



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): _____

Part 1—Project Identification

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

Rex Development

Part 2—Applicant

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

2a. Name (Last, First, Middle)

Kilby, Ryan

2b. Organization (If applicable)

Williams Investments

2c. Mailing Address (Street or PO Box)

2517 Colby Avenue

2d. City, State, Zip

Everett, Washington 98201

2e. Phone (1)

425-750-7926

2f. Phone (2)

2g. Fax

2h. E-mail

ryan@williamsinvest.com

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.
- 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.

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)			
Pickett, Jon			
3b. Organization (If applicable)			
Soundview Consultants, LLC			
3c. Mailing Address (Street or PO Box)			
2907 Harborview Drive			
3d. City, State, Zip			
Gig Harbor, Washington 98335			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
360-514-8952			jon@soundviewconsultants.com

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 checked="" type="checkbox"/> Private <input type="checkbox"/> Federal <input 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]			
15808 and 16204 51 st Avenue Northeast			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Marysville, Washington 98271-7506			
5d. County [help]			
Snohomish			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
SE	28	31	5 North
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) 			
48.143211 N lat. / -122.163356 W long.			
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. 			
31052800400100 and 31052800400400			
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)	
5J WILLIAMS FAMILY LLC	2417 Colby Avenue	31052800100700	
	Everett, Washington 98201		
Emerald Springs North LLC	6101 152 nd Street Northeast	31052800101400	
	Marysville, Washington 98271		
Pacific Realty Associates LP	15350 Southwest Sequoia Parkway, Suite 300	31052800400300, 31053300100400	
	Portland, Oregon 97224		
City of Marysville	1049 State Avenue	31052800300200, 31052800302700	
	Marysville Washington 98270		

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

Four Category IV wetlands (Wetlands A, B, D, and E), one Category III wetland (Wetland C), and one Category II wetland (Wetland F) were identified onsite.

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

One Type F stream (Hayho Creek)

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. [\[help\]](#)

The subject property has been used for agricultural crop and sod production. The northeast fields on the northern parcel of the subject property were in sod production during the site investigations. No other crops or sod were being grown during the site investigations, groundwater monitoring, or wetland delineation. Corn stalks from a 2017 harvest are present on the southern parcel. Herbaceous vegetation emerged on this southern parcel during spring and summer 2018; the vegetation is dominated by common velvetgrass (*Holcus lanatus*) and colonial bentgrass (*Agrostis capillaris*). The northern parcel has been rotated through crop and sod production. The southern fields of the northern parcel are dominated by alsike clover (*Trifolium hybridum*), common velvetgrass, bird's-foot trefoil (*Lotus corniculatus*), American vetch (*Vicia americana*), and Canada thistle (*Cirsium arvense*). The northwest fields of the northern parcel are dominated by Scouler's willow saplings (*Salix scouleriana*), colonial bentgrass, common velvetgrass, orchard grass (*Dactylis glomerata*) and oxeye daisy (*Leucanthemum vulgare*). Forested patches are present along the western boundaries of the southern and northern parcels. These patches are dominated by red alder (*Alnus rubra*), black cottonwood (*Populus balsamifera*), quaking aspen (*Populus tremuloides*), twinberry (*Lonicera involucrata*), salmonberry (*Rubus spectabilis*), lady fern (*Athyrium cyclosorum*), and Himalayan blackberry (*Rubus armeniacus*).

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

The subject property is actively used for agriculture.

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

51st Avenue Northeast borders the subject property to the east. Adjacent parcels to the north and south of the subject property consist of land for single-family residential and agricultural uses. Adjacent parcels to the west of the subject property consist of agricultural land, undeveloped land, and single-family residential land.

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

One shed/barn in poor condition is present on the east-central portion of parcel -0100 along 51st Avenue Northeast.

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

To access the subject property from I-5 North from Everett, take Exit 206 for WA-531 towards Lakewood/Smokey Point. Turn right on WA-531/172nd Street Northeast/Edgecomb Road and continue for 1.2 miles. Turn right on 51st Avenue Northeast/Shoultes Road and proceed for 0.6 mile. The subject property will be on the right.

