

Public Notice of Application for State of Washington 401 Water Quality Certification & Coastal Zone Management Act Consistency

Project Name: Duwamish Upper and Turning Basin Maintenance Dredge

Applicant: US Army Corps of Engineers

Project Description: Up to 200,000 cy of sediment per dredge event from the Congressionally-authorized channel with disposal at the Elliott Bay open water disposal site.

Project Location: Duwamish River (River Mile 4.8 to 5.5), King County.

Public Notice Date: July 10, 2018

Comment Period Ends: July 31, 2018

Application available on Ecology's Federal Permit Website:
<https://ecology.wa.gov/401-and-CZM-public-notices>.

Ecology will review the work pursuant to Section 401 of the Clean Water Act, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

Ecology is requesting comments from the public, state and local agencies, tribes, and other interested parties to evaluate the impacts of each proposed activity. Conventional mail or e-mail comments on this public notice will be accepted and made part of the record.

Comments should be sent to:

Department of Ecology—SEA Program
Federal Project Coordinator
Post Office Box 47600
Olympia, Washington 98504
or
ecyrefedpermits@ecy.wa.gov

To obtain a hard copy of the project information, please call 360-407-6076.



WASHINGTON STATE

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

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



US Army Corps of Engineers®
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

SUBMITTED FOR INFORMATION PURPOSES ONLY

Part 1—Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [help]
Maintenance Dredging and Disposal, Upper Duwamish River FY2020 - 2035 ³ See Figures 1 and 2 in section 6a.

Part 2—Applicant

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

2a. Name (Last, First, Middle)			
2b. Organization (If applicable)			
U.S. Army Corps of Engineers			
2c. Mailing Address (Street or PO Box)			
PO Box 3755			
2d. City, State, Zip			
Seattle, Washington 98124-3755			
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail
(206) 764-3646	()	()	chemine.r.jackels@uasace.army.mil

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/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx>.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [\[help\]](#) screens, go to http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

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

³ FY (fiscal years) span from October 1 to September 30. This documents covers dredging events from 1 October 2019 to 15 February 2035 (these dates are associated with the in-water work window)

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)			
Chemine Jackels			
3b. Organization (If applicable)			
U.S. Army Corps of Engineers			
3c. Mailing Address (Street or PO Box)			
Same as above			
3d. City, State, Zip			
Same as above			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
(206) 764-3646	()	()	chemine.r.jackels@usace.army.mil

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

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

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

Part 5–Project Location(s)

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

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

5a. Indicate the type of ownership of the property. (Check all that apply.) [help]			
<input type="checkbox"/> Private <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Publicly owned (state, county, city, special districts like schools, ports, etc.) <input type="checkbox"/> Tribal <input type="checkbox"/> Department of Natural Resources (DNR) – managed aquatic lands (Complete JARPA Attachment E)			
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help]			
Upper Duwamish River. River mile 4.8 to 5.5.			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Seattle, WA 98108			
5d. County [help]			
King			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
	NW 04	23	04
5f. Provide the latitude and longitude of the project location. [help]			
<ul style="list-style-type: none"> Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83) 			
47 30' 50.44" N 122 18' 16.87" W			
5g. List the tax parcel number(s) for the project location. [help]			
<ul style="list-style-type: none"> The local county assessor's office can provide this information. 			
n/a			
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)	
Delta Marine	1745 S 96TH ST 98108	5624200006	
Container Properties LLC	Not available	5422600010	
City of Seattle SCL	1000 WEST MARGINAL WAY S	5624200930	

5i. List all wetlands on or adjacent to the project location. [help]
No wetlands are located in or directly adjacent to the navigation channel.
5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]
Upper Duwamish Waterway and Elliot Bay
5k. Is any part of the project area within a 100-year floodplain? [help]
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know
5l. Briefly describe the vegetation and habitat conditions on the property. [help]
There is no aquatic vegetation within the navigation channel. Sparse riparian vegetation exists along the banks, but it will not be affected by the dredging.
5m. Describe how the property is currently used. [help]
Riverine aquatic, navigation channel and turning basin.
5n. Describe how the adjacent properties are currently used. [help]
Commercial: Industrial and office; undeveloped properties; public utilities; marina.
5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]
No structures occur within the navigation channel, turning basin, or Elliot Bay open-water disposal site.

