



US Army Corps  
of Engineers  
Seattle District

# Department of the Army Regional General Permit



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## RGP 1 Watercraft Lifts In fresh and marine/estuarine waters Within the State of Washington

**Effective Date:** February 14, 2005  
**Revised Date:** January 29, 2007

**Expiration Date:** February 14, 2010

**Permit Number:** RGP 1

**Permit Title:** Watercraft Lifts in certain fresh and marine/estuarine waters within the State of Washington.

**Authority:** In accordance with 33 CFR 325.2(e)(2), the Seattle District of the U.S. Army Corps of Engineers (Corps) is issuing Regional General Permit 1(RGP 1) that authorizes watercraft lifts and canopies in certain fresh and marine/estuarine waters within the State of Washington upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

**Issuing Office:** U.S. Army Corps of Engineers, Seattle District  
Regulatory Branch, CENWS-OD-RG  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone: (206) 764-3495

**Purpose:** The purpose of RGP 1 is to authorize watercraft lifts and canopies in certain fresh and marine/estuarine waters within the State of Washington for the purpose of safe watercraft moorage.

**Use of this RGP:** The permittee is responsible for ensuring that the authorized work complies with all applicable provisions of RGP 1, including any project-specific special conditions that may be added by the District Engineer. Failure to abide by the requirements of this RGP may constitute a violation of the Clean Water Act and/or Rivers and Harbors Act. For purposes of this RGP, the term "permittee" shall include all successors in interest.

RGP 1 contains provisions intended to protect the environment and endangered species. Work that will not comply with these provisions is not authorized by this RGP and may require Department of the Army authorization by standard individual permit. Moreover, compliance with the provisions of RGP 1 does not itself guarantee that the work is authorized by this RGP. Activities that appear to comply with the provisions of this RGP but would have an unacceptable adverse impact on the public interest are not authorized.

**Activities authorized by this RGP:** Work authorized by RGP 1 is limited to the activities described below. Activities authorized include the installation, maintenance, repair, replacement, and retention of noncommercial watercraft lifts at existing residential waterfront structures (e.g., pier, float, ramp,

bulkhead, buoy, etc). Watercraft lifts includes but is not limited to lifts for motorized boats, kayaks, canoes, jet skis, and float planes. This RGP does not authorize watercraft lifts or canopies at commercial marinas. The applicant must, to the maximum extent practicable, orient the watercraft lift and canopy (lengthwise) in a north-south direction to minimize shading impacts. Definitions, descriptions, and/or examples of terms used in this RGP are located in Appendix E of this document.

#### Categories of Activities:

Category A: Installation or retention of one ground-based or floating watercraft lift without a canopy, per adjacent upland property, where no other watercraft exists. If watercraft lifts are proposed to be installed at a joint-use pier owned by two upland property owners, under this Category, only one can be installed.

Category B: Installation, repair, maintenance, replacement or retention of one watercraft lift, without a canopy, and the placement of no more than 2 cubic yards of fill to anchor the lift. "Fill" only includes the placement of rock or pre-cast concrete blocks. Fill does not mean installation of piling.

1. Fill can only be used if the substrate prevents the use of anchoring devices which can be embedded into the substrate (e.g., compacted substrate portions of Lake Chelan).
2. The fill must be clean.
3. The fill must consist of rock or pre-cast concrete blocks.
4. The fill must only be used to anchor the watercraft lift.
5. The minimum amount of fill must be utilized to anchor the watercraft lift.
6. To the maximum extent possible, work must be performed in the dry.

Category C: Installation or retention of additional watercraft lifts beyond one, without a canopy, at a single residential use waterfront structure. A maximum of 3 lifts are allowed at a single residential use overwater structure. However, only two lifts can be ground-based, all other lift(s) must be floating or suspended lift(s).

Category D: Installation or retention of additional watercraft lifts beyond one, without a canopy, at a joint use waterfront structure. There is no limitation to the maximum amount of watercraft lifts at an existing joint use structure. However, different project impact reduction and mitigation measures will be required based on the type of additional lifts (e.g., floating or suspended versus ground-based).

Category E: Installation or retention of a translucent canopy on a new or existing watercraft lift.

1. In fresh waters, the canopy and structure should be located waterward of the 9-foot depth elevation (based on OHW or MHHW). If this condition cannot be met, additional project impact reduction measures are required.
2. The lowest edge of the canopy must be at least 8 feet above the plane of OHW or MHHW.
3. Only 1 (one) canopy can be installed per single or joint use residential overwater structure.
4. The watercraft lift with the canopy must be oriented with the length in the north-south direction to the maximum extent practicable.

Category F: Replacement, repair or maintenance of existing watercraft lifts. This includes parts which are located above or below the plane of ordinary high water (OHW) or mean high water (MHW) including parts which make contact with the substrate of the waterbody. If a watercraft lift is being replaced, it must be replaced in the same footprint as the original one or in a location at the same water depth or deeper on the same property.

Pile Driving Requirements: If a drop hammer pile driver for steel piling is utilized, a sound attenuation device or system must be implemented during pile driving. The diameter of steel piling cannot exceed 12 inches.

1. For piling with a diameter of 10 inches or less, the sound attenuation device must include one of the following: the placement of a block of wood (minimum of 6 inches thick) between the hammer and the piling during pile driving or use a bubble curtain that distributes air bubbles around 100% of the perimeter of the piling over the full depth of the water column or any other Corps approved sound attenuation device. Information on bubble curtain design is available on the Corps' website at [www.nws.usace.army.mil/reg.html](http://www.nws.usace.army.mil/reg.html).
2. For piling with a diameter greater than 10 inches, up to 12 inches, the sound attenuation device must include both the placement of a block of wood (minimum of 6 inches thick) between the hammer and the piling during pile driving and use a bubble curtain that distributes air bubbles around 100% of the perimeter of the piling over the full depth of the water column or any other Corps approved sound attenuation device.

Work Windows: To minimize impacts to fish species and bald eagles, work is restricted to certain time periods. There are different work window restrictions for fish species and bald eagles. For projects with work windows for both fish and bald eagles, construction can only occur during the times where the windows overlap.

Fish species timing and equipment restrictions:

1. For activities not contacting the substrate (e.g., repair of above substrate portions of the lift, installation of a canopy, or installation of floating or suspended watercraft lifts) or work performed in the dry, there are no work window restrictions. Work can occur at any time.
2. For activities contacting the substrate (e.g., installation of a ground-based watercraft lift) refer to current allowable work windows located on the Corps' website at [www.nws.usace.army.mil](http://www.nws.usace.army.mil) click on Regulatory – Regulatory Permits --Endangered Species Act -- Allowable Work Windows.

Bald eagle timing and equipment restrictions:

1. For activities only requiring the use of hand or powered hand tools, there are no work window restrictions. Work can occur at any time.
2. For activities requiring the use of equipment **beyond hand or powered hand tools**, refer to current allowable work windows located on the Corps' website at [www.nws.usace.army.mil](http://www.nws.usace.army.mil) click on Regulatory – Regulatory Permits --Endangered Species Act -- Allowable Work Windows.

