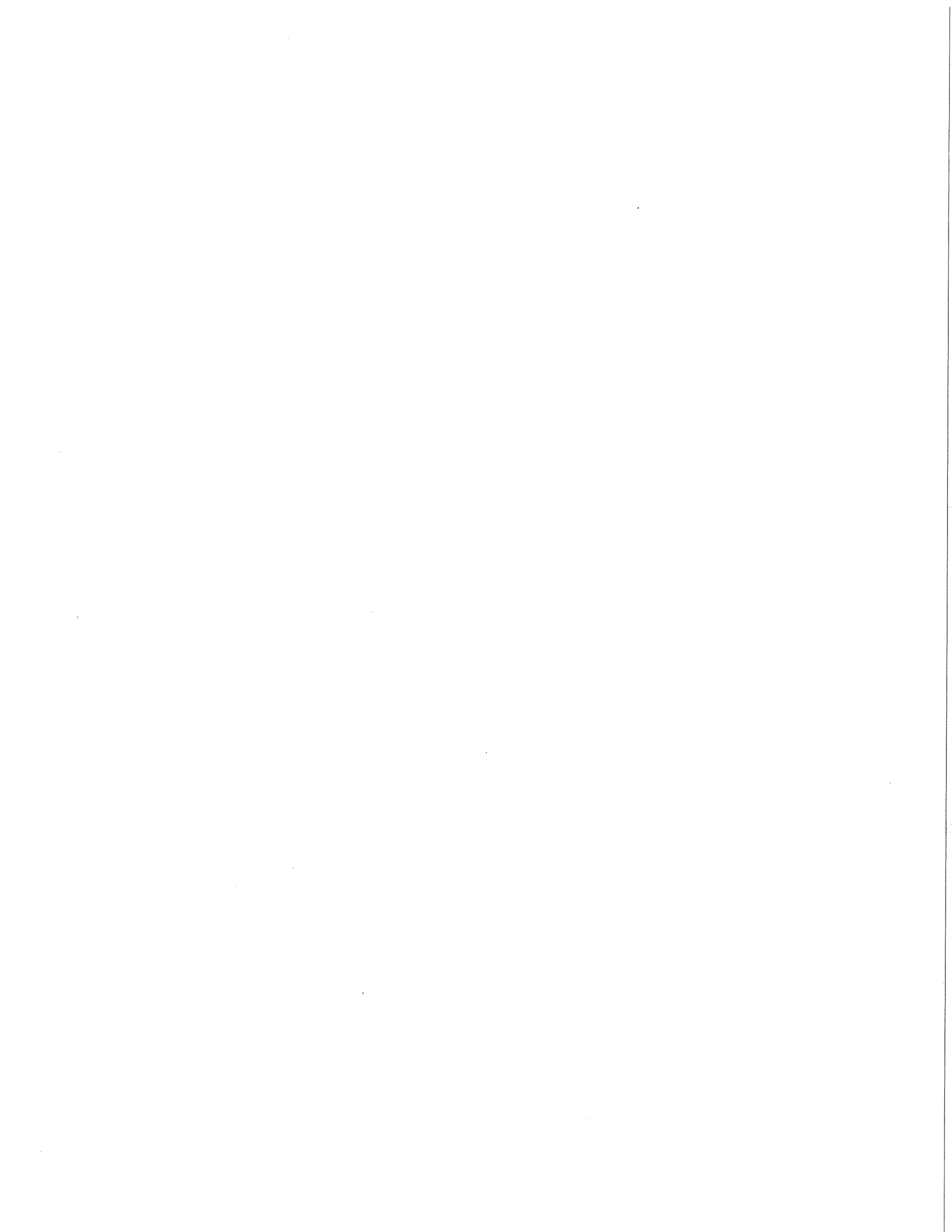
Date 10/13/09

**11c. Property Owner Signature (if not applicant) [\[help\]](#)**

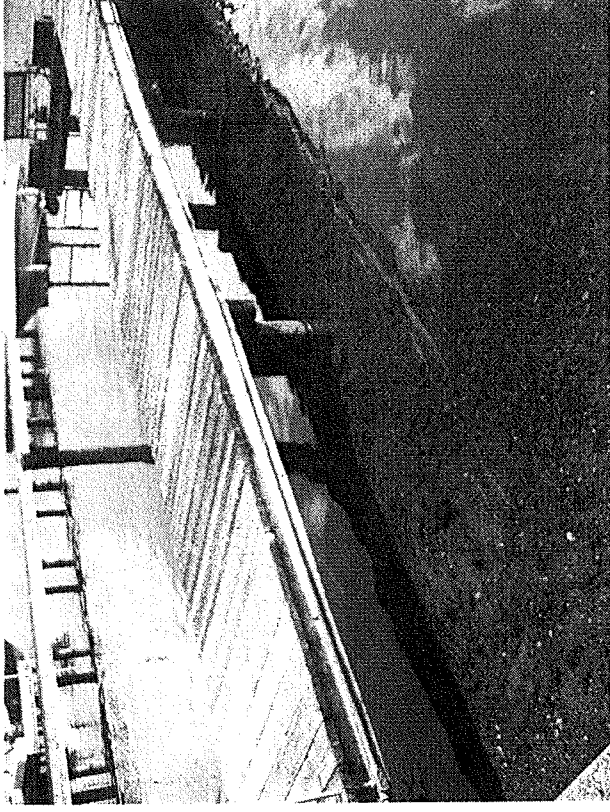
I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Property Owner \_\_\_\_\_

