



Pend Oreille County

COMMUNITY DEVELOPMENT DEPARTMENT

P. O. Box 5066 Newport, Washington 99156-5066

Phone: 509-447-4821

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Mike Lithgow
Director

Rick Cruse
Building Inspector

Andy Huddleston
Assistant Planner

MEMORANDUM

TO: Washington Dept. Fish and Wildlife (SEPA Olympia)
Washington Dept. of Ecology (SEPA Olympia)
Washington Dept. of Natural Resources (SEPA Olympia)
Adjacent Landowners

DATE: May 10, 2016

TITLE: Arron Penney, Bank Stabilization

PROPONENT: Arron Penney

PARCEL(S): 433708570210

SUBJECT: SEPA Checklist and Notice of Application and Action, Substantial Shoreline
Development Permit (SSDP-16-005)

Enclosed please find a SEPA Checklist, Notice of Application and Action, and associated documents for the proposal located at 461 Reflection Drive South; Sec. 08, Town. 37, Range 43. The documents are also available at www.pendoreilleco.org under Community Development and Notices of Application and Action. Pend Oreille County is lead agency for this proposal.

Your comments are sought in order to assist the Pend Oreille County Community Development Dept. in rendering a decision on this application pursuant to Pend Oreille County Development Regulations Ch. XX14. **The SEPA Optional DNS process is being used and this may be the only opportunity to comment on the environmental impacts for the proposal. The county expects to issue a Determination of Non-Significance for this project.** Written comments must be submitted by **May 26, 2016** regarding this proposal and can be submitted to Andy Huddleston, c/o Pend Oreille County Community Development Department, PO Box 5066, or hand delivered during regular business hours to 418 South Scott Street, Newport, WA 99156, or emailed to ahuddleston@pendoreille.org

Notice of Application

Pursuant to County Development Regulations, notice is hereby given that Pend Oreille County did on April 28, 2016 received a complete Shoreline Substantial Development Permit Application, Joint Aquatic Resources Permit Application, SEPA and associated documents from David Hood for Arron Penney and did on May 5, 2016 issue a Determination of Completeness for a Bank Stabilization Project (FILE NO. SSDP-16-005), Location: On the Pend Oreille River @ 461 Reflection Drive, Ione, WA 99139; Sec. 08, Town. 37, Range 43. Any person desiring to express their views, or to be notified of the action taken on this application should contact the Pend Oreille County Community Development Department. The submitted application and related file documents may be examined by the public between 8:00 AM & 4:30 PM at the Pend Oreille County Courthouse, Annex Building, 418 South Scott Street, Newport, WA 99156, (509) 447-4821 and viewed at www.pendoreilleco.org. Contact: Andy Huddleston, Community Development Department Assistant Planner, (509) 447-6462, ahuddleston@pendoreille.org. Written comments from the public may be submitted to Pend Oreille County no later than **May 26, 2016**.

Required Permits: Shoreline Substantial Development Permit (Pend Oreille County), Floodplain Development Permit (Pend Oreille County), Hydraulic Project Approval (WDFW), Army Corp Permit (Corps of Engineers)

Dated: May 9, 2016

Publish: May 11, 2016
May 18, 2016

Please Send Invoice to:
Pend Oreille County Community Development Department
Post Office Box 5066, Newport, WA 99156



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) [\[help\]](#)

Penney Bank Stabilization

Part 2--Applicant

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

2a. Name (Last, First, Middle)

Arron and Katherine Penney

2b. Organization (If applicable)

2c. Mailing Address (Street or PO Box)

2324 FAWNS CREEK XING

2d. City, State, Zip

MOUNT JULIET, TN 37122-1201

2e. Phone (1)

(780)967-4452

2f. Phone (2)

208 818 4656

2g. Fax

()

2h. E-mail

208 512 4022

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/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_ESA
- 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)			
Hood, David, P.			
3b. Organization (If applicable)			
Hood Design Solutions LLC			
3c. Mailing Address (Street or PO Box)			
351 Driskill Road			
3d. City, State, Zip			
Newport, Wa. 99156			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
(509) 447-2409	(509) 991-3391	()	

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)			
4c. Mailing Address (Street or PO Box)			
4d. City, State, Zip			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail
()	()	()	

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.) [\[help\]](#)

- Private
 Federal
 Publicly owned (state, county, city, special districts like schools, ports, etc.)
 Tribal
 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.) [\[help\]](#)

461 Reflection Drive S

5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [\[help\]](#)

Ione, Wa. 99139

5d. County [\[help\]](#)

Pend Oreille

5e. Provide the section, township, and range for the project location. [\[help\]](#)

¼ Section	Section	Township	Range
SW	8	37	43

5f. Provide the latitude and longitude of the project location. [\[help\]](#)

- Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)

48.4258 N lat. / -117.2418 W long. (GOOGLE)

5g. List the tax parcel number(s) for the project location. [\[help\]](#)

- The local county assessor's office can provide this information.

433708570210

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)
James and Irene G Bonner	BOX 295 Onoway AB TOE 1VO	433708570209
Jason Repp and Kina Bailey	PO BOX 485 IONE, WA 99139-0485	433708570211
Pend Oreille County	P. O. Box 5065, Newport, Wa. 99156	443236 51 9011

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. [\[help\]](#)

Pend Oreille River

5k. Is any part of the project area within a 100-year floodplain? [\[help\]](#)

Yes No Don't know Shorelines only

5l. Briefly describe the vegetation and habitat conditions on the property. [\[help\]](#)

The bank is in satisfactory good to fair condition and mild gradient steepness to steeper slopes upward. The erosion problem is along the toe of the property and has slipping and slumping action as associated with heavy boating subdivision area. The low land bank area is partly covered with good native grasses vegetation, various brush types, and small trees. See existing plants list on drawing.

Habitat is minor with the location being in the multiple Aspen Reflection Landing subdivisions impact area and has small birds, small amount of wildlife, and normal waterfowl associated with the shorelines of the Pend Oreille River.

5m. Describe how the property is currently used. [\[help\]](#)

Current use is Residential and Recreational within the Aspen Reflections Landing subdivisions impact area. Property is for secondary part time residence use.

5n. Describe how the adjacent properties are currently used. [\[help\]](#)

Adjoining properties are also used as Residential & Recreational within the Aspen Reflections Landing subdivisions impact area. Most have recreational amenities enjoyed by family and friends. With residencies on both sides of the property.

5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [\[help\]](#)

Residential home and deck and lot used for part-time residency.

5p. Provide driving directions from the closest highway to the project location, and attach a map. [\[help\]](#)

Take LeClerc to Reflection Drive S, site is 461 Reflection Drive S.

Part 6—Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [\[help\]](#)

The Penny project consists of approximately 130 l.f. by approximately 6'-8' width 5'± vert. height of riverbank toe erosion to repair for armoring the erosion issues for this site . Armoring shall be on 1 1/2:1 -2:1 slopes to 1'± above OHWI. Rip Rap is to be laid in a 6" gravel bedding layer and toe cut shall be at bottom bank at shoreline edge. The bank stabilization shall be mainly at the toe and follow the toe armoring guidelines of Box Canyon Reservoir, Technique 3. The stone material shall come from the Dawson Pit and shall be approximately 0.45 yds. per lineal foot. The Penny's property is rated as Moderate Erosion Rate area from the PUD mapping, along with the factor of dense population and subdivision impact. Property is within the Aspen Reflection community which leads to heavy boat and wave action along the shoreline. This has caused the lose of the toe being undercut with upper bank slumping and some slipping is visible along the shoreline. Resulting in continued lose of the owners bank breaking off from undercutting along with low bank vegetation loss, which this proposal will help resolve. Construction practices shall try to keep existing vegetation intact as much as possible for regrowth, and working in low water times. At the agency site visit, it was requested to also add some woody debris along with planting plan to mitigate any impacts and add fish enhancement features to the project, as shown on drawings.

Construction practices shall try to keep existing vegetation intact as much as possible for regrowth, *and working behind the existing vegetation strip that is established .*

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

The intent of this proposal is to save the existing riverbank with this stabilization project, based on Best Management Practices in conjunction with the Box Canyon Riverbank Stabilization Guidelines. The cause of erosion at this location is as follows: 1. High water levels combined with wind wave action and river current lead to further erosion. 2. Watercraft from the multiple Aspen Reflections Landing Subdivisions causing wake/wave action at high water in the past has contributed a great deal to the current erosion concerns at the Penny's residence as well as the entire Pend Oreille River. 3. Pend Oreille Public Utility District has this area listed as "moderate rate" in their erosion rate maps dated January, 2013.

The project will be for armoring the banks erosion issues for this erosion site which has a few larger trees near the existing top of bank now. Upon completion and permits of the construction, the landowner will hire Dan Dawson to implement the project. Dan is an accomplished professional of riverbank stabilization projects that implement the types of projects listed in the Guidelines as well as other specific excavation work along waterbodies.

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"/> Culvert | <input type="checkbox"/> Float | <input type="checkbox"/> Retaining Wall (upland) |
| <input checked="" type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Floating Home | <input type="checkbox"/> Road |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Ditch | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input type="checkbox"/> Marina / Moorage | <input type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Dredging | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Outfall Structure | <input type="checkbox"/> Utility Line |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Piling/Dolphin | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> Fishway | <input type="checkbox"/> Raft | |

Other:

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.

Equipment to be used includes 220 Komatsu Excavator on top of the bank passing rock below to the mini excavator (304 Cat) and track skid steer Uniloader working off the top of bank and gentle slopes. Plantings shall be placed in as built up on bank armoring, as much as possible, see attached planting plan.

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.

