APPENDIX A
Regional General Permit 6 (RGP-6) Special Conditions
List of Requirements
Version: April 20, 2018

Please read all General and Special Conditions of RGP-6 carefully. You must meet all applicable conditions to qualify for RGP-6. For us to determine if your proposal meets all of the conditions of RGP-6, you must submit a permit application form (JARPA or ENG form), vicinity map, project and mitigation drawings/plans, photographs, surveys and any other documentation, as applicable. The special conditions are displayed in this list format to help you determine if your project meets the conditions of RGP-6. You are not required to submit this list as part of your permit application.

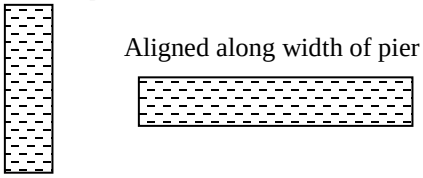
Hard copies of all application materials must be submitted and the additional submittal of an *electronic* copy of materials on a disc is strongly recommended.

Corps and Programmatic ESA Consultation Reference Numbers (NWS-2002-1291, RGP-6)
NMFS Reference Number: *WCR-2016-4361 for Puget Sound (PS) Chinook Salmon, PS Steelhead, Hood Canal summer-run chum, PS/Georgia Basin bocaccio, yelloweye rockfish, canary rockfish, Southern Resident killer whale.*
USFWS Reference Number: 01EWFW00-2016-F-0565 *for bull trout and Marbled murrelet*

	Special Conditions	Notes
	1. PIERS (a flat deck structure supported by piles) or LANDINGS and STEPS of a stairway	
	a. The width of the pier must not exceed 4 feet for single-use and 6 feet for joint-use.	
	b. Pier surfaces and stairway landings and steps must be entirely grated with either multi-directional grating with 40% open space or square grating with 60% open space.	
	c. The pier must be a straight line (finger "ell" or "T" shaped piers are <u>not</u> authorized by this RGP).	
	d. The construction of new structures on piers, (i.e., buildings, planter boxes, slides, etc.) are <u>not</u> authorized by this RGP except utility boxes.	
	e. Stairways must be open-frame construction and not a solid structures (i.e., concrete).	
	f. The width of stairway landings and steps must not exceed 4 feet for single-use and 6 feet for joint-use.	
	2. FLOATS (a flat deck structure supported by flotation devices)	
	a. For a **<u>single user</u>** structure, the float width must not exceed 8 feet and the length cannot exceed 30 feet. Functional grating must be installed on at least 50% of the surface area of the float.	
	b. For a **<u>joint-use</u>** structure, the float width must not exceed 8 feet and the length cannot exceed 60 feet for 2 users or 30 feet for each user (for example: for 3 users the length cannot exceed 90 feet). Functional grating must be installed on at least 50% of the surface area of the float.	
	c. Floats should be installed with the length of the float aligned in the north-south direction to the maximum extent	

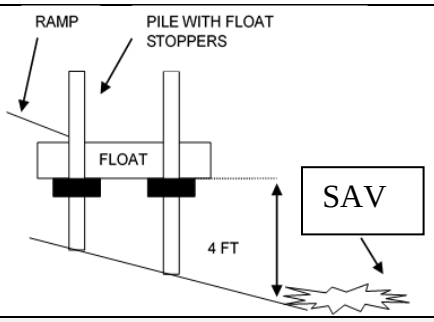
	practicable. Alternate configurations may be considered for joint-use structures to account for specific site constraints.	
	d. Floats may be held in place with lines anchored with a helical screw or "duckbill" embedded anchor, piles with stoppers and/or float support/stub piles. (1) For a **single-user** float, a maximum of 4 piles (not including stub piles) or embedded anchors may be installed. (2) For a **joint-use** float, a maximum of 8 piles (not including stub piles) or embedded anchors may be installed. (3) If embedded anchors need to be utilized, the anchor lines shall not rest on the substrate at any time; each must contain a mid-line float. (4) Only if the substrate prohibits use of piles or embedded anchors may a Corps-approved alternative be used. (5) If a concrete anchor or other Corps-approved alternative is needed to hold the float, calculations showing that it will hold without dragging or breaking during storm events are required. This analysis should include the size of the float and the dry weight and dimensions of the anchor.	
	e. Flotation for the structure must be fully enclosed and contained in a shell (tub) and only contain material suitable for the marine environment. The shell must prevent breakup or loss of the flotation material into the water.	
	f. Flotation shall be installed under the solid portions of the float, not under the grating (unless the entire float is grated).	
	g. If the float is positioned perpendicular to the ramp, a small access float may be installed to accommodate tidal movement of the ramp. The access float cannot be larger than 6 feet wide and 10 feet long.	
	h. No floats may be installed in the Upper Shore Zone (area landward of +5 MLLW).	
	3. FLOAT STOPS	
	a. To suspend the float above the substrate at all tides, float stops should be installed on piles anchoring floats. This method is preferred over 3b and 3c because float stops are less impacting to the marine environment.	
	b. If float stops attached to piles are not feasible (provide explanation) then up to four 10-inch diameter stub piles may be installed.	
	c. Float "feet" attached to the float are an option if the substrate consists of coarse material as described in the column to the right.	(1) In coarse substrate, D25[3] of 25 mm or larger for a grain size sample taken from upper 1 foot of substrate (2) For elevations of -3 feet MHHW and lower at D25 of 4 mm or larger for a grain size sample taken from upper 1 foot of substrate (to exclude installing float feet in muck)
	4. RAMPS (a sloped deck structure typically connecting a pier and a float)	
	a. The width of the ramp cannot exceed 4 feet.	