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

Take I-5 S to exit 161 for Albro Place to East Marginal Way S. Turn left on E Marginal Way S to S 96th Pl. Turn left on S 96th Pl, continue straight to the Duwamish River.

See Figures 1 and 2 for location.

Part 6—Project Description

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

Federal maintenance dredging is proposed within the lower Duwamish River (also known as the Duwamish Waterway) every one to three years from FY (fiscal year) 2020 – 2035⁴ to remove accumulations of shoaling river sediment with the placement of dredged materials suitable for open water disposal at the Dredge Materials Management Program (DMMP) open-water disposal site in Elliot Bay (Figure 1). The recommended plan consists of maintenance dredging up to 200,000 cubic yards to authorized depths (plus 2 feet overdredge) during each dredge cycle within the in-water construction window of 1 October through 15 February by clamshell dredge from station 242+00 upstream to station 275+56 (Figure 2). The actual dredging and placement will accommodate Tribal fishing windows, but will occur within the aforementioned in-water work window.

The authorized depth between Stations 254+00 and Station 275+56 is –15 feet Mean Lower Low Water (MLLW) with a 2-foot allowable over depth to –17 feet MLLW. The authorized depth between Stations 242+00 and Station 254+00 is -15 MLLW with 1-foot allowable overdepth to -16 feet MLLW. The authorized dimension for the channel bottom width is 150 feet. The authorized dimensions for the settling basin (also known locally as the turning basin) are 250 feet wide by 500 feet long. The area typically dredged is Station 242+00 through 275+56. The overall distance to be dredged is about 3,300 feet.

Testing and characterization of the material to be dredged will occur prior to dredging events and the material that meets Dredge Material Management Program (DMMP) criteria for open-water disposal would be disposed of in the Elliott Bay DMMP open-water disposal site (Figure 1); material not meeting DMMP criteria for open-water disposal would be disposed of in an approved/permitted upland disposal site. The most recent sediment suitability determination (SSD) indicates that all material within the proposed work area is suitable for open-water disposal. This SSD expires in 2023 for station 270+56 to 275+56, 2022 for 254+00 to 270+56 and 2020 for 242+00 to 254+00. A new SSD will need to be made for dredging events past these expiration dates. See Attachment D for the most recent SSD.

⁴ FYs (fiscal years) span from October 1 to September 30. This JARPA covers dredging events from October 1 2019 to February 15 2035 (these dates are associated with the in-water work window).