Part 6–Project Description

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

The Applicant proposes industrial development of the subject property to include four warehouses, car and truck parking, new public access roads and internal site access, and associated infrastructure including stormwater management and utilities. The proposed project has been carefully designed to avoid and minimize impacts to the identified critical areas to the greatest extent feasible by utilizing all upland areas onsite and avoiding direct impacts to Hayho Creek and Wetland F, the highest functioning critical areas onsite. Minimization measures include locating stormwater infrastructure belowground to maximize developable uplands onsite and reorienting the warehouse adjacent to Wetland F and Hayho Creek in an east-west alignment which positions the high activity areas associated with truck courts and loading docks away from the critical areas. However, complete avoidance of aquatic features is not possible due to the scattered distribution of wetlands and ditches throughout the subject property, the large spatial footprints required for industrial buildings and associated utilities, the required alignment for the new public roadways, and the presence of a natural gas line through the site which inhibits building construction. In order to accommodate the purpose and need for the industrial site development, the project requires the necessary and unavoidable fill of five low-functioning Category III and Category IV wetlands (Wetlands A-E) on the subject property.

Compensatory mitigation for direct impacts to Wetlands A through E onsite will be provided by onsite, in-kind wetland creation, rehabilitation, and enhancement utilizing the combination compensation ratios as outlined under MMC 22E.010.120(3) and in accordance with the interagency mitigation guidance (WSDOE et. al, 2021). Additional wetland and stream buffer restoration actions will occur to create new functioning buffer areas between the mitigation areas and proposed development

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

The purpose of the proposed project is to provide industrial development and associated infrastructure within the City of Marysville to expand the local economy by providing new jobs and new services to the area. The current subject property is located within the Smokey Point Master Plan Light Industrial area according to the 2015 Comprehensive Plan (City of Marysville, 2015). According to the master plan, “the 675-acre...area constitutes the largest developable concentration of commercial and light industrial zoned property along I-5 from U.S.–Canadian border to south of Seattle–Tacoma. Its proximity to Arlington Municipal Airport and the City’s Airport Business Park expansion plans makes the area an economic development oasis.” The area has the potential to create upwards of 10,000 new jobs to support economic development of the area. The proposed industrial development will fulfill this need, but requires the necessary and unavoidable fill of five low-functioning Category III and Category IV wetlands (Wetlands A through E) on the subject property.

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

<p>6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [help]</p> <ul style="list-style-type: none"> Identify where each element will occur in relation to the nearest waterbody. Indicate which activities are within the 100-year floodplain.
<p>Project BMPs include TESC measures consisting of silt fencing, seeding of disturbed soils, and items outlined in the project's erosion and stormwater control plans, to be prepared by a Project Engineer prior to clearing and grading activities, as applicable. Once TESC measures are in place, the site will be graded, the wetlands will be filled, and construction and mitigation actions will proceed.</p> <p>Equipment used for construction activities will be typical for grading and construction activities and will be kept in good working order free of leaks. All equipment staging and materials will be kept in upland areas, and the areas will be kept free of spills and/or hazardous materials. All fill material will be sourced from upland areas onsite or from approved suppliers and will be free of pollutants and hazardous materials.</p> <p>Once construction is complete, any disturbed, undeveloped upland areas will be replanted using appropriate native or ornamental plants determined by the development engineer. These actions will take place to permanently stabilize the soils and reduce erosion and restore any disturbed native vegetation to maintain no net loss of ecological function.</p> <p>The proposed project requires the necessary and unavoidable fill of low-functioning Category IV wetlands (Wetlands A, B, D, and E) and one Category III wetland (Wetland C) on the subject property. None of the proposed project actions are located within the 100-year floodplain.</p>
<p>6f. What are the anticipated start and end dates for project construction? (Month/Year) [help]</p> <ul style="list-style-type: none"> 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.
<p>Start Date: <u>Fall 2022</u> End Date: <u>Fall 2024</u> <input type="checkbox"/> See JARPA Attachment D</p>
<p>6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]</p>
<p>TBD</p>
<p>6h. Will any portion of the project receive federal funding? [help]</p> <ul style="list-style-type: none"> If yes, list each agency providing funds.
<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know</p>

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

<p>7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [help]</p>
<p><input type="checkbox"/> Not applicable</p>
<p>The proposed project has been carefully designed to avoid and minimize impacts to the identified critical areas to the greatest extent feasible by utilizing all upland areas onsite and avoiding direct impacts to Hayho Creek and Wetland F, the highest functioning critical areas onsite. However, complete avoidance of aquatic features is not possible due to the scattered distribution of wetlands and ditches throughout the subject property, the large spatial footprints required for industrial buildings and associated utilities, the required alignment for the new public roadways, and the presence of a natural gas line through the site which inhibits building construction.</p> <p>Further reductions in building size, constructing fewer buildings, or only developing on the northern parcel would not support the industrial purpose of the project; these options would reduce the total building floor space below the minimum threshold needed for industrial operations to remain economically feasible and</p>

