WASHINGTON STATE
Joint Aquatic Resources Permit Application (JARPA) Form[1,2] [help]

US Army Corps of Engineers ®
Seattle District

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

AGENCY USE ONLY

Date received:

Agency reference #: _____

Tax Parcel #(s): _____

_____

Part 1–Project Identification

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

Part 2–Applicant

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

2a. Name (Last, First, Middle)			
Rettmann, Mark			
2b. Organization (If applicable)			
Port of Tacoma (Port)			
2c. Mailing Address (Street or PO Box)			
PO Box 1837			
2d. City, State, Zip			
Tacoma, Washington 98401-1837			
2e. Phone (1)	**2f.** Phone (2)	**2g.** Fax	**2h.** E-mail
253.592.6716 (work)			mrettmann@portoftacoma.com

[1]Additional forms may be required for the following permits:
- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- 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.

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

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

Part 3–Authorized Agent or Contact

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

3a. Name (Last, First, Middle)			
Same as applicant			
3b. Organization (If applicable)			
3c. Mailing Address (Street or PO Box)			
3d. City, State, Zip			
3e. Phone (1)	**3f.** Phone (2)	**3g.** Fax	**3h.** E-mail

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]

☐ Private
☐ Federal
☒ Publicly owned (state, county, city, special districts like schools, ports, etc.)
☒ Tribal
☐ 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]

1131 East Alexander Avenue

5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]

Tacoma, Washington

5d. County [help]

Pierce

5e. Provide the section, township, and range for the project location.[help]

¼ Section	Section	Township	Range
SW	01	20 North	03 East

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

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

47.246431 N lat. / -122.371508 W long.

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

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

Project site (0320017003, 03200130055, 0320013157, 0320013158) and Disposal site (0320011117)

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

(**See Attachment C for more Adjacent Owners**)

Name	Mailing Address	Tax Parcel # (if known)
Port of Tacoma	ATTN: Real Estate PO Box 1837 Tacoma, WA 98401-1837	0320014110, 0320011114, 0320017021, 0320013143, 0320013132, 5000350150, 0320011115, 0320011116, 0320011118, 0320011119, 0320011120, and 0320011121
Hayes, Peter R. & Linda	5118 21st ST NW Gig Harbor, WA 98335-7514	8905000011

1222 46 AVENUE EAST FIFE LLC	2810 Marshall AVE, UNIT B Tacoma, WA 98421	0320013092, 0320013091, 0320017008, and 0320017007
USA in Trust – Puyallup Indian Tribe	3009 E Portland AVE, Tacoma, WA 98404	0320013007
USA in Trust – Puyallup Indian Tribe	4220 12th ST E, Fife, WA 98424-1137	0320013049
Carl William Sterud, Jr	4220 12th St E, Fife, WA 98424-1137	0320013050, 0320013051
USA in Trust for Patricia A. Butler	4319 12th St E, Fife, WA 98424-1238	0320013052
USA in Trust for Lawrence Butler Sr.	4320 12th St E, Fife, WA 98424-1238	0320013053
USA in Trust for Lauren J. Butler	4317 12th St E, Fife, WA 98424-1238	0320013054

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

Several small, low functioning, isolated wetlands are located in the northern and eastern portions of the Project site, which were determined to be non-jurisdictional by the U.S. Army Corps of Engineers (USACE) in 2008, 2013 and 2020 and Washington State Department of Ecology (Ecology) in 2011 and 2020. The City of Tacoma also indicated that the onsite wetlands are by definition, artificial wetlands in 2009/2013 and will make a final jurisdictional determination during 2020 permitting actions.

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

Wapato Creek is located on the Project site and flows west along 12th Street East and north along East Alexander Avenue. Wapato Creek is a Federal Emergency Management Agency (FEMA) designated Floodway. A roadside ditch (12th Street ditch) is located along 12th Street East from 46th Avenue East to approximately Wapato Creek. The 12th Street ditch is physically separated from Wapato Creek and flows east approximately 380 feet before entering the underground/piped stormwater system at 46th Avenue East which discharges to the Fife Ditch (Drainage District 23 Ditch). The Fife Ditch is located adjacent to the Disposal site (stockpile areas) but is a non-jurisdictional stormwater drainage as detailed in the Critical Areas Report (CAR) for the Port of Tacoma Parcel 14 Grading and Habitat Projects, The Watershed Company (January 2013) and City of Tacoma permit numbers 40000218084 and 40000225342.

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

☒ Yes ☐ No ☐ Don't know

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

Existing vegetation and habitat at the Project site (excluding Wapato Creek) includes several existing forested areas, primarily composed of black cottonwood (*Populus balsamifera*) with several Pacific madrone (*Arbutus menziesii*) and quaking aspen (*Populus tremuloides*) and grasses and Himalayan blackberry (*Rubus armeniacus*) in the understory. The remaining portions of the Project site are dominated by invasive species including reed canarygrass (*Phalaris arundinacea*), Himalayan blackberry, scotch broom (*Cytisus scoparius*), English ivy (*Hedera helix*) and poison hemlock (*Conium maculatum*).Existing vegetation at the Disposal site consists of grasses found in the Washington State Department of Transportation (WSDOT) erosion control seed mix and minor amounts of the invasive species described above.

Several small, low functioning, isolated wetlands are located in the northern and eastern portions of the Project site, which were determined to be non-jurisdictional by the USACE in 2008, 2013, and 2020, and Ecology in 2011, and 2020. The City of Tacoma (City) also indicated that the onsite wetlands are by definition, artificial wetlands in 2009/2013 and will make a final jurisdictional determination during 2020 permitting actions. Vegetation observed in these features includes reed canarygrass, soft rush (*Juncus effusus*), red top (*Agrostis gigantea*), Baltic rush (*Juncus balticus*) and hardhack (*Spirea douglasii*).

