



# WASHINGTON STATE

## Joint Aquatic Resources Permit Application (JARPA) Form<sup>1,2</sup> [\[help\]](#)

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): \_\_\_\_\_

KITTITAS CO CDS  
RECEIVED  
08/12/2026

### Part 1–Project Identification

**1. Project Name** (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [\[help\]](#)

Fogarty Ditch EWP Flood Protection Project

### Part 2–Applicant

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

**2a. Name** (Last, First, Middle)

Lael, Anna

**2b. Organization** (If applicable)

Kittitas County Conservation District

**2c. Mailing Address** (Street or PO Box)

2211 W. Dolarway Road, STE 4

**2d. City, State, Zip**

Ellensburg, WA 98926

**2e. Phone (1)**

**2f. Phone (2)**

**2g. Fax**

**2h. E-mail**

509-925-3352

anna.lael@kccd.net

<sup>1</sup>Additional 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.
- 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.

<sup>2</sup>To access an online JARPA form with [\[help\]](#) screens, go to <https://www.oria.wa.gov/jarpa-forms>.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or [help@oria.wa.gov](mailto:help@oria.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.) [\[help\]](#)

|                                               |                      |                |                   |
|-----------------------------------------------|----------------------|----------------|-------------------|
| <b>3a. Name</b> (Last, First, Middle)         |                      |                |                   |
|                                               |                      |                |                   |
| <b>3b. Organization</b> (If applicable)       |                      |                |                   |
|                                               |                      |                |                   |
| <b>3c. Mailing Address</b> (Street or PO Box) |                      |                |                   |
|                                               |                      |                |                   |
| <b>3d. City, State, Zip</b>                   |                      |                |                   |
|                                               |                      |                |                   |
| <b>3e. Phone (1)</b>                          | <b>3f. Phone (2)</b> | <b>3g. Fax</b> | <b>3h. E-mail</b> |
|                                               |                      |                |                   |

### 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.

|                                               |                      |                |                                |
|-----------------------------------------------|----------------------|----------------|--------------------------------|
| <b>4a. Name</b> (Last, First, Middle)         |                      |                |                                |
| Mark Anderson                                 |                      |                |                                |
| <b>4b. Organization</b> (If applicable)       |                      |                |                                |
| MTA Ranch LLC                                 |                      |                |                                |
| <b>4c. Mailing Address</b> (Street or PO Box) |                      |                |                                |
| PO Box 99                                     |                      |                |                                |
| <b>4d. City, State, Zip</b>                   |                      |                |                                |
| Ellensburg, WA 98926                          |                      |                |                                |
| <b>4e. Phone (1)</b>                          | <b>4f. Phone (2)</b> | <b>4g. Fax</b> | <b>4h. E-mail</b>              |
| 509-899-4330                                  |                      |                | Mark.Anderson@anderson-hay.com |

## 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.

|                                                                                                                                                             |                        |                                |              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------|--------------|
| <b>5a. Indicate the type of ownership of the property. (Check all that apply.)</b> <a href="#">[help]</a>                                                   |                        |                                |              |
| <input checked="" type="checkbox"/> Private                                                                                                                 |                        |                                |              |
| <input type="checkbox"/> Federal                                                                                                                            |                        |                                |              |
| <input type="checkbox"/> Publicly owned (state, county, city, special districts like schools, ports, etc.)                                                  |                        |                                |              |
| <input type="checkbox"/> Tribal                                                                                                                             |                        |                                |              |
| <input type="checkbox"/> Department of Natural Resources (DNR) – managed aquatic lands (Complete <a href="#">JARPA Attachment E</a> )                       |                        |                                |              |
| <b>5b. Street Address</b> (Cannot be a PO Box. If there is no address, provide other location information in 5p.) <a href="#">[help]</a>                    |                        |                                |              |
|                                                                                                                                                             |                        |                                |              |
| <b>5c. City, State, Zip</b> (If the project is not in a city or town, provide the name of the nearest city or town.) <a href="#">[help]</a>                 |                        |                                |              |
| Ellensburg, WA 98926                                                                                                                                        |                        |                                |              |
| <b>5d. County</b> <a href="#">[help]</a>                                                                                                                    |                        |                                |              |
| Kittitas                                                                                                                                                    |                        |                                |              |
| <b>5e. Provide the section, township, and range for the project location.</b> <a href="#">[help]</a>                                                        |                        |                                |              |
| <b>¼ Section</b>                                                                                                                                            | <b>Section</b>         | <b>Township</b>                | <b>Range</b> |
| SE                                                                                                                                                          | 10                     | 17N                            | 18E          |
| <b>5f. Provide the latitude and longitude of the project location.</b> <a href="#">[help]</a>                                                               |                        |                                |              |
| • Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)                                                                              |                        |                                |              |
| 46.976917, -120.566204                                                                                                                                      |                        |                                |              |
| <b>5g. List the tax parcel number(s) for the project location.</b> <a href="#">[help]</a>                                                                   |                        |                                |              |
| • The local county assessor's office can provide this information.                                                                                          |                        |                                |              |
| 018533                                                                                                                                                      |                        |                                |              |
| <b>5h. Contact information for all adjoining property owners.</b> (If you need more space, use <a href="#">JARPA Attachment C.</a> ) <a href="#">[help]</a> |                        |                                |              |
| <b>Name</b>                                                                                                                                                 | <b>Mailing Address</b> | <b>Tax Parcel # (if known)</b> |              |
| DITTENTHOLER, RONALD E JR                                                                                                                                   | 1920 UMPTANUM RD       | 538533                         |              |
|                                                                                                                                                             | ELLENSBURG, WA 98926   |                                |              |
|                                                                                                                                                             |                        |                                |              |
|                                                                                                                                                             |                        |                                |              |
|                                                                                                                                                             |                        |                                |              |

