



US Army Corps
of Engineers
Seattle District



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (360) 694-1171
Attn: Steve Manlow, Project Manager

WA Department of Ecology
SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6068
Attn: SEA Program,
Federal Permit Coordinator

Public Notice Date: January 10, 2013
Expiration Date: February 9, 2013

Reference No.: NWS-2006-392
Name: Achen Development
(Copperleaf Phase 2)

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings dated November 20, 2012.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA). Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws.

APPLICANT: Achen Development, LLC
20926 NE Allworth Road
Battle Ground, Washington 98604
Attention: Michael Achen
Telephone: (360) 687-2058

AGENT: Ecological Land Services, LLC
1157 3rd Avenue, Suite 220
Longview, Washington 98632
Attention: Timothy Haderly
Telephone: (360) 578-1371

LOCATION: Located in wetlands that drain into Woodin Creek, a tributary to Salmon Creek, at 633 South Parkway Avenue, in the City of Battle Ground, Clark County, Washington.

WORK: Fill 3.62 acres of wetlands to construct a 31 lot residential subdivision.

PURPOSE: Provide moderate-cost, detached single family residential housing for the community of Battle Ground. Note: The overall purpose statement may be subject to revision during project evaluation.

The wetland boundaries shown on the project drawings have not yet been verified by the Corps. If the Corps determines the boundaries of the wetland/waters are substantially inaccurate a new public notice may be published.

MITIGATION: The applicant is proposing to use 2.87 acres of advanced offsite wetland creation and 2.60 acres of advanced offsite wetland enhancement, located adjacent to Salmon Creek at the southwest corner of Northeast Risto Road and Northeast 182nd Avenue, near Battle Ground.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. A preliminary determination indicates that the activity will not affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is not required. The Corps has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The Corps has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. A historic properties investigation has been conducted within the permit area. No historic properties determined eligible for or listed on the National Register of Historic Places were found to exist within the permit area. The Corps invites responses to this public notice from Native American Tribes or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

EVALUATION – CORPS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternative analysis for any proposed discharge of dredged or fill material into waters of the United States.

SOURCE OF FILL MATERIAL: The applicant has not yet identified the source of the fill material. Should a permit be issued, the Corps will evaluate the fill material source prior to the start of construction.

EVALUATION – ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and

evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentator's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

CORPS COMMENTS: All e-mail comments should be sent to: steven.w.manlow@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Steven Manlow, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: SEA program – Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

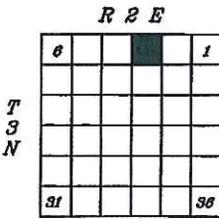
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Achen Development, LLC; NWS-2006-392

Encl: Figures (Sheets 1 through 7 of 7, dated November 20, 2012)

WASHINGTON

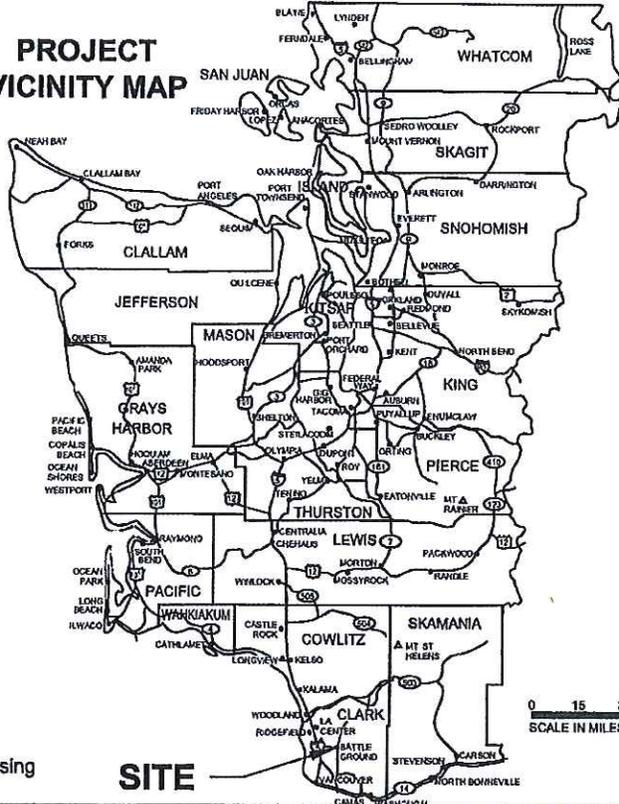


45.774166 Latitude
-122.540277 Longitude
LOCATION MAP



NOTE:
USGS topographic quadrangle map reproduced using
MAPTECH Inc., Terrain Navigator Pro software.