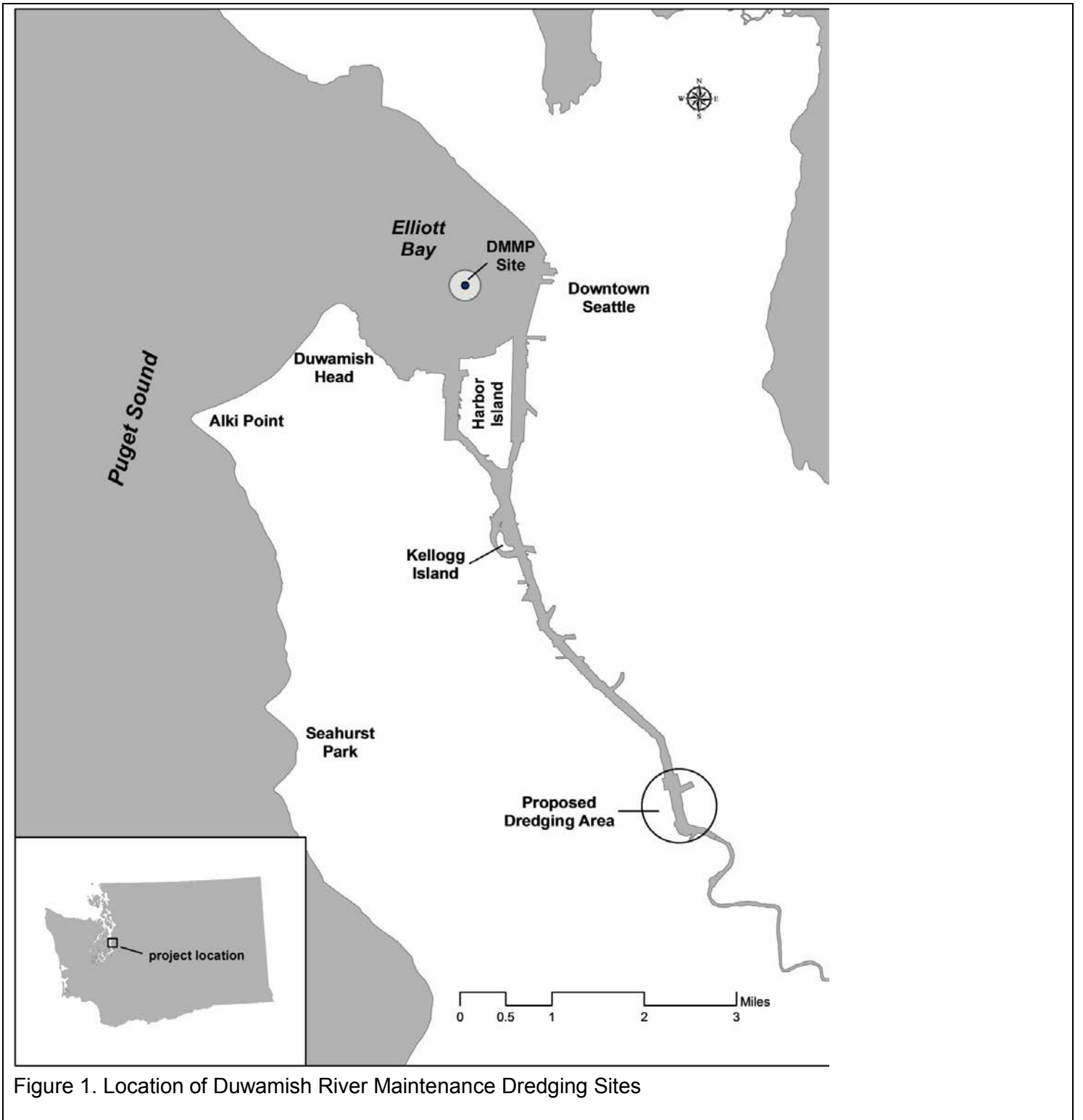


Figure 1. Location of Duwamish River Maintenance Dredging Sites

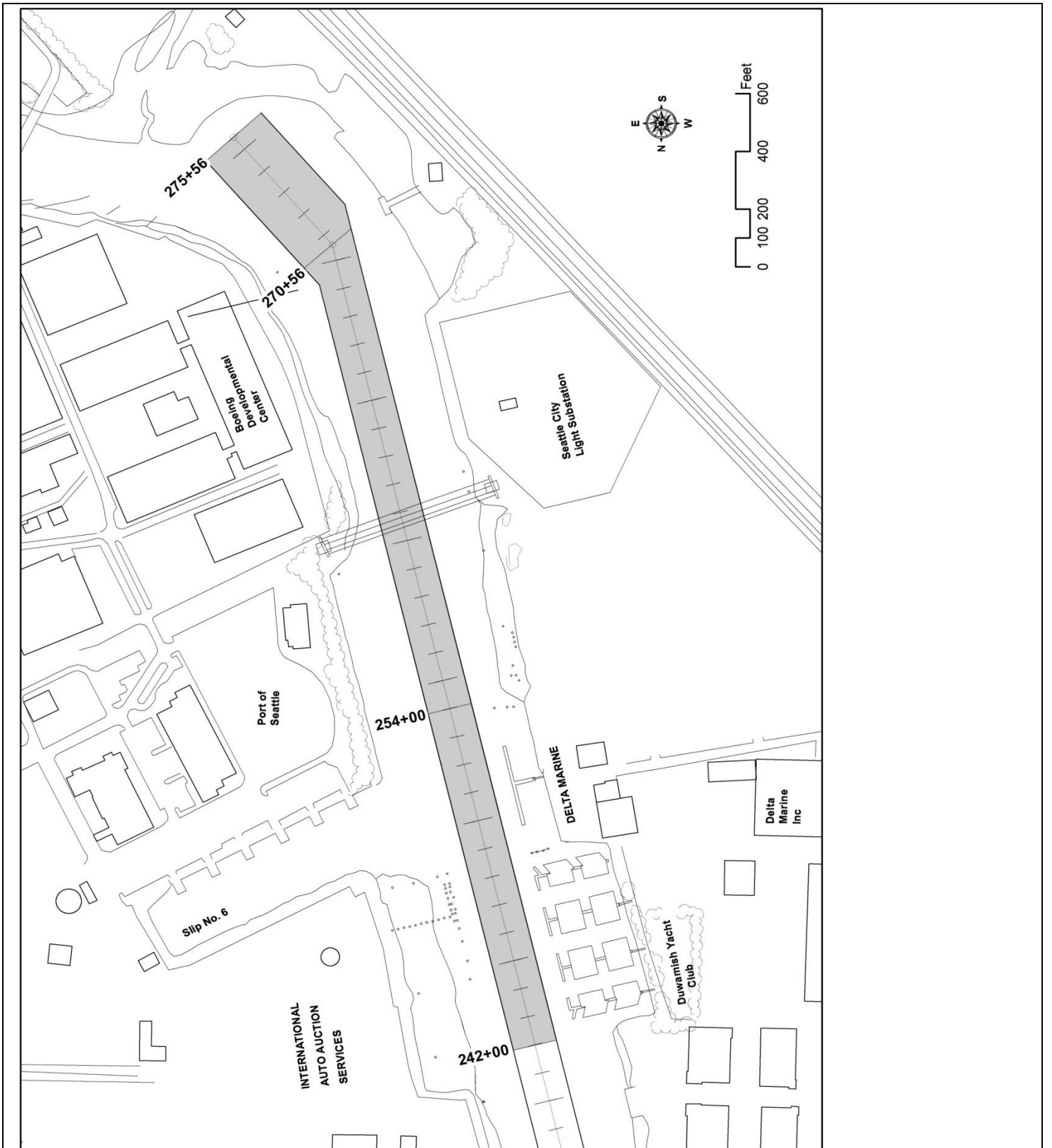


Figure 2. Proposed Dredging Area in the Upper Duwamish Waterway

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

The purpose of the project is to maintain Congressionally-authorized project depths in order to provide safe navigation and a wide turning area for large ships in this industrial port area. This project is needed because without routine maintenance dredging, shoaling would lead to a shallower channel that would reduce the ability of large ships to enter and leave safely. This location has been dredged on a one to three year cycle since about 1931 in order to maintain this navigation channel. In addition, not conducting maintenance dredging in the settling basin would result in a buildup of sediment in the settling basin, which would eventually exceed the holding capacity of the settling basin. Once the capacity of the settling basin is exceeded, the sediment would continue to move downstream and settle in areas below the settling basin, where in some areas there is known sediment contamination. The clean sediment from the settling basin would become mixed with contaminated sediment. Eventually, as sediment accumulates in these downstream areas, dredging could be required in contaminated areas below the settling basin to maintain navigation depths.

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

- Commercial Residential Institutional Transportation Recreational
 Maintenance Environmental Enhancement

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

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

Other:

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