**5i. List all wetlands on or adjacent to the project location.** [\[help\]](#)

Fogarty Ditch is categorized as a riverine wetland in NWI

**5j. List all waterbodies (other than wetlands) on or adjacent to the project location.** [\[help\]](#)

Yakima River

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

☒ Yes   ☐ No   ☐ Don't know

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

Much of the property is irrigated pasture that supports cattle. Fogarty ditch is maintained for water conveyance but also contains areas of native riparian vegetation along the banks. The bank of the Yakima River within the project area is on an outside meander bend and much of the vegetation is mature riparian woody vegetation. However, the levee adjacent and overtop of the ditch intake has limited riparian vegetation.

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

The property is in irrigated pasture used for grazing cattle.

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

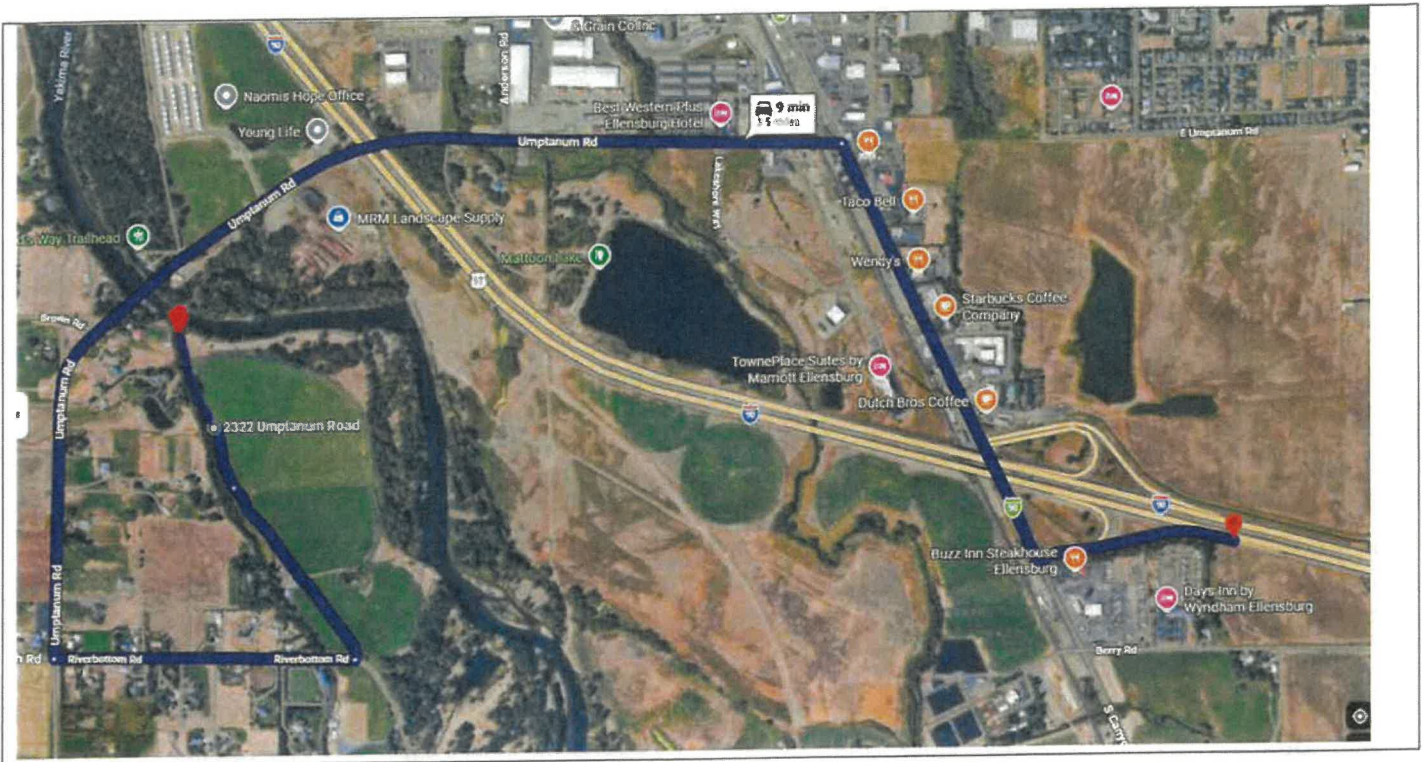
There is only one property adjacent to the project location. On a terrace, at least 20 feet above the ditch intake, is a rural residence with outbuildings.