Start date: fall/2016

End date: fall /2018

See JARPA Attachment D

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

Approx. \$10,000 ±

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. [\[help\]](#)

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

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

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)

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. [\[help\]](#)

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. [\[help\]](#)

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

Work to be done in low water times and including silt fencing, equipment diapers if needed, to help minimize silting, and replanting of vegetation elements.

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

River Bank Stabilizing only.

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. [\[help\]](#)

The native vegetation, when established, will provide shade, habitat, wave buffers, and add roughness to the shoreline.

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
Fill	Pend Oreille River	In	Permanent	60 yds . ± (0.45 l.f.)	130 L.F. ±
Fill	Pend Oreille River	Adjacent	Permanent	60 yds . ± (0.45 l.f.)	130 L.F. ±

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. [\[help\]](#)

Bank armoring with gravel bedding layer and vegetation planting shall be below the OHWL. Base toe trench shall be cut and armored near low toe of erosion bank. Approximate 60 yds. ± of clean angular riprap rock from Dawson's Pit.

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. [\[help\]](#)

No dredging or removal off site of materials.

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
Pend Oreille County	Todd McLaughlin	(509) 447-4821	3/ 2014
PUD	Mark Cauchy & Nancy Thompson	(509) 447-6351	9/2013
Dawson Construction	Dan Dawson	(509) 442-3702	Fall 2013
WDFW, ACOE	Jess Jordan, Jeff Lawlor		Fall 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

A SEPA determination is pending with Pend Oreille County (lead agency). The expected decision date is March 2016±.

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)

Katherine Penney [Signature] April 15, 16
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.

DAVID P. HOOD [Signature] 1/28/16
Authorized Agent Printed Name Authorized Agent Signature Date

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.

Katherine Penny [Signature] April 15, 16
Property Owner Printed Name Property Owner Signature Date

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

A. BACKGROUND

1. Name of proposed project, if applicable: **Penney Bank Stabilization**
2. Name of applicant: **Aaron and Katherine Penney, Contact: David Hood**
3. Address and phone number of applicant and contact person:
2324 FAWNS CREEK XING Contact: 351 Driskill Rd.
MOUNT JULIET, TN 37122-1201 Newport, WA 99156
4. Date checklist prepared: **November 26, 2015**
5. Agency requesting checklist: **Pend Oreille County**
6. Proposed timing or schedule (including phasing, if applicable): **Start fall 2016 to be completed fall 2018.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **NO**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **RGP7 and JARPA.**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **NO**
10. List any government approvals or permits that will be needed for your proposal, if known.
Pend Oreille County Substantial Shoreline Development Permit
WA Fish and Wildlife-Hydraulic Project Approval
US Army Corps of Engineers-Federal Authorization

11. Give brief, complete description of your proposal, including the proposed uses' and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies; may modify this form to include additional specific information on project Description.)

The Penny project consists of approximately 130 l.f. by approximately 6'-8' width 5'± vert. height of riverbank toe erosion to repair for armoring the erosion issues for this site . Armoring shall be on 1 1/2:1 -2:1 slopes to 1'± above OHWL. Rip Rap is to be laid in a 6" gravel bedding layer and toe cut shall be at bottom bank at shoreline edge. The bank stabilization shall be mainly at the toe and follow the toe armoring guidelines of Box Canyon Reservoir, Technique 3. The stone material shall come from the Dawson Pit and shall be approximately 0.45 yds. per lineal foot. The Penny's property is rated as Moderate Erosion Rate area from the PUD mapping, along with the factor of dense population and subdivision impact. Property is within the Aspen Reflection community which leads to heavy boat and wave action along the shoreline. This has caused the lose of the toe being undercut with upper bank slumping and some slipping is visible along the shoreline. Resulting in continued lose of the owners bank breaking off from undercutting along with low bank vegetation loss, which this proposal will help resolve. Construction practices shall try to

keep existing vegetation intact as much as possible for regrowth, and working in low water times. At the agency site visit, it was requested to also add some woody debris along with planting plan to mitigate any impacts and add fish enhancement features to the project, as shown on drawings.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:

Take LeClerc Road north to Reflection Drive S approximately 1700 ft to 461 Reflection Drive S.

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- a. General description of the site (circle one) *flat, rolling*, hilly, steep slopes, mountainous, other.
- b. What is the steepest slope on the site? (approximate percent slope) $\leq 15\%$
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification or agricultural soils, specify them and note any prime farmland. *Sandy, Clay, Gravelly, Gravel lenses.*
- d. Are there surface indications or history of unstable: soils in the immediate vicinity? If so, describe purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. *Some erosion along adjacent neighbors lots but no work has been done. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill. Purpose is to armour the erosion on the bank toe, Angular rock from pit, Approximately 0.45 yds. foot to build toe and armoring along bank, rock material from Dawson's Pit.*
- e. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. *No, very minor needed and only bank work involved. Plantings and Reseed as needed.*
- f. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings). *N/A Bank work only involved.*
- g. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: *Straw bales, and Silt fences, along with care on clean up and daily maintenance till completed, and good construction practices. After construction, grasses and plantings will be a part of the final project. Steps and landings will be repaired with only minor potential of vegetation disturbance. (see planting plan)*

2. AIR

- a. What types of emissions to the air would result from the proposal(i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? *Minor dust and equipment exhaust during construction, None after completed.*
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. *NO*
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: *None.*

3. WATER

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, pond, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. ***Project lies on the east side of the Pend Oreille River.***
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. ***This proposal seeks to construct river bank toe armoring. see attached plan set.***
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water of wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. ***No dredging, Angular rock from pit, Approximately 0.45 yds foot. to build toe and armoring along bank, rock material from Dawson's Pit.***
- 3) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities of known. ***No***
- 4) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. ***Yes, Elevations as shown on the site plan attached.***
- 5) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. ***NO***

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities: if known. ***No.***
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial. Containing the following chemicals...; agricultural; etc.) Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
None

c. Water Runoff (including storm water):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known) where this water will flow? Will this water flow into other waters? If so, describe. ***No.***
- 2) Could waste materials enter ground surface waters? If so, generally describe. ***No.***
- 3) Proposed measure to reduce or control surface, ground, and runoff water impacts, if any:
Possible runoff will be directed to silt fences/straw bales.

4. PLANTS

a. Check or circle types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered? **Possibly, native grasses and or plants are to be removed only to set rock armoring to OHWL. Plantings and reseeding above the OHWL are a optional part of this plan, as shown on site plan.**

c. List threatened or endangered species known to be on or near the site. N/A

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **After and during construction grasses and plantings will be planted, as described in the planting plan prepared by the Pend Oreille Conservation District, and grass seeding as needed to help stabilize any raw ground. There are many types of plants existing on site to use partly for cuttings and replanting.**

5. ANIMALS

a. Circle any birds or animals which have been observed on or near the site or are known to be on or near the site: Yes, Pacific flyway for waterfowl, raptors, and songbirds.

Birds: hawks, geese, eagle, songbirds, other: _____

Mammals: deer, bear, elk, beaver, other: _____

Fish: bass, salmon, trout, herring, shellfish, other: pike

b. List any threatened or endangered species known to be on or near the site. **Bull Trout, Planting plan will provide food and shelter.**

c. Is the site part of or a migration site? If so, Explain: **Not to our knowledge**

d. Proposed measures to preserve or enhance wildlife, if any: **By proposing construction during low water times and not in nesting times to minimize impact on low lands and its wildlife.**

6. ENERGY AND NATURAL RESOURCES

- a. What kind of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. **No electrical or other utilities are a part of this project.**
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **NO**
- c. What kind of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: **None.**

7. ENVIRONMENTAL HEALTH

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. **NO**

- 1) Describe special emergency services that might be required. **NONE**
- 2) Proposed measures to reduce or control environmental health hazards, if any. **NONE.**

- b. Noise
- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? *None*
 - 2) What types and levels of noise would be created by or associated with the project on a short-term or long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. *Only that normally associated with the construction of the bank armoring, short term only.*
 - 3) Proposed measures to reduce or control noise impacts, if any. *NONE*

8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties? *Residential and recreational lots in the multiple Aspen Reflection Landing Subdivisions on both sides of site.*
- b. Has the site been used for agriculture? If so, describe. *No.*
- c. Describe any structures on the site. *None*
- d. Will any structures be demolished? If so, what? *none*
- e. What is the current zoning classification of the site? *Rural 20*
- f. What is the current comprehensive plan designation of the site? *Residential*
- g. If applicable, what is the current shoreline master program designation of the site? *Rural Residential*
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify. *NO*
- i. Approximately how many people would reside or work in the completed project? *2*
- j. Approximately how many people would the completed project displace? *None*
- k. Proposed measures to avoid or reduce displacement impacts, if any: *None*
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *The applicants desire to preserve as much of the natural resources as possible and maintain the recreational environment.*

9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing: *None*
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing: *None*
- c. Proposed measures to reduce or control housing impacts, if any: *None*

10. AESTHETICS

- a. What is the tallest height of any proposed structures not including antennas; what is the principle exterior building material(s) proposed? *No proposed structures.*
- b. What views in the immediate vicinity would be altered or obstructed? *None*
- c. Proposed measures to reduce or control aesthetic impacts, if any: *None.*

11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? *None*
- b. Could light or glare from the finished project be a safety hazard or interfere with views? *No*
- c. What existing off-site sources of light or glare may affect your proposal? *None*
- d. Proposed measures to reduce or control light and glare impacts, if any: *None*

12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity? ***Boating, fishing, hiking, hunting, biking and most other activities associated with rural living.***
- b. Would the proposed project displace any existing recreational uses? If so, describe. ***None.***
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project of applicant, if any: ***None.***

13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national, or local preservation registers known to be on or next to the site? If so, generally describe. ***No***
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site. ***None***
- c. Proposed measures to reduce or control impacts, if any: ***None***

14. TRANSPORTATION

Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. ***Access is via 461 Reflections Drive S.***

Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? ***No***

- a. How many parking spaces would the completed project have? ***No new added.*** How many would the project eliminate? ***None.***
- b. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). ***No***
- c. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. ***None.***
- d. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur. ***No new trips generated and project is only shoreline bank work.***
- e. Proposed measures to reduce or control transportation impacts, if any: ***None.***

15. PUBLIC SERVICES

- a. Would the project result in an increase need for public services (for example: fire protection, police protection, health care, schools other)? If so, generally describe. ***No.***
- b. Proposed measures to reduce or control direct impacts on public services, if any. ***None.***

16. UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service,

telephone, sanitary sewer, septic system, other.

