



US Army Corps  
of Engineers  
Seattle District

**PROGRAMMATIC ESA<sup>1</sup> CONSULTATION**  
**Specific Project Information Form**  
 For Replacement of up to Eighteen (18) Existing Piling  
 Version: 21 April 2006



**Eligibility for Programmatic Consultation**

This application:

- Meets all of the requirements of this programmatic consultation
- Does not meet all of the requirements of this programmatic consultation. This form constitutes a reference biological evaluation in association with:  
 NMFS reference: WSB-00-582  
 USFWS reference: 1-3-00-I-1524 & 1-3-00-IC-I525

1. **Programmatic Activity:** Replacement of up to Eighteen (18) Piling
2. **Drawings and Photographs** - Drawings and photographs must be submitted. Drawings must include a vicinity map; plan, profile, and cross-section drawings of the proposed structures; and over- and in-water structures on adjacent properties. (For assistance with the preparation of the drawings, please refer to our *Drawing Checklist* located on our website at [www.nws.usace.army.mil](http://www.nws.usace.army.mil) Select Regulatory – Regulatory/Permits – Forms.) If the work is in a tidal area, please see Section 11 of this form for additional photo requirements.
3. **Date:** \_\_\_\_\_
4. **Applicant:** \_\_\_\_\_ **Corps Reference No.:** \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
5. **Agent:** \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
6. **Project Name** (e.g., Alice’s Restaurant): \_\_\_\_\_
7. **Location(s) of Activity:**  
 Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
 Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_  
 Waterbody: \_\_\_\_\_ County: \_\_\_\_\_
8. **Listed or Proposed Fish Species and their Critical Habitat Present** (If critical habitat is present, please attach an assessment on impacts to critical habitat primary constituent elements. A template for this assessment can be found on the Corps’ webpage under Forms): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

<sup>1</sup> Endangered Species Act

9. **Listed Non-Fish Species and their Critical Habitat Present** (listed non-fish species are not covered under this programmatic consultation; individual consultation is required for the non-fish species):

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**Summary of Endangered Species Act Consultation for Non-Fish Species and their Critical Habitat Present** (e.g., no effect with work window, addendum with effects analysis, etc.): \_\_\_\_\_

10. **Description of Work:** Describe what is being replaced (e.g., support piling for pier, dolphin, etc.). Include diameter, composition and treatment of piling (e.g., 10" diameter, untreated wood piling).

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**Construction Techniques** – Describe how the work will be done:

Pile driver type (e.g., vibratory or impact hammer, maximum rated energy, strokes per minute, etc.): \_\_\_\_\_

For vibratory installation, estimate the number of piling that will be proofed and the duration of proofing per piling: \_\_\_\_\_

Describe any sound attenuation measures that will be employed: \_\_\_\_\_

Substrate into which piling will be installed: \_\_\_\_\_

Water depth into which piling will be installed: \_\_\_\_\_

Installation by hand?: \_\_\_\_\_

*Please note that the National Marine Fisheries Service and the U.S. Fish and Wildlife Service require individual review of any projects that propose installation or proofing of steel piling with an impact hammer. Individual project review is not required for projects proposing wood, plastic or concrete piling. Similarly, projects proposing vibratory installation are exempt from the review provided no proofing of steel piles is required for the project.*

11. **Forage Fish Habitat** – only complete this section if the project is in tidal waters.

Check box if Washington Department of Fish and Wildlife (WDFW) documented habitat is present. Go to the WDFW website for this information: <http://wdfw.wa.gov/fish/forage/forage.htm>, then search for each species under the link to Biology, then the link to Documented Spawning Grounds (if available, please attach a copy of the Hydraulic Project Approval from WDFW):

**Surf Smelt:**

**Pacific Herring:**

**Sand Lance:**

If there is no WDFW documented habitat present, please describe the type of substrate and elevation and presence of aquatic vegetation at the project area. For example:  
 At +10 to +5 feet above MLLW, there is no aquatic vegetation, the substrate consists of large cobbles.  
 At +5 to +1 foot above MLLW, there is eelgrass and the substrate consists of fine sand.

Photo requirements: The photographs should be taken at ground level and at low tide and should show a panoramic view of the entire project area in the dry. Photographs should clearly show the presence or absence of vegetation and the substrate composition. Close up photographs of the substrate and/or vegetation should be included if there are any areas of particular interest. To most accurately reflect vegetation distribution, photos should be taken at low tide during June 1 through October 1.

12. **Programmatic Conditions.** In order to meet all ESA requirements for this programmatic consultation, all programmatic conditions listed below **must be met**. Check each condition that you will meet. Check each item “not applicable” if they do not apply to your project. If you checked “will not meet” for any of the conditions, you must complete the “Will Not Meet” section at the end of this document.