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

A privately owned levee provides flood protection to the Acheson Ranch and Fogarty Ditch. The Fogarty Ditch Intake structure is on the most upstream edge of the existing levee. Recent flooding has undermined the intake and compromised part of the levee surrounding the intake. The intake structure is a concrete box with steel guides for a wooden headgate. A corrugated steel pipe delivers water underneath the levee, to the ditch. The Fogarty ditch serves several individual irrigators.

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

Exit I-90 onto Canyon Road, heading north. Turn left onto Umptanum Road, left again onto Riverbottom Road, and left a final time into the Acheson Ranch.



## Part 6–Project Description

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

Kittitas County Conservation District (KCCD) is assisting the owner and operator of Fogarty Ditch with emergency replacement and protection of the irrigation intake structure, which was undermined and partially removed during a recent flood event. The structure remains compromised and poses a risk to life and property until it can be repaired. The existing intake will be replaced and riprap, with bed and bank keys, constructed to prevent future scour and flanking of the structure. Native riparian plantings will be incorporated into the levee and disturbed banks of the Yakima River and Fogarty Ditch. NRCS is the federal lead agency as their Emergency Watershed Protection (EWP) program funds much of this project.

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

The objective of this project is to ensure continued operation of the irrigation intake on Fogarty Ditch and avoid a breach of the existing levee. The intake also provides continuous flow to the ditch outside of irrigation season, for off channel fish habitat and stockwater supply. Replacing and protecting the water control structure will restore reliable flow and safe water management and reduces future flood/erosion risk behind the levee.

Flooding in the winter of 2025-26 caused severe bank erosion, toe scour, and damaged the intake structure to Fogarty Ditch, creating immediate risks to nearby property and reliable water delivery. Emergency riprap placement during the flood, removal of the headgate and a portion of the concrete headwall, and placement of chain temporarily stabilized the structure and it is currently delivering water to irrigators using a slide gate on the ditch side of the 36" corrugated metal pipe (CMP). The structure remains partially undermined and vulnerable to failure from continued scour and/or upstream flanking during any future floods. Failure of the intake structure is a risk during even a minor flood event at this point and would result in breach the of Anderson Levee, through which it is located, causing widespread damage to cropland, roads, agricultural, and residential buildings. Loss of irrigation would cause significant financial losses as well. Total losses if the intake were allowed to fail were estimated at \$3.9 million by the NRCS.

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

- |                                                 |                                                    |                                        |                                         |                                       |
|-------------------------------------------------|----------------------------------------------------|----------------------------------------|-----------------------------------------|---------------------------------------|
| <input type="checkbox"/> Commercial             | <input type="checkbox"/> Residential               | <input type="checkbox"/> Institutional | <input type="checkbox"/> Transportation | <input type="checkbox"/> Recreational |
| <input checked="" type="checkbox"/> Maintenance | <input type="checkbox"/> 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 type="checkbox"/> Bank Stabilization   | <input type="checkbox"/> Dam / Weir                      | <input type="checkbox"/> Floating Home       | <input type="checkbox"/> Road                          |
| <input type="checkbox"/> Boat House           | <input checked="" type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat Launch          | <input checked="" 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: Irrigation intake structure, riprap, bed and bank keys, plantings.