Wapato Creek (downstream of 12th Street East)

The Project site is located approximately 0.46 miles upstream of the outlet into the Blair Waterway in Commencement Bay. Wapato Creek enters the Project site through twin 60-inch-diameter culverts flowing north under 12th Street East. The creek immediately turns 90 degrees to the west and flows along 12th Street East as a channelized roadside drainage. As the creek approaches East Alexander Avenue, it makes another 90-degree turn to the north and again flows straight to the north offsite under State Route (SR) 509. The creek is tidally influenced throughout the Project site.

Within the proposed restoration area, Wapato Creek is a straight channel that lacks habitat complexity, floodplain connectivity or associated wetland habitat. Only a relatively minor amount of woody structure presently exists along the lower, tidally-influenced reach of Wapato Creek, including the Project area and vicinity. Few pools were noted to occur along the existing, channelized Project reach; however, significant pools are not anticipated in this type of tidal environment. The pools present tend to be shallow and lacking in cover. The flattening gradient approaching the mouth of the creek (reduced energy) and the bed load carried by the creek tend to inhibit the formation of deeper pools, particularly in the relative absence of wood or other partial obstructions to cause scour. Much of the Wapato Creek channel length, including in the Project area, has been straightened and otherwise channelized such that off-channel habitat no longer exists at a functional level. Within the Project area, the channel has relatively steep banks on both sides. The channel has been realigned along roadways and its dimensions do not reflect channel-forming flows and processes.

The channel enters the parcel through a pair of 45-foot-long culverts under 12th Street East that are each 60 inches in diameter with a plunge of approximately 18 inches to the base flow water surface elevation. The culverts contain no substrate and are a partial barrier to fish movement depending on the species, life stage, stream flows and tides. Washington Department of Fish and Wildlife (WDFW) conducted a Level A Culvert Assessment survey on 10/1/2019. The survey identified the twin 60-inch culverts as a partial barrier (67 percent passable) for chum, coho, steelhead, searun cutthroat and resident trout: http://apps.wdfw.wa.gov/fishpassagephotos/Reports/105%20R121420a_Report.pdf. Immediately downstream of the culverts, extending approximately 40 feet, the channel substrate consists of rip rap with a steep gradient and turbulent flow. Downstream of the rip rap, streambed sediment consists predominantly of silts, clays and sands, with small gravel present at the upstream end of the Project area. The vegetated area between the channel and the 12th Street East road footprint ranges between 6 and 17 feet wide. The vegetated area between East Alexander Avenue and the channel is approximately 80 feet wide, and consists mainly of invasive vegetation. Tidal influence extends up to the upstream end of the culverts under 12th Street East, and likely a little farther upstream during winter high tides.

Currently, dominant existing riparian vegetation along Wapato Creek consists of reed canarygrass (*Phalaris arundinacea*), Himalayan blackberry (*Rubus armeniacus*), Douglas hawthorn (*Crataegus douglasii*), black cottonwood (*Populus balsamifera*) and a few small willows. Some salt-tolerant vegetation occurs at the low bank elevation, including saltgrass (*Distichlis spicata*) and seaside arrowgrass (*Triglochin maritima*). The presence of salt-tolerant vegetation in the low bank elevation and salt-sensitive vegetation (reed canarygrass) at higher bank elevations indicates that a saltwater wedge is formed during high tides, in which the denser saltwater is situated below the freshwater originating from upstream. Salinity testing, conducted by GeoEngineers in 2020, identified tidal influence up to the existing 12th Street East culverts. The salinities were high, (>20 parts-per-thousand [ppt]) >24 inches below the water surface elevation, approximately 40 feet downstream of the 12th Street East crossing outfall during a +13 feet MLLW high tide at approximately 7:00 am on March 11, 2020. The following table identifies salinities measured at that location and confirms the presence of a saltwater wedge.

Salinity Readings Below Existing 12th Street East Culverts

Water Depth (feet)	Salinity (ppt)
0.5	0.3
1	0.42
1.5	0.8
1.8	2.2
2	25.09
3	28.28

12th Street East Roadside Ditch

The 12th Street Ditch parallels 12th Street East, with its most upstream extent starting approximately 100 feet east of Wapato Creek. Wapato Creek and the 12th Street Ditch are separated by a mound of fill vegetated with grasses, thistle (*Cirsium* spp.), Himalayan blackberry, field bindweed (*Convolvulus arvensis*) and other weeds. The banks of the 12th Street Ditch are vegetated with the same species, and the ditch bottom is primarily grass and some soft rush. The 12th Street Ditch drains eastward for approximately 380 feet onsite before entering the underground/piped stormwater system at 46th Avenue East which discharges to the Fife Ditch (Drainage District 23 Ditch). The Fife Ditch (Drainage District 23 Ditch) flows north, ultimately discharging into Hylebos Creek through a pair of fish-impassable duckbill-style check valves and pumps.

Wapato Creek (upstream of 12th Street East)

At the upstream end of the Project area, Wapato Creek flows through a residentially zoned parcel in a broad, straight channel. The stream substrate is predominantly sand. A canopy of deciduous trees is present, but the streambank lacks significant understory vegetation.