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

The preferred method is to remove accumulated sediment by clamshell dredge with placement of all material suitable for open water disposal at the Elliot Bay open water disposal site, described below:

Dredging

A clamshell dredge operation includes a dredge barge with a deck mounted crane, a clamshell bucket, at least one tug boat, and at least one sediment transport barge (Figure 3). The clamshell dredge (a type of mechanical dredge) utilizes a bucket deployed by a crane, mounted on a dredge barge, to remove the sediment. The bucket is sufficiently heavy to sink into the substrate. The dredge bucket has two jaws that are hinged in such a fashion that the bucket is open while descending through the water column. After closing, the top portion of the bucket remains open as the bucket is retrieved. A "controlled lowering" of the bucket reduces turbulence and the amount of suspended sediment generated. After the bucket penetrates the substrate, the bucket is closed,

taking a “bite” out of the substrate. The bucket is retrieved and swung over to a transport barge where the sediment is placed for transport to a disposal site..

The dredge barge is equipped with vertical steel pipes, called spuds that are sunk into the substrate to anchor the dredge barge in one location. To move the dredge barge, the spuds are retrieved and a tug moves the dredge barge to a new location. The spuds are again sunk into the substrate to secure the dredge barge and dredging continues. Dredge barges are not self-propelled, but some dredge barges can, on occasion, move short distances by setting the dredge bucket into the substrate, retrieving the spuds, then pulling on the dredge bucket cable, and then inserting the spuds in the new location.