Will Meet	Will Not Meet	Not Applicable	Programmatic Conditions
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Work will be performed within the approved work windows.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Timing:</u> The action shall only occur once within one approved work window for a single and complete project. The approved work windows are described in <i>Programmatic Consultation – Phase I: Approved Work Windows</i> . (Note: These work windows are located on our website at <a href="http://www.nws.usace.army.mil">www.nws.usace.army.mil</a> Click on Regulatory – Regulatory/Permits – Endangered Species Act.)  For example, only a maximum of 18 piles shall be replaced on a single pier within the approved work window. The following year, up to 18 piles may be replaced on the same pier within the approved work window for that year.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No work will be done in or within 300 feet of an existing or previously designated Superfund Clean-up sites or a site currently or previously designated for cleanup under the Washington State Model Toxic Cleanup Act.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No piles are associated with log raft booms.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No sheet piling will be used in lieu of pole piling.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Existing piling will be partially cut with a new pile secured directly on top, fully extracted, <u>or</u> cut 2-feet below the mudline.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	For all treated piling that are fully extracted or cut 2-feet below the mudline, the holes or cut piling will be capped with appropriate material (such as clean sand, or plastic or steel pile cap for cut piling) to ensure that the chemicals from the existing pile do not

Will Meet	Will Not Meet	Not Applicable	Programmatic Conditions
			leach into the adjacent sediments or water column. If fill (i.e. clean sand) is used to cap the area, the fill material should match sediment substrate of the site.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All removed creosote treated piling will be cut into maximum lengths of 4 feet prior to disposal.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No piling treated with creosote or pentachlorophenol will be used.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If a barge is used, the barge does not ground out and the barge will not be over or within 300 feet of vegetated shallows (except where such vegetation is limited to State-designated noxious weeds).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hydraulic water jets will not be used to remove or place piling.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Piling will be replaced in the same general location and do not extend beyond the footprint of the existing structure (i.e., pier).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project complies with the <i>General Implementation Conditions</i> for our programmatic consultations (Note: These are located on our website at <a href="http://www.nws.usace.army.mil">www.nws.usace.army.mil</a> Click on Regulatory – Regulatory/Permits – Forms.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>In Fresh Waters, including the Columbia River mainstem, Baker Bay, and the Snake River:</u>  Only non-treated piling are used.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>In Marine/Estuarine Waters excluding Baker Bay:</u>  Use of vibratory pile drivers is prohibited where the piling is located in or within 300 feet of eelgrass beds.

If the applicant will meet **all** of the above conditions, then the applicant must sign below:

I, as the applicant, have read all the activity and waterway specific conditions and the general implementation conditions for the “Not Likely to Adversely Affect” Programmatic Consultation, dated 30 May 2001. I certify that this project meets all conditions of the programmatic consultation. In the event that the U.S. Army Corps of Engineers, Seattle District, the U.S. Fish and Wildlife Service, and/or the National Marine Fisheries Service/NOAA Fisheries determines that the conditions have not been met, I agree to comply with all resolution measures in accordance with Corps regulations.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

If the applicant **has checked “Will Not Meet” for any of the above conditions**, then this section must be completed and the applicant must sign below:

1. Why can't you meet all of the conditions of this programmatic consultation? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
2. Why are the impacts of the proposed project “Not Likely to Adversely Affect” ESA species? How have you minimized impacts? (Note: If your effect analysis is lengthy, you may attach an addendum.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I, as the applicant, have read all the activity and waterway specific conditions and the general implementation conditions for this programmatic consultation, dated May 30, 2001. I understand that informal consultation with National Marine Fisheries Service and U.S. Fish and Wildlife Service will be initiated with this form. I will not proceed with construction until I receive written notification from the U.S. Army Corps of Engineers that the proposed work is authorized.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

----- Below to be completed by the Corps -----

Note to PM: If the applicant meets **all** of the conditions of this programmatic consultation, complete this section. If the applicant does **not** meet all of the conditions of this programmatic consultation, do **not** complete this section; instead, complete a Memorandum for the Services – Reference Biological Evaluation Form.

I have reviewed the Department of the Army application and this form for consistency with the “Not Likely to Adversely Affect” Programmatic Consultation, dated 30 May 2001.

Additional Information (complete as applicable):

1. **Summary of ESA consultation for associated project activities not covered by the Programmatic Consultation** (e.g., “no effect” for replacement of overwater structures such as decking): \_\_\_\_\_

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2. **Approved Work Window:**

\_\_\_\_\_ to \_\_\_\_\_

3. **Summary of ESA Consultation for non-fish species** (e.g., “no effect” analysis, date consultation completed, etc): \_\_\_\_\_

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4. **Summary of ESA Consultation for critical habitat** (e.g., “no effect” analysis, date consultation completed, etc): \_\_\_\_\_

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\_\_\_\_\_  
Corps Project Manager

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Date

\_\_\_\_\_  
Corps Environmental Analyst/ESA Coordinator

\_\_\_\_\_  
Date