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

The Project site and Disposal site are currently undeveloped and maintained as a dredge disposal area and is mowed regularly. Wapato Creek crosses through the property along 12th Street East and East Alexander Avenue and there are several Tacoma Public Utilities (TPU) power poles adjacent to the creek and East Alexander Avenue. The excess materials excavated for the Project will be placed/stockpiled at the Disposal site, tax parcel 0320011117 (JARPA Plan Sheet 4). These two areas are contiguous Port-owned property and generally referred to as Port Parcel 14.

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

The Project site is bordered to the north by SR 509 and Port industrial property, to the east by the Prologis Park Tacoma industrial warehouse facility, to the west by East Alexander Avenue and Progress Rail Services and to the south by 12th Street East, the Omega Morgan industrial facility and Tribal Trust properties including private residences. The Disposal site is located northeast of the Project site between SR 509 and the Prologis Park Tacoma industrial warehouse facility and bordered to the north and east by Fife Ditch and industrial facilities.

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

Structures on the Project site include twin 60-inch culverts at the 12th Street East crossing, there are two large TPU monopoles and two TPU distribution poles and four onsite monitoring wells. The Disposal site also includes a TPU monopole and perimeter fencing.

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

From Seattle, take Interstate-5 (I-5) south. Take exit 137 for WA-99 North/54th Avenue East in Fife. Turn right from the offramp onto 54th Avenue East for 0.2 mile. Turn left onto 12th Street East/Marti Street and continue for approximately 0.5 mile. The Project site will be on the right.

The excess materials excavated for the Project will be placed/stockpiled at the Disposal site, tax parcel 0320011117 (JARPA Plan Sheet 4).

Part 6–Project Description

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

The Port proposes the Lower Wapato Creek Habitat Project as an advance permittee-responsible mitigation site which will increase ecological functions, values, and areal extent of Cowardin Classes of Wetland and Deepwater Habitats including; Riverine tidal streambed cobble-gravel/mud (Wapato Creek), estuarine intertidal unconsolidated mud (intertidal mudflats), estuarine intertidal emergent persistent wetlands (estuarine emergent wetlands) and Palustrine forested evergreen/deciduous wetlands (forested wetlands) in the lower Wapato Creek watershed. The re-establishment of these habitat types will be completed in advance of other potential wetland impacts as defined in the Project's Advance Mitigation Plan (AMP). The Project design includes two primary habitat elements: (1) fish passage improvement through replacement of two Wapato Creek culverts at the 12th Street East crossing; and (2) re-establishment of wetland and fish habitat through relocation of Wapato Creek and constructing a diverse complex of associated floodplain and wetland habitats historically present in the Commencement Bay intertidal mudflats.

The fish passage improvement element includes the replacement of twin undersized 60-inch-diameter culverts with an approximately 50-foot-wide single span bridge at the 12th Street East crossing to provide unimpeded fish passage to the upper reaches of Wapato Creek. The proposed bridge will also improve flood conveyance and reduce the impacts of habitat fragmentation caused by the constriction perpetuated by the existing culverts. This will create an aquatic and riparian fish and wildlife corridor that extends from upstream of the Project, through the habitat site and into the downstream Wapato Creek corridor. Correcting fish passage barriers is an important step in the recovery of anadromous fish species.

The re-establishment of wetland and fish habitat will be achieved through a variety of design elements that will provide habitat diversity, complexity and interspersion. The Project proposes to increase the length of Wapato Creek from 1,040 lineal feet (LF) to approximately 1,875 LF (with an additional 350 LF of retained off-channel habitat in the existing Wapato Creek channel) by meandering the creek channel within a re-established broad floodplain corridor that includes an interconnected mosaic of forested wetlands, intertidal mudflats and estuarine emergent wetlands. These zones are protected by a forested upland buffer that surrounds the Project site. The design includes creation of sinuous edge habitat, as well as intermixed hummock and wetland habitat that is essential to re-establishing habitat interspersion and complexity in lower Wapato Creek. These habitat features have been designed to function as an interconnected ecosystem unit that provides key habitat functions for all life stages of avian, wildlife and fish species especially anadromous salmonids. Intertidal stream channels, mudflats, estuarine emergent wetlands, as well as freshwater forested wetlands and forested riparian habitats provide essential fish and wildlife functions such as forage opportunities, refuge, osmoregulation, flood protection and food web interconnections. These habitats also work together to provide key ecosystem services such as flood attenuation, water quality functions, sediment sorting and biodiversity. The design has focused on re-establishment of critical habitat functions and features as close to historic, pre-disturbance locations and conditions as possible within this highly developed urban/industrial location.

In order to re-establish this functioning ecosystem complex, approximately 713 LF of the existing straightened and simplified Wapato Creek channel will be filled along 12th Street East and the remaining portions of Wapato Creek, that connects to the proposed channel confluence will be retained as aquatic habitat. From the tie-in point of the proposed re-established channel, the remaining existing channel segment will be a backwater slough that transitions into intertidal mudflat and estuarine emergent wetland habitat to the south. The existing 12th Street Ditch will also be reconfigured into a vegetated filter strip swale.

The proposal includes a total of 10.02 acres of wetland/aquatic resource re-establishment including 5.51 acres of palustrine forested wetland (PFO) to provide shade and organic input, 2.35 acres of estuarine emergent wetland (EEM) to improve water quality and increase forage habitat, 2.10 acres of tidal stream channel/ mudflats re-establishment to increase epibenthic and prey production for higher level species as well as 7.34 total acres of forested upland (UPL) riparian buffer enhancement to filter pollutants and provide screening from adjacent developed areas. The proposed sinuous Wapato Creek channel will also include streambed substrate and large woody material (LWM) in high energy areas to provide opportunity for juvenile salmonid refuge from predators and high flows and provide initial stability as the site becomes established. Additional LWM, (including standing snags) will be installed in the re-established floodplain and wetland areas to provide surface roughening

features, flood flow dispersion, amphibian habitat as well as increased insect production and instant allochthonous organic input.