**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.

The project is fully within the 100-year floodplain, located on the Anderson Levee. Adjacent waters are the Yakima River on one side and Fogarty Ditch on the other side.

Timing – Construction is expected to coincide with the low water period on the Yakima River, approximately September 1- October 15. Upland work will commence at the end of August. All work other than live stake installations will be completed no later than October 15.

Staging Equipment/Materials – Prior to construction, the staging and temporary stockpile area will be clearly marked as shown on the drawings. It is located on the landward side of the levee and has a well vegetated buffer present between it and Fogarty Ditch. Material stored in the staging area may include riprap, logs, sand, pea gravel, corrugated metal pipe, and the new steel gate and frame.

Equipment Limitations – In-channel work will be accomplished utilizing an excavator, with a thumb, rotating claw, and/or vibratory pile driver attachment as necessary. All equipment will operate from the existing levee and all disturbance to the bed for construction will occur behind a temporary isolation dike. Equipment will be washed prior to entering the project area such that is clean of debris, weed seeds, and petroleum products. Equipment will be in good working order and will be inspected daily for leaks. The contractor will have a spill containment kit onsite at all times. Refueling and maintenance of equipment or vehicles will take place at a designated area that is a minimum of 150 ft away from a waterbody.

Aquatic Worksite Isolation – One ton bulk bags filled with gravel will be utilized to construct a temporary isolation dike between the project area and the Yakima River, as shown on page 10 of the drawings. Other isolation measures may be needed to replace or in addition to the use of bulk bags if river levels are higher than anticipated at the time of construction. An isolation dike of sandbags and plastic will be installed between Fogarty Ditch and the project area. WDFW and KCCD staff will remove any aquatic species between the isolation structures and the work areas prior to in-water work starting. A portable 6" pump will be installed partially down the river side of the levee, to provide ~2 cfs of continuous flow to Fogarty Ditch via a hose that will discharge downstream of the isolation dike. The suction side of the pump will be equipped with a WDFW/NMFS approved fish screen. Dewatering pumps will discharge on the hayfields behind the levee, at least 100 ft from Fogarty Ditch.

Clearing, Grubbing, Excavation of Working Bench – Clearing limits will be marked by KCCD prior to work beginning. Clearing and excavation will proceed carefully to limit disturbance to the roots of trees being preserved. The levee will be excavated to an elevation of 1500', to create a temporary working bench. An excavator will pile material for a loader to move to the temporary stockpile area. In addition to the levee soils, the existing riprap downstream of the intake (placed during the flood last winter) will also be excavated and temporarily stockpiled. Given that all of this work will be well above the water surface elevation, even before USBR reduces flows, it is anticipated the contractor would start the last week of August so long as river flows allow construction of the isolation dike.

Installation of Secondary Bank Key, Riprap to 1496 ft

This phase will be completed when river flows are below 700 cfs, anticipated to be approximately Sept 1 – Sept 15. From the working bench, the excavator will start by digging the trench for the secondary bank key. Rock, logs, rootwads, and ballast rock will be placed and then backfilled. This work is likely to be done with little to no water in the trench given the planned elevations. If water is present (based on river water surface

levels or work area) a bulk bag isolation dike will be installed in this area as well, as shown on pg 10. The excavator will then reach out and excavate / place riprap for the bed key, on the other side of the point, as well as place the 4 H-piles that will support the trash rack. Remaining portions of concrete headwall will be removed and hauled to an approved disposal site. Bank keys will be excavated and filled with rock to at least elevation 1496. The levee will be sloped to 1.5:1 and the riprap blanket and integrated live willow joint plantings (with any needed gravel filter underlayment) will be constructed to at least 1496 except for immediately around the pipe trench where the riprap blanket will need to end at ~1492.