Location of Authorized Activities: RGP 1 is applicable in all waters of the United States, including navigable waters of the United States, within the State of Washington except in the main stem of the Snake River and the Pend Oreille River. On the main stem of the Columbia River above Priest Rapids

Dam, only activities meeting Category A and F can be authorized by this RGP. All other categories of this RGP cannot be authorized by this RGP in the Columbia River above Priest Rapids Dam.

Application Procedure: The application procedure varies based on the category of work (Categories A – F described above). All categories require submittal of drawings in the format described in Appendix D. Any applicant proposing work in any of the categories requiring pile driving, must submit an application and receive approval **before** any work in waters of the U.S. can commence. Any applicant proposing work in any of the categories except Category F, closer than 30 feet from the OHW mark or MHW mark on the shoreline, must submit an application and receive approval **before** any work in waters of the U.S. can commence.

Categories A, B and F: Appendix A must be completed and submitted **before or within 30 days after** the work is completed. Work may only commence within the approved work windows.

Exception: For work proposed under Category B in the Lake Washington and Lake Sammamish system which includes but is not limited to Lake Washington, Lake Sammamish, Lake Union, and the Lake Washington Ship Canal, the applicant must obtain permit approval before any work commences. Individual consultation must be completed before the work can be authorized under this RGP for Category B work in the Lake Washington and Lake Sammamish system. The applicant may submit Appendix A as their permit application and the form will be utilized as a Reference Biological Evaluation and the Corps will initiate an individual ESA consultation.

Categories C and D: Appendix A must be submitted **before** the work can commence. Written approval must be obtained from the Corps before any work can commence for these activities.

Categories E: Appendix A must be submitted to the Corps **before** the work can commence. Written approval must be obtained from the Corps before any work can commence for this category of work.

For work in the Lake Washington and Lake Sammamish system that includes but is not limited to Lake Washington, Lake Sammamish, Lake Union, and the Lake Washington Ship Canal, the applicant may submit Appendix A as their permit application but the form will be utilized as a Reference Biological Evaluation and the Corps will initiate an individual ESA consultation. Individual consultation must be completed before the work can be authorized under this RGP for this category of work in the Lake Washington and Sammamish system.

Project Impact Reduction and Conservation Measures: *While the individual activities described above will have minimal impacts to the aquatic environment, direct, indirect, and cumulative impacts from these structures have not been fully avoided.*

*Salmonids, including juvenile chinook salmon and sub-adult and adult bull trout use the nearshore areas of Puget Sound for feeding, rearing, and/or as a migratory corridor. As small individuals, they stay in shallow waters to avoid large fish predators found in deeper water, and to rear and feed.*

*The watercraft lift structure itself and canopy inhibits light from entering the water. This loss of light reduces the ability of aquatic vegetation to grow. This subsequently has an impact on the feeding and rearing habitat of fish. Also, the shadow created by the structures may provide cover for predators of salmonid fish species. Therefore, the amount of shade created by these structures needs to be minimized. Also, because the shallow water habitat is an important habitat feature, structures should be placed in deeper water to minimize impacts to the shallow water habitat.*

*The purpose of these measures is to offset losses to the aquatic environment resulting from direct, indirect, and cumulative impacts of watercraft lifts and canopies. These mitigation measures will restore or create important fish habitat to offset the impact of the project.*

The number of “Mitigation Points” required is dependent upon the category of work, water depths, and aquatic habitats at the project site.

Table 1 lists the required number of mitigation points for different categories of work located at different water depths, located in different aquatic habitats at the project site.

Table 1. Number of Required Mitigation Points for Certain Categories, Water Depths and Habitats

Project Work Description	Location of Proposed Work	
	A	B
	Landward most side of the watercraft lift is in or over a water <b>depth of 9 feet or greater</b> (based on OHW or MHHW)	Landward most side of the watercraft lift is in or over a water depth <b>less than 9 feet</b> (based on OHW or MHHW)
	# Required Mitigation Points	# Required Mitigation Points
Category A or B or F	0	0
Category C or D For <u>each</u> <b>floating</b> or <b>suspended</b> watercraft lift installed beyond one	2	4
Category C or D For <u>each</u> <b>ground based</b> watercraft lift installed beyond one	4	6
Category E (mitigation points for this category is <u>added</u> to any of the other applicable categories) For a translucent canopy.	0	2

Table 2 is a list of different types of project impact reduction measures the applicant can select from to mitigate for the proposed watercraft lift(s) and/or translucent canopy. Each project impact reduction measure is given a point value. Based on the size of the project, a certain number of mitigation points will be required to mitigate for the impacts. Table 2 describes the method to be used to determine how many mitigation points are required for the proposed project. Mitigation work should be accomplished onsite if possible. If mitigation work cannot be completed onsite, the mitigation work may occur at a Corps’ approved offsite location.

Note: Fractional numbers 0.5 or above are rounded up and fractional numbers below 0.5 are rounded down. Examples: The number 7.3 would be rounded down to 7. The number 6.5 would be rounded up to 7.

Table 2. Project Impact Reduction and Mitigation Measure Options and Corresponding Mitigation Points

(Note: The term “remove” means remove from the area waterward of MHHW or OHW and dispose of, or place in, an appropriate upland or approved disposal area.)

Mitigation Measure Option #	Number of Mitigation Points	Project Impact Reduction and Mitigation Measure Description
1	2	Plant 1 tree and 1 shrub (from the planting list and per planting specifications in this RGP) within 15 feet landward of MHHW or OHW and parallel to the shoreline
2	2	Remove 1 pile (if the pile is treated wood, use MMO#4 instead)
3	2	Permanently prevent an existing permitted float, which currently grounds out, from resting on the tidal substrate (at least 1 foot above the tidal substrate)
4	2	Remove 1 treated wood pile located waterward of MHHW or OHW  Guidance on disposal and disposal location of treat wood materisl is located at <a href="http://www.ecy.wa.gov/programs/hwtr/demodebris/pages2/demowood.html">www.ecy.wa.gov/programs/hwtr/demodebris/pages2/demowood.html</a>
5	2	Remove 9 square feet of an existing overwater structure. This includes the permanent removal of a covered moorage, opaque watercraft lift canopies, and skirting.
6	2	Permanently prevent an existing anchor line from scouring the tidal substrate
7	6	Remove 3 linear feet of hardened shoreline and plant removal area with native vegetation (see Table 3)
8	1	Remove manmade debris (e.g., concrete rubble, tires, etc.) covering 9 square feet  This option will require before and after photos of debris removal and removal area, a description of the type of debris and a vicinity map showing the location of the debris and removal area.
9	Varies	Removal of an entire or portion of an existing groin, The number of mitigation points varies depending on the size of the groin. Three mitigation point = 9 square feet (footprint) of groin removed.  This option will require before and after photos of the groin and removal area and a vicinity map showing the location of the groin.  For example: The groin to be removed is 9 feet long and 3 feet wide. This structure has a footprint of 27 square feet. 27 divided by 3 equals 9 mitigation points.
10	Varies	Removal of an entire or portion of an existing boat ramp, The number of mitigation points varies depending on the size of the boat ramp. Three mitigation point = 9 square feet (footprint) of boat ramp removed.  This option will require before and after photos of the boat ramp and

