

APPENDIX A

Permit Application and Reference Biological Evaluation Form

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, WA 98124-3755

Referenced Biological Evaluation: *Biological Evaluation Regional General Permit for Modification and Construction of Residential Overwater Structures in Inland Marine Waters of Washington State, April 2004, U.S. Army Corps of Engineers, Seattle District, Regulatory Branch*

USFWS Reference Number: 1-03-I-0889

NMFS Reference Number: 2003/00214

Corps' Reference Number: _____
(Leave blank - to be entered by the Corps)

1. Applicant's name, address, telephone and fax number, and email:
Single or Joint Use: _____ If joint use, you must list the other waterfront property owners: name, address, and telephone number, as co-applicants. You must also provide a joint use agreement (Agreement) signed by all involved property owners; the Agreement must state that each property owner voluntarily agrees to build no overwater structures on their property except for the maintenance or modification of the authorized joint use overwater structure (Note: upon issuance of the permit for the joint use overwater structure, all property owners must record this Agreement on their deeds.)

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

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

4. Specific location of project area:
Name of Waterway _____
Street Address _____
Section _____ Township _____ Range _____
Latitude _____ Longitude _____
City/County _____ (with Shoreline jurisdiction) Washington State
Parcel Number _____

5. Description of 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 Guidelines. If joint use, the location of the other waterfront property(ies) must be shown on a map submitted to the Corps as part of the application.

Construction Guidelines: In order to facilitate the permit process, all of the construction Guidelines should be implemented. The entire text of the Construction Guidelines are listed in Interim Guidance document. Check each item that you will or will not implement. Check each item “not applicable” if they do not apply to your project. For example, if you will not install piling, check “not applicable” next to the item listing the piling requirements. **You must also complete the column on the right with your specific project information.**

I (We) Will Implement	I (We) Will Not Implement	Not Applicable	Construction Guidelines	Specific Project Information												
			1.a. Piers: Pier width must not exceed 6 feet.	Width of proposed pier: _____ feet												
			b. Compass orientation of pier and the required % of functional grating, and location of grating on the pier: <table border="1" data-bbox="552 766 1166 1396"> <thead> <tr> <th data-bbox="552 766 717 955">General Compass Orientation of Pier and Pier Width</th> <th data-bbox="717 766 841 955">Specific Degrees (North = 0) True North</th> <th data-bbox="841 766 998 955">% of Functional Grating on the Pier</th> <th data-bbox="998 766 1166 955">Location of Grating on the Pier</th> </tr> </thead> <tbody> <tr> <td data-bbox="552 955 717 1144">N/S Only if width is greater than 4 feet</td> <td data-bbox="717 955 841 1144">338 to 22 158 to 202</td> <td data-bbox="841 955 998 1144">30</td> <td data-bbox="998 955 1166 1144">Along the length of the pier for the entire length of the pier</td> </tr> <tr> <td data-bbox="552 1144 717 1396">NE/SW And E/W Required for all piers irregardless of width</td> <td data-bbox="717 1144 841 1396">23 to 157 203 to 337</td> <td data-bbox="841 1144 998 1396">50</td> <td data-bbox="998 1144 1166 1396">Along the width of the pier, interspersed along the entire length of the pier</td> </tr> </tbody> </table>	General Compass Orientation of Pier and Pier Width	Specific Degrees (North = 0) True North	% of Functional Grating on the Pier	Location of Grating on the Pier	N/S Only if width is greater than 4 feet	338 to 22 158 to 202	30	Along the length of the pier for the entire length of the pier	NE/SW And E/W Required for all piers irregardless of width	23 to 157 203 to 337	50	Along the width of the pier, interspersed along the entire length of the pier	General compass orientation of pier: _____ Specific Degrees of compass orientation of pier based on true north: _____ % functional grating to be installed: _____ (attach calculations) _____ square feet of functional grating Location of grating on pier: _____
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			c. The pier must be linear. New finger piers and “ell” and “T” piers are not authorized.													
			2.a. Floats: For a single use residential structure – the float width must not exceed 8 feet and the length cannot exceed 20 feet.	Width of proposed float: _____ feet Length of proposed float: _____ feet												
			Option 1: Float width is 6 feet or less. Functional grating on at least 30% of surface.	_____ square feet of functional grating Percent cover of surface with functional grating: _____ %												