#### Intake Structure Construction

This phase will be completed at the end of September/beginning of October. The existing concrete and corrugated metal pipe structure will be excavated out, approximately 7 ft down from the working bench elevation. After the trench is dewatered, clean pea gravel foundation material will be placed. The concrete base slab will be formed, the riser set on it, and the interior gate wall formed (ideally this will be a single pour, but the contractor may choose to complete it in separate pours). The gate thimble will be cast into the concrete wall. Flowing water will not be allowed to contact the concrete until Oct 15, by which point all in-water work must stop. Corrugated metal pipe barrels will be placed to both sides of riser and backfilled with pea gravel. After 7 days have passed from the slab pour, backfill will be replaced and compacted. The gate will be bolted to the thimble and wall.

#### Trash Rack Construction

After final locations of the H-pile are determined, it is anticipated that the removable portion of the trash rack will be fabricated in a shop. That portion of the rack may be placed at any time from the top of the levee, although prior to the riser going in would be ideal. The horizontal bearing members will need to be bolted to the piles concurrent riprap placement. Welding on top of the piles will need to take place while water levels are low, from ladders or scaffolding.

#### Reconstruct Levee, Place Riprap to 1504', Install TRM

Compacted earthfill, upper portions of the riprap and live willow bundles, and turf reinforcement mats (TRM) will be placed to reconstruct the levee. This work must be completed by Oct 15.

#### Remove Isolation Dikes

Isolation dikes in both the Yakima River and Fogarty Ditch must be removed by Oct 15.

#### Grass Seeding and Live Staking

Complete clean up and final grading of staging area, grass seeding, and live staking. Other than the willow joint plantings incorporated into the riprap blanket, the remaining seeding and planting work will likely take place after October 15. Cottonwood stakes cannot be harvested until leaves fall off.

#### **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: September 1, 2026 End Date: December 15, 2026 ☐ See JARPA Attachment D

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

\$ 332,700

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

- If yes, list each agency providing funds.

☒ Yes   ☐ No   ☐ Don't know

NRCS is the federal lead agency, providing Emergency Watershed Protection funding

## 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   ☐ Don't know

**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 <sup>1</sup> | Wetland type and rating category <sup>2</sup> | Impact area (sq. ft. or Acres) | Duration of impact <sup>3</sup> | Proposed mitigation type <sup>4</sup> | Wetland mitigation area (sq. ft. or acres) |
|-----------------------------------------------|---------------------------|-----------------------------------------------|--------------------------------|---------------------------------|---------------------------------------|--------------------------------------------|
|                                               |                           |                                               |                                |                                 |                                       |                                            |
|                                               |                           |                                               |                                |                                 |                                       |                                            |
|                                               |                           |                                               |                                |                                 |                                       |                                            |
|                                               |                           |                                               |                                |                                 |                                       |                                            |
|                                               |                           |                                               |                                |                                 |                                       |                                            |

<sup>1</sup> 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.

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

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

<sup>4</sup> 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

Fogarty ditch has both intake and outlet connections with the Yakima River and provides juvenile salmonid rearing habitat. This project will avoid larger impacts to the aquatic environment by repairing the intake and levee now, while the damage is limited to a relatively small area. Without doing the necessary repairs proposed in the project, another flood may negatively impact life and property.

The project must occur during the low-flow period for the Yakima River; this is anticipated to be between September 1<sup>st</sup> and Mid-October. The project will include worksite isolation elements to ensure all work is completed without contact with flowing water. Dependent upon flow conditions, the secondary keyway, levee reconstruction, and intake structure will be isolated by a temporary dike of one-ton bulk bags filled with gravel. Within Fogarty Ditch, another line of bulk bags and silt screens will isolate the intake work from the water. A pump fitted with a WDFW and NMFS-compliant fish screen will continue to supply Fogarty Ditch with water during the work period. This will ensure that fish life within the ditch (it reconnects with the Yakima River at its outlet) will not be impacted. A fish rescue effort within the isolated areas will be led by KCCD and/or WDFW staff.

**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   ☐ Don't know

Many project elements were designed to minimize the footprint of disturbance within the bed and banks of the Yakima River. Previous disturbance at the site includes the building of the private levee and ditch as well as the emergency placement of rip rap during the winter of '25- '26.

The project will make permanent repairs to the Fogarty Ditch intake and surrounding levee that was damaged during the previous winter to prevent the failure of both elements. To ensure the site is more stable and as habitat friendly as possible after this project is implemented, native riparian staking will be incorporated into the Yakima River rip rap and along the eastern edge of Fogarty Ditch, neither of which currently support much native vegetation. To mitigate for the disturbance caused by construction the secondary keyway, the disturbed area will also be replanted with native tree-shrubs. Additionally, design of the secondary keyway is such that mature cottonwoods on a natural point are excluded from disturbance (called out on sheet 10 of the designs).