[3] "D25 of 25mm" means that 25% of the substrate has a grain size of 25 mm or less.

	b. Ramps must be fully grated with either multi-directional grating with 40% open space or square grating with 60% open space.	
	5. MARINE RAILS	
	RGP-6 authorizes either a marine rail at least 20 feet long or an overwater structure, but not both. Support marine rails with as few piles as practicable.	
	6. GRATING	
	a. Grating must not be covered (on the surface or underneath) with any items (e.g., kayaks, planters, sheds, lawn chairs, etc.) except utility boxes.	
	b. The grating must be either multi-directional grating with a minimum of 40% open space or square grating with a minimum of 60% open space. Provide documentation to show amount of % open area.	
	c. Grating openings should be oriented lengthwise in the east-west direction to the maximum extent practicable. See diagrams showing orientation of the grated openings.	North ↑  Aligned along width of pier Aligned along the length of the pier
	7.1 PILES AND/OR FILL	
	a. Proposed new piles may be steel, concrete, plastic, untreated wood or wood treated with approved wood preservatives per Section 8 of this document.	
	b. Piles supporting a new pier must be spaced no closer than 20 feet apart.	
	c. A maximum of 2 moorage piles may be installed to accommodate the moorage of boats exceeding the length of the floats.	
	d. Any piles subject to abrasion must incorporate design features to minimize contact between all of the different components of overwater structures during all tidal elevations.	
	e. For anchoring of tram cables or footings for stairs: No more than one cubic yard of fill can be used for each footing or anchor. The number and size of footings and anchors must be minimized. Forms must be removed after concrete has cured.	
	7.2 PILE DRIVING	
	a. Vibratory or impact hammer installation of wood, concrete, plastic, or other non-metal piles of any size is allowed under this RGP. However, the smallest diameter and number of piles required to construct a safe structure should be proposed and appropriate pile driving methods employed to minimize underwater sound.	
	b. Pile driving must occur during daylight hours only, for a maximum of 12 hours per day.	

	c. Requirements for steel piling: 1) Impact installation or proofing of steel piles is only allowed for steel piles up to 12 inches in diameter and when the number of pile strikes does not exceed 300 per day. The number of steel piles is limited to 20 or less and the installation must occur in 20 days or less. 2) Vibratory installation with impact proofing where the number of impact strikes will not exceed 300 per day is allowed.	
	d. If Southern Resident Killer Whales (SRKW) (an ESA-listed species) have been documented more than four times a month in any month during the proposed work window (typically June – February) in the quadrant the project area is located in, a *Marine Mammal Monitoring Plan* (MMMP) must be prepared and submitted with this application. This information will be reviewed by a NMFS biologist.	A monitoring plan must be submitted to Corps. Guidance for developing an MMMP can be found on NOAA's website: http://www.westcoast.fisheries.noaa.gov/protected_species/marine_mammals/monitoring_plan_guidance.html NOAA's website identifies these quadrants and contains guidance on the potential for ESA-listed marine mammal occurrences in project areas: http://www.westcoast.fisheries.noaa.gov/protected_species/marine_mammals/evaluating_sound.html
	e. If in one or both of the previous two years there were four or more Humpback whale sightings during the month you propose to work in, in the Puget Sound Sub-basin where pile driving will occur, a MMMP must be submitted. Check the Orca Network Sightings Maps at: http://www.orcanetwork.org/Archives/index.php?categories_file=Sightings%20Archives%20Home for Humpback whale sightings.	Contact NMFS for assistance making this determination. If NMFS determines a monitoring plan is required, it must be submitted to Corps. To determine the PS Sub-basin your project is in, please see the PS Sub-basin maps on the Corps webpage.
	f. All pile driving must cease immediately if any marine mammal is within 300 feet of the project, and shall only continue once the animal is beyond 300 feet.	
	g. When installing piles larger than 6 inches in diameter, to stay below the noise threshold, the number of strikes per day is limited to 300 and sound attenuation devices must include: (1) Placement of a block of wood (minimum 6 inches thick) between the hammer and the pile, and; (2) Use of bubble curtain that distributes air around 100% of the perimeter of the pile. The curtain must be designed/operated so that bubbles originate from the bottom and flow at all times during impact pile driving.	
	h. Piles larger than 12 inches in diameter may be allowed on a case-by-case basis when using alternative designs or materials (i.e., double walled piles). Provide details on design or materials to show they will achieve more than 10 decibel sound attenuation so that the 183 decibel Sound Exposure Level is not exceeded.	An explanation of how the work will meet sound thresholds must be in the permit application.