- b. Describe utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity, which might be needed.
None.

SIGNATURE

The above answers are true and complete to the best of my knowledge; I understand that the lead agency is relying on them to make its decision.

Signature: X Wing Apr 15/16

Date Submitted: _____

APPENDIX A
Application Form for Regional General Permit 7 (RGP-7)
Valid: July 26, 2011-July 26, 2016

Please fully complete a JARPA and this form and submit with vicinity, plan, and elevation drawings and any other relevant information to: U.S. Army Corps of Engineers, Regulatory Branch, P.O. Box 3755, Seattle, Washington 98124-3755. After the U.S. Army Corps of Engineers (Corps) determines the application is complete, we will notify the U.S. Fish and Wildlife Service of the proposed action by faxing a copy of Appendix A and drawings to their Spokane office for a 14-day period of review.

SECTION A - Eligibility for RGP [Section A will be completed by the Corps]	
1. Corps reference number:	
2. This application:	
<input type="checkbox"/> Meets all of the requirements of RGP-7. <input type="checkbox"/> Does not meet all of the requirements of RGP-7. This form constitutes a reference biological evaluation in association with USFWS (Spokane) reference number: 1-9-10-I-0379.	
3. Endangered Species Act (ESA). ESA consultation requirements for the RGP-7 have been met for the following species and critical habitat which may occur in the action area: Columbia River bull trout and its designated critical habitat, woodland caribou, grizzly bear, and Canada lynx.	
Date Corps Review Completed:	By:

SECTION B - General Information			
4. Date: 4/16/2014			
5. Applicant name: Arron and Katherine Penney			
Mailing address: 2324 FAWNS CREEK KING, MOUNT JULIET, TN 37122-1201			
Work phone:	Home phone:	Email:	Fax:
Co-applicant name (if joint use)			
Mailing address:			
Work phone:	Home phone:	Email:	Fax:
6. Authorized agent name: David P. Hood			
Mailing address: 351 Driskill Rd., Newport, Wa. 99156			
Work phone: 509-991-3391	Home phone: 509-447-2409	Email: david@hooddesignsolutions.com	Fax:
7. Location where proposed work will occur (street address, city, county): 461 Reflection Drive S, Ione, Pend Oreille Location of joint-use property (street address, city, county): Waterbody: pend oreille river ¼ Section: SW Section: 8 Township: 37 Range: 43 Latitude: 48.4258 Longitude: -117.2418 (GOOGLE)			

8. **Work Type:** This RGP is for noncommercial use only. Please check all applicable boxes:

- Maintenance of any work authorized by this RGP or by a previously issued Department of the Army permit
- Modification of any work authorized by this RGP or by a previously issued Department of the Army permit

New construction/installation of:

- Pier
- Ramp
- Float
- Piling
- Watercraft lift
- Bank stabilization

9. **Brief Project Description** (Describe what you plan to do, dimensions of the proposed work and work area, amount of fill and/or excavated material, and how you plan to construct each element):

(SEE ATTACHED)

SECTION C – RGP-7 Construction Specifications and Conservation Measures (CSCMs)

In order to meet all ESA requirements for authorization under RGP-7, all applicable CSCMs summarized below must be implemented. Place an X in the “Yes” column if you agree to implement the RGP-7 CSCM or an X in the “No” column if you will not implement the CSCM. Place an X in the “N/A” column if the CSCM is not applicable to your project.

If you checked “No” you must explain why you cannot meet the CSCM in the Specific Project Information column. Note: If you check “No” for any box, then the work cannot be authorized by this RGP but this form may be used to complete an individual-project Endangered Species Act consultation.

Yes	No	N/A	Construction Specifications and Conservation Measures	Specific Project Information (complete if “No” was checked)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><u>Maintenance:</u></p> <p>1. Any maintenance performed on an authorized structure shall not change the size or configuration from that which was originally authorized unless the changes are environmentally beneficial and reduce the size of the structure.</p>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p><u>Piers, Ramps, and Floats:</u></p> <p>2. RGP-7 authorizes only one pier and/or float system, including an access ramp if necessary, per upland private property. This property must front the Pend Oreille River. Submerged structural components of piers, ramps, and floats, including framing and cross bracing shall be minimized to that required for structural stability.</p>	

Yes	No	N/A	Construction Specifications and Conservation Measures	Specific Project Information (complete if "No" was checked)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. RGP-7 authorizes joint-use piers and/or floats constructed by more than one private property owner fronting the shoreline. All joint-use properties shall front the waterway. All affected joint-use property owners must sign a legal agreement to construct a joint-use pier or install floats. At a minimum, the agreement shall include a statement from each property owner that they voluntarily agree to build no additional overwater structures on their property. A copy of this agreement must be submitted with the application.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Piers and/or floats shall normally not extend more than 55 feet waterward (toward the middle of the river) of the ordinary high water mark. A greater length may be authorized up to the minimum length necessary to reach water of sufficient depth for safe boat moorage at the waterward end of the structure.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Total deck area of piers, floats, ramps, and existing structures waterward of the ordinary high water mark shall not exceed 320 square feet for each single use structure. If it is necessary to have a single-use structure greater than 55 feet in length because of water depth limitations referenced in CSCM 4, the total area of the structures shall not exceed 450 square feet. Total deck area of piers, floats, ramps, and existing structures waterward of the ordinary high water mark shall not exceed 450 square feet for joint-use piers and floats.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. The width of any individual section of deck shall not exceed 8 feet for piers and floats and 4 feet for ramps.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Grating shall cover 100% of the surface area of piers, ramps, and floats. The open area of the grating shall be at least 60% as rated by the manufacturer. For floats, the functional grating will cover no less than 50% of the float. Submit a framing plan for proposed floats with calculations showing the percent functional grating (see Appendix E).	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8. Only open pile pier construction is authorized.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Flotation for the float shall be fully enclosed and contained in a shell (e.g., polystyrene tubs not shrink wrapped or sprayed coatings) that prevents breakup or loss of the flotation material into the water and is not readily subject to damage by ultraviolet radiation or abrasion caused by rubbing against piling or waterborne debris.	

Yes	No	N/A	Construction Specifications and Conservation Measures	Specific Project Information (complete if "No" was checked)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. A float system must be held in place by piling or other fixed structures, and may consist of more than one individual float. Floats must be located in water sufficiently deep to keep the structure from grounding or float stoppers must be installed so that the float does not rest on the substrate at any time.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	11. No other structures or shading objects such as, but not limited to, storage boxes, benches, planters, sheds, tables, outdoor furniture, living quarters, fueling facilities, carpeting, or covered boat moorage shall be constructed or installed on any overwater structure authorized under this RGP.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Piling:</u> 12. For impact pile driving of steel piles 10 inches in diameter or less, a block or layers of wood at least 6 inches thick between the pile driver and pile or a bubble curtain shall be used during driving. For steel piles greater than 10 inches in diameter, both 6 inches of wood between pile driver and pile and a bubble curtain shall be used during driving. Piles shall not exceed 12 inches in diameter.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Watercraft Lifts:</u> 13. Only one uncovered watercraft lift may be installed at a single-use overwater structure. A maximum of two uncovered watercraft lifts may be installed at a joint-use overwater structure. Any additional lifts would need to be authorized under a different permit.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Bank Stabilization:</u> 14. The bank stabilization activity shall not exceed 250 feet in length.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. The activity shall not exceed an average of one-half cubic yard of material per running foot placed along the bank below the plane of the ordinary high water mark. The length of a bank protection project, especially in the case of barbs, is measured as the total length of shoreline/bank to be protected by the structure.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. The bank stabilization activity must be part of a single and complete project.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17. No material is placed in excess of the minimum needed for erosion protection.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18. No material shall be placed in a manner that will be eroded by normal or expected high flows.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Properly installed and maintained silt fencing must be used between the construction area and the water surface, and removed when construction is complete.	

Yes	No	N/A	Construction Specifications and Conservation Measures	Specific Project Information (complete if "No" was checked)
			used for above water structural framing and may not be used as decking, piling, or for any other uses. Alternative materials such as untreated wood, steel, concrete, recycled plastic and fiberglass should be used. No paint, stain, preservative or other protective coating application shall be applied to below-water parts of the structure or shall occur while the structure is in or over the water body.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Equipment Operation:</u> 28. Equipment shall be operated from the top of the bank, dry gravel bar, work platform, or similar out-of-water location whenever possible. Equipment shall be operated in a manner that minimizes the suspension of particulates. All equipment used in or around waters shall be clean and inspected daily prior to use to ensure that the equipment has no fluid leaks. Should a leak develop during use, the leaking equipment shall be removed from the site immediately and not used again until it has been adequately repaired. No equipment may be stored or fueled within 100 feet of the waterbody.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	29. If heavy equipment is used to accomplish the work, a Spill Prevention, Control, and Countermeasure (SPCC) plan must be implemented. A copy of the SPCC plan must be available to the Corps and U.S. Fish and Wildlife Service upon request during all construction activities.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>General Conditions:</u> 30. Compliance with all 26 General Conditions of RGP-7.	