The Project site is currently dominated by invasive species that inhibit the growth and diversity of vegetation species. These invasive species will be removed and wetland and upland areas will be densely planted with a diverse palate of native grass, emergent soft-stemmed vegetation, shrub and tree species. Forested wetlands and riparian buffer will be planted with a diverse assemblage of native woody coniferous and deciduous tree and shrub species to create a diverse multi-canopy dense riparian habitat and a source of long-term LWM recruitment. The configuration of the proposed forested wetland, hummock and riparian buffer areas will maximize habitat interspersion and complexity, preserve existing trees as much as possible, and provide significant forested cover over much of the site. This interspersion of habitat types will also provide shade to reduce water temperatures in Wapato Creek, filter pollutants, increase sources of allochthonous inputs and provide screening from surrounding developed areas.

The re-established habitats listed above are designed to function as synergistic components of a single, naturally functioning, re-established ecosystem providing substantial habitat functional lift. The different habitat types, including the tidal stream channel and mudflats, are designed as individual components of a larger mosaic of locally important aquatic resource habitats. The mosaic is designed to allow natural dynamic physical processes to adjust the habitat types over time based on changing climate and creek conditions. The Project site is not intended to be static and guarantee specific amounts of specific types of habitat. Rather, the site will be dynamic and designed to adapt and mature into a natural, self-sustaining wetland and stream complex with 10.02 acres of wetland/aquatic resource re-establishment and 7.34 total acres of riparian buffer. This re-establishment will be achieved through design and implementing the proposed construction, site protection, monitoring, maintenance and stewardship that will provide increased potential for successful development of a larger sustainable ecosystem in an area that otherwise is devoid of wetlands and has limited opportunities for functioning fish and wildlife habitat. The Project will generate advance mitigation credits for wetlands and non-Endangered Species Act (non-ESA) fish habitat as detailed in the AMP. The Project is anticipated to generate 10.02 Acre-Credits of wetland mitigation credit and non-ESA fish habitat credit for future unavoidable impacts to Wapato Creek from one or more crossings totaling 60 feet in width, parallel to flow, downstream of the Project. The final mitigation credit generated by the Project will be as detailed in the final AMP approved by the permitting agencies.

The Project also includes relocation of TPU poles, relocating utilities for the bridge replacement, the placement of excess excavated soils on adjacent Port property (i.e., within the corridor of the future SR 509 to SR 167 connection) and other ancillary project activities.

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

The Port proposes to conduct estuarine wetland re-establishment actions at the 18.52-acre Project site as advance permittee-responsible mitigation, in advance of other potential wetland impacts related to future Port projects. The proposed restoration actions are intended to provide large-scale contiguous habitat restoration on a site containing Wapato Creek, an independent creek discharging to Commencement Bay, as opposed to conducting small, disconnected on-site mitigation actions throughout Port of Tacoma property on a project-by-project basis. By consolidating small wetland impacts into a larger mitigation site, the Project will provide greater estuarine, wetland, stream and floodplain benefits for Wapato Creek and Commencement Bay by creating diverse estuarine habitat and tidal and non-tidal wetland functions, correcting a partial fish passage barrier at the 12th Street East culverts, improving creek channel, floodplain, mudflat and wetland connectivity, increasing habitat interspersion, and providing contiguous re-forested upland riparian buffer areas to protect aquatic habitat. Additionally, the contractor's 2-year warranty, temporary irrigation in combination with the AMP's proposed site protection, stewardship, monitoring and maintenance will provide increased potential for successful development of a sustainable ecosystem in an area that otherwise has limited fish and wildlife habitat.

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]

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

☒ Other: Stream and wetland restoration

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.

Restoration work at the Project site is proposed to be conducted over a 2-year period. During the first year of construction in 2021, the site will be regraded, and the culverts will be replaced with a full span bridge. Wapato Creek will be rerouted through the site to maximize sinuosity and floodplain connectivity, and LWM structures will be installed to provide instream habitat, and channel and bank stability. Additional LWM structures will be installed throughout the estuarine and forested wetland areas to provide additional surface roughening and habitat features, including standing snags. In order to re-establish this functioning ecosystem complex, approximately 713 LF of the existing straightened and simplified Wapato Creek channel will be filled along 12th Street East and a vegetated filter strip will be constructed within the proposed 12th Street East right-of-way (ROW), west of the proposed Wapato bridge to East Alexander Avenue. The remaining portion of Wapato Creek, that connects to the proposed channel confluence will be retained as aquatic habitat. The existing 12th Street Ditch will also be reconfigured into a vegetated filter strip swale along the proposed 12th Street East ROW east of the proposed Wapato bridge to the where it enters the stormwater system at East 46th street.

The Project site will be stabilized with wetland and upland seed mixes and/or plugs and erosion control blankets, if needed, and will be observed until the following year's in-water work period. The seed mix proposed for the estuarine emergent vegetation zone includes species with a range of salt tolerances to allow more salt tolerant vegetation to establish at lower elevations with higher salinities and less salt tolerant vegetation to establish in areas with lower salinities. To improve the success of installed vegetation, observations will be made to monitor post-construction hydrology; including water depth, inundation, salinity levels and durations.