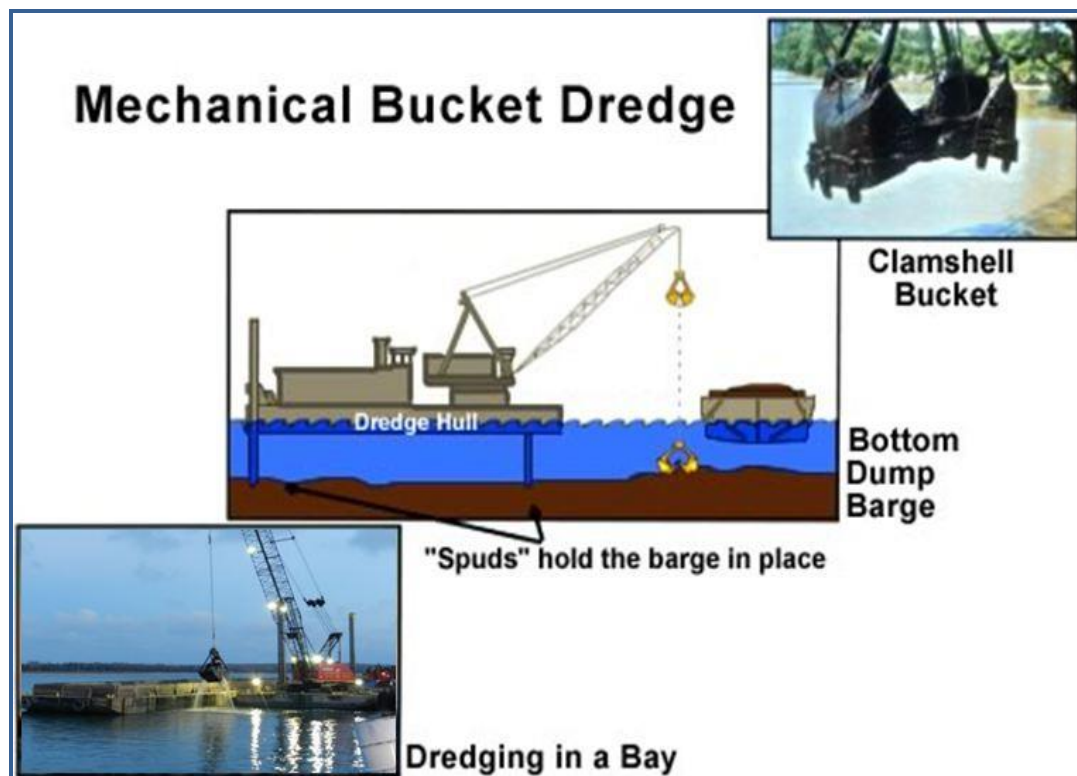


Figure 3. Rendering of a mechanical dredge barge and bottom dump barge, with photographs of a mechanical (clamshell) dredge bucket and an operating mechanical dredge barge.

Disposal

Disposal of dredged material that meets criteria for open water disposal would occur at the DMMP Elliott Bay open water disposal site (Figure 1) via a bottom dump barge (Figure 3). Transport barges would be limited by the dimensions of the channel, and would likely range between 1500 cy and 4,000 cy in capacity. Assuming approximately 200,000 cy are available, a range of 50 to 133 barge transits would be required to transport the estimated maximum volume of dredged material from the channel to the aquatic disposal site. When the transport barge is full, a tug would take it to the disposal sites where the sediment is released.

The Elliott Bay disposal site has been designated by the Washington Department of Natural Resources (DNR) and is a public, multi-user, unconfined open water dredged material disposal sites located directly adjacent to the navigation channel. The site is considered to be non-dispersive, in that sediments move within and through these sites as described below. A brief summary is presented below:

The Elliott Bay site is located near the mouth of the Duwamish River, about 0.85 miles from Harbor Island. The site is egg-shaped with dimensions of 6,200 by 4,000 feet, covering an area of 415 acres. The depth of the site ranges from 300 to 360 feet. The peak current speed on the bottom at the site is less than 15 cm/second, well below the 25 cm/second threshold required to resuspend fine sediments. The direction of currents is variable in Elliott Bay, although a study by McLaren and Ren (1994) documented that sediment transport in Elliott Bay occurs in a clockwise gyre. Elliott Bay sediments are generally very fine-grained material. The inner bay sediments vary from 9 to 12% clay

with the highest percentage at the greatest depths. Post-disposal evaluation of this site in 1992, 2000, 2002 and 2013 indicated that dredged materials remained on-site, and that the thickest layers were in the center of the target area.