support the City of Marysville development goals. In addition, other properties in the surrounding area currently zoned as Light Industrial were considered for development. However, potential properties were either under contract with another buyer and unavailable at the time of the planning phase of this project or were similarly or more highly encumbered by critical areas. The current subject property is located within the Smokey Point Master Plan Light Industrial area according to the 2015 Comprehensive Plan (City of Marysville, 2015). According to the master plan, “the 675-acre...area constitutes the largest developable concentration of commercial and light industrial zoned property along I-5 from U.S.–Canadian border to south of Seattle–Tacoma. Its proximity to Arlington Municipal Airport and the City’s Airport Business Park expansion plans makes the area an economic development oasis.” The area has the potential to create upwards of 10,000 new jobs to support economic development of the area. The proposed industrial development will fulfill this need, but requires the necessary and unavoidable fill of five low-functioning Category III and Category IV wetlands (Wetlands A through E) on the subject property.

In addition, all appropriate best management practices (BMPs) and temporary erosion and sediment control (TESC) measures will also be implemented throughout the course of construction to minimize impacts to Wetlands F and Hayho Creek. Such measures will include construction and mitigation actions during the summer months when low flows are present within the creek to reduce potential turbidity impacts. Additionally, stormwater detention ponds with enhanced stormwater treatment are proposed to minimize impacts to Wetland F and Hayho Creek from increased runoff from impervious surfaces from the proposed development.

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

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

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

The proposed mitigation actions for the project attempt to strike a balance between achieving project goals as well as a positive result in terms of ecological lift. In general, joint USACE and EPA rules have been established that require more careful mitigation planning efforts utilizing a watershed approach in site selection, establishment of enforceable performance standards, and preference for use of mitigation banks or ILF's wherever most ecologically feasible (USACE & EPA, 2008). The proposed impacts and mitigation actions attempt to closely adhere to these rules and to the local critical areas regulations specified in MMC Chapter 22E.010 while also utilizing the best available science (Granger et al., 2005; Hruby et al., 2009; Sheldon et al., 2005; WSDOE et al., 2006; WSDOE et al., 2021).

Compensatory mitigation for direct impacts to Wetlands A through E onsite will be provided by onsite, in-kind wetland creation, rehabilitation, and enhancement utilizing the combination compensation ratios as outlined under MMC 22E.010.120(3) and in accordance with the interagency mitigation guidance (WSDOE et. al, 2021). Additional wetland and stream buffer restoration actions will occur to create new functioning buffer areas between the mitigation areas and proposed development. The proposed onsite, in-kind mitigation actions have been designed utilizing interagency guidance to ensure no net loss of ecological functions onsite of within the greater Snohomish watershed (WRIA 7) in accordance with MMC 22E.010.120(2). A summary of proposed mitigation is provided in the table below.

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)
Fill	Wetlands A, B, D, E	Depressional/ Category IV	117,550 SF	Permanent	C, R, E	see plans
Fill	Wetland C	Depressional/ Category III	56,433 SF	Permanent	C, R, E	see plans

¹ If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

² Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

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

⁴ Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: Pages 8-12

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. [\[help\]](#)

All fill material and road surfacing will be sourced from upland areas onsite or from approved suppliers and will be free of pollutants and hazardous material. The amount of fill material will be determined by the Project Engineer.

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. [\[help\]](#)

N/A

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 proposed project has been carefully designed to avoid and minimize impacts to the identified critical areas to the greatest extent feasible by utilizing all upland areas onsite and avoiding direct impacts to Hayho Creek and Wetland F, the highest functioning critical areas onsite. Minimization measures include locating stormwater infrastructure belowground to maximize developable uplands onsite and reorienting the warehouse adjacent to Wetland F and Hayho Creek in an east-west alignment which positions the high activity areas associated with truck courts and loading docks away from the critical areas. In addition, stream buffer restoration actions will occur to create new functioning buffer areas between the wetland mitigation areas and proposed development.

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. No direct impacts to Hayho Creek are proposed. However, non-compensatory stream buffer restoration actions will occur to create new functioning buffer areas between the wetland mitigation areas and proposed development

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. [\[help\]](#)

Not applicable.

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

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. [\[help\]](#)

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. [\[help\]](#)

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
U.S. Army Corps of Engineers	Amanda Nadjkovic	(206) 316-3156	02/04/21
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: https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d. 			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [help]			
<ul style="list-style-type: none"> • Go to http://cfpub.epa.gov/surf/locate/index.cfm to help identify the HUC. 			
171100110204 – Quilceda Creek			
9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [help]			
<ul style="list-style-type: none"> • Go to https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up to find the WRIA #. 			
7 – Snohomish			
9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help]			
<ul style="list-style-type: none"> • Go to https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria for the standards. 			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable			
9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help]			
<ul style="list-style-type: none"> • 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. 			
<input type="checkbox"/> Urban <input type="checkbox"/> Natural <input type="checkbox"/> Aquatic <input type="checkbox"/> Conservancy <input type="checkbox"/> Other: <u>N/A</u>			
9g. What is the Washington Department of Natural Resources Water Type? [help]			
<ul style="list-style-type: none"> • 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

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

The subject property has been maintained for agricultural use for as far back as the 1950s.