Mitigation Measure Option #	Number of Mitigation Points	Project Impact Reduction and Mitigation Measure Description
		<p>removal area and a vicinity map showing the location of the boat ramp.</p> <p>For example: The boat ramp to be removed is 12 feet long and 8 feet wide. This structure has a footprint of 96 square feet. <math>96 \div 9 = 10.7</math> times 3 equals 32 mitigation points.</p>
11	Varies	<p>Removal of an entire or portion of an existing marine railway (two rails and support structures), in its entirety. The number of mitigation points varies depending on the length of the marine railway. One mitigation point = 2 linear feet of a pair of rails removed. Note: each rail is not counted separately.</p> <p>This option will require before and after photos of the marine rail and removal area and a vicinity map showing the location of the boat ramp.</p> <p>For example: The marine railway to be removed is 14 feet long. <math>14 \div 2 = 7</math> mitigation points.</p>
12	Varies	<p>Install grating on an existing overwater structure with a solid deck surface. Three mitigation point = 9 square feet of installed grating</p> <p>For example: A boatlift will be installed adjacent to a pier which has the surface area completely decked with wood, no open surface area. The decking is removed from an area 6- by 3-feet and grating is installed for a total area of 18 square feet. <math>18 \div 9 \text{ sq. ft.} = 2</math> times 3 → 6 mitigation points.</p>

**Grating:** The grating must have at least 60 percent open area. The grating must be oriented to maximize the amount of light passage. To ensure that light transmission is not impeded, grating must not be covered or blocked underneath with any objects, such as, but not limited to, buildings, planters, storage sheds or boxes, nets, carpets, boards, tables, lawn furniture, and utility conduits or boxes.

Note: No “credit” is given for constructed mitigation points exceeding the required amount of required mitigation points.

**Mitigation Planting Requirements.** *The purpose of mitigation planting is to offset losses to the aquatic environment resulting from the installation of an overwater structure. The mitigation planting establishes a plant community and associated food web that can be utilized by foraging and migrating salmonids as they pass through the project area and in tidal systems, provides complex shade for upper intertidal spawning forage fish.*

To this end, the prospective permittee is required to establish and preserve the planting plot(s) at the project site for the duration that the watercraft lift and/or canopy is in place. A drawing of the proposed planting area must be recorded with the Registrar of Deeds per General Condition 26 of this RGP.

The planting plot(s) will be planted (cuttings, burlapped roots or 1 – 5 gallon pots) with native shrubs and trees. The plot needs to be on the property but does not need to be located adjacent to the overwater structures and/or watercraft lift. The plantings must be located within 15 feet landward of MHHW or OHW, planted in an alignment nearest to the water parallel to the shoreline. The shrubs will be planted at intervals of 3-feet on center, and the trees will be planted at intervals of 10-feet on center. The Corps must approve a planting plan submitted by the prospective permittee prior to issuance of an RGP to the permittee. The plant species must be from the plant list in Table 3, or must be a species approved by the Corps.

EXAMPLE OF A PLANTING PLAN:

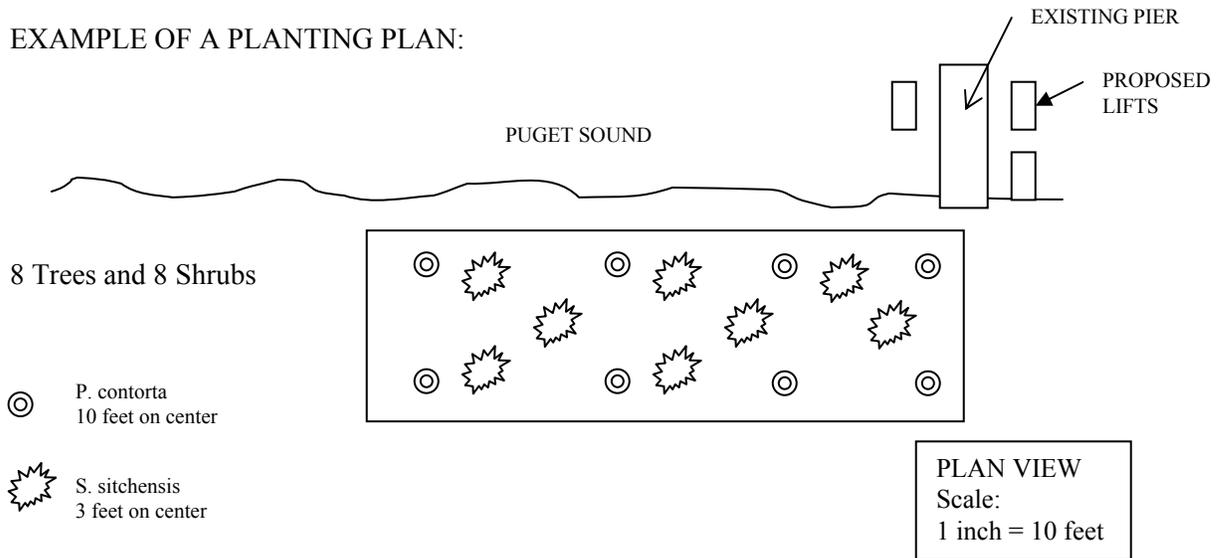


Table 3. List of Approved Plant Species

<b>Common Name</b>	<b>Scientific Name</b>
<b>Shrubs:</b>	
Sitka willow	<i>Salix sitchensis</i>
Souler willow	<i>S. scouleriana</i>
Sandbar willow	<i>S. exigua</i>
Pacific willow	<i>S. lasiandra</i>
Hooker willow	<i>S. hookeriana</i>
Red osier dogwood	<i>Cornus stolonifera</i>
Red flowering currant	<i>Ribes sanguineum</i>
Nootka rose	<i>Rosa nutkana</i>
Baldhip rose	<i>Rosa gymnocarpa</i>
Thimbleberry	<i>Rubus parviflorus</i>
Red elderberry	<i>Sambucus racemosa</i>
Snowberry	<i>Symphoricarpos albus</i>
Vine maple	<i>Acer circinatum</i>
Western serviceberry	<i>Amelanchier alnifolia</i>
Ocean spray	<i>Holodiscus discolor</i>
Hazelnut	<i>Corylus americana</i>
Sweet gale	<i>Myrica gale</i>
Tall Oregon grape	<i>Mahonia aquifolium</i>
Dull Oregon grape	<i>M. nervosa</i>
<b>Trees:</b>	
Black cottonwood	<i>Populus trichocarpa</i>
Douglas fir	<i>Pseudotsuga menzeisii</i>
Sitka spruce	<i>Picea sitchensis</i>
Shore pine	<i>Pinus contorta</i>
Ponderosa pine	<i>Pinus ponderosa</i>
Cascara	<i>Rhamnus purshiana</i>
Big leaf maple	<i>Acer macrophyllum</i>
Red alder	<i>Alnus rubra</i>
Birch species	<i>Betula spp.</i>
Pacific dogwood	<i>Cornus nuttallii</i>
Choke cherry	<i>Prunus virginiana</i>

**Mitigation Planting Performance Standards.** One hundred percent survival of all planted trees and shrubs is required during the first and second years after planting the plot(s). During the third through fifth years after planting, 80 percent survival is required. The permittee must protect the planting plot(s) against predation—the Corps recommends fencing. Individual plants that die must be replaced with native shrubs and trees taken from the species list above. Maintenance of the mitigation area includes removal and replacement of dead or dying plants and removal of invasive and/or noxious weeds. Maintenance does not include trimming or mowing of the plants. The plants must be allowed to develop naturally. If

during the 5 years of monitoring, contingency plans are required (e.g., additional plantings, planting different species), the permittee must implement any Corps required contingency plans.