During the second year of construction in 2022, additional salt tolerant emergent vegetation is expected to be installed as plugs or broadcast and/or drilled seed between +11 and +13 feet mean lower low water (MLLW) and emergent species tolerant of periodic freshwater inundation will be installed as plugs or broadcast and/or drilled seed between +13 and +16 feet MLLW. These elevations were selected based on known tidal elevations and salinity measurements collected at the Project site to provide confidence that wetland conditions will be achieved. A general estimate of construction activities and sequencing for the Wapato Creek 12th Street East

Bridge Replacement and the Wapato Creek Wetland Restoration work is provided below. This may be revised based on the contractor's means and methods, work sequencing, and stream bypass/exclusion/diversion plans.

Wapato Creek 12th Street East Culvert Replacement

1. Ensure copies of all permits and conditions from local, state and federal agencies are present on-site for the duration of the work.
2. Hold a pre-construction meeting with the Port of Tacoma, City of Tacoma, and City of Fife and applicable utility companies.
3. Establish clearing limits and install silt fence, sediment and erosion control systems, and high visibility perimeter fence.
4. Install construction entrance and staging area.
5. Locate, relocate or protect existing utilities within Project area in coordination with utility companies.
6. Close the 12th Street East roadway during bridge replacement construction and/or implement the traffic control plan prepared for the Project as directed by the City of Fife.
7. Isolate the work area with cofferdams upstream and downstream and install temporary flow diversion system sufficient to carry flow and any fish around the work area to a point downstream (when necessary based on the contractor's means and methods, work sequencing, and stream bypass/exclusion/diversion plans.).
8. Prior to or during the dewatering of the work area, remove fish per WSDOT Fish Exclusion Protocols and Standards as well as conditions from the WDFW Hydraulic Project Approval (HPA) using qualified professionals.
9. Excavate roadway and roadway embankment. Tracked excavators, dump trucks and other heavy equipment will be used.
10. Remove and dispose of existing culverts (when necessary based on the contractor's means and methods, work sequencing and stream bypass/exclusion/diversion plans.). Tracked excavators, dump trucks and other heavy equipment will be used.
11. Complete grading for finished streambed elevation under bridge and install streambed material at the 12th Street East crossing location. Tracked excavators and small construction equipment such as skid-steers and mini-excavators will be used.
12. The Port will provide 2 days advance notice to WDFW to inspect the placed streambed material within the bridge footprint (bridge stream channel). If the bridge stream channel is not inspected within 5 business days, it will be considered approved.
13. Once new streambed material is approved, creek will be reconnected through new channel under bridge.
14. Drill and install drilled shaft deep foundations or install steel piles per geotechnical engineer's findings and recommendations. Tracked drill rig, dump trucks and other heavy equipment will be used.
15. Form, install reinforcing steel, and pour concrete for abutment caps over drilled shafts and wingwalls. Concrete trucks, pump trucks and other construction equipment will be used.
16. Backfill roadway subgrade and wingwalls. Tracked excavators, dump trucks and other heavy equipment will be used.
17. Set precast concrete slab elements for bridge. Cranes and other construction equipment will be used.
18. Form, install reinforcing steel and pour concrete for bridge deck. Concrete trucks, pump trucks and other construction equipment will be used.
19. Form, install reinforcing steel and pour concrete for approach slabs. Concrete trucks, pump trucks and other construction equipment will be used.
20. Construct roadway subgrade and finished roadway. Tracked excavators, dump trucks and other heavy equipment will be used.
21. Form, install reinforcing steel and pour concrete for bridge parapets. Concrete trucks, pump trucks and other construction equipment will be used.
22. Reopen 12th Street East.

Construction Sequencing for Wapato Creek and Wetland Restoration

1. Ensure copies of all permits and conditions from local, state and federal agencies are present on-site for the duration of the work.
2. Hold a pre-construction meeting with the Port of Tacoma, City of Tacoma, and City of Fife and applicable utility companies.

3. Establish clearing limits and install silt fence, sediment and erosion control systems and high visibility perimeter fence.
4. Install construction entrance and staging area.
5. Locate, relocate or protect existing utilities within Project area in coordination with utility companies.
6. Clear and grub areas designated for excavation and construction.
7. Conduct rough grading leaving berms of material to isolate grading activities from the existing stream channel. Tracked excavators, dump trucks and other heavy equipment will be used. Stockpile material to be used to fill the old Wapato Creek area. Dispose of excess material at the Disposal site.
8. Pump any turbid water collecting in excavated areas to a temporary infiltration area on the south side of the Project site or the vegetated swale along the Disposal site or Baker tanks located within the staging areas. This water will not be discharged into Wapato Creek, Fife Ditch or the 12th Street Ditch without first obtaining permits and conducting any necessary settling, treatment and sampling.
9. Conduct finish grading of Project site and new stream channel per grading plan (except stockpile and staging areas). Tracked excavators, dump trucks and other heavy equipment will be used.
10. Install LWM and streambed material.
11. Install estuary emergent seed and erosion control fabric (jute mat) from +11 to +13 MLLW and 6 inches of bioretention mix above +13 MLLW and seed wetland and upland areas per vegetation plan.
12. Remove temporary sediment and erosion control measures associated with the internal site, new stream channel or phased work areas.
13. Re-direct Wapato Creek into the new stream channel by removing berms in accordance with WDFW HPA.
14. Fill in the old Wapato Creek channel and 12th Street East ditch and create a vegetated filter strip to elevations shown in the plan set and in accordance with WDFW HPA. Remove staging area and conduct finish grading, install LWM, soil amendment, and seed staging and stockpile areas per vegetation plan.
15. Install temporary, permanent and final stabilization where appropriate leaving construction access for landscape contractor.
16. Observe salinity, water levels, inundation depth and durations across new Project site topography and make adjustments to the planting plan and planting schedule accordingly.
17. Install vegetation per the final planting plan and final planting schedule during the dormant season (October through March following final grading).
18. Install and connect temporary irrigation for forested wetland and upland areas per irrigation plans. Operate irrigation for the first 2 years during summer growing season (approximately June 1 to September 30), and then remove.
19. Remove any remaining temporary erosion and sediment control (TESC) features from the Project area after the site is stabilized.
20. Perform as-built survey and submit to Port for review and approval.