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

Several agencies have been involved in the review of this project, including the Natural Resource Conservation Service (NRCS), Kittitas County Conservation District (KCCD), and Washington Department of Fish and Wildlife (WDFW).

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

| Activity (clear, dredge, fill, pile drive, etc.)                                                  | Waterbody name <sup>1</sup> | Impact location <sup>2</sup> | Duration of impact <sup>3</sup> | Amount of material (cubic yards) to be placed in or removed from waterbody | Area (sq. ft. or linear ft.) of waterbody directly affected |
|---------------------------------------------------------------------------------------------------|-----------------------------|------------------------------|---------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------|
| Removal of existing riprap                                                                        | Yakima River                | Bank                         | Temporary                       | 100 cy                                                                     | 30 ft                                                       |
| Removal of existing levee material, existing concrete/CMP, excavation of 1.5:1 slope and bed keys | Yakima River, Fogarty Ditch | Adjacent Levee, Bank, Bed    | Temporary                       | 1625 cy                                                                    | 66 ft                                                       |
| Placement of 4 steel H-piles                                                                      | Yakima River                | Bed                          | Permanent                       | 2.4 cy                                                                     | 4 sqft                                                      |
| Placement of riprap                                                                               | Yakima River                | Bank, Bed                    | Permanent                       | 424 cy                                                                     | 66 ft                                                       |
| Placement of cobble                                                                               | Fogarty Ditch               | Bed                          | Permanent                       | 7 cy                                                                       | 17 ft                                                       |

|                                |               |                   |           |          |         |
|--------------------------------|---------------|-------------------|-----------|----------|---------|
| Placement of rootwads/logs     | Yakima River  | Bank              | Permanent | 10 cy    | 6 ft    |
| Construction of new trash rack | Yakima River  | Above the Bed     | Permanent | 0.5 cy   | 80 sqft |
| Construction of new intake     | Yakima River  | Adjacent to River | Permanent | 40 cy    | 3 ft    |
| Reconstruction of levee        | Yakima River  | Bank              | Permanent | 1,104 cy | 60 ft   |
| Live staking                   | Yakima River  | Bank              | Permanent | < 1 cy   | 66 ft   |
| Live staking                   | Fogarty Ditch | Bank              | Permanent | < 1 cy   | 150 ft  |

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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. [\[help\]](#)**

Placement of 4 steel H-piles- 2.4 CY of steel H-piles will support the trash rack. They will be installed into the bed of the Yakima River using a vibratory attachment on an excavator, located on the temporary working bench excavated on the levee.

Placement of riprap blanket and keys- 324 CY of rip rap will be brought in from a local quarry. This and the 100 CY of existing riprap to be excavated from the levee, will be placed on the levee sideslope, buried in the levee, and buried below the bed of the Yakima River to protect against future scour and flanking of the headgate. It will be placed using a hydraulic excavator, with a thumb and/or clamshell bucket operating from the levee.

Placement of cobble- 7 CY of clean, rounded cobble will be placed in the bed of Fogarty ditch via a hydraulic excavator operating from the levee. Material will be sourced from a commercial pit.

Placement of rootwads/logs- 10 CY of logs with rootwads will be keyed into the bank of the Yakima River to provide a roughness element on the face of the secondary key. Logs will be Douglas Fir or Ponderosa Pine, sourced locally by the contractor. They will be placed over the riprap in the secondary key, ballasted with large rock, and then backfilled with native materials and planted with live stakes.

Construction of new trash rack- 0.5 CY of steel will be installed for the trash rack within the river, over the bed. The horizontal beams will be lifted into place by the excavator, concurrent with riprap placement, and installed via bolting to predrilled holes on the H-pile. The top plates and L bars will be welded to the top of the piles, with workers accessing them from ladders or scaffolding. The removable portion of the trash rack will be fabricated in a shop and placed on set on the top of the piles into the welded L bars with an excavator.

Construction of new intake- 40 CY of corrugated metal pipe, reinforced concrete, clean pea gravel, and steel gate with frame will be placed into levee at the location of the existing structure. Pea gravel will be sourced from a commercial pit.