THIS 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 ALL REQUIREMENTS OF THIS RGP. I AGREE TO START WORK ONLY AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.



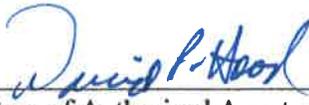
 Signature of Applicant

Ap. 15, 16

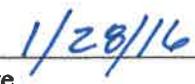
 Date

Signature of Co-Applicant

Date



Signature of Authorized Agent



Date

QUESTION #9 ATTACHMENT

The Penny project consists of approximately 130 lf. by approximately 6'-8' width 5'± vert. height of riverbank toe erosion to repair for armoring the erosion issues for this site. Armoring shall be on 1 1/2:1 -2:1 slopes to 1'± above OHWL. Rip Rap is to be laid in a 6" gravel bedding layer and toe cut shall be at bottom bank at shoreline edge. The bank stabilization shall be mainly at the toe and follow the toe armoring guidelines of Box Canyon Reservoir, Technique 3. The stone material shall come from the Dawson Pit and shall be approximately 0.45 yds. per lineal foot. The Penny's property is rated as Moderate Erosion Rate area from the PUD mapping, along with the factor of dense population and subdivision impact. Property is within the Aspen Reflection community which leads to heavy boat and wave action along the shoreline. This has caused the lose of the toe being undercut with upper bank slumping and some slipping is visible along the shoreline. Resulting in continued lose of the owners bank breaking off from undercutting along with low bank vegetation loss, which this proposal will help resolve. Construction practices shall try to keep existing vegetation intact as much as possible for regrowth, and working in low water times. At the agency site visit, it was requested to also add some woody debris along with planting plan to mitigate any impacts and add fish enhancement features to the project, as shown on drawings.



Pend Oreille Conservation District
P.O. Box 465 • Newport, Washington 99156 • Telephone: (509) 447-1155

Penny Planting Plan: January, 2015

Planting Plan Suggestions By: Andy Huddleston
Water Resource Coordinator
Pend Oreille Conservation District
PO Box 465
Newport, WA 99156
509-447-1155 or andy@pocd.org

Landowner: Arron and Katherine Penny
Project Address:
461 Reflection Dr. South
Ione, Wa. 99139

Shoreline Stabilization Project: Pend Oreille River

- **Total Project Dimensions:** 130'x 5'-10'± wide x 5'± vertical (700± square feet or 0.016± of an acre) of total disturbed bank surface area. The amount of trees/plants/shrubs needed for this project, planted @ 3' centers is; 80
- **BMP's to implement:** Technique #3 from the Bank Stabilization Guidelines- Toe Armoring without Bank Slope Reduction. Rock toe and bank should be planted with five types of native riparian vegetation. These five species should be planted in off-set patterns on 2 and 3 foot centers.
 - *Plantings for the upper bank:* The upper portion of the rock continuing upwards to the overbank area should be planted with three species of native riparian vegetation to include but not limited to; douglas spirea, woods rose, snowberry, oceanspray, sedges and rushes. These native species should be planted on 3 feet spacing's in an off-set pattern to obtain a natural appearance, create wildlife diversity and establish a healthy, deep root system to aid in stabilizing the project area.
 - *Grasses:* Native riparian grass mix should be broadcast using a hand spreader upon contractor completing the excavation work of the bank project. This will aid in protection of the disturbed project area until the woody native riparian plantings can be installed.
 - *Suggested Native Plants for the Project Area:* douglas spirea, common snowberry, nootka rose, woods rose, ocean spray, mock orange, silver buffaloberry, oregon grape, coyote willow and conifers (ponderosa pine, larch, fir etc.). The landowner will work with Hood Design Solution LLC in ordering the correct native plants for the project area, however, the availability of native species at the time of ordering and/or planting will determine which native species of plants are planted.
 - *Sketch:* See the attached copy of the landowner's sketch of the project below for reference in where the plantings will occur. These plantings will provide a deep and healthy root system in stabilizing the project area and provide wildlife diversity.

Pend Oreille County Assessor & Treasurer

6552 ARRON PENNEY for Year 2016 - 2017

Property

Account

Property ID:	6552	Legal Description:	3-70 F2 C3 LOT 10 BLK 2 ASPEN REFLECTION LANDING 8-37-43
Geographic ID:	433708570210	Agent Code:	
Type:	Real		
Tax Area:	0016 - 3-70 F2 C3	Land Use Code:	11
Open Space:	N	DFL:	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	37	Section:	08
Range:	43		

Location

Address:	461 REFLECTION DR S IONE, WA 99139	Mapsco:	
Neighborhood:	North River WF Imp+	Map ID:	
Neighborhood CD:	814		

Owner

Name:	ARRON PENNEY	Owner ID:	16452
Mailing Address:	KATHERINE PENNEY PO BOX 214 IONE, WA 99139-0214	% Ownership:	100.0000000000%

Exemptions:

Pay Tax Due

Taxes and Assessment Details

Values

Taxing Jurisdiction

Improvement / Building

Sketch

Property Image

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	1100	RESIDENTIAL-SINGLE UNIT	0.9400	40946.40	267.00	0.00	\$145,500	\$0

Roll Value History

Deed and Sales History

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Sale Price	Excise Number	Deed Number
1	02/24/2005	STATUTORY	Conv Doc Type	PETERS, JAMES	UNKNOWN	0	0	\$59,000.00	200500173	20050279711
2	03/31/2000	WARRANTY D	Conv Doc Type	SWANK & MCPOLAND	UNKNOWN	0	0	\$0.00	200000248	0

Payout Agreement

DAN DAWSON CONSTRUCTION, INC.

Spill Prevention & Emergency Response Plan

Site Address _____

Emergency Contact Information

Onsite Emergency Contact(s)

**Dan Dawson
509-442-3702 business
509-671-1771 24 hour**

Emergency Response Contact(s)

**Fire/Paramedics/Police: 911
Fire Non-Emergency Line: 509-442-2311
County Health Department: 509-447-3131
Department of Ecology: 509-456-2926**

Local Emergency Medical Facility

**Selkirk Community Health Center
208 Cedar Creek Terrace
Ione, WA
509-442-3514**

Material Safety Data Sheets

**Dan Dawson Construction, Inc
116 Elizabeth Ave, Ione, WA**

SPILL OR INCIDENT REPORT FORM

Instructions: Complete for any type of petroleum product or hazardous materials/waste spill or incident. Provide a copy of this report to management.

1. Person Involved in Spill Reporting:

Name and Phone Number: _____

2. General Spill Information:

Common Name of Spilled Substance: _____

Quantity Spilled (Estimate): _____

Describe Concentration of Material (Estimate): _____

Date of Spill: ____/____/____

Time Spill Started: ____ AM ____ PM

Time Spill Ended: ____ AM ____ PM

4. Spill Location and Conditions:

Project Title: _____

Street Address and/or Milepost, City: _____

Weather Conditions: _____

If Spill to Water,

Name of Water Body (if ditch or culvert, identify the water body that the structure discharges to):

Identify the Discharge Point: _____

Estimate the Depth and Width of the Water Body: _____

Estimate Flow Rate (i.e. slow, moderate, or fast): _____

Describe Environmental Damage (i.e., fish kill?): _____

5. Actions taken:

To Contain Spill or Impact of Incident: _____

To Cleanup Spill or Recover from Incident: _____

To Remove Cleanup Material: _____

To Document Disposal: _____

To Prevent Reoccurrence: _____

6. Reporting the Spill:

Immediately contact Dan Dawson, Dawson Construction, 509-442-3702, 509-671-1771

Date and time contacted: _____

Spill Prevention:

Hazardous Substance Management: All hazardous substances, including chemical wastes, are to be managed in a way that prevents release. The following general requirements are to be followed. They include:

- *Container Management:*
 - All hazardous substance containers must be in good condition and compatible with the materials stored within.
 - All hazardous substance containers must be accessible and spacing between containers must provide sufficient access to perform periodic inspections and respond to releases.
 - Empty hazardous substance containers (drums) must have all markers and labels removed and the container marked with the word 'empty'.
 - Any spills on the exterior of the container must be cleaned immediately.
 - Flammable materials stored or dispensed from drums or totes must be grounded to prevent static spark.
 - Do not overfill waste drums. 4" of headspace must remain to allow for expansion
 - [Other site-specific practices].

- *Housekeeping:*
 - All hazardous substances must be stored inside buildings or under cover;
 - Store hazardous substances not used daily in cabinets, or in designated areas;
 - All chemicals that are transferred from larger to smaller containers must be transferred by use of a funnel or spigot.
 - All hazardous substance containers should be closed while not in use;
 - Use drip pans or other collection devices to contain drips or leaks from dispensing containers or equipment;
 - Implement preventative maintenance activities to reduce the potential for release from equipment;
 - Immediately clean up and properly manage all small spills or leaks;
 - Periodically inspect equipment and hazardous substance storage areas to ensure leaks or spills are not occurring;
 - Use signage to identify hazardous substance storage or waste collection areas;
 - Keep all work areas and hazardous substance storage areas clean and in good general condition.
 - [Other site-specific practices]

- *Secondary containment:*
 - Store all bulk chemicals (≥ 55 gallons) within appropriate secondary containment, or any sized chemical if there is a potential for release to the environment.
 - Secondary containment should be checked periodically, and any spills identified in secondary containment must be immediately cleaned up and removed.
 - [Other site-specific practices]

- Be prepared to provide MSDS information to fire department, EMT, hospital or physician;
- Notify appropriate agency if a release has entered the environment. Refer to Notification and Reporting section for reporting thresholds.

