

EXHIBIT 5



WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form^{1,2}

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



US Army Corps
of Engineers®
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

Part 1–Project Identification

1. Project Name (A name for your project that you create. Examples: Smith’s Dock or Seabrook Lane Development) [help]
Westway Terminal Expansion Project

Part 2–Applicant

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

2a. Name (Last, First, Middle)			
Shoemake, Robert K.			
2b. Organization (If applicable)			
Westway Terminal Company LLC			
2c. Mailing Address (Street or PO Box)			
3128 Port industrial Road			
2d. City, State, Zip			
Hoquiam, WA 98550			
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail
(281) 224-3356	(281) 255-3520, ext.2	(281) 255-3375	kens@westway.com

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at <http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx>.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [help] screens, go to http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor’s Office of Regulatory Assistance at 1-800-917-0043 or help@ora.wa.gov.

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
Shoemake, Robert K.			
3b. Organization (If applicable)			
Westway Terminal Company LLC			
3c. Mailing Address (Street or PO Box)			
3128 Port Industrial Road			
3d. City, State, Zip			
Hoquiam, WA 98550			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
(281) 224-3356	281-255-3529, ext. 2	281-255-3375	kens@westway.com

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

- Same as applicant. (Skip to Part 5.)
- Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- There are multiple upland property owners. Complete the section below and fill out [JARPA Attachment A](#) for each additional property owner.
- Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete [JARPA Attachment E](#) to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Middle)			
4b. Organization (If applicable)			
Port of Grays Harbor			
4c. Mailing Address (Street or PO Box)			
P. O. Box 660			
4d. City, State, Zip			
Aberdeen, WA 98520			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail
(360) 533-9528	()	()	

Part 5–Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [help]			
<input type="checkbox"/> Private <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Publicly owned (state, county, city, special districts like schools, ports, etc.) <input type="checkbox"/> Tribal <input type="checkbox"/> Department of Natural Resources (DNR) – managed aquatic lands (Complete JARPA Attachment E)			
5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [help]			
3128 Port Industrial Road			
5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [help]			
Hoquiam, WA 98550			
5d. County [help]			
Grays Harbor			
5e. Provide the section, township, and range for the project location. [help]			
¼ Section	Section	Township	Range
Hoquiam	18	17	9W
Aberdeen	7	17	9W
5f. Provide the latitude and longitude of the project location. [help]			
<ul style="list-style-type: none"> Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83) 			
46.967832 N Latitude, -123.851108 W Longitude			
5g. List the tax parcel number(s) for the project location. [help]			
<ul style="list-style-type: none"> The local county assessor's office can provide this information. 			
City of Hoquiam #056402300000 and City of Aberdeen #029902000200			
5h. Contact information for all adjoining property owners. (If you need more space, use JARPA Attachment C.) [help]			
Name	Mailing Address	Tax Parcel # (if known)	
Port of Grays Harbor	P. O. Box 660, Aberdeen, WA 98250 (360) 533-9528		

5i. List all wetlands on or adjacent to the project location. [help]
None
5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]
Chehalis River
5k. Is any part of the project area within a 100-year floodplain? [help]
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know
5l. Briefly describe the vegetation and habitat conditions on the property. [help]
The area comprising the Westway terminal lease from the Port of Grays Harbor does not support any vegetation, most all surfaces are covered with asphalt paving or crushed rock with a minimal amount of prairie grass.
5m. Describe how the property is currently used. [help]
Westway operates a bulk methanol storage terminal which has was built during calendar year 2009 and began operation on Dec. 28, 2009
5n. Describe how the adjacent properties are currently used. [help]
Adjacent properties are Port of Grays Harbor tenants and include a bio-diesel production facility on the north side, a lumber/chip mill to the east and grain storage silo facility to the south.
5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]
There are no underground structures on the site. Aboveground structures include up to five - 3,340,000 gallon storage tanks, two rail spurs with loading/unloading facilities and a concrete lined containment structure, pipelines, pumps, vapor control equipment, two office buildings, one electrical room and an old wood frame warehouse building.
5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]
From Hoquiam, proceed East on Simpson Avenue, turn right on 22nd Street, Left on Bay Avenue. Bay avenue becomes Port Industrial Road. Take Port Industrial Road east, turn right on W 1st Street, proceed 100 yards to the Westway office.

Part 6–Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [help]
Westway is proposing to expand its existing bulk liquid storage terminal to allow for the receipt of crude oil unit trains, storage of crude oil from these trains and shipment of crude oil by vessel and/or barge from the Port of Grays Harbor Terminal #1.

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

It is anticipated that the project will be built in two phases.