PROJECT VICINITY MAP



SITE

PROPOSED: wetland fill

IN wetlands
NEAR: Battle Ground
COUNTY: Clark STATE: WA
SHEET 1 OF 7
DATE: 11/20/12

VICINITY MAP

APPLICANT: Achen Development, LLC
PROJECT NAME: Copper Leaf Phase 2
REFERENCE #: NWS-2006-00392
SITE LOCATION ADDRESS:
633 S. Parkway Avenue
Battle Ground, WA 98604

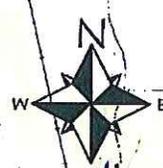
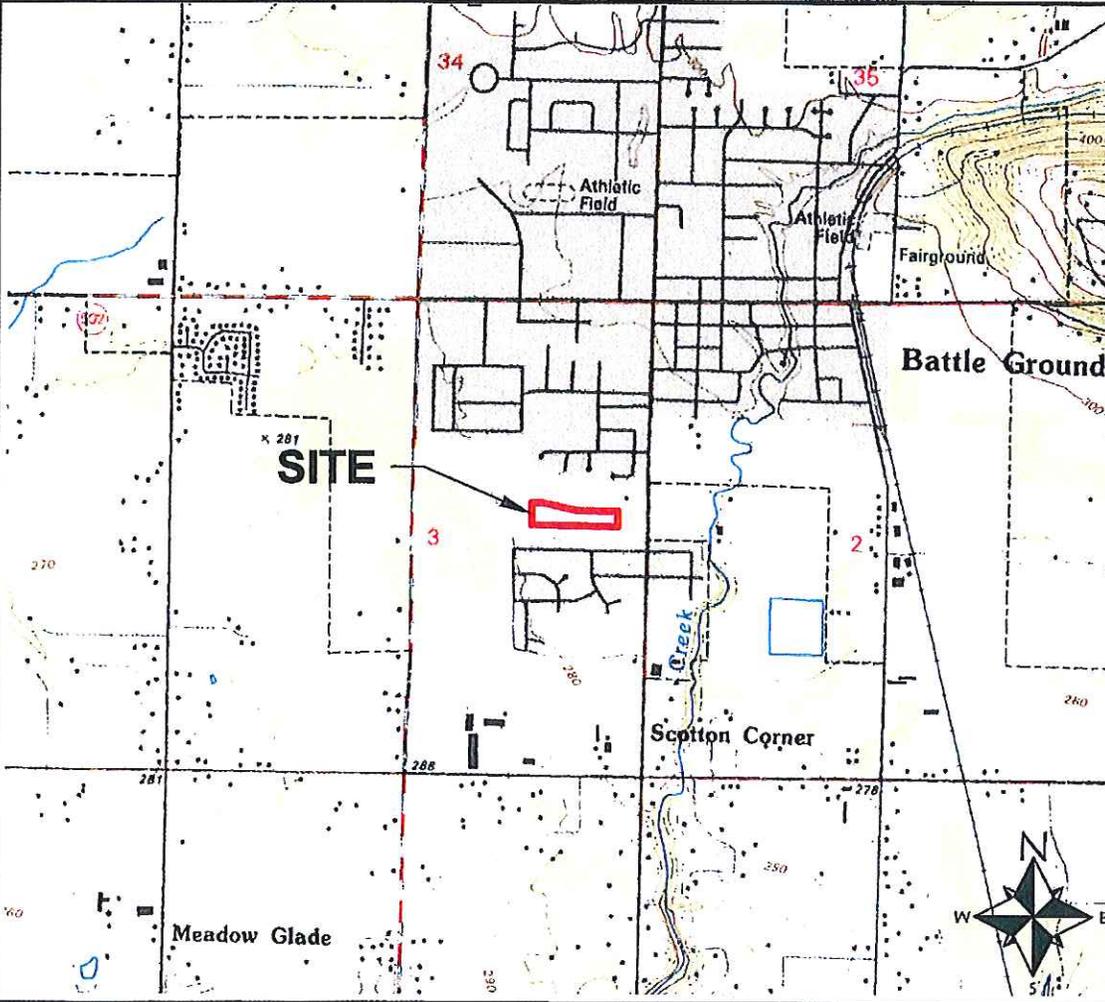
PURPOSE: Housing development

DATUM: NAD 27
ADJACENT PROPERTY OWNERS:
See JARPA



SCALE IN FEET

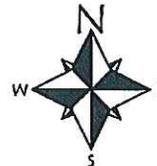
ECOLOGICAL LAND SERVICES, INC.
1157 3rd Avenue, Suite 220
Longview, WA 98652





NOTE(S):