Spill Cleanup and Disposal:

In the event of a hazardous substance release spill cleanup materials are to be properly characterized to determine if it designates as a Dangerous Waste. The designated onsite emergency contact will determine the wastes status prior to disposal.

A Spill or Incident Report Form must be completed and provided to management.

Table 7.3.5 shows three different erosion control seed mixes (Columns A, B and C) for upland areas that receive 18-24" effective precipitation. For each, drilled seeding rates are given (lbs/ac); double seed rates if broadcast or hydroseeded. Consideration should be given to the traffic hazard to wildlife when selecting food species for roadside stabilization.

Table 7.3.5
Permanent Seed Mixes: upland areas with 18–24" precipitation

Common Name	Mixtures (lbs/ac)*		
	A	B	C
slender wheatgrass (N) <u>or</u> sodar streambank wheatgrass	7		
blue wildrye (N)		8	
mountain brome (N)	1		8
hard fescue (I)	2	2	2
white clover (I) <u>or</u> red clover (I)			2
native lupine (N) <u>or</u> northern sweetvetch (N)		2	
native clover spp. (N) <u>or</u> milkvetch spp. (N)	2		
TOTAL	12	12	12
Seeds/sq ft/mixture	64	62	76
*Expressed as Pure Live Seed (PLS) (N) = native plant species (I) = introduced, non-native plant species			

"PENNY BANK STABILIZATION" PLAN SET

**461 REFLECTION DR. SOUTH
IONE, WASHINGTON
99139**

PROPERTY OWNER INFORMATION

PROPERTY OWNER: (MAILING)
ARRON and KATHERINE PENNY
2324 FAWNS CREEK XING
MOUNT JULIET, TN 37122-1201

PROPERTY ADDRESS:
461 REFLECTION DR. SOUTH
IONE, WASHINGTON
99139

LEGEND

- COMPUTED POSITION, NOTHING FND OR SET
- FOUND MONUMENT AS NOTED

NOTES

1) ALL LOT LINES EXTEND TO THE MEAN HIGH WATER LINE OF THE PEND OREILLE RIVER.

DATUM NOTE

THE CONTOUR ELEVATION DATUM AS SHOWN IS DERIVED AND BASED ON THE EXISTING PEND OREILLE RIVER ELEVATIONS AT CUSICK GAUGING STATION. ELEVATION WAS LISTED AS 2031.46 THE DAY OF THE COMPLETED FIELD WORK 11/18/2013.

REFERENCES

R1) "ASPEN REFLECTIONS LANDING" SUBDIVISION BY RANDY R. HOISINGTON, RLS, RECORDED ON APRIL, 1998, UNDER INSTRUMENT NO. 242759, PEND OREILLE COUNTY, WASHINGTON.

NOTE: This site plan is based on a actual field survey and also a Raster Image from Pend Oreille County Parcel/GIS system. A full boundary survey is not a part of this exhibit. Measurements and elevations, as shown, are from the site field work information & plat.



EXISTING SITE-PLAN VIEW

SCALE: 1"=40'

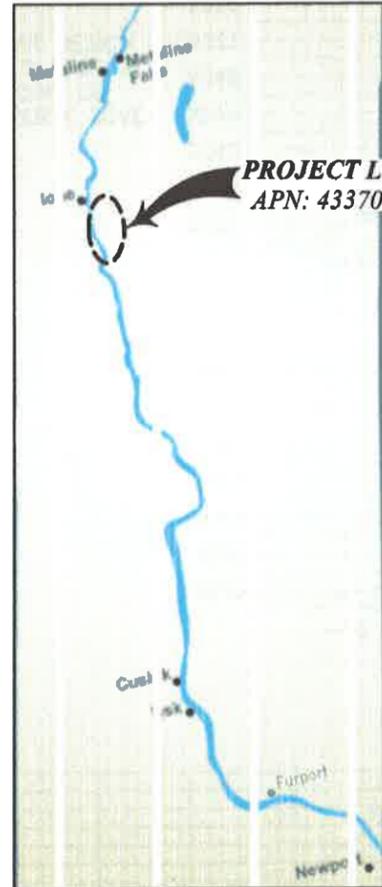
SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY CONDUCTED BY ME IN CONFORMANCE WITH ACCEPTED FIELD METHODS, AT THE REQUEST OF HOOD DESIGN SOLUTIONS LLC DURING THE MONTH OF NOVEMBER, 2013. THIS SURVEY WAS PERFORMED USING A NIKON DTM-A20LG TOTAL STATION AND A LEITZ LEVEL.