Material not meeting DMMP criteria for open-water disposal would be disposed of in an approved/certified upland disposal site. The most recent sediment suitability determination (SSD) indicates that all material within the proposed work area is suitable for open-water disposal. This SSD expires in 2023 for station 270+56 to 275+56, 2022 for 254+00 to 270+56 and 2020 for 242+00 to 254+00. A new SSD will need to be made for dredging events past these expiration dates.

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

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

Start date: October 1 2019 End date: February 15 2035 See JARPA Attachment D

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

n/a

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

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

Yes No Don't know U.S. Army Corps of Engineers Project

Part 7–Wetlands: Impacts and Mitigation

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

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

Not applicable

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

Yes No Don't know

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

Yes No Don't know

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

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

Yes No Not applicable

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

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

Yes No Not applicable

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

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

Yes No Not applicable

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

Not applicable.

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)

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: _____

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. [\[help\]](#)

Not applicable

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. [\[help\]](#)

Not applicable.

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

X 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

The combination of mitigation measures avoids, reduces, and compensates for adverse effects of this project. Several effect avoidance, minimization, and compensation measures have been incorporated into the maintenance program:

- To avoid impacts to bull trout, out-migrating juvenile salmon, USACE would only dredge within the designated work window of 1 October through 15 February.
- A clamshell dredge would be used to reduce entrainment of fish and other benthic invertebrates.
- A water quality monitoring plan is being developed and will be consistent with the conditions and adhere to applicable criteria issued in the water quality certification from the Washington Department of Ecology associated with the disposal of dredged material into the waters of the U.S.
- The bucket will be open when lowered, not dropped, to the substrate. Upon retrieval, the bucket would generally be full of sediment and open at the top allowing any fish that might be in the bucket to escape.
- The bucket will be raised through the water column at a velocity that reduces spillage of sediment.
- The appropriate bucket size will be selected to reduce overflow and excessive water in the bucket to reduce the need to take multiple grabs.
- Avoid intentionally sweeping the bucket to smooth out high spots; only single grabs should be taken.
- Check the seal on the bucket, remove any obstructions, repair/replace bucket if point of closure does not fully close.
- Use real-time positioning to allow the operator to better control the dredge cut and bucket depth.
- All dredging will occur only in authorized areas of the navigation project; no new dredging of greater widths or depths would occur.
- Do not overload barges and eliminate barge overflow.

Disposal operations at the DMMP sites will be in conformance with the approved disposal site management

standards.

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

Yes No

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

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

Yes No Not applicable

Compensatory mitigation is not needed for this maintenance of an existing Federal navigation channel, as impacts are minor and temporary.

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

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

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

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Dredging	Upper Duwamish River	RM 4.8 to 5.5	Every 1-3 years	No more than 200,000 cy per dredge event	~8 acres, 3300 linear ft
Placement of dredged materials	Elliot Bay	DMMO site (Figure 1)	permanent	No more than 200,000 cy per dredge event	~8 acres

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]					
<p>Sediments to be removed from the federally-maintained channel will be tested prior to dredging and those approved for open water disposal and beneficial use under the DMMP guidelines administered by the USACE, EPA, WDOE, and DNR will be placed at the open water disposal site. The most recent suitability determination (SSD) indicates that all the material is suitable for open water disposal. This SSD expires in 2023 for station 270+56 to 275+56, 2022 for 254+00 to 270+56 and 2020 for 242+00 to 254+00. A new SSD will need to be made for dredging events past these expiration dates. Up to 200,000 cubic yards of material from Upper Duwamish River per dredge event will be placed on a transport barge and placed at the Elliott Bay open water disposal site (Figure 1) via bottom dump. The material consists of a mixture of sand, silt, and clay (See table 4 of Attachment D- the SSD).</p>					
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]					
<p>Up to 200,000 cubic yards material will be removed from the Upper Duwamish River per dredge event with a clamshell dredge and placed at the Elliot Bay open water disposal sites (Figure 1). See section 6e for detailed methods.</p> <p>The most recent suitability determination (SSD) indicates that all the material is suitable for open water disposal. This SSD expires in 2023 for station 270+56 to 275+56, 2022 for 254+00 to 270+56 and 2020 for 242+00 to 254+00. A new SSD will need to be made for dredging events past these expiration dates.</p>					

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
		()	
		()	
		()	
9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology’s 303(d) List? [help] <ul style="list-style-type: none"> • 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 project area is listed as a category five for temperature, dissolved oxygen, bacteria, and a number of contaminants in tissue, including: benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, chrysene, Dibenzo(a,h)anthracene, Dibenzo(a,h)anthracene, arsenic, and polychlorinated biphenyls (PCBs).