Note: Maintenance of sediment and erosion control measures must continue until the site is permanently stabilized and the controls are removed.

The re-establishment of tidal channel, intertidal mudflat, estuarine emergent wetland and forested wetland as well as habitat features such as LWM and stream substrate will occur within the Base Flood Elevation (BFE) of the proposed Wapato Creek alignment (15.97 feet MLLW, according to the 2017 Federal Emergency Management Agency [FEMA] FIRMette) and within the Puyallup River Overtopping BFE (20.37 feet MLLW, according to the 2007 Food Insurance Mapping Study of Puyallup River). With the creation of a significant floodplain area, the Project will result in a substantial increase in the flood storage capacity within the Wapato Creek BFE and the Puyallup River Overtopping BFE at the site. The existing Wapato Creek channel and floodplain geometry on the Project site currently has a storage volume of 10,300 cubic yards (CY) (6.38 acre-feet) below the BFE of 15.97 feet. After excavation of the floodplain, wetlands and new creek channel, the proposed Project site will have a storage volume of 49,584 CY (30.71 acre-feet) below the BFE of 15.97 feet MLLW.

Similarly, the proposed excavation of the site will increase the flood capacity volume as measured with the Puyallup River Overtopping BFE at the site. Approximately 6.7 acres of the site is currently mapped within the

100-year BFE of 20.37 feet MLLW with a storage volume of 19,470 CY (12.07 acre-feet). After excavation of the floodplain, wetlands and creek channel, approximately 15.3 acres of the Project site will be within the 100-year BFE of 20.37 feet MLLW with a storage volume of 136,640 CY (84.69 acre-feet) below the BFE of 20.37 feet MLLW. Since there is a substantial gain in flood storage related to proposed Project excavation, no further flood analysis is proposed.

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: 2021 End Date: 2023 ☐ See JARPA Attachment D

In water work will take place in the marine/estuarine work window for fish protection for Commencement Bay as approved by the Corps & WDFW.

In-water work is anticipated to be allowed July 15 through February 14 (Corps) and July 15 through February 15 (WDFW).

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

$5,900,000

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

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

☐ Yes ☒ No ☐ Don't know

Part 7–Wetlands: Impacts and Mitigation

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

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

☒ Not applicable

Wetland habitats identified within the Project area are anticipated to be non-jurisdictional. Several small, low functioning, isolated wetlands are located in the northern and eastern portions of the Project site, which were determined to be non-jurisdictional by the USACE in 2008, 2013 and 2020, and Ecology in 2011 and 2020. The City of Tacoma also indicated that the onsite wetlands are by definition, artificial wetlands in 2009/2013 and will make a final jurisdictional determination during 2020 permitting actions.

7b. Will the project impact wetlands? [help]

☐ Yes ☒ No ☐ Don't know

Wetland habitat identified within the Project area is anticipated to be non-jurisdictional. (see 7a above)

7c. Will the project impact wetland buffers? [help]

☐ Yes ☒ No ☐ Don't know

7d. Has a wetland delineation report been prepared? [help]

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

☐ Yes ☒ No

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

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

☐ Yes ☒ No ☐ Don't know

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

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

☐ Yes ☒ No ☐ Don't know

No jurisdictional wetlands will be impacted by the Project; therefore, no mitigation plan was prepared for wetland impacts of the Project. However, an AMP has been prepared to document the restoration actions and associated advance mitigation credits. The advance mitigation plan was prepared based on the *Interagency Regulatory Guide, Advance Permittee-Responsible Compensatory Mitigation*, developed by the USACE, Ecology and WDFW. Ecology Publication No. 12-06-015.

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

The AMP prepared for the Project outlines the restoration actions identified at the Project site and the justification of the watershed approach utilized for the project. Overall, the Project proposes to re-establish key ecosystem processes that occurred at the site prior to disturbance of the site. The restoration includes re-meandering Wapato Creek, re-establishing intertidal mudflats, and reconnecting floodplain and estuarine emergent wetlands, forested wetlands and forested riparian buffer habitat to the restored creek which will result in a high-functioning system that will generate advance mitigation credits.

The re-established habitats listed above are designed to function as synergistic components of a single, naturally functioning, re-established ecosystem providing substantial habitat functional lift. The different habitat types, including the tidal stream channel and mudflats, are designed as individual components of a larger mosaic of locally important aquatic resource habitats. The mosaic is designed to allow natural dynamic physical processes to adjust the habitat types over time based on changing climate and creek conditions. The Project site is not intended to be static and guarantee specific amounts of specific types of habitat. Rather, the site will be dynamic and designed to adapt and mature into a natural, self-sustaining wetland and stream complex with 10.02 acres of wetland/aquatic resource re-establishment and 7.34 total acres of riparian buffer. This re-establishment will be achieved through design and implementing the proposed construction, site protection, monitoring, maintenance and stewardship that will provide increased potential for successful development of a larger sustainable ecosystem in an area that otherwise is devoid of wetlands and has limited opportunities for functioning fish and wildlife habitat. The Project will generate advance mitigation credits for wetlands and non-ESA fish habitat as detailed in the Project's AMP. The Project is anticipated to generate 10.02 Acre-Credits of wetland mitigation credit and non-ESA fish habitat credit for future unavoidable impacts to Wapato Creek from one or more crossings totaling 60 feet in width, parallel to flow, downstream of the Project. The final mitigation credit generated by the Project will be as detailed in the final AMP approved by the permitting agencies.