Phase 1 would include:

- 1) construction of two, 200,000 barrel capacity Internal floating roof tanks plus the pumps and pipelines required to connect the tanks to the expanded rail facility,**
- 2) a containment wall surrounding the new tanks,**
- 3) increasing the number of rail car unloading spots from 18 to 80 with associated spill containment,**
- 4) adding a new pipeline from the new tanks to Terminal 1,**
- 5) adding improvements (loading arms or hose tower) to the Terminal 1 dock to allow for vessel/barge loading and**
- 6) Construction of additional office space and support facilities (electrical rooms, shower/change rooms, etc).**
- 7) Phase 1 thru-put would be 9,600,000 barrels per year (average of 26,301 barrels per day). Assuming 120 rail cars per unit train, 650 barrels per car (27,300 gallons); each unit train will contain 78,000 barrels which is equivalent to 123 trains per year on one every three days. Vessel traffic would range from 53 to 64 barges per year.**

Phase 2, if built, would include:

- 1) The construction of three, 200,000 barrel capacity tanks identical the ones built in phase 1. Completion of this phase would give the terminal a total crude oil capacity of 1,000,000 barrels.**
- 2) Increase in thru-put to a maximum of 17,855,000 barrels per year (average of 48,918 barrels per day), Using the same unit train assumptions, this will result in approximately 229 unit trains per year (one every 1.6 days) and vessel traffic of 99 to 119 barges per year.**

The new tanks will be surrounded by a concrete containment wall which will have the capacity to contain the total volume of a single tank plus an allowance for rainfall. Each tank will be 150-feet in diameter and 64 feet in height. The tanks will each sit on a concrete slab which will be supported by a series of piles driven approx. 150' into the ground.

The existing rail facility will be expanded from two short spurs with a total of 18 loading/unloading spots to 4 longer spurs with a total 80 loading/unloading spots. The rail spurs will continue to be serviced from the east side of the terminal. The entire rail area will be built on a concrete slab, sloped such that any spills will be contained and directed to a central sump for collection. The construction of the new rail will include the demolition of an existing wood frame warehouse.

A new pipeline will connect the two tanks, via an existing pipe bridge, to the Port's Terminal #1. Work performed on the terminal/dock itself will be limited to the addition of loading arms and parts of the Marine Vapor Combustion System. There will be no work performed in the water. The total amount of water shading around the dock will not change.

6c. Indicate the project category. (Check all that apply) [\[help\]](#)

- Commercial** Residential Institutional Transportation Recreational
 Maintenance Environmental Enhancement

6d. Indicate the major elements of your project. (Check all that apply) [\[help\]](#)

<input type="checkbox"/> Aquaculture <input type="checkbox"/> Bank Stabilization <input type="checkbox"/> Boat House <input type="checkbox"/> Boat Launch <input type="checkbox"/> Boat Lift <input type="checkbox"/> Bridge <input type="checkbox"/> Bulkhead <input type="checkbox"/> Buoy <input type="checkbox"/> Channel Modification	<input type="checkbox"/> Culvert <input type="checkbox"/> Dam / Weir <input type="checkbox"/> Dike / Levee / Jetty <input type="checkbox"/> Ditch <input type="checkbox"/> Dock / Pier <input type="checkbox"/> Dredging <input type="checkbox"/> Fence <input type="checkbox"/> Ferry Terminal <input type="checkbox"/> Fishway	<input type="checkbox"/> Float <input type="checkbox"/> Floating Home <input type="checkbox"/> Geotechnical Survey <input type="checkbox"/> Land Clearing <input type="checkbox"/> Marina / Moorage <input type="checkbox"/> Mining <input type="checkbox"/> Outfall Structure <input type="checkbox"/> Piling/Dolphin <input type="checkbox"/> Raft	<input type="checkbox"/> Retaining Wall (upland) <input type="checkbox"/> Road <input type="checkbox"/> Scientific Measurement Device <input type="checkbox"/> Stairs <input type="checkbox"/> Stormwater facility <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Utility Line
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X Other: Construction of five – 8,400,000 gallon above ground storage tanks on two phases, lengthening of existing two rail spurs, addition of two new rail spurs and associated piping, valves and pumps.

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

Tanks will be built in three phases: Phase 1 will consist of driving support pilings, Phase two will be the forming and pouring of a concrete pad on top of the pilings, Phase three will be the construction of the tank on top of the concrete pad. Equipment will consist of a pile driver, back hoes, dump trucks, concrete trucks, concrete pumpers, and cranes.

The Rail expansion will start with the demolition of the existing old warehouse building, followed by grading of the property. Next, a concrete pad will be poured the length of the proposed rail spur. Rail will then be installed on top of the concrete. This will provide for easy collection of any spills or leaks from the rail cars. Next, an elevated walkway equipped with gangways will be installed for accessing the tops of the rail cars. Equipment will include bulldozers, tractors, concrete trucks and concrete pumpers.

