



SWINOMISH INDIAN TRIBAL COMMUNITY
OFFICE OF PLANNING & COMMUNITY DEVELOPMENT
11430 Moorage Way La Conner, WA 98257
Phone 360-466-7280 FAX 360-466-1615

CWA SECTION 401 WATER QUALITY CERTIFICATION APPLICATION

APPLICATION NO. ^{SSA} 2396

Applicants shall be charged a \$250.00 application fee at the time of application. This application form must be completed even if an accompanying US Army Corp of Engineer's (ACOE) application form (typically a Joint Aquatic Resources Permit Application, JARPA) duplicates this information. Only designated questions may be left blank and refer to attached ACOE application.

SECTION 1 – APPLICANT AND PROPERTY INFORMATION (attach additional information as necessary)

1. **Owner Name:** Jack Sanford
Owner Organization: Dunlap Towing Company
Owner Mailing Address: PO Box 593, 617 N First Street
City/State/Zip: LaConner/WA/98257 **Email:** jacks@dunlaptowing.com
Telephone: (360) 466-3114 **Cell Phone:** () _____ **Fax:** (360) 466-3116

2. **Applicant/Authorized Agent Name:** Jeff Wilson
Applicant/Authorized Agent Organization: Gravity Marine LLC
Applicant/Authorized Agent Mailing Address: 32617 SE 44TH AVE SE
City/State/Zip: Fall City/WA/98024 **Email:** jeff@gravitymarine.com
Telephone: (425) 591-2831 **Cell Phone:** (same) _____ **Fax:** () _____

3. **Contractor (Company):** Carlson Construction, Inc **Contact:** John Carlson
Contractor Address: 15768 Polson Road, Mount Vernon, WA 98273
Contractor Registration No. CARLSCI948L3 **Expires:** JUN 23 2020
Telephone: (360) 445-5000 **Cell Phone:** () _____ **Fax:** () _____

4. **Site Address:** Goat Island 48.365915 N Lat / -122.529482 W long
Allotment # (Trust Land Only): _____ **(Tax) Parcel #:** P122783
Section: 11 **Township:** 33N **Range:** 02E

5. **Application/Owner interest in property:** Owner Purchaser Lessee Other:

List of Other: _____

SECTION 2 – PROJECT INFORMATION

(an attached completed and signed ACOE/JARPA may substitute for answers to this section)

6. Contact information for all adjoining property owners, lessees, etc.

see attached ACOE application explained below (attach additional sheets as need):

Name	Mailing Address	City, ST, Zip	Tax Parcel
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A. Washington State Department of Fish and Wildlife, 600 CAPITOL WAY N

OLYMPIA, WA 98501, P122784 & P122779

B. United States of America, 14TH & INDEPENDENCE AVE

WASHINGTON, DC 20250, P122782 & P122783

7. Describe the property's (a) the vegetation & habitat conditions; (b) adjacent property's use; (c) current use; (d) existing structures & their purpose.

see attached ACOE application explained below:

- a) DNR Shorezone inventory lists the shoreline of Goat Island to have patchy seagrass and patchy eelgrass. The site is absent of surfgrass and absent of both floating and non-floating kelp. The sites are a combination of rock gravel and sands on the western side of the site and mud and fine sediments on the eastern side of the site.
- b) No known information on adjacent properties. This property is at the southern mouth of the Swinomish Channel.
- c) Property is used as a log storage site operated by Dunlap Towing. Log rafts are tied off to pilings along the shoreline and kept until transferred to processing facilities.
- d) The property has a combination of both 12" wood pilings and 12" 3-pile wood dolphins. Condition varies per piling, but many pilings are in need replacement.

8. Summarize the overall project; indicate the project's major elements; and describe how you plan to construct each project element including construction methods and equipment to be used.

see attached ACOE application explained below:

Dunlap Towing is proposing to replace 19 existing creosote wood pilings with 19 new steel and/or UHWM/HDPE or simialr poly-coated timber pilings. Six of these pilings are old creosote 3-pile dolphins and 13 are single creosote wood piles. The proposed replacement pilings are in a state of disrepair, and must be replaced to ensure safe vessel operation and secure morage for log storage. The replacement single piles will be replaced with 12" UHMW/HDPE or similar poly-coated wood piles 45' in length. The 2 3-pile dolphins will be replaced with 12" 3-pile steel dolphins.

It is proposed to pull the existing creosote pilings with a vibratory head with the aid of a suitably equipped tug boat and/or barge. Pulled pilings will be stored on the barge, and disposed of at an appropriate off-site location.