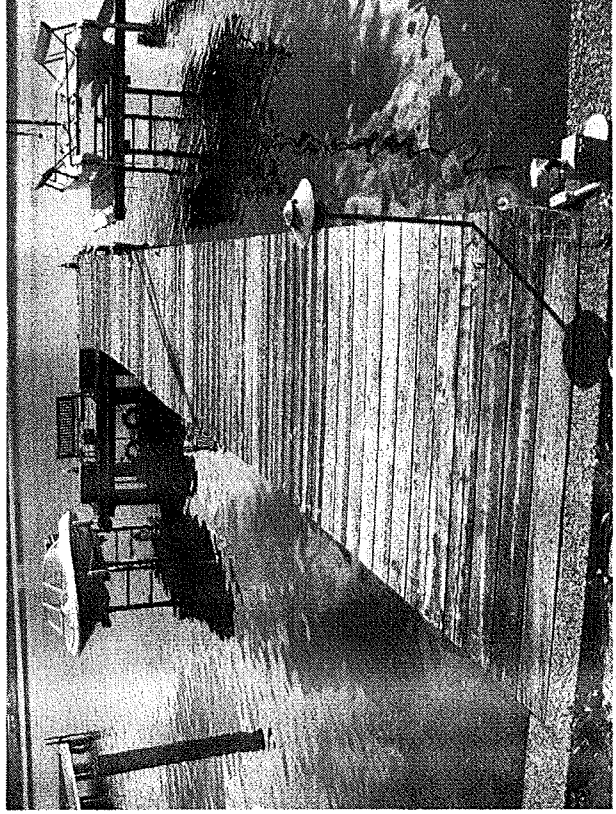
Date 10/13/09



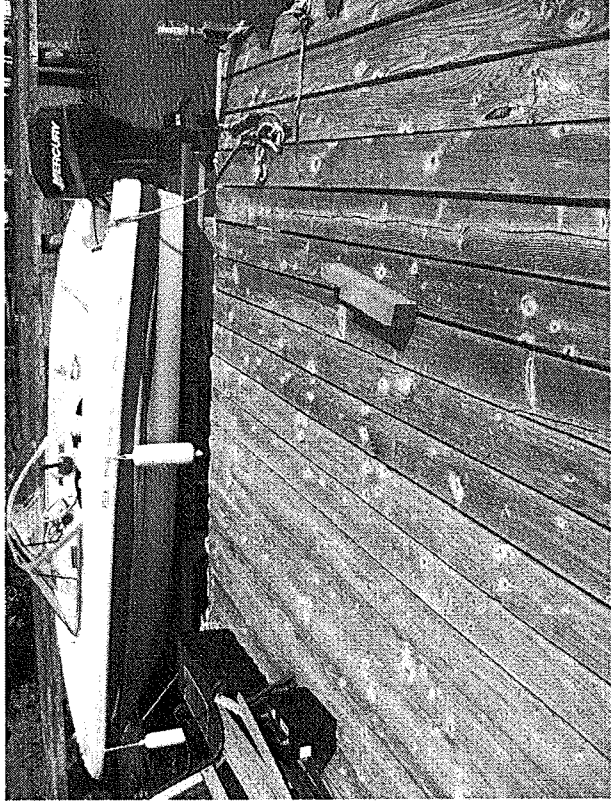
Scope of Work: Repair existing pier within the same footprint by replacing all caps, stringers and decking with a fully grated surface. No inwater work or pile driving.



Existing pier walkway to be repaired and fully grated.



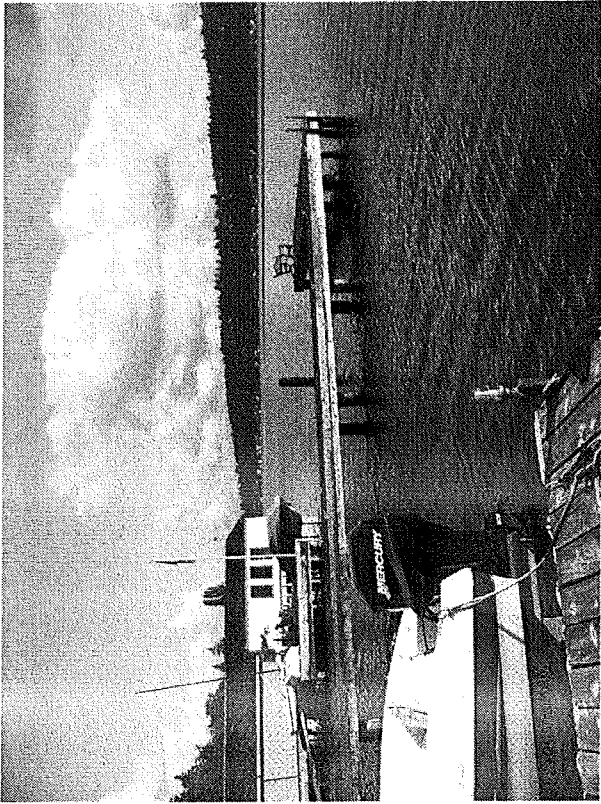
Existing pier to be repaired and fully grated.



Existing pier ell to be repaired and fully grated.



South adjacent pier



North adjacent pier



**File No. :**

**Applicant Name:**

**Owner Name:**

**Description of Proposal:** A Shoreline Exemption Permit for the repair of an existing dock; repairs to include replacing all caps, stringers and decking. New decking will be grated material. No additional pilings are proposed. No expansion of the existing dock is proposed.

**Location:**

**Name of Water Area:** Lake Washington

**SEPA Determination:** The project is exempt from SEPA per WAC 197-11-800(3)

**Description of any other work planned in the future which is related to this project:**  
None Known

This project is **EXEMPT** per MICC 19.07.110(C)(2)(a)(ii) as it constitutes normal repair of an existing structure.

THE PROPOSAL IS:  **Consistent**  Inconsistent

with the policies of the Washington State Shoreline Management Act AND the City of Mercer Island Shoreline Master Program, as depicted by the plans that were received by the City of Mercer Island Development Services Group on October 13, 2009.