**Mitigation Reports.** Mitigation reports must be submitted to the Corps for all projects where mitigation is required.

a. Mitigation must be completed within one year of permit issuance. A report on mitigation completion, including as-built drawings, must be submitted to the Corps 12 months from the date the Corps issues an RGP to the permittee. The permittee can meet this reporting requirement by submitting to the Corps a completed *Report for Mitigation Work Completion*, Appendix B.

b. **If plantings are implemented:** Mitigation planting monitoring reports will be due annually, no later than November 30 of each monitoring year, for 5 years from when Corps accepts the as-built drawings. The mitigation monitoring report will include written and photographic documentation on tree and shrub mortality and replanting efforts. Photographs must be taken between June – August (the best time of year to show plant growth). Photographs must show a panoramic view of the entire mitigation planting area. A set point from where photos are taken must be established and used repeatedly for each monitoring year. The date of the photos must be noted on the monitoring report. The permittee can meet this reporting requirement by submitting to the Corps a completed *Mitigation Planting Monitoring Report*, Appendix C.

**Water Quality Certification:** The Corps requested that the Washington Department of Ecology (Ecology) pursuant to Section 401 of the CWA and Chapters 173 - 225 of the Washington Administrative Code (WAC), and the Environmental Protection Agency, and Puyallup and Chehalis Tribes pursuant to Section 401 of the CWA, certify that those activities authorized by Category C of this RGP for which these agencies are responsible, will not violate established State water quality standards. All of these agencies waived the requirement of a water quality certification for activities described in this RGP.

**Coastal Zone Management Consistency:** The Corps requested that the Washington Department of Ecology pursuant to the requirements of the U.S. Coastal Zone Management Act (16 U.S.C. 1452 et seq.) and its implementing regulations (15 CFR 923-930) concur that the activities authorized by this RGP will be consistent with the requirements of the State of Washington's CZM program. Ecology waived the requirement for coastal zone management consistency for activities described in this RGP.

**Endangered Species:** The Endangered Species Act (ESA) of 1973, as amended, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or the U.S. Fish and Wildlife Service (FWS), pursuant to Section 7 of the ESA, on any action, or proposed action, permitted, funded, or undertaken by the agency that may affect a species listed as threatened or endangered under the ESA, or its designated critical habitat. Informal consultation was initiated for all activities described in this RGP except Categories B and E in the Lake Sammamish and the Lake Washington System. Concurrence was received from both agencies. Work in Categories B and E in the Lake Sammamish and the Lake Washington System require individual ESA consultation separate from the programmatic consultation for the RGP.

**Essential Fish Habitat:** The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH). This RGP will not adversely affect EFH for federally managed fisheries in Washington waters. No further consultation is required.

**Permit Conditions:** Department of the Army authorization under this RGP is subject to the following special and general conditions:

#### SPECIAL CONDITIONS

1. The permittee must put the Department of the Army (DA) permit reference name and number on the authorized watercraft lifts. The name and number must be written such that the marking is permanent, is located above the water surface, and can be clearly seen. The Corps will provide the DA reference name and number to the permittee.
2. No work may be performed over or within 50 feet of eelgrass and macroalgae beds.
3. No work may be performed in or within 50 feet of Washington State documented spawning habitat for listed or proposed forage fish species. Contact the Washington State Department of Fish and Wildlife for a determination.
4. During the installation and utilization of the watercraft lift(s) no large woody debris may be removed from the aquatic habitat.
5. All structural steel members must be pre-painted and dried prior to installation.
6. If watercraft lifts include wood, only non-treated wood shall be used in fresh waters. In tidal waters, no creosote, pentachlorophenol, CCA, or comparably toxic compounds not approved for marine use, shall be used for any portion of the overwater structure. For any ACZA treated wood, the wood must be treated by the manufacturer per the Post Treatment Procedures outlined in "BMP Amendment #1 - Amendment to the Best Management Practices (BMPs) for the Use of Treated Wood in Aquatic Environments; USA Version - Revised July 1996", by the Western Wood Preservers Institute, as amended April 17, 2002 or the most current BMPs. This information is available on the internet at [www.WWPInstitute.org](http://www.WWPInstitute.org). Third party certification that the material was produced according to these BMPs must be provided to the Corps before authorized work can commence.
7. Only two new piles may be driven and only if necessary for watercraft lift installation.
8. If a barge is used, the barge must not ground out and the barge must not be located over or adjacent to vegetated shallows (except where such vegetation is limited to Washington State designed noxious weeds).
9. Existing watercraft lifts to be removed must be removed in their entirety.
10. If a floating watercraft lift is installed, it must not rest on the substrate at any time.
11. Work that disturbs the substrate, bank, or shore of a water of the United States shall occur in the dry whenever practicable.
12. Equipment shall be operated from an out-of-water location whenever possible. Equipment shall be operated in a manner that minimizes the suspension of particulates. All equipment used in or around waters shall be clean and inspected daily prior to use to ensure that the equipment has no fluid leaks. Should a leak develop during use, the leaking equipment shall be removed from the

site immediately and not used again until it has been adequately repaired. No equipment may be stored or fueled so close to a surface water that the activity could adversely affect the waterbody.

#### GENERAL CONDITIONS

1. Reliance on Permittee's Information. In verifying a permittee's authorization under this RGP, the Department of the Army has relied, in part, on the information provided by the permittee. If this information proves to be false, incomplete, or inaccurate, the permittee's authorization may be modified, suspended, or revoked, in whole or in part.
2. Compliance with Terms and Conditions. Projects authorized by this RGP shall comply with all terms and conditions herein. Failure to abide by these terms and conditions invalidates this authorization and may result in a violation of Federal law, which may require that the permittee restore the site or take other remedial action. Activities requiring Department of the Army authorization that are not specifically authorized by this RGP are prohibited unless authorized by another Department of the Army permit.
3. Contractor's Copy of Permit. The permittee shall provide complete copies of this permit and the Corps' verification letter (if appropriate) for the authorized project to each contractor involved in the project and keep copies of this permit and Corps' verification letter available for inspection at the project site.
4. Access for Inspection. The permittee shall allow the District Engineer or his authorized representative to inspect the project whenever deemed necessary to ensure that the activity is in compliance with the terms and conditions prescribed herein.
5. Limits of Authorization. This permit does *not*:
  - a. Obviate the requirement to obtain all local, State, or other Federal authorizations required by law for the activity authorized herein, including any authorization required from Congress.
  - b. Convey any property rights, either in real estate or material, or any exclusive privileges.
  - c. Authorize any injury to property, invasion of rights, or any infringement of local, State, or Federal laws or regulations.
  - d. Authorize the interference with any existing or proposed Federal project.
6. Limits of Federal Liability. This permit is not an approval of the design features of any authorized project or an implication that such project is adequate for the intended purpose; a Department of the Army permit merely expresses the consent of the Federal Government to conduct the proposed work insofar as public rights are concerned. In issuing this RGP, the Federal Government does not assume any liability for the following:
  - a. Design or construction deficiencies associated with the authorized work.
  - b. Damages to the permitted project or uses thereof as a result of other permitted activities or from natural causes, such as flooding.