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			Option 2: Float width greater than 6 feet. Functional grating on at least 50% of the surface.	_____ square feet of functional grating Percent cover of surface with functional grating: _____ %
			b. For a joint use residential structure – the float width must not exceed 8 feet and the length cannot exceed 40 feet. Grating must be installed on 50 percent of the surface area of the float.	_____ square feet of functional grating Percent cover of surface with functional grating: _____ %
			c. The float will be installed in a north-south direction, to the maximum extent practicable.	If float is not installed, lengthwise in a north-south direction, please attach reasons why.
			d. If the float is seasonally removed, it must be stored at a Corps approved location.	Will float be removed seasonally? Yes – No If yes, where will it be stored? _____ _____
			e. The floatation for the float shall be fully enclosed and contained in a shell.	
			f. The floats cannot rest on the tidal substrate. Stoppers or float support piling must be used such that the bottom of the floatation device is at least 1 (one) foot above the level of the substrate.	Float stoppers will be installed such that the bottom of the floatation device will be _____ feet above the level of the substrate.
			g. Floats can be held in place with lines anchored with a helical screw anchor, piling, piling with stoppers and/or float support/stub pilings. For a single, residential use, 20-foot float, a maximum of 4 piling or helical screw anchors can be installed to hold the float in place. For a joint use 40-foot float, a maximum of 6 piling or helical screw anchors can be installed to hold the float in place. If anchors and anchor lines need to be utilized, the anchor lines shall not rest on the substrate at any time.	Number of proposed piling to hold float in place _____ A helical screw anchor will be used: Yes-No If Yes, describe the method used to prevent the line from resting on the substrate: _____
			3.a. Ramps: The width of the ramp cannot exceed 4 feet.	Width of ramp _____ feet
			b. Grating shall cover the entire surface area of the ramp.	

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			4. Grating must have at least 60% open area. Grating must be oriented to maximize the amount of light penetration and cannot be blocked by any objects above or below the grating.	Proposed grating has _____ % open area
			5.a. Piling: Replacement or proposed new piling must be steel, concrete, plastic or treated wood. Treated wood pilings associated with the float(s) must incorporate design features (e.g., plastic or metal bands) to minimize abrasion from the contact between the treated wood and the float(s) or attachments to the float(s).	Type of material for piling: _____
			b. Piling supporting a new pier must be spaced no closer than 20 feet apart.	Number of proposed piling supporting the new pier: _____
			c. If the activity is only the replacement of existing piling on an existing pier: the piling can be replaced in the same general location and must not extend beyond the footprint of the existing structure (e.g., pier). The 20 foot spacing between piling is not required. Existing piling can be partially cut with a new piling secured directly on top, fully extracted, or cut 2-feet below the mudline. If treated piling are fully extracted or cut 2-feet below the mudline, the holes or piling must be capped with appropriate material. Hydraulic water jets cannot be used to remove piling.	Number of existing piling to be replaced: _____
			d. A maximum of 2 (two) moorage piling may be installed to accommodate the moorage of boats exceeding the length of the floats.	Number of proposed mooring piling: _____
			e. If a drop hammer pile driver for steel piling is utilized, a sound attenuation device or system must be implemented during pile driving. Steel piling cannot exceed a 12-inch diameter.	Diameter of steel piling: _____ feet
			1. Piling with diameter of 10 inches or less – one sound attenuation device	Type of sound attenuation device: _____
			2. For piling with a diameter greater than 10 inches, up to 12 inches, the sound attenuation device must include the placement of a block of wood, minimum of 6 inches thick) between the hammer and the piling during pile driving <u>and</u> 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.	Type of sound attenuation devices: _____