**Conditions:**

1. The applicant is responsible for securing any additional required permits and/or reviews from the City of Mercer Island, including but not limited to, a Building Permit.
2. The applicant is responsible for securing any required state or federal permits and/or reviews.
3. Toxic materials, petrochemicals and construction debris shall not enter into the lake during construction.
4. The applicant shall notify the Mercer Island Police Department Marine Patrol any time a barge or other construction equipment will be moored near the subject property.
5. Inform the Mercer Island Maintenance Department at (206) 275-7608 of the anticipated start date of in-water work prior to commencement of construction.
6. Any appropriate erosion control measures shall be installed and maintained at all times during site development.
7. Any pollutants entering Lake Washington shall be reported immediately to the Department of Ecology, N.W. Regional Office: (425) 649-7000 and the City of Mercer Island (206) 275-7605.
8. Construction or substantial progress toward construction (as determined by the Code Official) must be undertaken within two years after the approval of the permit or the permit shall terminate. A single

City of Mercer Island  
Shoreline Exemption Approval  
October 19, 2009

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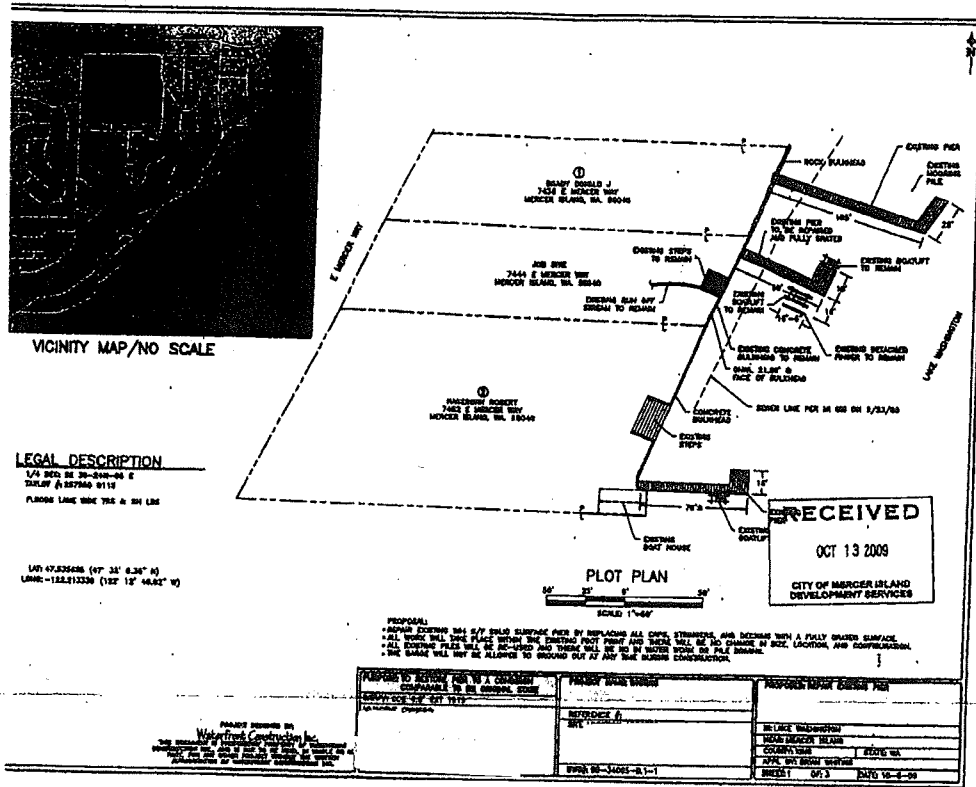
S:\DSG\Planning\Planning Permits\Shoreline\Shorelines 2009\SHL09-022 Whiting\SHL09-022 Whiting NOD.doc

extension before the end of the time limit, with prior notice to parties of record, for up to one year, based on reasonable factors may be granted.

October 19, 2009  
Date

**Planner**

Under the Mercer Island City Code, you have the right to appeal this decision. If you desire to file an appeal, you must submit the appropriate form, available from the Development Services Group, and file it with the City Clerk within fourteen (14) days from the date this approval. Upon receipt of a complete application including appeal fee, a public hearing will be scheduled.



City of Mercer Island  
Shoreline Exemption Approval  
October 19, 2009  
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