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)
Not applicable						

[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]

☒ 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 Project has been designed to restore aquatic habitat for fish species by restoring stream channel and creating high-functioning aquatic habitat and connectivity. The Project will generate a net gain of 10.02 acres of wetland/aquatic resource habitat, which includes 2.16 acres of Wapato Creek/mudflat habitat, 2.35 acres of estuarine emergent wetland habitat, 5.51 acres of palustrine forested wetland habitat and restore/re-establish 7.34 acres of forested riparian buffer habitat. The replacement of the partial fish passage barrier twin-culverts at 12th Street East with a single-span bridge will improve the hydrologic and habitat functions and provide unimpeded fish passage to Wapato Creek above 12th Street East.

Based on tidal and salinity observations at the Project site, in water work is requested to be conducted in the marine/estuarine work window for fish protection for Commencement Bay/Port of Tacoma as approved by the USACE and WDFW. If approved, in-water work is anticipated to be allowed July 15 through February 14 (USACE) and July 15 through February 15 (WDFW).

Appropriate TESCs and BMPs will be used during construction to prevent construction runoff from entering aquatic habitats. The Project will obtain a Washington Construction Stormwater General Permit and develop and implement an associated Storm Water Pollution Prevention Plan (SWPPP). The contractor will be required to prepare and implement a Spill Prevention, Control and Countermeasure (SPCC) and have spill kits onsite. In-water work will be implemented outside of the active stream channel whenever possible and will implement stream diversions and by-basses when appropriate. Work is planned and sequenced to avoid and minimize impacts to the aquatic environment. Design of the replacement crossing has followed applicable guidance for providing fish passage at road crossings and restoration of the affected aquatic habitat will utilize appropriate sediment and other habitat enhancing materials.

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

☒ Yes ☐ No

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

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

☐ Yes ☒ No ☐ Don't know

Not applicable – the Project will restore aquatic, fish and stream channel habitat. An AMP has been developed for the Project to document the amount and type of habitat restoration and document advance mitigation credit generation.

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]

Re-meandering Wapato Creek, re-establishing tidal mudflats, and reconnecting floodplain, estuarine emergent wetlands, forested wetlands and forested riparian buffer habitat to the restored creek will result in a high-functioning system that will generate advance mitigation credits. The AMP outlines the watershed approach used to identify the location of the advance mitigation site.

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**
Fill	Existing Wapato Creek	In Existing Channel	Permanent	9,296 CY of excavated soil total 9,170 CY complete fill of abandoned channel 126 CY of partial fill of abandoned channel to create mud flat/shallow stream channel habitat	27,609 SF (0.63 acres) Total 23,945 SF (0.55 acre, 713 linear feet) complete fill of abandoned channel 3,664 SF (0.08 AC, 117 linear feet) of partial fill of abandoned channel to create mud flat/shallow stream channel habitat
Fill for Roadside ditch conversion to vegetated swale	12th Street Ditch	In existing ditch	Permanent	2,533 CY	11,400 SF (0.26 acres)
Bridge related cut	Wapato Creek	In	Permanent	450 CY	4,220 SF (0.1 acre)
Bridge related fill	Wapato Creek	In	Permanent	70 CY structural fill 270 CY streambed material	4,220 SF (0.1 acre)

Upland excavation to create new stream channel/floodplain and restore wetlands and buffers	Wapato Creek	Adjacent (contiguous, some in floodplain)	Max of 6 months (site will be immediately stabilized and replanted)	Total of 148,343 CY of which 49,548 CY (30.71 acre-feet) below the 100-year flood elevation of 15.97 feet	10 acres
Upland fill to create new channel streambed and restore wetlands/buffers	Wapato Creek	Adjacent (contiguous, some in floodplain)	Max of 6 months (site will be immediately stabilized and replanted)	17,500 CY total 7,100 CY gravel for new channel streambed 10,000 CY bioretention mix 400 CY mulch	14.29 acres total 2.29 acres streambed 12 acres bioretention mix and mulch
Placement of LWM and standing snags	Wapato Creek	Adjacent (will be in new channel and wetland after diversion, some in floodplain)	Permanent	201 Total pieces 172 pieces of LWM 29 Standing snags	LWM will be sized and placed per plan

[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]

See Section 8e for quantities. All soil fill to be placed on-site will come from on-site soils excavated to create the restored channel alignment and wetlands. According to geotechnical site investigations, the on-site material that will largely be excavated is old fill characterized as "sandy silt and silty sand with variable amounts of organics (primarily roots and wood)." Other imported materials such as concrete, topsoil, streambed material and mulch would be obtained from local suppliers.

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]

See Section 8e above for quantities. Excavated materials will be re-used on the Project site to fill the abandoned channel along 12th Street East, fill the 12th Street East ditch and create a mudflat in the retained section of abandoned channel along East Alexander Avenue, or will be transported and placed at the Disposal site located on an adjacent Port property (Parcel No. 0320011117). Tracked excavators and bulldozers, and possibly earth scrapers, will be used for excavation work. According to geotechnical site investigations, the on-site material that will largely be excavated is old fill characterized as "sandy silt and silty sand with variable amounts of organics (primarily roots and wood)."