Reconstruction of levee- 1,104 CY of earthfill previously excavated and stockpiled onsite will be utilized to reconstruct the levee back to current elevation.

Live Staking- Less than 1 CY of live staked riparian plants will be included in the bank of both the river and ditch.

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

Removal of existing riprap- 100CY of existing riprap will be removed from the levee slope with an excavator and replaced with the project.

Removal of existing levee material, existing concrete/CMP, excavation of 1.5:1 slope and bed keys- 1,625 CY of riprap and earthfill will be removed via excavator. The existing 36" CMP and concrete structure will be removed and disposed of at a landfill. All earthen materials will be repurposed as fill on the project.

**8h. Have you prepared a Water Quality Monitoring Plan (WQMP) for all in-water work (below ordinary high water), over water work or discharges to waters of the state?**

☐ Yes ☒ No

If NO describe the monitoring that you will be conducting including parameters, equipment and locations, or explain why monitoring will not be necessary. [\[help\]](#)

This project will follow the NRCS-NMFS & USFWS biological opinion programmatic for Oregon and Washington. Water quality monitoring will begin with ocular observation at a designated point 200 feet downstream from the lower-most construction disturbance. If a sediment plume is visible at the designated point, KCCD must modify the activity and continue to monitor every two hours. If an exceedance over the background level continues after the second monitoring interval, the activity must stop until the turbidity levels return to background.

## 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 |
|-------------|-------------------|----------------|-----------------------------|
| NRCS        | Isaiah Krutak     | (509) 323-2958 | July 2026                   |
| NRCS        | Brianna Patterson | (509) 699-8213 | July 2026                   |
| WDFW        | Jennifer Nelson   | (509) 961-6639 | July 2026                   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>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?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• If Yes, list the parameter(s) below.</li> <li>• If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <a href="https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d">https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d</a>.</li> </ul> <p><input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No</p> <p>Temperature</p>                                                                                               |
| <p><b>9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• Go to <a href="http://cfpub.epa.gov/surf/locate/index.cfm">http://cfpub.epa.gov/surf/locate/index.cfm</a> to help identify the HUC.</li> </ul> <p>HUC10: 1703000105</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>9d. What Water Resource Inventory Area Number (WRIA #) is the project in?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• Go to <a href="https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up">https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up</a> to find the WRIA #.</li> </ul> <p>39</p>                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• Go to <a href="https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria">https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria</a> for the standards.</li> </ul> <p><input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No   <input type="checkbox"/> Not applicable</p>                                                                                                                                                                                                                     |
| <p><b>9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• If you don't know, contact the local planning department.</li> <li>• For more information, go to: <a href="https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases">https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases</a>.</li> </ul> <p><input type="checkbox"/> Urban   <input type="checkbox"/> Natural   <input checked="" type="checkbox"/> Aquatic   <input type="checkbox"/> Conservancy   <input type="checkbox"/> Other: _____</p> |
| <p><b>9g. What is the Washington Department of Natural Resources Water Type?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• Go to <a href="http://www.dnr.wa.gov/forest-practices-water-typing">http://www.dnr.wa.gov/forest-practices-water-typing</a> for the Forest Practices Water Typing System.</li> </ul> <p><input checked="" type="checkbox"/> Shoreline   <input type="checkbox"/> Fish   <input type="checkbox"/> Non-Fish Perennial   <input type="checkbox"/> Non-Fish Seasonal</p>                                                                                                                                                                                                                                                                                         |
| <p><b>9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• If No, provide the name of the manual your project is designed to meet.</li> </ul> <p><input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No</p> <p>Name of manual: <u>2024 Stormwater management manual for Eastern Washington</u></p>                                                                                                                                                                                                                                                                                                                                                             |
| <p><b>9i. Does the project site have known contaminated sediment?</b> <a href="#">[help]</a></p> <ul style="list-style-type: none"> <li>• If Yes, please describe below.</li> </ul> <p><input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

**9j.** If you know what the property was used for in the past, describe below. [\[help\]](#)

The property's history is agriculture.

**9k.** Is the project located in or adjacent to a designated state or federal contaminated site or clean-up site. (e.g. MTCA or CERCLA)?

- If Yes, provide any additional details below.