	8. TREATED WOOD	
	The only treated wood allowed is ammoniacal copper zinc arsenate (ACZA). However, ACZA piles may **not** be used in forage fish spawning habitat or on State-owned lands.	Wood treatment should be certified by an independent third party to have been produced in accordance with the most current EPA/Ecology regulations.
	9. WATERCRAFT/LIFTS AND GRIDS	
	a. A description of the watercraft to be moored at the overwater structures must be provided.	
	b. Watercraft may not rest on the tidal substrate at any time.	
	c. Up to two watercraft lifts may be installed at a single-user overwater structure and up to four may be installed at a joint-use structure.	
	d. A maximum of 4 additional piles may be used for watercraft lift/grids.	
	10. MOORING BUOYS	
	a. Only one mooring buoy per property may be authorized by this RGP.	
	b. The location (latitude/longitude) of the anchor for the buoy must be identified on the project drawings.	
	c. Anchor lines must not rest or drag on the substrate. A mid-line float must be installed to prevent this.	
	d. Anchors should be helical screw or another type of embedded anchor. Only if the substrate prohibits use of embedded anchors may a Corps-approved alternative anchor (i.e., concrete block) be used.	If an embedded anchor is not used, you must submit a written explanation why site conditions do not support it.
	e. If an embedded anchor cannot be used and a concrete anchor is needed, calculations showing that the anchor will hold without dragging/breaking during storm events is required. This analysis should include the size of the vessel and the dry weight/dimensions of the anchor.	
	f. No other moorage structures (except those authorized by this RGP) may be anchored within a 117 foot radius (with the proposed buoy in the center of the 117-foot radius circle, which would result in a concentration of no more than one per acre) of the proposed buoy. Note: This requirement can be waived by the District Engineer. Mooring structures include buoys, piers, floats, and boatlifts.	Show all existing buoys within a 250 foot radius of the proposed buoy on the project drawings.
	g. New mooring buoys may not be installed in any waterbody the Washington State Department of Health has designated as "threatened" or "closed" to shellfish harvesting due to the number of boats moored there.	The Corps will publish a list of closed waterbodies in a *Special Public Notice* (posted on our website) as they are added or removed from this list.
	h. Mooring buoys must be permanently marked with the Corps reference number in print large enough to be read from a distance of 20 feet.	
	Note: Many of our tidelands are owned by the State of Washington. Contact your DNR Aquatic District Land Manager to see how you can obtain DNR approval for a mooring buoy. A map can be found on http://www/dnr.wa.gov/ (search for "Aquatic Districts"). Buoys must be installed in accordance with marking and lighting requirements of the U.S. Coast Guard (33 CFR 330.5(a)(1)).	
	11. SUBMERGED AQUATIC VEGETATION (SAV) SAV is defined as rooted vascular plants and attached macroalgae.	
	a. The applicant must submit a SAV delineation for the project area within 25 feet of proposed structures. If SAV or marine plants are found within that area then you must	

	delineate the entire property to demonstrate avoidance and minimization.	
	b. If overwater structures will be installed less than 25 feet away from SAV, the applicant must clearly demonstrate that there are no other practicable locations for the structures.	
	c. If SAV is present within 25-feet of the proposed float, the bottom side of the float must be elevated at least 4 feet above the substrate at low tide to reduce prop scour impacts on SAV.	
	12. FORAGE FISH (Pacific Herring, surf smelt, and sand lance) SPAWNING HABITAT	
	a. If there is documented forage fish spawning habitat in the project area, you must show the extent of this habitat on a project drawing.	Maps of ***documented*** forage fish spawning habitat can be found online at WDFW's Forage Fish Spawning Map online: http://wdfw.maps.arcgis.com/home/webmap/viewer.html?webmap=19b8f74e2d41470cbd80b1af8dedd6b3&extent=-126.1368,45.6684,-119.6494,49.0781
	b. If there is **no** documented forage fish spawning habitat in the project area but there is documented forage fish habitat within one mile of the area, you must evaluate the substrate to see if ***potential*** forage fish spawning habitat exists in the project area. If it does, you must show the extent of this habitat on a project drawing.	See Appendix C, Glossary for a description of ***potential*** forage fish spawning habitat in terms of elevation range and substrate size and type.
	c. If there is no alternative to constructing piers and ramps over forage fish documented or potential sand lance or surf smelt spawning habitat, the structures should span at least 40 feet in the Upper Shore Zone over the habitat to minimize the number of piles in the habitat. With piers meeting the RGP-6 size and full grating requirements, there is no mitigation required for piers spanning forage fish habitat with spans averaging at least 40 feet in the Upper Shore Zone.	Additional mitigation may be required for spans less than 40 feet in the Upper Shore Zone.
	d. For impacts from floats in herring documented or potential spawning habitat in the Lower Shore Zone, **50% more mitigation is required** (see Appendix B)**.**	
	13. WORK WINDOWS	
	a. The work will be conducted during the Corps-required in-water work window. Please refer to *Marine Water Work Windows* on the Corps website.	Work windows in the Hydraulic Project Approval issued by WDFW may be different than Corps-required work windows. If this is the case, combine the work windows and use the most restrictive timeframe.