- c. Damages to persons, property, or to other permitted or unauthorized activities or structures caused by the activity authorized by this permit.
  - d. Damages associated with any future modification, suspension, or revocation of this permit.
  - e. The removal, relocation, or alteration of any structure or work in navigable waters of the United States ordered by the Secretary of the Army or his authorized representative.
  - f. Damage to the permitted project or uses thereof as a result of current or future activities undertaken by, or on behalf of, the United States in the public interest.
7. Tribal Rights. No activity may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
8. Obstruction of Navigation. Permittees understand and agree that, if future operations by the United States require the removal, relocation, or other alteration of the work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work unreasonably obstructs the full and free use of navigable waters of the United States, the permittee shall, upon due notice from the Corps, remove, relocate, or alter the obstructions caused thereby, without expense to the United States. If the permittee fails to comply with the direction of the Corps, the District Engineer may restore the navigable capacity of the waterway, by contract or otherwise, and recover the cost thereof from the permittee.
9. Stability. Permittees shall design projects to be stable against the forces of flowing water, wave action, and the wake of passing vessels.
10. Maintenance. Permittees shall properly maintain all authorized structures and fills, including maintenance necessary to ensure public safety.
11. Marking Structures. Permittees shall install and maintain any lights, signals, or other appropriate markers necessary to clearly designate the location of structures or work that might pose a hazard to public safety. Permittees shall abide by U.S. Coast Guard requirements concerning the marking of structures and work in navigable waters of the United States.
12. Endangered Species. This RGP does not authorize any activity that is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation or any listed or proposed critical habitat, as identified under the ESA.
13. Historic Properties. This RGP does not authorize any activity that may affect historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) until the provisions of 33 CFR 325, Appendix C, have been satisfied. Historic properties include prehistoric and historic archeological sites, and areas or structures of cultural interest. A prospective permittee must notify the District Engineer if the proposed activity may affect an historic property that is listed, eligible for listing, or may be eligible for listing in the NRHP, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. If a previously unknown historic property is encountered during work authorized by this RGP, the permittee shall immediately cease all ground activities in the immediate area, notify the Corps within 1 business day of discovery. The permittee shall perform any work required by the Corps in accordance with Section 106 of the National Historic Preservation Act and Corps regulations

and avoid any further impact to the property until the District Engineer verifies that the requirements of 33 CFR Part 325, Appendix C, have been satisfied.

14. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status unless the appropriate Federal agency (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service), with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.
15. Water Quality Standards. All activities authorized herein that involve a discharge of dredged or fill material into waters of the United States shall, at all times, remain consistent with all applicable water quality standards, effluent limitations and standards of performance, prohibitions, pretreatment standards, and management practices established pursuant to the Clean Water Act (P.L. 92-500; 86 Stat. 816) or pursuant to applicable State and local law.
16. Minimization of Environmental Impact. Permittees shall make every reasonable effort to conduct the authorized activities in a manner that minimizes the adverse impact of the work on water quality, fish and wildlife, and the natural environment, including adverse impacts to migratory waterfowl breeding areas, spawning areas, shellfish beds, and aquatic resource buffer zones.
17. Soil Erosion and Sediment Controls. Permittees shall use and maintain appropriate erosion and sediment controls in effective operating condition and permanently stabilize all exposed soil and other fills, including any work below the ordinary high water mark or high tide line, at the earliest practicable date using native vegetation to the maximum extent practicable. The permittee shall remove all installed controls as soon as they are no longer needed to control erosion or sediment.
18. Equipment. Permittees shall place heavy equipment working in wetlands on mats, or take other appropriate measures to minimize soil disturbance.
19. Aquatic Life Movements. Permittees shall not substantially disrupt the necessary life-cycle movement of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the primary purpose of the activity is to temporarily impound water.
20. Management of Water Flows. To the maximum extent practicable, the activity must be designed to maintain downstream flow conditions. Furthermore, the activity shall not permanently restrict or impede the passage of normal or expected high flows unless the primary purpose of the fill is to temporarily impound water. Permittees should limit the work conducted in waters of the United States to low- or no-flow periods.
21. Water Supply Intakes. Permittees shall ensure that activities authorized by this RGP have no more than a minimal adverse impact on public water supply intakes.
22. Practicable Alternatives. Activities authorized by this RGP shall be designed and constructed to avoid and minimize adverse impacts to waters of the United States to the extent practicable through the use of practicable alternatives. Alternatives that shall be considered include those that minimize the number and extent of discharges of dredged or fill material into waters of the United States.

23. Suitable Material. Any material or structure placed in waters of the United States, whether temporary or permanent, shall be free of toxic pollutants in toxic amounts.
24. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected area returned to pre-construction contours.
25. Disposal of Excess Material. All construction debris and any other material not authorized by the Corps for permanent placement into waters of the United States shall be disposed of in an upland location in a manner that precludes it from entering waters of the United States.
26. Deed Restriction: For projects with mitigation, a copy of this permit, permit drawings, mitigation planting plan (if applicable), and final authorization letter shall be recorded with the Registrar of Deeds, within 60 days after final Corps authorization, to ensure that subsequent property owners are aware of the installation, use, and mitigation requirements. Proof of this must be provided to the Corps within 65 days after the date of the Corps' RGP verification letter to the permittee.

**Modification, suspension, or revocation of the RGP:** This RGP may be modified or suspended in whole or in part if the Secretary of the Army or his authorized representative determines that the individual or cumulative impacts of work that would be authorized using this procedure are contrary to the public interest. Any such modification, suspension, or revocation shall become effective 30 days after the issuance of a public notice announcing such action. The final decision whether to modify, suspend, or revoke this permit, in whole or in part, shall be made pursuant to procedures prescribed by the Chief of Engineers. Following such revocation, any future activities heretofore authorized by this RGP will require alternate Department of the Army authorization.