☐ Yes    ☒ No

**9l.** Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If Yes, attach it to your JARPA package.

☐ Yes    ☒ No

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

Middle Columbia River Steelhead

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

Mountain Whitefish  
Brown Trout  
Summer Steelhead  
Rainbow Trout  
Westslope Cutthroat  
Summer Chinook  
Spring Chinook  
Coho  
Riparian  
Instream

## Part 10–SEPA Compliance and Permits

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

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

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

- For more information about SEPA, go to <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>.

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

☐ A SEPA determination is pending with \_\_\_\_\_ (lead agency). The expected decision date is \_\_\_\_\_.

☐ 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: \_\_\_\_\_

|                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> SEPA is pre-empted by federal law.<br>NRCS has determined this project "is a federal action ALL of which is categorically excluded from further environmental analysis AND there are no extraordinary circumstances".                                                                                                                                                                  |
| <b>10b. Indicate the permits you are applying for. (Check all that apply.)</b> <a href="#">[help]</a>                                                                                                                                                                                                                                                                                                                      |
| <b>LOCAL GOVERNMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Local Government Shoreline permits:</b><br><input type="checkbox"/> Substantial Development <input type="checkbox"/> Conditional Use <input type="checkbox"/> Variance<br><input checked="" type="checkbox"/> Shoreline Exemption Type (explain): _____                                                                                                                                                                 |
| <b>Other City/County permits:</b><br><input checked="" type="checkbox"/> Floodplain Development Permit <input type="checkbox"/> Critical Areas Ordinance                                                                                                                                                                                                                                                                   |
| <b>STATE GOVERNMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Washington Department of Fish and Wildlife:</b><br><input checked="" type="checkbox"/> Hydraulic Project Approval (HPA) <input type="checkbox"/> Fish Habitat Enhancement Exemption – <a href="#">Attach Exemption Form</a>                                                                                                                                                                                             |
| <b>Washington Department of Natural Resources:</b><br><input type="checkbox"/> Aquatic Use Authorization<br>Complete <a href="#">JARPA Attachment E</a> and submit a check for \$25 payable to the Washington Department of Natural Resources.<br><u>Do not send cash.</u>                                                                                                                                                 |
| <b>Washington Department of Ecology:</b><br><input checked="" type="checkbox"/> Section 401 Water Quality Certification<br><input type="checkbox"/> Authorization to impact waters of the state, including wetlands (Check this box if the proposed impacts are to waters not subject to the federal Clean Water Act)                                                                                                      |
| <b>FEDERAL AND TRIBAL GOVERNMENT</b>                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>United States Department of the Army (U.S. Army Corps of Engineers):</b><br><input type="checkbox"/> Section 404 (discharges into waters of the U.S.) <input type="checkbox"/> Section 10 (work in navigable waters)                                                                                                                                                                                                    |
| <b>United States Coast Guard:</b><br>For projects or bridges over waters of the United States, contact the U.S. Coast Guard at:<br><input type="checkbox"/> Bridge Permit: <a href="mailto:D13-SMB-D13-BRIDGES@uscg.mil">D13-SMB-D13-BRIDGES@uscg.mil</a><br><input type="checkbox"/> Private Aids to Navigation (or other non-bridge permits): <a href="mailto:D13-SMB-D13-PATON@uscg.mil">D13-SMB-D13-PATON@uscg.mil</a> |
| <b>United States Environmental Protection Agency:</b><br><input type="checkbox"/> Section 401 Water Quality Certification (discharges into waters of the U.S.) on tribal lands where tribes do not have treatment as a state (TAS)                                                                                                                                                                                         |
| <b>Tribal Permits:</b> (Check with the tribe to see if there are other tribal permits, e.g., Tribal Environmental Protection Act, Shoreline Permits, Hydraulic Project Permits, or other in addition to CWA Section 401 WQC)<br><input type="checkbox"/> Section 401 Water Quality Certification (discharges into waters of the U.S.) where the tribe has treatment as a state (TAS).                                      |

## 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)

Anna Lael, District Mgr. [Signature] 7/17/2026  
Applicant Printed Name Applicant Signature Date

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

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

\_\_\_\_\_  
Authorized Agent Printed Name Authorized Agent Signature Date

### 11c. Property Owner Signature (if not applicant) [\[help\]](#)

Not required if project is on existing rights-of-way or easements (provide copy of easement with JARPA).

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.

[Signature] 7-17-2026  
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 for Regulatory Innovation and Assistance (ORIA) 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. ORIA publication number: ORIA-16-011 rev. 09/2018