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			6. Treated Wood: No creosote, pentachlorophenol, CCA, or comparably toxic compounds not approved for marine use, shall be used for any portion of the over water structure. Treated wood must meet Post-Treatment Procedures.	If treated wood will be used, list type of treatment: _____ You must also submit certification that the wood was treated by the appropriate and approved Post Treatment Procedures.
			7.a. Skirting: New or replacement skirting cannot be installed	
			8.a. The repair, maintenance, or replacement of existing structures, or the construction of new structures, such as, but not limited to, buildings, planters, storage sheds or boxes on over water structures cannot be constructed. Electrical utility boxes can be repaired, maintained or replaced.	
			9.a. Watercraft Moorage: Watercraft cannot rest on the tidal substrate at any time. If watercraft is placed on overwater structure, it must be placed on non-grated areas	At what water depth would moored watercraft ground out? _____ feet MLLW
			b. Only one uncovered watercraft grid or lift can be installed at a single use overwater structure and a maximum of two uncovered watercraft grids or lifts can be installed at a joint use overwater structure.	Number of proposed watercraft grid(s): _____ Number of proposed watercraft lift(s): _____
			c. A maximum of 2 additional piling may be used to attach the grid to the piling used for the floats.	Number of proposed piling to attach grid: _____
			d. The bottom of the watercraft grid shall be at least one foot above the level of the substrate.	The bottom of the watercraft grid will be _____ feet above the level of the substrate.
			e. If a floating watercraft lift is installed, the lift cannot rest on the tidal substrate at any time.	
			10.a. No eelgrass/macroalgae survey is required for the replacement of decking or a ramp.	
			b. For all other activities, the applicant must submit a preliminary/intermediate/intensive eelgrass/macroalgae survey. (As appropriate.)	Attach appropriate survey results to this application form.
			c. No overwater structures can be constructed within 25 feet (horizontally) measured in all directions of macroalgae beds or eelgrass.	Distance from proposed overwater structure to nearest surveyed macroalgae bed or eelgrass: _____ feet

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			d. No floats or float support piling can be constructed within a 4-foot depth elevation between the top of the float stopper and macroalgae bed and eelgrass. This restriction applies only to a zone 25 feet wide on both sides of the float.	Elevation from float to nearest surveyed macroalgae bed or eelgrass: _____ feet
			11.a. Forage Fish Habitat - Piers and ramps can span documented sand lance and surf smelt spawning habitat.	
			b. The number of piling in documented sand lance and surf smelt spawning habitat must be minimized. The diameter of piling in this type of habitat must not be more than 8 inches and the piling cannot be treated wood.	If piling are placed in surf smelt and/or sand lance spawning habitat, explain why piling must be located in this area: _____ _____ _____
			c. Floats, float support piling, helical anchors and watercraft grids or lifts cannot be installed in documented Pacific herring, surf smelt and/or sand lance spawning habitat.	
			d. Floats, float support piling, and watercraft lifts cannot be installed within a 4-foot depth elevation of documented Pacific herring spawning habitat. This restriction applies only to a zone 25 feet wide on both sides of the float and waterward of the float.	
			e. Information on the substrate types in the project area must be submitted as part of the permit application. If the Corps determines that there is potential undocumented surf smelt, Pacific herring, or sand lance spawning habitat, the Corps may request additional information from the applicant and the Corps will consult with the appropriate resource agencies. Project revisions may be required if undocumented surf smelt, Pacific herring, or sand lance spawning habitat is located in the project area.	Describe substrate types and note the elevation (e.g. mud, sand, fine cobble, large rock; at +5 feet above MLLW, etc.) _____ _____ _____
			12.a. Work Windows: The required fish work window will be met.	The required fish work window at this project location is (per Corps'