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.

17110013

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 9: Green Duwamish

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 Subject to requested extended area of mixing (attached) 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/forest-practices-water-typing> for the Forest Practices Water Typing System.

Shoreline Fish Non-Fish Perennial Non-Fish Seasonal

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [\[help\]](#)

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

Yes No Not applicable

Name of manual:

9i. Does the project site have known contaminated sediment? [\[help\]](#)

- **If Yes**, please describe below.

Yes X No

The most recent suitability determination (SSD) indicates that all the material is suitable for open water disposal. This SSD expires in 2023 for station 270+56 to 275+56, 2022 for 254+00 to 270+56 and 2020 for 242+00 to 254+00. A new SSD will need to be made for dredging events past these expiration dates. See Attachment D for the SSD.

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

The property has been used as a navigation channel since it was established in the 1930s.

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

- **If Yes**, attach it to your JARPA package.

Yes X, No the Corps will be conducting Section 106 consultation per the National Historic Preservation Act and anticipates submitting a finding of no historic properties affected.

9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

Coastal/Puget Sound bull trout – threatened
Puget Sound Chinook salmon – threatened
Puget Sound steelhead – threatened

9m. Name each species or habitat on the Washington Department of Fish and Wildlife’s Priority Habitats and Species List that might be affected by the proposed work. [\[help\]](#)

<http://apps.wdfw.wa.gov/phsontheweb/>

Bulltrout
Chinook salmon
Chum salmon
Coho salmon
Pink salmon
Sockeye salmon
Resident/Coastal cutthroat trout
Steelhead
Western pond turtle

Part 10–SEPA Compliance and Permits

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

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

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

- For more information about SEPA, go to 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.

<input type="checkbox"/> A SEPA determination is pending with _____ (lead agency). The expected decision date is _____
<input type="checkbox"/> I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]
<input type="checkbox"/> This project is exempt (choose type of exemption below). <input type="checkbox"/> Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt? _____ <input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/> 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: <input type="checkbox"/> Substantial Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance <input type="checkbox"/> Shoreline Exemption Type (explain): _____
Other City/County permits: <input type="checkbox"/> Floodplain Development Permit <input type="checkbox"/> Critical Areas Ordinance
STATE GOVERNMENT
Washington Department of Fish and Wildlife: <input type="checkbox"/> Hydraulic Project Approval (HPA) <input type="checkbox"/> Fish Habitat Enhancement Exemption – Attach Exemption Form
You must submit a check for \$150 to Washington Department of Fish and Wildlife, unless your project qualifies for an exemption or alternative payment method below. <u>Do not send cash.</u>
<u>Check the appropriate boxes:</u> <input type="checkbox"/> \$150 check enclosed. Check # _____ Attach check made payable to Washington Department of Fish and Wildlife.
<input type="checkbox"/> My project is exempt from the application fee. (Check appropriate exemption) _____ <input type="checkbox"/> HPA processing is conducted by applicant-funded WDFW staff. Agreement # _____ <input type="checkbox"/> Mineral prospecting and mining. <input type="checkbox"/> Project occurs on farm and agricultural land. (Attach a copy of current land use classification recorded with the county auditor, or other proof of current land use.) <input type="checkbox"/> Project is a modification of an existing HPA originally applied for, prior to July 10, 2012. HPA # _____
Washington Department of Natural Resources: <input type="checkbox"/> Aquatic Use Authorization Complete JARPA Attachment E and submit a check for \$25 payable to the Washington Department of Natural Resources. <u>Do not send cash.</u>
Washington Department of Ecology: <input checked="" type="checkbox"/> Section 401 Water Quality Certification
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:

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)

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 for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ENV-019-09 rev. 09/2015