	b. If there is documented forage fish spawning habitat at the project site and there is no approved work window for forage fish prior to construction, the applicant must have a qualified biologist approved by WDFW's science staff confirm, in writing, that no forage fish are spawning in the project area during the proposed construction. If the Corps confirms the biologist's assessment, the permittee has 48 hours to begin work and 2 weeks from the date of inspection to complete all work in the intertidal zone.	WDFW maintains a list of qualified biologists on their website.
	c. The following work window restriction is in place whenever steel piles will be driven or proofed with an impact hammer: All pile driving operations are only authorized to occur between 2 hours after sunrise and 2 hours before sunset during Marbled murrelet nesting season (April 1 to September 15).	
	14. WORK IN THE DRY	
	To minimize turbidity and maintain water quality, work that involves excavation or fill in the substrate, beach, bank, or upper shore zone shall occur in the dry or at low tide to the maximum extent.	Please review Ecology's Water Quality Certification for RGP-6 on the Corps' webpage. Exceedances of water quality standards are not authorized.
	15. OPERATION OF EQUIPMENT	
	a. Use of equipment on the beach shall be held to a minimum, confined to a single access point, and limited to a 12-foot work corridor on either side of the proposed work. Equipment should be operated from the top of the bank, on a temporary work platform, barge, or similar out-of-water location.	
	b. Equipment shall be operated in a way that minimizes turbidity and meets State water quality standards.	
	c. Barges may not ground out at any time. Spud barges can be used if there is the possibility of grounding.	
	d. Any disturbance of the beach areas, waterward of the high tide line shall be restored immediately upon completion of construction and mitigation work.	
	16. MINIMAL DISTURBANCE OF RIPARIAN ZONE	
	a. Existing habitat features (e.g., vegetation, large wood) shall be retained to the extent possible to avoid causing erosion and to maintain food sources, shading and other ecological functions important to water quality and aquatic species.	
	b. Disturbance of bank vegetation shall be limited to a 12-foot work corridor on either side of the proposed work.	
	c. The applicant must include in the project description in the permit application if woody vegetation with a diameter at breast height (DBH) of 4 inches or greater needs to be removed to construct the project.	
	d. Trees that must be removed should be re-installed along the shoreline as downed habitat features where possible. Any anchors for securing large wood should be buried.	
	e. Disturbed bank vegetation shall be replaced with native species appropriate for the site. A Planting Plan must be	

	provided and approved by the Corps. Plantings must be installed during the appropriate time of year and within one year of construction. A re-planting Plan must be submitted, if applicable.	
	f. Vegetation on the face of the bluff should be avoided and not be removed, trimmed or altered. If there is no alternative but to impact vegetation on the face of the bluff, it should be done so in accordance with a slope stability plan/report. If vegetation is cleared, mitigation will be determined on a case-by-case basis based on the type and amount of vegetation removed or altered. An engineering Slope Stability Report must be submitted, if applicable.	
	17. MITIGATION	
	a. Applicant must utilize the most current Appendix B or Mitigation Calculator (worksheet or Tool) and submit drawings clearly showing mitigation work and location and, if applicable, submit a mitigation plan.	
	b. The amount of Mitigation Points required and proposed must be included in the project description of the permit application. See Appendix B, Table 2 for amount of mitigation points required and Table 3 for points for different mitigation options.	
	c. The permittee must comply with all requirements detailed on Appendix B, Table 3 for selected Mitigation Options.	
	18. SKIRTING	
	Skirting on any portion of an overwater structure is <u>not</u> authorized by this RGP.	
	19. LIGHTING	
	Artificial lighting of the marine environment should be minimized to the extent possible. If lighting is proposed, it should be included on the project drawings and will be included in the review process. Include lighting scheme on drawings, if applicable.	