Dean E. Yongue
9-15-2015

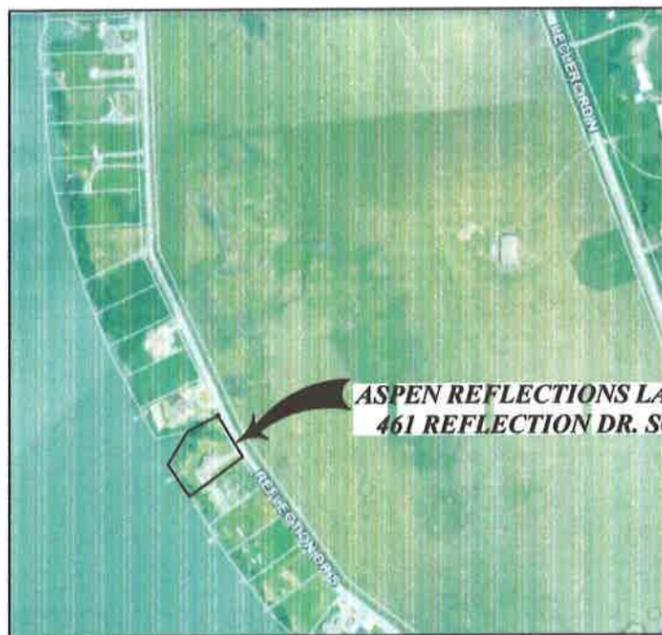
DEAN E. YONGUE, PLS 13301

DATE
9-15-2015



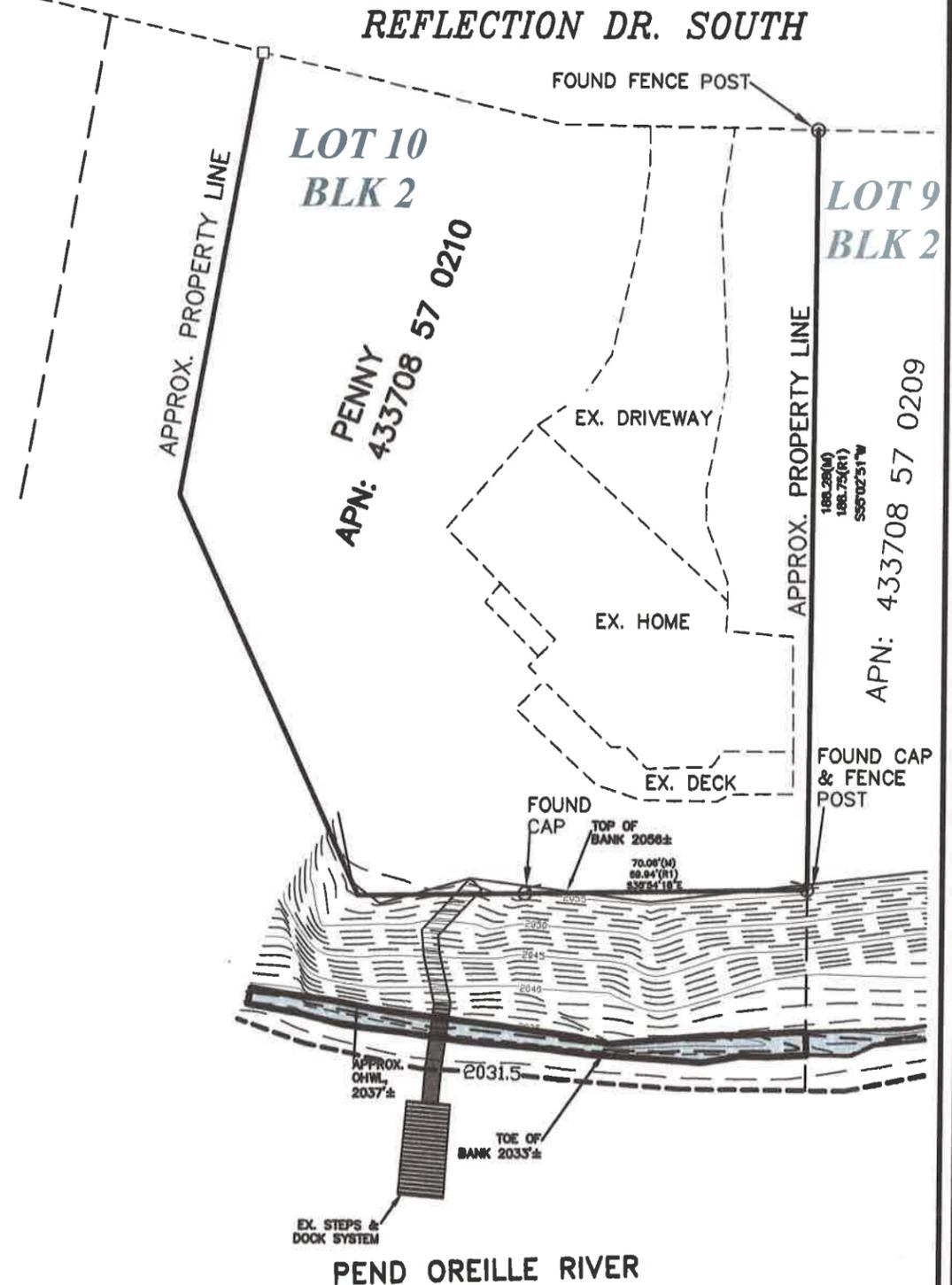
PROJECT LOCATION
APN: 433708-57-0210

LOCATION MAP
SCALE: NTS



ASPEN REFLECTIONS LANDING
461 REFLECTION DR. SOUTH

VICINITY MAP
SCALE: NTS



NOTES

1. THE CONTRACTOR IS TO HAVE SECURED PERMITS IN PLACE PRIOR TO ANY WORK BEING PERFORMED.
2. IT IS THE CONTRACTORS RESPONSIBILITY TO COORDINATE WITH PEND OREILLE PUBLIC UTILITY DISTRICT DAM OFFICIALS FOR POOL ELEVATIONS EXPECTED DURING CONSTRUCTION. ALL WORK TO BE COMPLETED IN LOW WATER POOL ELEVATIONS AND APPROXIMATELY FROM JULY THROUGH SEPTEMBER MONTHS.
3. HOOD DESIGN SOLUTIONS LLC SHALL NOT BE RESPONSIBLE FOR ANY LOSS OF PROPERTY OR ANY PERSONAL INJURY AS A RESULT OF THE USE OF THESE PLANS DURING CONSTRUCTION OR AFTER COMPLETION. IT SHALL BE THE RESPONSIBILITY OF THE OWNER AND THE CONTRACTOR OF THE PROPERTY TO EXERCISE CAUTION DURING CONSTRUCTION AND AFTER COMPLETION.

SHEET INDEX

PLAN SET

- SHT. 1 SHEET INDEX, NOTES, LOCATION & VICINITY MAPS AND EXISTING SITE PLAN VIEW
- SHT. 2 BANK ARMORING DESIGN SITE PLAN & CROSS SECTIONS
- SHT. 3 CONSTRUCTION DETAILS
- SHT. 4 EXISTING PLANTINGS & INVENTORY

David R. Hood
3511 Dredge Rd.
Newport, Wa. 99156
509-447-2409
509-981-2391



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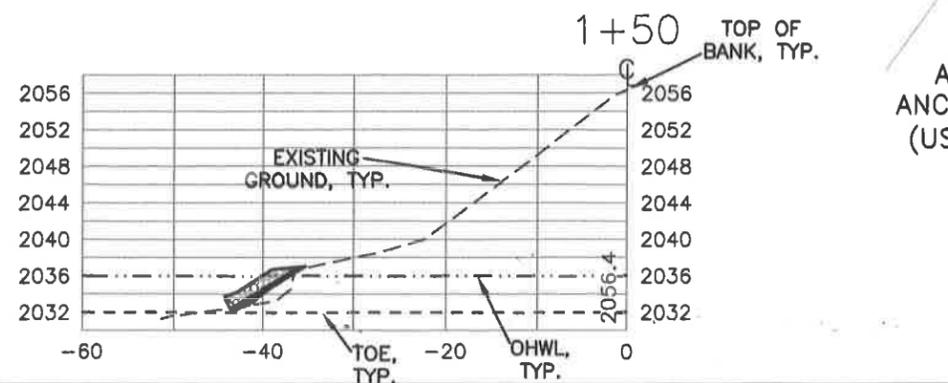
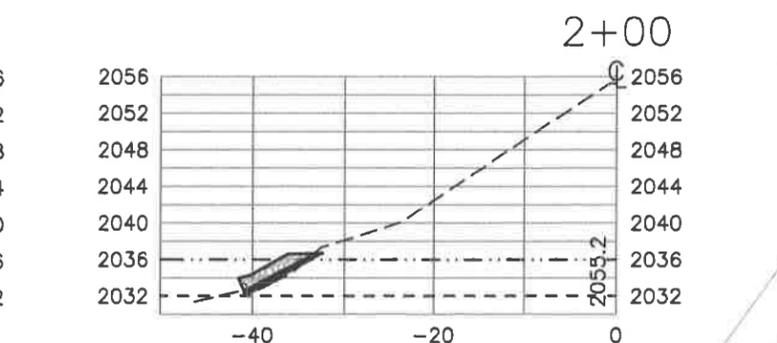
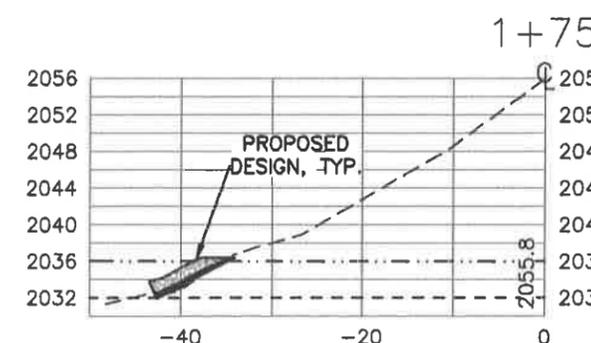
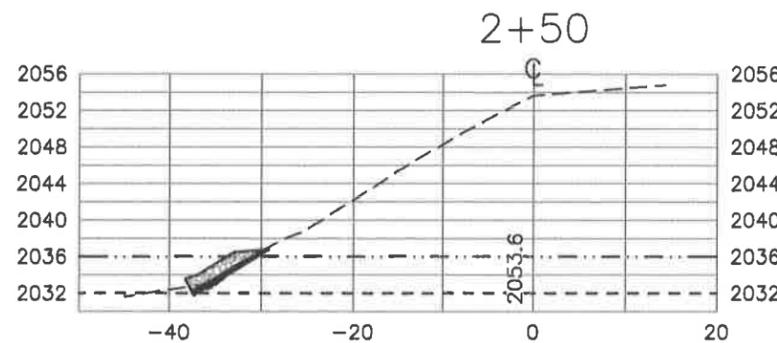
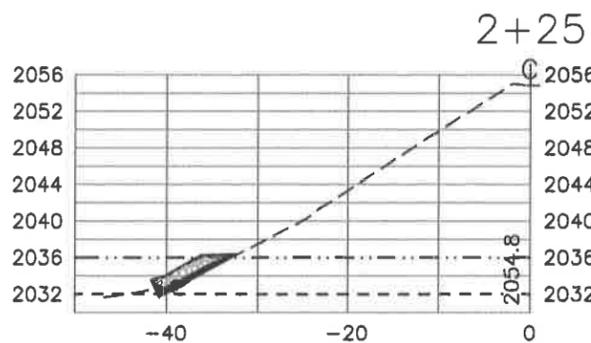
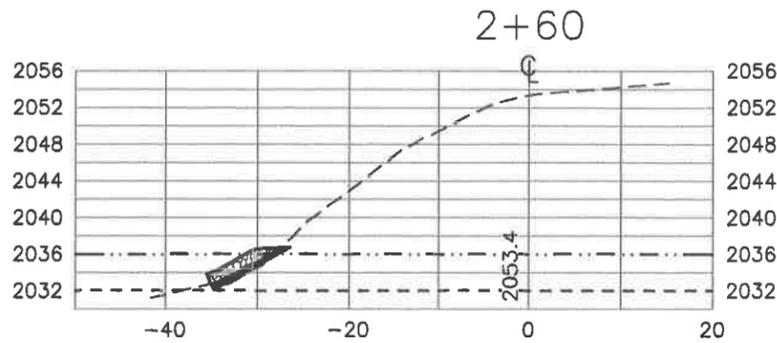
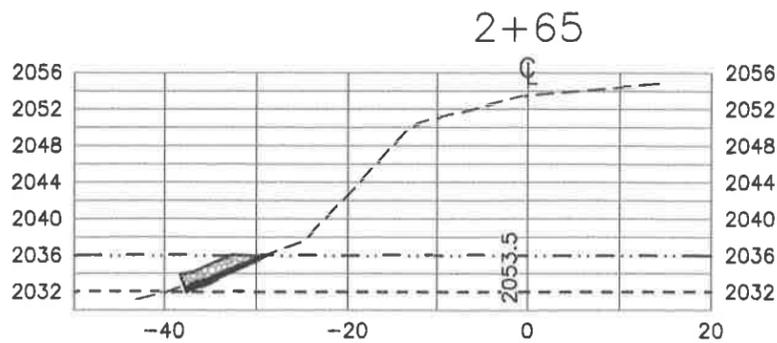
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"PENNY BANK STABILIZATION" PLAN SET
SECTION 8, TWP. 37N., RNG. 43E., W.M.
PEND OREILLE COUNTY, WASHINGTON
for ARRON and KATHERINE PENNY
461 REFLECTION DR. SOUTH
IONE, WASHINGTON 99139

