

Maintenance JARPA Form 2009 Description of Applicability

Background:

During the Joint Aquatic Resource Permits Application (JARPA) redevelopment process JARPA Workgroup members encouraged Washington State Department of Transportation (WSDOT) and Washington Department of Fish and Wildlife (WDFW) to work together to coordinate development of a more efficient permitting application for routine road maintenance activities using the standard JARPA form.

The workgroup understood that several questions of the 2009 JARPA form did not apply to the majority of transportation maintenance activities that are exempt actions under U.S. Army Corps of Engineers (Corps), Washington Department of Natural Resources (DNR), Shoreline Management Act (SMA), and State Environmental Policy Act (SEPA) regulations. Addressing those questions would take extra time for applicants and reviewers. The maintenance JARPA form uses the same format as the 2009 JARPA form but has eliminated (depicted in red hatch) the non-applicable questions for routine transportation maintenance activities. It may be used when applying to WDFW for HPAs for qualifying activities during a 1-year pilot project until May 1, 2010.

The maintenance JARPA form can be accessed at the following web site
<http://www.wsdot.wa.gov/maintenance/roadside/esa.htm>

Applicability:

Public agencies covered by the Endangered Species Act Regional Road Maintenance Program (RRMP – see list below) are eligible to use this form for roadway maintenance activities that satisfy the following criteria:

- Work identified and covered under the RRMP located below the Ordinary High Water Line or Mark (OHWM/L) of waters of the state or over waters of the state water ward of the OWHM/L.
- Work exempt under Corps 33CFR 323.4.
- Work exempt under SMA (shoreline exemption).
- Work not requiring DNR review.
- Work exempt from SEPA review (categorical exemptions) or covered by programmatic SEPA determination.
- Work requiring an HPA.

Examples of routine road maintenance activities that may be covered by the road maintenance JARPA approach includes:

- Work that does not involve expansion beyond previously existing conditions.
- Maintenance of existing structures such as bridges (repair of structure, footings, approaches, etc.).
- Culvert repair or cleaning.
- Drainages (cleaning and minor erosion repair).

Examples of routine road maintenance work that would not be covered by the road maintenance JARPA approach includes:

- Maintenance work in Section 10 waters or work triggering NWP approval (Corps).
- Culvert replacement.
- New construction.
- Stream channel realignment.
- Use of explosives.

Public agencies covered by the RRMP include the following:

1. City of Bellevue
2. City of Bremerton
3. City of Burien
4. Clallam County
5. Clark County
6. City of Covington
7. City of Edgewood
8. City of Everett
9. City of Kenmore
10. City of Kent
11. King County
12. Kitsap County
13. City of Lake Forest Park
14. City of Lakewood
15. City of Maple Valley
16. Mason County Public Works and Utilities and Waste Management
17. City of Mill Creek
18. City of Monroe
19. City of Newcastle
20. Pierce County
21. City of Poulsbo
22. City of Renton
23. City of Sammamish
24. City of SeaTac
25. City of Shoreline
26. Snohomish County
27. City of Tacoma
28. Thurston County
29. City of University Place
30. WSDOT