6f. What are the anticipated start and end dates for project construction? (Month/Year) [\[help\]](#)

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Phase 1 Start date: March 2016 **End date:** March 2017
See JARPA Attachment D

Phase 2 Start date: unknown **End Date:** 10 months after construction starts

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [\[help\]](#)

\$60,000,000

6h. Will any portion of the project receive federal funding? [\[help\]](#)

- If **yes**, list each agency providing funds.

Yes **No** Don't know

Part 7–Wetlands: Impacts and Mitigation

Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.) [\[help\]](#)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

X Not applicable

7b. Will the project impact wetlands? [\[help\]](#)

Yes **No** Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

Yes **No** Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If **Yes**, submit the report, including data sheets, with the JARPA package.

Yes No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- If Yes, submit the wetland rating forms and figures with the JARPA package.

Yes No Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 7g.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes No Not applicable

The project is not situated on, adjacent or near any areas designated as wetlands.

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

N/A

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)
N/A						

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

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

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

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

Page number(s) for similar information in the mitigation plan, if available: _____

7i. For all filling activities identified in 7h, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

N/A

7j. For all excavating activities identified in 7h, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [\[help\]](#)

N/A

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, “waterbodies” refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

Not applicable

Construction activities related to the project will be adjacent to the Chehalis River. Tank and rail construction will be no closer than 160’ from the river. The site will be operating under a Department of Ecology Construction Stormwater permit, a Temporary Erosion and Sediment Control (TESC) plan and a Stormwater Pollution Prevention Plan; these will address any rain water run-off from the site during construction. A Spill Prevention Control and Countermeasure (SPCC) plan will be written which will address oil spill prevention. An EPA and Dept. of Ecology Oil Spill Response plan will address response to any oil spills.

The construction contractor will use tarps and other appropriate Best Management Practices (BMPs) to prevent debris from falling into the Chehalis River during the installation of pipelines at terminal #1. The majority of grading activities and refueling activities will take place at least 200’ from any water bodies, outside of the shoreline areas.

8b. Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

Yes No

8c. Have you prepared a mitigation plan to compensate for the project’s adverse impacts to non-wetland waterbodies? [\[help\]](#)

- **If Yes**, submit the plan with the JARPA package and answer 8d.
- **If No, or Not applicable**, explain below why a mitigation plan should not be required.

Yes **No** Not applicable

A Mitigation Plan is not required as the project will not impact the Chehalis River. The very small amount of work that will be performed over the river will be on an existing dock. The countermeasures described above will prevent any impact on the river.

8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

N/A

8e. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
N/A					

¹ If no official name for the waterbody exists, create a unique name (such as “Stream 1”) The name should be consistent with other documents provided.

² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter “permanent” if applicable.

8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

N/A

8g. For all excavating or dredging activities identified in 8e, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

N/A

Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

9a. If you have already worked with any government agencies on this project, list them below. [\[help\]](#)

Agency Name	Contact Name	Phone	Most Recent Date of Contact
Olympic Region Clean Air Agency	Alfredo Arroyo	360-539-7610	2/11/2014
Dept. of Ecology	Sally Toteff	360-407-7447	2/10/2014

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If **Yes**, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <http://www.ecy.wa.gov/programs/wq/303d/>.

Yes No

2008 EPA approved assessment and the 2010 Candidate Assessment were reviewed.

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [\[help\]](#)

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

UHC Code 17100105

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm> to find the WRIA #.