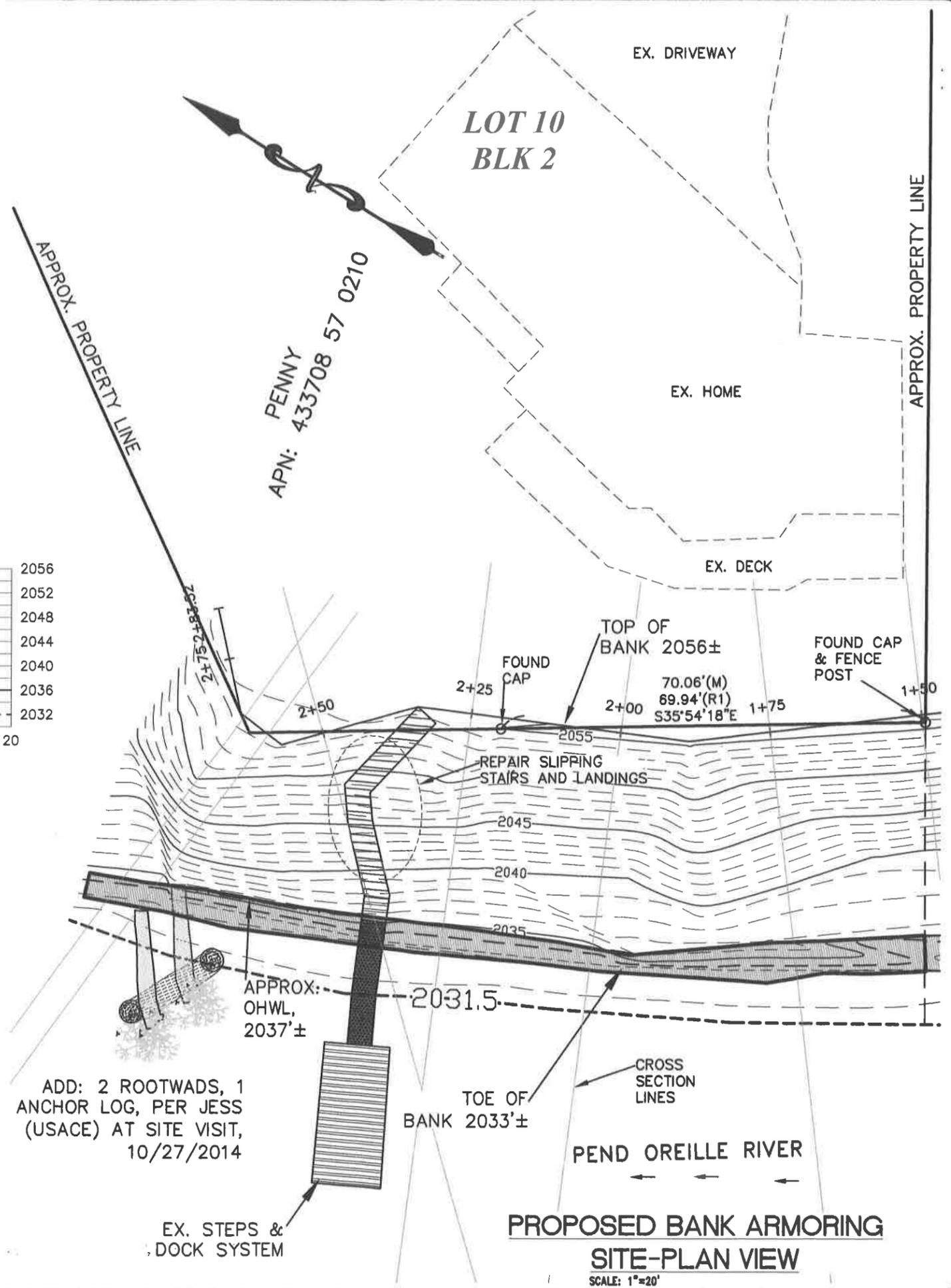
ISSUE DATE:
9/15/2015
DESIGN BY:
DPH
DRAWN BY:
DPH
CHECKED BY:
DEY
SCALE:
AS SHOWN

SHEET No.:
**SHEET
1 of 4**

TAPER DESIGN INTO SLOPES AT POINT OF PROPERTY COVE



DESIGN CROSS SECTIONS
SCALE: 1"=20'



PROPOSED BANK ARMORING SITE-PLAN VIEW
SCALE: 1"=20'

Donald P. Hood
 351 Duval Rd.
 Newport, Wa. 99156
 509-447-2409
 509-991-3391

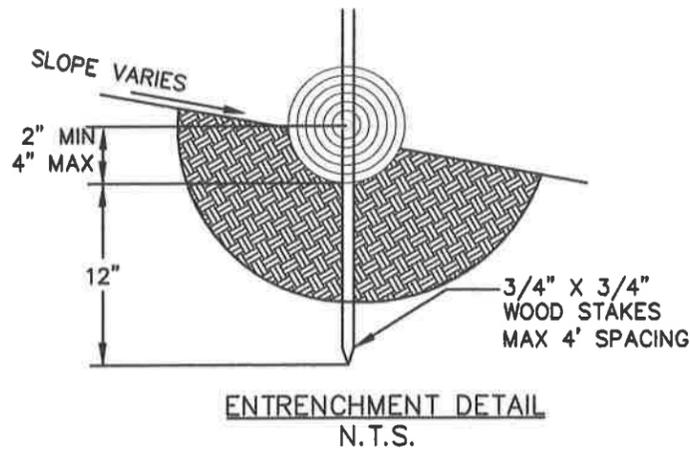
Hood Design Solutions LLC

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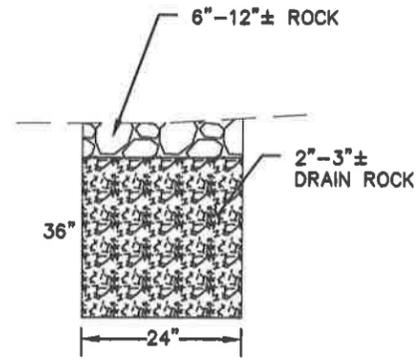
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 PEND OREILLE COUNTY, WASHINGTON
 for ARRON and KATHERINE PENNY
 461 REFLECTION DR. SOUTH
 IONE, WASHINGTON 99139

ISSUE DATE:	9/15/2015
DESIGN BY:	DPH
DRAWN BY:	DPH
CHECKED BY:	DEY
SCALE:	AS SHOWN

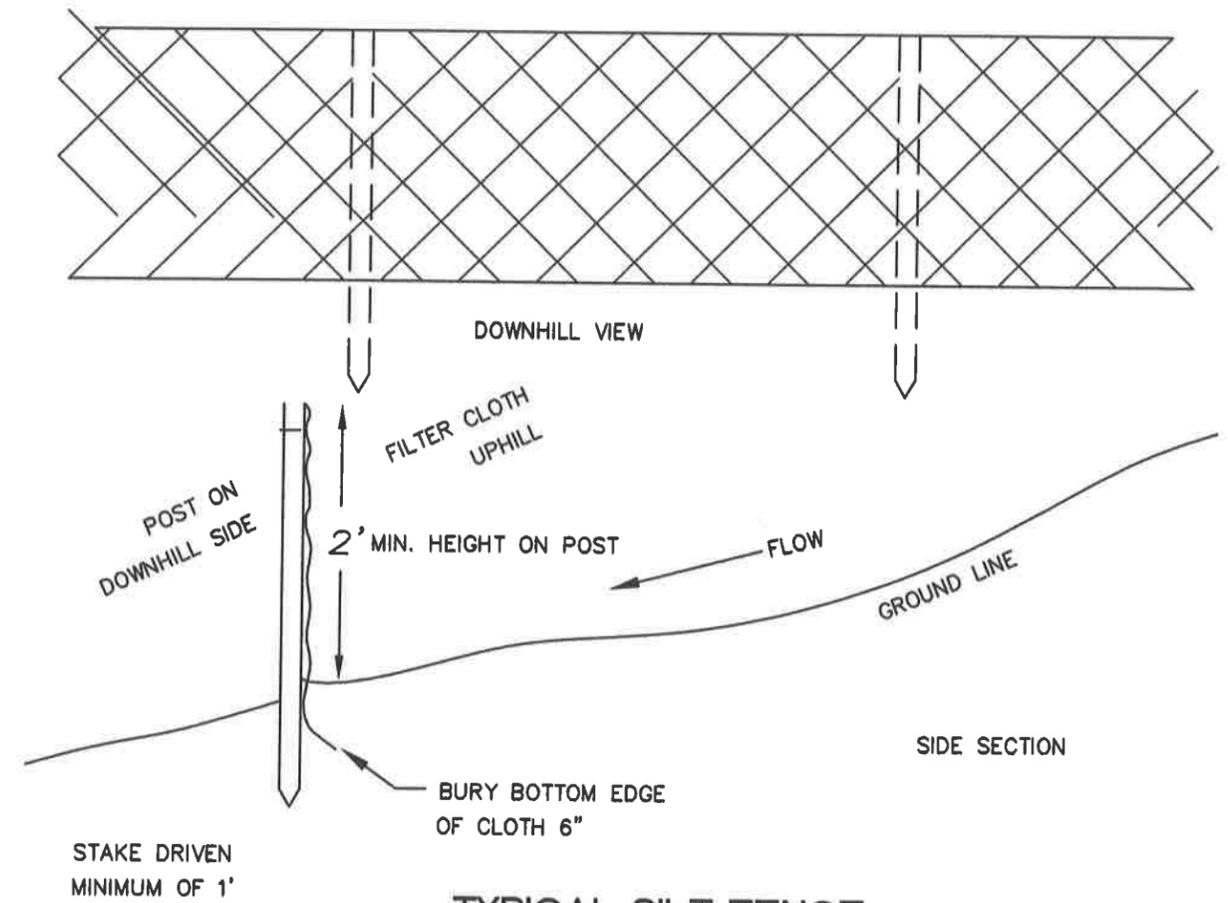
SHEET No.:
SHEET 2of4



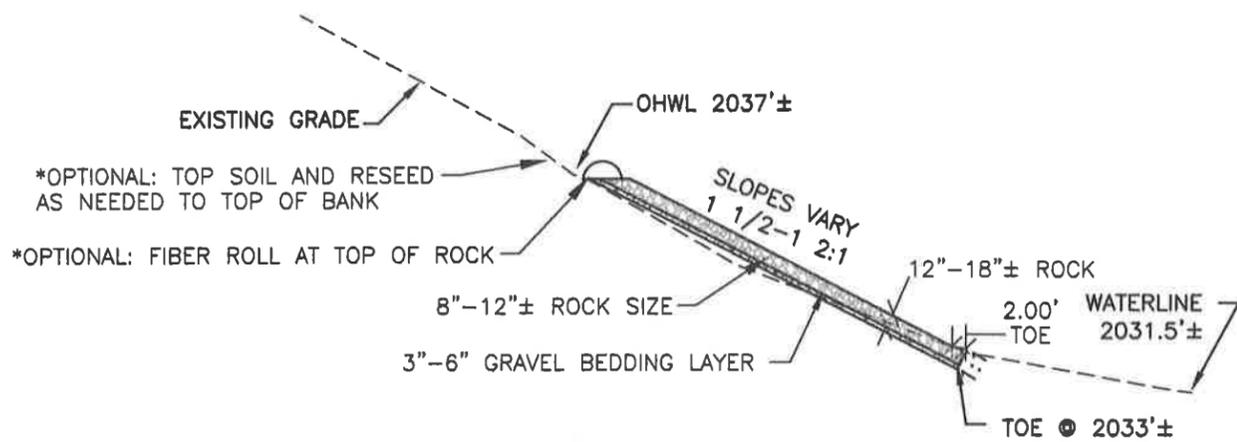
OPTIONAL TYPICAL FIBER ROLL INSTALLATION
SCALE: NTS