The authorization of an individual project under this RGP may also be summarily modified, suspended, or revoked, in whole or in part, if the permittee either fails to abide by the terms and conditions of this permit or provides information that proves to be false, incomplete, or inaccurate, or upon a finding by the District Engineer that such action would be in the public interest. If a permittee's authorization is revoked, the permittee shall, upon notice of such revocation, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former condition. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

**Expiration of the RGP:** This permit shall become effective on the date of the signature of the District Engineer or his authorized representative and will automatically expire 5 years from that date unless the permit is modified, revoked, or extended prior to that date. Activities that have commenced (e.g., are under construction) or are under contract to commence in reliance upon this permit will remain authorized provided that the activity is completed within 1 year of the date of this permit's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

*14 February 2005, Rev. 29 January 2007*

Date

*Michelle Walker*

MICHAEL MCCORMICK  
Colonel, Corps of Engineers  
District Engineer

**APPENDIX A**  
**Application Form**  
**For RGP 1, Watercraft Lifts**  
*Version: January 29, 2007*

Please fully complete this form and attach vicinity, plan and elevation drawings and any other relevant information. Submit the information to: U.S. Army Corps of Engineers, Regulatory Branch, P.O. Box 3755, Seattle, Washington 98124-3755.

This application is for watercraft lifts and canopies in certain fresh and marine/estuarine waters within the State of Washington for the purpose of safe watercraft moorage. You may use this application whether or not your project meets all requirements of Regional General Permit 1 (RGP 1). However, projects not meeting all requirements or for Category B and E in the Lake Washington and Sammamish system, must undergo Section 7 Endangered Species Act (ESA) consultation with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS). Section 7 ESA consultation may involve a more conservative design or additional mitigation. Therefore, projects not meeting all requirements should provide a greater amount of mitigation than is required by RGP 1 in order to offset impacts to the aquatic environment.

**Eligibility for RGP**

- |   |
|---|
| <p>a. Corps reference number: _____ [To be completed by the Corps]</p> <p>b. This application:</p> <p><input type="checkbox"/> Meets all of the requirements of RGP 1.</p> <p><input type="checkbox"/> Does not meet all of the requirements of RGP 1. This form constitutes an application for an individual permit and a reference biological evaluation in association with<br/> NMFS reference: 2003/01572<br/> USFWS reference: I-3-05-PI-0032</p> |
|---|

1. Permittee name, address, and telephone number:

Single or Joint Use (adjacent waterfront structure): \_\_\_\_\_ If joint use, you must list the other waterfront property owners: name, address, and telephone number, as co-applicants.

2. Authorized agent's name, address, and telephone number:

3. Contractor name, address, telephone number, and point of contact:

4. Specific location of project area:

Name of Waterway \_\_\_\_\_  
 Street Address \_\_\_\_\_  
 Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
 Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
 City/County \_\_\_\_\_, Washington State  
 Adjacent Property Owners (names and addresses)

5. Description of the proposed work and drawings (attach drawings on 8 ½- by 11-inch sheets, including a vicinity map, a plan view, and an elevation view; the drawings must include information as detailed on Appendix E – Drawing Checklist). The drawings must clearly show the factors detailed in the project description section of this RGP. The work is proposed under Category \_\_\_\_\_ of RGP 1.
  
6. Description of the Single or Joint Use Overwater Structure adjacent to proposed activity:
  
7. Number of existing watercraft lifts and/or canopy(ies) at the existing overwater structure:  
 ground-based lifts \_\_\_\_\_ floating lifts \_\_\_\_\_ suspended lifts \_\_\_\_\_ canopies \_\_\_\_\_
  
8. Number of the previously identified (item 8) existing lifts to be replaced, maintained, or repaired: ground-based lifts \_\_\_\_\_ floating lifts \_\_\_\_\_ suspended lifts \_\_\_\_\_ canopies \_\_\_\_\_
  
9. Number of brand new: ground-based lifts \_\_\_\_\_ floating lifts \_\_\_\_\_ suspended lifts \_\_\_\_\_ canopies \_\_\_\_\_
  
10. Depth of landward most end of proposed watercraft lift(s) and/or canopy(ies) \_\_\_\_\_ feet
  
11. Pile driving: Y/N \_\_\_\_\_ ; If yes, number of: \_\_\_\_\_ wood piling \_\_\_\_\_ steel piling; If using an impact hammer for steel piling, list sound attenuation device(s): \_\_\_\_\_
  
12. In marine waters: Eelgrass survey performed: preliminary \_\_\_\_\_ intermediate \_\_\_\_\_; attach findings
  
13. In marine waters: Forage fish habitat? Y/N \_\_\_\_\_; attach documentation
  
14. Required Mitigation Points (MP): \_\_\_\_\_ (show calculations); location of mitigation site onsite/offsite \_\_\_\_\_; Mitigation Measure Option(s) # \_\_\_\_\_; Description of proposed mitigation activity: \_\_\_\_\_
  
15. Work Window:  
 Work will be performed in the dry:  Yes  No  
 Work will contact substrate:  Yes  No  
 Distance to bald eagle nest: \_\_\_\_\_  
 Type(s) of equipment utilized for watercraft installation: \_\_\_\_\_  
  
 Date Work Completed: \_\_\_\_\_ (if application is submitted after completion of work)

## Endangered Species Act (ESA) Information: Special Project Information

In order to meet all ESA requirements for authorization under this Regional General Permit (RGP), all applicable Requirements summarized below must be implemented. Check each item that you agree to implement. Check each item “not applicable” if they do not apply to your project. For example, if your project is in freshwater, check “not applicable” next to the Requirement 5 regarding eelgrass and macroalgae beds.

Will Implement	Will Not Implement	Not Applicable	Requirements
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. The proposed work is within the limitations of Category A – F types of work authorized by RGP 1.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Pile Driving Requirements: If a drop hammer pile driver for steel piling is utilized, a sound attenuation device or system must be implemented during pile driving. The diameter of any steel piling cannot exceed 12 inches.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. The required fish work window will be met.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. The required bald eagle work window will be met.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. The appropriate amount of project impact reduction and mitigation measures will be implemented.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Mitigation must be completed within one year of permit issuance. A report on mitigation completion, including as-built drawings, must be submitted to the Corps 12 months from the date the Corps issues an RGP to the permittee.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. For projects with mitigation, a copy of this permit, permit drawings, mitigation planting plan (if applicable), and final authorization letter shall be recorded with the Registrar of Deeds, within 60 days after final Corps authorization, to ensure that subsequent property owners are aware of the installation, use, and mitigation requirements. Proof of this must be provided to the Corps within 65 days after the date of the Corps’ RGP verification letter to the permittee (General Condition 26).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Mitigation planting monitoring reports will be due annually, no later than November 30 of each monitoring year, for 5 years from when Corps accepts the as-built drawings.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. The permittee must put the Department of the Army (DA) permit reference name and number on the authorized watercraft lifts. The name and number must be written such that the marking is permanent, is located above the water surface, and can be clearly seen. The Corps will provide the DA reference name and number to the permittee (Special Condition 1).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. No work may be performed over or within 50 feet of eelgrass and macroalgae beds (Special Condition 2).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. No work may be performed in or within 50 feet of Washington State documented spawning habitat for listed or proposed forage fish species (Special Condition 3).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. During the installation and utilization of the watercraft lift(s) no large woody debris is removed (Special Condition 4).