WRIA #22

<p>9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [help]</p> <ul style="list-style-type: none"> Go to http://www.ecy.wa.gov/programs/wq/swqs/criteria.html for the standards. <p><input type="checkbox"/> Yes <input type="checkbox"/> No X Not applicable</p>
<p>9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [help]</p> <ul style="list-style-type: none"> If you don't know, contact the local planning department. For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html. <p><input type="checkbox"/> Rural X Urban <input type="checkbox"/> Natural <input type="checkbox"/> Aquatic <input type="checkbox"/> Conservancy <input type="checkbox"/> Other _____</p>
<p>9g. What is the Washington Department of Natural Resources Water Type? [help]</p> <ul style="list-style-type: none"> Go to http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx for the Forest Practices Water Typing System. <p>X Shoreline <input type="checkbox"/> Fish <input type="checkbox"/> Non-Fish Perennial <input type="checkbox"/> Non-Fish Seasonal</p>
<p>9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [help]</p> <ul style="list-style-type: none"> If No, provide the name of the manual your project is designed to meet. <p>X Yes <input type="checkbox"/> No</p> <p>Name of manual:</p>
<p>9i. Does the project site have known contaminated sediment? [help]</p> <ul style="list-style-type: none"> If Yes, please describe below. <p><input type="checkbox"/> Yes X No</p>
<p>9j. If you know what the property was used for in the past, describe below. [help]</p> <p>In 1916 the vicinity of the project area was still undeveloped tidelands. Marine Terminal No. 1, which lies along the west side of the project area, was constructed in 1921-1922. Terminal No. 1 originally consisted of two slips, Slip 1 on the west and Slip 2 on the east. The Westway Terminals project area lies almost entirely over the former Slip 2. Aerial photos indicate that the slip previously extended inland beyond the project area and was diked and partially filled sometime between 1963 and 1979. Slip 1, west of the project area was diked and filled in 1983. Both slips were completely filled by 1992, if not earlier.</p> <p>Warehouse E, which is now on Westway Terminals property was constructed in 1962. Aerial photographs suggest it has undergone a number of changes in size, with both additions and subtractions to the length of the building. In 2009 Westway Terminal built its existing liquid bulk facility and tore down a portion of the warehouse.</p>
<p>9k. Has a cultural resource (archaeological) survey been performed on the project area? [help]</p> <ul style="list-style-type: none"> If Yes, attach it to your JARPA package. <p>X Yes <input type="checkbox"/> No</p>

9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

Green Sturgeon
Pacific Eulachon
Bull Trout

9m. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [\[help\]](#)

The Chehalis River may be used by bull trout (*Salvelinus confluentus*), Chinook salmon (*Oncorhynchus tshawytscha*), Coho salmon (*Oncorhynchus kisutch*), and steelhead (*Onchorynchus mykiss*). It is possible that Steller sea lions (*Eumetopias jubatus*) could occur in the Chehalis River. A bald eagle (*Haliaeetus leucocephalus*) nest is located approximately 1 mile west of the site. No marbled murrelet (*Brachyramphus marmoratus*) nesting sites are known to occur in the area and it is highly unlikely that marbled murrelets would use the area for foraging. It is possible that marbled murrelets may use the Chehalis River for daily migration during the nesting season.

Part 10–SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.ecy.wa.gov/opas/>.
- Governor's Office of Regulatory Assistance at (800) 917-0043 or help@ora.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [\[help\]](#)

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

A copy of the SEPA determination or letter of exemption is included with this application.

X A SEPA determination is pending with City of Hoquiam (lead agency). The expected decision date is September 28, 2014.

I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [\[help\]](#)

This project is exempt (choose type of exemption below).

Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

Other: _____

SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [\[help\]](#)

LOCAL GOVERNMENT

Local Government Shoreline permits:

- Substantial Development** Conditional Use Variance
 Shoreline Exemption Type (explain): _____

Other city/county permits:

- Floodplain Development Permit Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

- Hydraulic Project Approval (HPA) Fish Habitat Enhancement Exemption – [Attach Exemption Form](#)

Effective July 10, 2012, you must submit a check for \$150 to Washington Department of Fish and Wildlife, unless your project qualifies for an exemption or alternative payment method below. **Do not send cash.**

Check the appropriate boxes:

- \$150 check enclosed. (Check # _____)
Attach check made payable to Washington Department of Fish and Wildlife.
- Charge to billing account under agreement with WDFW. (Agreement # _____)
- My project is exempt from the application fee. (Check appropriate exemption)
- HPA processing is conducted by applicant-funded WDFW staff.
(Agreement # _____)
 - Mineral prospecting and mining.
 - Project occurs on farm and agricultural land.
(Attach a copy of current land use classification recorded with the county auditor, or other proof of current land use.)
 - Project is a modification of an existing HPA originally applied for, prior to July 10, 2012.
(HPA # _____)

Washington Department of Natural Resources:

- Aquatic Use Authorization
Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.
Do not send cash.

Washington Department of Ecology:

- Section 401 Water Quality Certification

FEDERAL GOVERNMENT

United States Department of the Army permits (U.S. Army Corps of Engineers):

- Section 404 (discharges into waters of the U.S.) Section 10 (work in navigable waters)

United States Coast Guard permits:

- General Bridge Act Permit Private Aids to Navigation (for non-bridge projects)

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. _____ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. _____ (initial)

Ken Shoemake		February 13, 2014
_____ Applicant Printed Name	_____ Applicant Signature	_____ Date

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

_____ Authorized Agent Printed Name	_____ Authorized Agent Signature	_____ Date
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11c. Property Owner Signature (if not applicant). [\[help\]](#)

Not required if project is on existing rights-of-way or easements.

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Port of Grays Harbor

_____ Property Owner Printed Name	_____ Property Owner Signature	_____ Date
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18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office of Regulatory Assistance (ORA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORA publication number: ENV-019-09 rev. 06-12
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