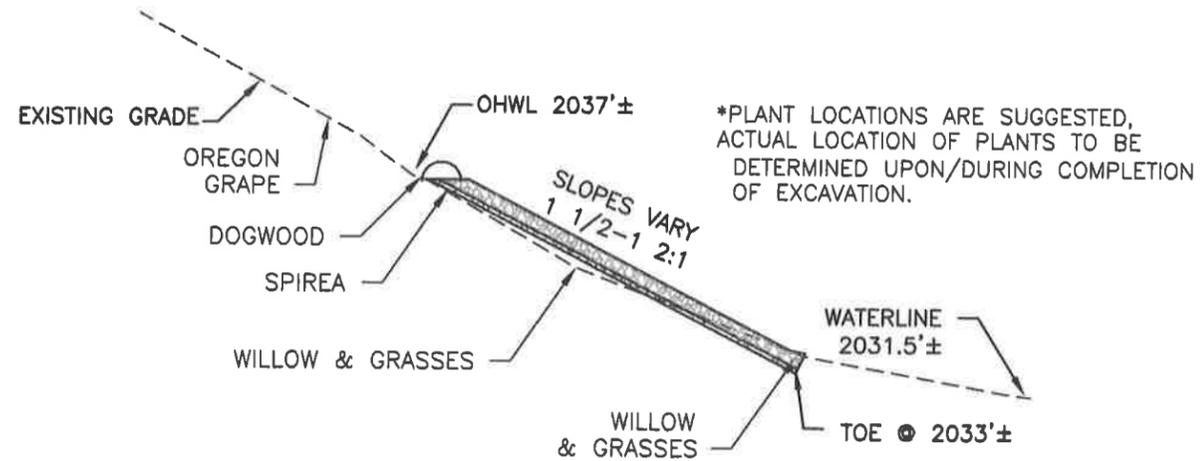
CUT OFF TRENCH
SCALE: NTS



TYPICAL SILT FENCE
SCALE: NTS



GENERAL BANK ARMORING
TYPICAL SECTION
SCALE: NTS



GENERAL BANK PLANTING
TYPICAL SECTION
SCALE: NTS

David P. Hood
Professional Engineer
No. 00156
Maryland, Inc.
508-447-2408
508-991-3381



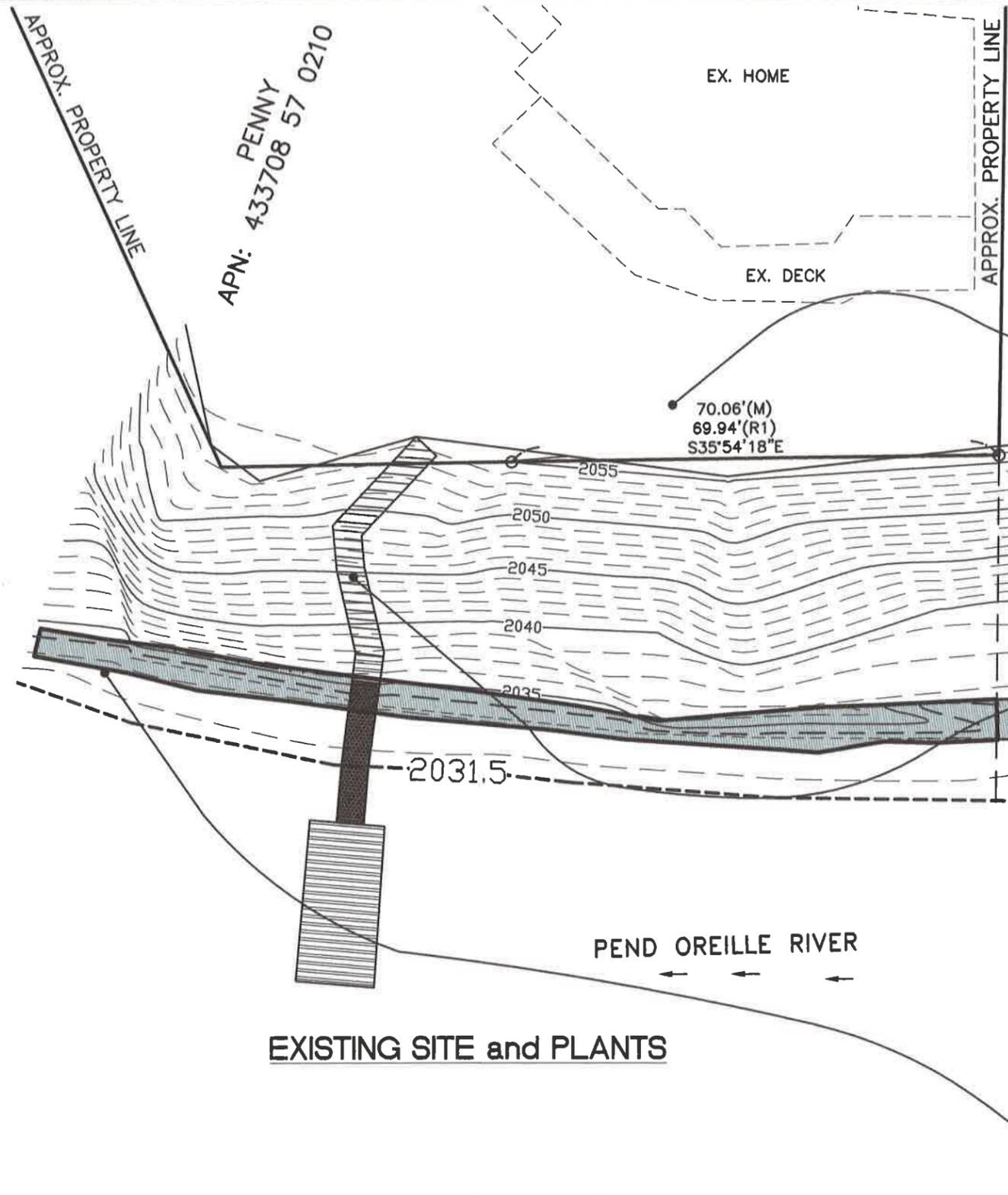
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for ARRON and KATHERINE PENNY
461 REFLECTION DR. SOUTH
TONE, WASHINGTON 99139

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DESIGN BY:	DPH
DRAWN BY:	DPH
CHECKED BY:	DEY
SCALE:	AS SHOWN

SHEET No.:
SHEET
3 of 4



EXISTING SITE and PLANTS

PLANTS NOTE:

1. EXISTING BANK VEGETATION SHOULD BE HANDLED WITH CARE AND IF POSSIBLE LEFT IN PLACE AS MUCH AS POSSIBLE.
2. IF EXISTING PLANTS ARE REMOVED THEY SHOULD BE PRESERVED AND REPLANTED AT TIME OF PLANTINGS AND OR DURING THE CONSTRUCTION PHASE.
3. PLACE ROCK BEHIND AND IN FRONT OF EXISTING VEGETATION IF POSSIBLE, INSTEAD OF REMOVING.
4. ALLOW LOW AREA AQUATIC VEGETATION TO REMAIN AS MUCH AS POSSIBLE.
5. ALLOW VEGETATION TO GROW THROUGH, ABOVE, AND BELOW THE BANK ARMORING FOR THE ENTIRE LENGTH OF SHORELINE PROJECT.

EXISTING PLANT INVENTORY

BIRCHES/POPLARS	LUPINE
SNOW BERRIES	YARROW
OREGON GRAPE	WILD ASPARAGUS
HAWTHORN	MULLEN
YELLOW TWIG DOGWOOD	
WILD ROSE	
ASSORTED GRASSES	
SPIAREA	

PLANTS:

AMOUNT OF PLANTINGS ARE FIGURED FROM SQUARE FOOTAGE OF BANK CONSTRUCTION AREAS. THEY SHALL BE PLANTED AT A 3'± SPACING USING A STAGGER PATTERN OR OFFSET PATTERN. THE BANK AREA SHOWN, NEEDS 80% TOTAL, AND SHALL BE LOW GROWING WOODY VEGETATION, WITH NATIVE RIPARIAN VEGETATION TO ESTABLISH DEEP ROOT SYSTEMS FOR SPARSE AREAS. ALSO ON-SITE NATIVE PLANT CUTTINGS MAY BE USED IN SAME LIKE PLANTING AREAS, AND ALSO NATIVE GRASS SEED MIXTURES. (SEE ATTACHED PLANTING PLAN)



David P. Hood
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PEND OREILLE COUNTY, WASHINGTON
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461 REFLECTION DR. SOUTH
TONE, WASHINGTON 99159

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SCALE:	AS SHOWN

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**SHEET
4 of 4**