Will Implement	Will Not Implement	Not Applicable	Requirements
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. All structural steel members are pre-painted and dried prior to installation (Special Condition 5).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. If watercraft lifts include wood, only non-treated wood shall be used in fresh waters. In tidal waters, no creosote, pentachlorophenol, CCA, or comparably toxic compounds not approved for marine use, shall be used for any portion of the overwater structure. For any ACZA treated wood, the wood must be treated by the manufacturer per the Post Treatment Procedures outlined in "BMP Amendment #1 - Amendment to the Best Management Practices (BMPs) for the Use of Treated Wood in Aquatic Environments; USA Version - Revised July 1996", by the Western Wood Preservers Institute, as amended April 17, 2002 or the most current BMPs. This information is available on the internet at <a href="http://www.WWPInstitute.org">www.WWPInstitute.org</a> . Third party certification that the material was produced according to these BMPs must be provided to the Corps before authorized work can commence (Special Condition 6).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Only two (2) new piles may be driven and only if necessary for watercraft lift installation (Special Condition 7).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. If a barge is used, the barge does not ground out and the barge is not over or adjacent to vegetated shallows (except where such vegetation is limited to Washington State designated noxious weeds) (Special Condition 8).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13. Existing watercraft lifts to be removed are removed in their entirety (Special Condition 9).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14. If a floating watercraft lift is installed, it must not rest on the substrate at any time (Special Condition 10).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. Work that disturbs the substrate, bank, or shore of a water of the United States shall occur in the dry whenever practicable (Special Condition 11).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. Equipment shall be operated from an out-of-water location whenever possible. Equipment shall be operated in a manner that minimizes the suspension of particulates. All equipment used in or around waters shall be clean and inspected daily prior to use to ensure that the equipment has no fluid leaks. Should a leak develop during use, the leaking equipment shall be removed from the site immediately and not used again until it has been adequately repaired. No equipment may be stored or fueled so close to a surface water that the activity could adversely affect the waterbody (Special Condition 12).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17. All applicable General Conditions will be met.

I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES. I HEREBY GRANT TO THE AGENCIES TO WHICH THIS APPLICATION IS MADE, THE RIGHT TO ENTER THE ABOVE-DESCRIBED LOCATION TO INSPECT THE PROPOSED, IN-PROGRESS, OR COMPLETED WORK. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.

**If the applicant has checked “Will Not Implement” for any of the above items, then the following items must be completed by the applicant:**

You must attach a completed Coastal Zone Management form.

Note: This form can be found on the Corps’ website: [www.nws.usace.army.mil/reg](http://www.nws.usace.army.mil/reg) click on Regulatory - Regulatory/Permits – Forms.

Based on the existing environmental conditions and the proposed work, the applicant is proposing additional mitigation (beyond the requirements of Table 1) as described below: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Contractor

\_\_\_\_\_  
Date

## APPENDIX B

### Status Report for Mitigation Work Completion for RGP 1

Within one (1) year of the date your permit was issued, submit this completed form to: U.S. Army Corps of Engineers, Regulatory Branch, P.O. Box 3755, Seattle, WA 98124-3755. You must submit a new form annually until the Corps accepts your as-built drawings of the mitigation construction.

Corps Reference Number: \_\_\_\_\_

Date the Corps Issued Your Permit: \_\_\_\_\_

Date this Report is Due: \_\_\_\_\_

Number of Mitigation Points Required by Corps: \_\_\_\_\_

Your Name: \_\_\_\_\_

Your Address: \_\_\_\_\_

Your City/State/Zip Code: \_\_\_\_\_

Location of Mitigation: \_\_\_\_\_

You must attach to this form:  As-built drawing(s) of planting areas (if installed), and  
 Photographs of the mitigation area.

Describe mitigation activity performed: \_\_\_\_\_  
 \_\_\_\_\_

Date completed: \_\_\_\_\_

(If applicable) Conditions of your Corps permit require at least two trees be planted in each planting plot. The vegetation you plant must be taken from this list of native species below. Shrubs should be planted at 3-feet-on-center intervals and trees should be planted at 10-feet-on-center intervals. Be sure to protect your plantings—fencing is recommended.

Name of Species You Planted	Number Planted
Total Planted:	

Native tree list: *Populus trichocarpa*, *Pseudotsuga menziesii*, *Picea sitchensis*, *Pinus contorta*, *P. ponderosa*, *Rhamnus purshiana*, *Acer macrophyllum*, *Alnus rubra*, *Betula spp.*, and *Cornus nuttallii*

Native shrub list: *Salix sitchensis*, *S. scouleriana*, *S. exigua*, *S. hookeriana*, *S. lasiandra*, *Cornus stolonifera*, *Ribes sanguineum*, *Rosa nutkana*, *R. gymnocarpa*, *Rubus parviflorus*, *Sambucus racemosa*, *Symphoricarpos albus*, *Acer circinatum*, *Amelanchier alnifolia*, *Holodiscus discolor*, *Corylus americana*, *Myrica gale* (Note: You can suggest other species but the Corps must approve the species before planting commences.)

## APPENDIX C

### Mitigation Planting Monitoring Report for RGP 1

Submit this completed form to: U.S. Army Corps of Engineers, Regulatory Branch, P.O. Box 3755, Seattle, WA 98124-3755. A completed form must be submitted 1, 2, 3, 4 and 5 years after the Corps accepts your as-built drawing of the mitigation planting area.

Corps Reference Number: \_\_\_\_\_

Date Your As-Built Was Accepted by the Corps \_\_\_\_\_

Date This Report Is Due: \_\_\_\_\_

Number of Mitigation Points Required by the Corps: \_\_\_\_\_

Your Name: \_\_\_\_\_

Your Address: \_\_\_\_\_

Your City/State/Zip Code: \_\_\_\_\_

You must attach to this form:  Photographs of the mitigation area (preferably taken during June – August).

Conditions of your Corps permit require 100% survival of all planted trees and shrubs during the first and second years after planting. During the third through fifth years after planting, 80% survival is required. Individual plants that die must be replaced with a species from the list below. You must protect your mitigation area—fencing is recommended.

Date of Inspection	Species name of Dead Plants	Number of Dead Plants	Name of Species Replanted	Number Replanted

Native tree list: *Populus trichocarpa*, *Pseudotsuga menziesii*, *Picea sitchensis*, *Pinus contorta*, *P. ponderosa*, *Rhamnus purshiana*, *Acer macrophyllum*, *Alnus rubra*, *Betula spp.*, and *Cornus nuttallii*

Native shrub list: *Salix sitchensis*, *S. scouleriana*, *S. exigua*, *S. hookeriana*, *S. lasiandra*, *Cornus stolonifera*, *Ribes sanguineum*, *Rosa nutkana*, *R. gymnocarpa*, *Rubus parviflorus*, *Sambucus racemosa*, *Symphoricarpos albus*, *Acer circinatum*, *Amelanchier alnifolia*, *Holodiscus discolor*, *Corylus americana*, *Myrica gale* (Note: You can suggest other species but the Corps must approve the species before planting commences.)