New pilings will be driven in the existing pile location with a similar vibratory head. The piles will be installed with a similar vessel and barge set up as pile removal.

9. Describe the purpose of the proposed work and why you want to perform it at the site.

see attached ACOE application explained below:

The existing creosote wood pilings are in a state of disrepair and must be replaced to ensure safe vessel operation and secure morage for log rafts.

SECTION 3 – DISCHARGE INFORMATION

(this section must be completed, ACOE/JARPA application may NOT substitute for answers to this section)

10. A description of any discharge into Regulated Surface Waters which will or may result from the conduct of the activity, including the biological, chemical, thermal, and other characteristics of the discharge, and the location or locations at which such discharge may enter Regulated Surface Waters.

No planned discharges are part of the proposed project. The only potential discharges would be unplanned and would originate from the marine vessels (tug boats, barges..etc) used in the removal and installation of piles. Vessels inherently hold and store many fluids including fuel, waste, ballast, oil...etc. All vessels are under the regulation of the US Coast Guard and will follow all maritime laws regarding the lawful containment of fluids. Any discharge from the vessels would be a result of a system failure and unintentional and unplanned. Vessels are required to implement vessel specific systems to avoid discharge of unlawful fluids. Vessels are required by law to carry spill kits to respond internally to any spills or discharges into surface waters. In the event a discharge occurs, it will be reported to the USCG and appropriate spill response measures will be followed.

11. A description of the function and operation of equipment or facilities to treat pollutants which will or may be discharged as a result of the activity, including specification of the degree of treatment expected to be attained.

Any unplanned discharge from the vessel considered toxic would be hydrocarbon based (fuel, oil, lubricants...etc). The vessel is equipped with a spill kit to immediately respond to any incident. This includes oil absorbent pads, boom, and in some cases liquid or powder dispersants.

12. The date or dates on which the activity will begin and end, if known, and the date or dates on which a discharge will or may take place.

The project will begin as soon as possible once all permits are awarded. Project will be conducted within the appropriate fish windows, which at the current time of this permitting phase would be up to January 31, 2020.

13. A description of the methods and means being used or proposed to monitor the quality and characteristics of the discharge and the operation of equipment or facilities employed in the treatment or control of pollutants.

All monitoring in relation to unplanned discharge of vessel fluids are conducted on the vessel by vessel crew. A series of systematic checks of all systems are conducted by the vessel crew to make sure there are no failures or issues with containment holds, valves, pumps...etc.

In regards to actual project related monitoring, water quality (Turbidity), will be monitored by the piling contractor. Pile replacement activities will be monitored to determine if the movement of piles will significantly impact surface water quality. For the in-water work, this is by means of measuring and monitoring water column turbidity at specific locations within the agreed compliance zones. These measurements will evaluate the dredge contractor's compliance with the WA State water quality criteria outlined in WAC-173-201A-210 for marine surface waters. The surface water quality criteria are shown below:

Table 1 - WAC Water Quality Criteria for Marine Surface Waters

Parameter	Criteria
Turbidity (1-day max)	5 NTU over background when background is 50 NTU ¹ or less; or A 10% increase in turbidity when background is more than 50 NTU

SECTION 4 – OTHER PERMITS AND APPROVALS

14. List other applications, approvals, or certifications required from this or other agencies for any structures, construction, discharges, or other activities described in the application (i.e. preliminary plat approval, health district approval, building permit, TEPA review, etc.) Also indicated whether work has been completed and indicate all existing work on drawings.

<u>Type of Approval</u>	<u>Issuing Agency</u>	<u>I.D. No.</u>	<u>Date of Application</u>	<u>Date Approved</u>
Shoreline/SEPA _	Skagit County__	_PL19-0596__	_10/08/2019__	_10/23/2019__
_HPA _____	WDFW_____	_19613_____	_10/10/2019__	_10/15/2019__
_DNR_____	Aquatic Use Auth	_TBD_____	_10/11/2019__	11/1/2019__
_USACE_____	_Section 10_____	_____	_10/10/2019__	_____

Application is hereby made for a permit 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. If further certify that I possess the authority to undertake the proposed activities. I hereby grant to the officials of the Swinomish Indian Tribal Community the right to enter the above-described location to inspect the proposed or completed work.

Signature of Applicant or Authorized Agent (**REQUIRED**)

12/10/2019
Date

FOR OFFICIAL USE ONLY

Fees Paid? YES / NO	
Received By: _____ Date _____	Application Reviewed By: _____
Receipt No. _____	Required Attachments Received? YES / NO
	Re-submittal Checklist given to applicant? YES / NO