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				website):
			<p>b. If there is documented surf smelt or sand lance habitat at the project site and there is no approved work window for surf smelt or sand lance at the project site, prior to construction, the applicant must have a qualified biologist or biologist certified by the Washington Department of Fish and Wildlife (WDFW) confirm, in writing, that no surf smelt or sand lance are spawning in the project area during the proposed project construction. Address the letter or memorandum to the project manager and include the Department of the Army permit reference number. If the qualified or certified biologist confirms that no surf smelt or sand lance are spawning in the project area, the permittee has 48 hours to begin the work and two weeks from the date of the inspection to complete all work contacting the substrate waterward of mean higher high water.</p>	<p>Documented Surf Smelt or Sand Lance habitat: Yes-No</p>
			<p>c. The required bald eagle work window will be met, as applicable to the project location.</p> <p>Work prohibition times: January 1 through August 15 (nesting areas) November 1 through March 31 (wintering areas)</p>	The required bald eagle work window at this project location is [to be determined by the Corps]
			13. Work in the Dry: Work that involves the excavation of the substrate, bank, or shore shall occur in the dry whenever practicable.	
			14.a. Operation of Equipment: Use of equipment on the beach shall be held to a minimum, confined to a single access point, and limited to a 25-foot work corridor on either side of the proposed work. To the maximum extent practicable, equipment shall be operated from the top of the bank, temporary work platform, barge, or similar out-of-water location.	
			b. Equipment shall be operated in a manner that minimizes suspended particulates from entering the water column.	
			c. The required methods to identify problems and maintain and clean equipment will be implemented.	
			d. Barges may not ground on the substrate at any time.	
			e. Depressions or trenches in beach areas, waterward of MHHW, created by construction equipment, shall be immediately restored to the original pre-	

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			project conditions (e.g., elevation and substrate material type).	
			f. Any disturbance of the beach area by construction activities or equipment, which leaves exposed hardpan or clay, shall be restored to the original pre-project conditions (e.g., elevation and substrate material type) upon the immediate completion of construction and mitigation work.	
			15.a. Disturbance of Vegetation: Existing habitat features shall not be removed from the aquatic environment.	
			b. Disturbance of bank vegetation shall be limited to a work area strip no wider than twice the width of the pier. There is no length requirement.	If bank vegetation will be disturbed, what is the width of the disturbance area: _____ feet
			c. Removal of woody bank vegetation with a DBH of 4 -inches or greater within the work area strip must receive prior approval from the Corps. And material must be placed on the beach to the maximum extent practicable.	If woody bank vegetation with a DBH of 4 -inches or greater is planned to be removed, explain why it needs to be removed and describe where the cut woody vegetation will be placed: _____ _____ _____
			d. Disturbed bank vegetation shall be replaced with equivalent native species appropriate for the site. A planting plan must be provided.	If bank vegetation will be disturbed, list the species name of the replacement vegetation: _____ _____ _____

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			16. Mitigation Measures: Mitigation measures will be completed for the required amount of mitigation points.	<p>Required number of Mitigation Points (see Table 2): (show your calculations)</p> <p>List selected Mitigation Measure Options(s) (see Table 1):</p> <p>Is the mitigation onsite/offsite? If offsite, provide a justification:</p>
			<p>Mitigation Timing: The selected and approved mitigation measures, except plantings, must be completed within 6 months from the date of construction of the approved overwater structure. Plantings will occur during the appropriate time of year for the selected species and within one year of project construction.</p>	
			<p>Mitigation Plantings: The authorized species, number of plants, and correct spacing of plants will be utilized.</p>	<p>If plantings are proposed, attach planting plan.</p>
			<p>Mitigation Planting Performance Standards: The required performance standards will be met for the 5-year monitoring period.</p>	
			<p>Mitigation Reports: A report on mitigation completion or a status report on the project and mitigation, including as-built drawings, must be submitted to the Corps within 12 months from the date the Corps issues a permit to the permittee. If plantings are implemented: Mitigation planting monitoring reports will be due annually for 5 years from the date the Corps accepts the as-built drawings.</p>	

If you checked “Will Not Implement” for any item, please provide a justification and an effects analysis (on ESA listed species): _____

APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. 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 VOLUNTARILY AGREE TO MEET THE APPLICABLE REQUIREMENTS OF THE GUIDELINES. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.

Signature of Applicant

Date

Signature of Authorized Agent

Date

Signature of Contractor (if Contractor is known)

Date