**APPENDIX D - DRAWING CHECKLIST**

**1. GENERAL**

- Use clear black lettering and fewest number of sheets possible; use 8 1/2- by 11-inch sheets
- State the purpose of the proposed or existing work
- List property owners and indicate number by number on plan view drawing
- Show datum used in plan and elevation drawings
- Use a graphic scale on all drawings
- Use a north arrow; prepare drawing with north being directed to the top of the page
- Label all proposed and existing work as such (e.g., Proposed Pier, Proposed Fill...)

**2. TITLE BLOCK**

- A completed title block (first example) must be on every sheet; for subsequent sheets you can use the abbreviated form (second example)

PURPOSE:  DATUM:  ADJACENT PROPERTY OWNERS: 1. 2.	APPLICANT 2004  LOCATION ADDRESS	PROPOSED:  IN: NEAR/AT: COUNTY:      STATE: WA  SHEET * OF *  DATE:
---	---	---

Reference: 2004 Applicant:  Proposed: At                      Washington  Sheet * of *      Date
--

**3. VICINITY MAP**

- Clearly show location of project (e.g., arrow, circle, etc.)
- List latitude, longitude, section, township, and range
- Name waterways
- Show roads, streets, and/or mileage to nearest town or city limits

**4. PLAN VIEW**

- Show shorelines:
  - Tidal: Show mean high water (MHW) line, mean higher high water (MHHW) line
  - Lakes or streams: Show the ordinary high water (OHW) line
- Show dimensions of proposed structures/fills; distance to property lines; encroachment beyond applicable shoreline; show wetland boundaries and specific impacts to wetlands
- Indicate location, quantity, and type of fill, if any
- Show all existing structures or fills on subject and adjacent properties
- Show direction of currents such as tidal ebb and flood
- Indicate adjacent property ownership

**5. ELEVATION AND/OR SECTION VIEW**

- Show shorelines, MHW line, MHHW line, OHW line, wetland boundary
- Show original and proposed elevations, water depths, dimensions of proposed structures or fills, and pertinent vertical dimensions to top and base of structure/fill; use the same vertical and horizontal scale, if possible

## APPENDIX E

### Definitions, descriptions, and/or examples of Terms

“*Bank*” is the rising ground bordering the waterbody forming an edge or steep slope

“*Commercial marinas*” are marinas where anybody can purchase and/or lease the use of a slip. This does not include marinas or joint use piers owned by a homeowners association. Marinas or joint use piers owned by homeowners associations allow the use of the facility by only members of typically adjacent residences in the designed homeowners group and typically include fees in the maintenance fees or cost of the home

“*Eelgrass*” is a grass-like marine flowering vascular plant (*Zostera spp.*) with dark green, long, narrow, ribbon-shaped leaves which are typically 8 – 20 inches in length.

A “*floating watercraft lift*” is any lift that does not and will not in the normal course of events contact the waterbody substrate at any time - including but not limited to low tide events.

“*Forage fish spawning habitat*” Detailed descriptions of forage fish habitat can be found at <http://www.wa.gov/wdfw/fish/forage/forage.htm>. Very generally, spawning habitat for the following forage fish are as follows: Pacific Herring – eelgrass and macroalgae located between 0 to -10 feet tidal elevation; Surf Smelt – substrate consisting of pea gravel or coarse sand (gravel diameter 0.005 – 0.35 of an inch) between MHHW to +7 feet tidal elevation relative to the Seattle tide gauge; Pacific Sand Lance – substrate consists of pure fine grain sand beaches between MHHW to +5 feet tidal elevation, relative to the Seattle tide gauge.

“*Groin*” is a rigid structure (constructed of rock, wood, or other durable material) built out from the shore, usually perpendicular to the shore, to protect the shore from erosion or to trap sand

A “*ground-based watercraft lift*” is any lift wherein any part of the lift attaches to, or will at any time in the future attach to, rest on, or otherwise be in contact with or be supported by the waterbody substrate.

“*Hardened shoreline*” includes but is not limited to concrete, rock or timber bulkheads, riprap, or concrete boat ramp access.

“*Joint-use*” piers, ramps, and floats are constructed and utilized by more than one contiguous residential waterfront property owner or by a homeowner’s association. This does not include commercial marinas.

“*Macroalgae*” includes large red, green, or brown algae and what are commonly known as seaweed or kelp. For the purposes of this RGP only, any reference to macroalgae is a reference to macroalgae *attached to a substrate*, not drift macroalgae.

“*Mean higher high water (MHHW)*” is the elevation on the shore of tidal waters reached by the plane of the average of the higher of the two daily high tides, generally averaged over a period of 19 years. This elevation has been established at set tide gauges throughout Washington State. The MHHW for these tide gauges may be obtained by checking the following website: [www.nws.usace.army.mil](http://www.nws.usace.army.mil) Select Civil Works – Civil Works Home – Water Management – Tidal Datums.

“*Mean high water (MHW)*” is the elevation on the shore of tidal waters reached by the plane of the average of the lower of the two daily high tides, generally averaged over a period of 19 years. This

elevation has been established at set tide gauges throughout Washington State. The MHW for these tide gauges may be obtained by checking the following website: [www.nws.usace.army.mil](http://www.nws.usace.army.mil) Select Civil Works – Civil Works Home – Water Management – Tidal Datums.

“*Offsite*” means outside the property boundaries of the waterfront property owner(s) proposing the project. For the purpose of this RGP, the property boundary in the water, unless already shown on a deed or legal description, is a straight-line extension of the property line on the land, projected waterward, and perpendicular to the shoreline.

“*Onsite*” means within the property boundaries of the waterfront property owner(s) proposing the project. For the purpose of this RGP, the property boundary in the water, unless already shown on a deed or legal description, is a straight-line extension of the property line on the land, projected waterward, and perpendicular to the shoreline.

“*Opening size*” of grating is the area enclosed between the rectangular bars and cross rods in bar grating, or the area enclosed between the bonds and strands in expanded grating.

“*Ordinary high water*” Line on the shore of non-tidal streams and lakes “established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas.” It is the line of jurisdiction in freshwaters for the Corps of Engineers regulatory program. For tidally influenced waterbodies, OHW correlates to the line of Mean Higher High Water (MHHW).

“*Overwater structures*”, for the purposes of this RGP, includes piers, ramps, floats, and their associated structures.

“*Percent open area*” is a relative measure of the degree which light can pass through grating. The manufacturer often provides this value. Otherwise, it can be calculated by dividing the opening size by the sum of the opening size and the surface area of the adjacent rectangular bars and cross rods.

“*Single residential use*” pier, ramp, and float constructed and utilized by only one residential waterfront property owner

“*Suspended lifts*” include floating watercraft lifts and any watercraft lift which can be affixed to the existing overwater structure with no parts contacting the substrate.

“*Translucent canopy*” is a canopy constructed of material which allows sunlight to pass through and which is translucent enough for a person to read the text of this RGP.

“*Uplands*” (for the purposes of this RGP) are areas landward of the high tide line.

“*Watercraft*” includes but is not limited to motorized boats, kayaks, canoes, jet skis, and float planes.