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. [\[help\]](#)

ESA-listed threatened species in the vicinity of the project area include marbled murrelet (*Brachyramphus marmoratus*), streaked horned lark (*Eremophila alpestris strigata*), yellow-billed cuckoo (*Coccyzus americanus*), bull trout (*Salvelinus confluentus*), and monarch butterfly (*Danaus plexippus*). The subject property does not contain habitat for these species; as such, no effects to these species are anticipated from the proposed project.

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. [\[help\]](#)

The WDFW PHS map identifies the potential wetlands extending northwest and west from the subject property. This WDFW PHS map identifies occurrence and migration of Dolly Varden/bull trout (*Salvelinus malma*), coastal cutthroat (*Oncorhynchus clarki*), chum salmon (*Oncorhynchus keta*), and coho (*Oncorhynchus kisutch*) in the stream along the western boundary of the subject property.

The WDFW Salmonscape map identifies the presence of Dolly Varden/bull trout and coho as presumed and the presence of chinook salmon (*Oncorhynchus tshawytscha*), pink salmon (*Oncorhynchus gorbuscha*), and steelhead trout (*Oncorhynchus mykiss*) as modeled in the stream along the western boundary of the subject property. Additionally, the WDFW Salmonscape map identifies modeled presence of pink salmon, chinook salmon, coho salmon (*Oncorhynchus kisutch*), chum salmon (*Oncorhynchus keta*), and steelhead trout in the stream located across 51st Avenue Northeast to the east.

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](#).

<p>10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [help]</p> <ul style="list-style-type: none"> • For more information about SEPA, go to https://ecology.wa.gov/regulations-permits/SEPA-environmental-review. <p><input type="checkbox"/> A copy of the SEPA determination or letter of exemption is included with this application.</p> <p><input checked="" type="checkbox"/> A SEPA determination is pending with <u>City of Marysville</u> (lead agency). The expected decision date is <u>Summer 2022</u>.</p> <p><input type="checkbox"/> I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]</p> <p><input type="checkbox"/> This project is exempt (choose type of exemption below).</p> <p><input type="checkbox"/> Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt? _____</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> SEPA is pre-empted by federal law.</p>
<p>10b. Indicate the permits you are applying for. (Check all that apply.) [help]</p> <p style="text-align: center;">LOCAL GOVERNMENT</p> <p>Local Government Shoreline permits:</p> <p><input type="checkbox"/> Substantial Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Shoreline Exemption Type (explain): _____</p> <p>Other City/County permits:</p> <p><input type="checkbox"/> Floodplain Development Permit <input checked="" type="checkbox"/> Critical Areas Ordinance</p> <p style="text-align: center;">STATE GOVERNMENT</p> <p>Washington Department of Fish and Wildlife:</p> <p><input type="checkbox"/> Hydraulic Project Approval (HPA) <input type="checkbox"/> Fish Habitat Enhancement Exemption – Attach Exemption Form</p>

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. PK (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. PK (initial)

Ryan Kilby
Applicant Printed Name


Applicant Signature

4-5-22
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.

Jon Pickett
Authorized Agent Printed Name


Authorized Agent Signature

3/31/2022
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.

JARIK WILLIAMS
Property Owner Printed Name


Property Owner Signature

4/5/22
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: ORIA-16-011 rev. 09/2018



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) [\[help\]](#)



US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

TO BE COMPLETED BY APPLICANT [\[help\]](#)

Project Name: Rex Development

Location Name (if applicable): 15808 and
16204 51ST Ave NE, Maryville, WA 98271

Attachment C:
Contact information for adjoining
property owners. [\[help\]](#)

Use this attachment only if you have more than four adjoining property owners.

Use black or blue ink to enter answers in white spaces below.

1. Contact information for all adjoining property owners. [\[help\]](#)

Name	Mailing Address	Tax Parcel # (if known)
Torres, Josie V. M. and Aparicio, Ana B.M	15528 51 st Avenue Northeast Marysville, Washington 98271	31053300100300
Marysville Terminal LLC	P.O. Box 587 Auburn, Washington 98071	31053300101600
Due, Clarence W	14003 Smokey Point Boulevard Marysville, Washington 98271	31053300101700

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: ORIA-16-014 rev. 10/2016