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
WDFW	Liz Bockstiegel	360.480.2908	April 2020
Corps	Jason Sweeney, Jacalen Printz	206.764.6901	March 2020
Puyallup Tribe of Indians	Russ Ladley, Brandon Reynon, Andrew Strobel, Jennifer Keating,	253.845.9225	April 2020
City of Tacoma	Karla Kluge, Shirley Shultz	253.591.5364	April 2020
City of Fife	Russ Blount, Steve Friddle	253.896.8633	March 2020
WSDOT	Steve Fuchs	360.570.6664	April 2020
Ecology	Zach Meyer, Lori Kingsbury, Patricia Johnson	360.407.6167	April 2020

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

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

☒ Yes ☐ No

Wapato Creek Category 2: benzene, 4C: instream flow, and 5: fecal coliform and dissolved oxygen

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.

171100190205 – Hylebos Creek – Frontal Commencement Bay

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

- Go to https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up to find the WRIA #.

10 – Puyallup – White

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

- Go to https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria 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: https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases.

☐ Urban ☐ Natural ☐ Aquatic ☐ Conservancy ☒ Other: **Not Applicable**

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

Name of manual: _____

9i. Does the project site have known contaminated sediment? [help]

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

☐ Yes ☒ No

In-stream sediments are not known to be contaminated. In 2009-2010, upland soil testing found a small area of soils with arsenic levels (53 milligrams per kilogram (mg/kg) and 152 mg/kg in two samples) exceeding Model Toxic Control Act (MTCA) standards (20 mg/kg is the cleanup value for unrestricted land use and industrial properties) in the far northeastern portion of the Project area. All other tested parameters in the Project area were undetectable or below the MTCA cleanup levels. The results were reported to Ecology's Environmental Report Tracking System (ERTS) under notification #649884. Removal of the arsenic impacted soil and disposal at the LRI landfill facility was conducted by the Port in September 2014. Confirmation sampling was conducted by Anchor QEQ and the removal work documented in the Anchor QEA Memorandum Re. "Completion Report – Removal of Arsenic Impacted Soil, Habitat Enhancement Project – 1131 East Alexander Avenue, Tacoma, 98424, ERTS #649884" dated October 20, 2014. The Completion Report was provided to Ecology and the Tacoma-Pierce County Health Department – Environmental Health Program. On July 13, 2015 Ecology stated that they added the site to Ecology's Confirmed and Suspected Contaminated Sites List (FSID 6836) with a status of No Further Action.

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

Historically, the proposed restoration area was a tidally influenced wetland or mudflats. The wetland was converted to agricultural use in the first half of the 20th Century. In the mid-1960s, the site was legally filled with dredge material from the expansion of the Blair and Hylebos waterways, and the Wapato Creek channel was rerouted to its present location and configuration. Since then, the site has been used and maintained by the Port as a dredge disposal area for disposal of dredge spoils that meet upland disposal criteria.

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

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

☒ Yes ☐ No

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]

There are no endangered species identified within the vicinity of the Project. The Port has prepared a "no effects" Biological Assessment (BA) for the Project and previous consultations for Wapato Creek have concluded "no effect" to listed species.

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]

Big brown bat (*Eptesicus fuscus*), Steelhead (*Oncorhynchus mykiss*), Coho (*Oncorhynchus kisutch*), Chum (*Oncorhynchus keta*)

Part 10–SEPA Compliance and Permits

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

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

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

- For more information about SEPA, go to https://ecology.wa.gov/regulations-permits/SEPA-environmental-review.

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

Project SEPA determination of non-significance (DNS) dated 1/3/2013 attached. A SEPA addendum is being prepared by the Port as the lead agency to update and review changes to the project. It is anticipated that the threshold determination of a DNS will not change.

☐ A SEPA determination is pending with _____ (lead agency).

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

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

☐ Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

_____

☐ Other: _____

☐ SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [help]

LOCAL GOVERNMENT

Local Government Shoreline permits:

☐ Substantial Development ☐ Conditional Use ☐ Variance

☐ Shoreline Exemption Type (explain): _____

Other City/County permits:

☒ Floodplain Development Permit ☒ Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

☒ Hydraulic Project Approval (HPA) ☐ Fish Habitat Enhancement Exemption – Attach Exemption Form

Washington Department of Natural Resources:

☐ Aquatic Use Authorization

Complete JARPA Attachment E and submit a check for $25 payable to the Washington Department of Natural Resources. **Do not send cash.**

Washington Department of Ecology:

☒ Section 401 Water Quality Certification ☐ Non-Federally Regulated Waters

FEDERAL AND TRIBAL GOVERNMENT
United States Department of the Army (U.S. Army Corps of Engineers): ☒ Section 404 (discharges into waters of the U.S.) ☒ Section 10 (work in navigable waters)
United States Coast Guard: For projects or bridges over waters of the United States, contact the U.S. Coast Guard at: d13-pf-d13bridges@uscg.mil ☒ Bridge Permit ☐ Private Aids to Navigation (or other non-bridge permits)
United States Environmental Protection Agency: ☐ Section 401 Water Quality Certification (discharges into waters of the U.S.) on tribal lands where tribes do not have treatment as a state (TAS)
Tribal Permits: (Check with the tribe to see if there are other tribal permits, e.g., Tribal Environmental Protection Act, Shoreline Permits, Hydraulic Project Permits, or other in addition to CWA Section 401 WQC) ☐ Section 401 Water Quality Certification (discharges into waters of the U.S.) where the tribe has treatment as a state (TAS).

Part 11–Authorizing Signatures

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

11a. Applicant Signature (required) [help]

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

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

Mark D. Rettmann		5/5/2020
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 (provide copy of easement with JARPA).

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

Property Owner Printed Name	Property Owner Signature	Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years or both.