1. Aerial photograph (2010) provided by Google Earth™.



SCALE IN FEET

ECOLOGICAL LAND SERVICES, INC.
 1157 3rd Avenue, Suite 220
 Longview, WA 98632

PURPOSE: Housing development

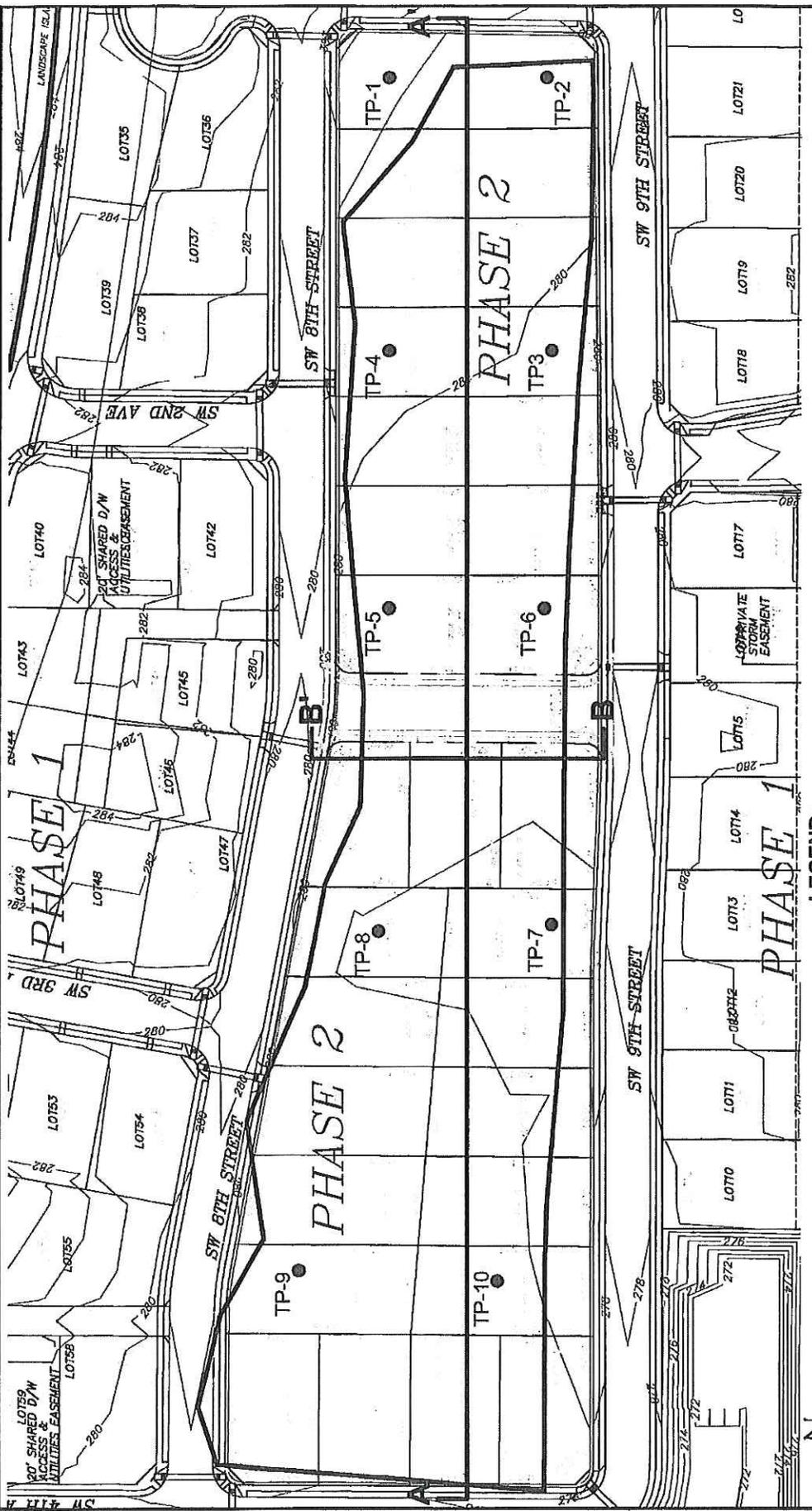
DATUM: NAD 83
ADJACENT PROPERTY OWNERS:
 See IARPA

AERIAL OVERVIEW

APPLICANT: Achen Development, LLC
PROJECT NAME: Copper Leaf Phase 2
REFERENCE #: NWS-2006-00392
SITE LOCATION ADDRESS:
 633 S. Parkway Avenue
 Battle Ground, WA 98604

PROPOSED: wetland fill

IN wetlands
NEAR: Battle Ground
COUNTY: Clark **STATE:** WA
SHEET 2 OF 7
DATE: ~~11/20/12~~ 11/20/12

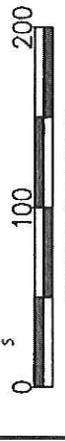


NOTE(S):

1. Base map from Hagedorn, Inc.
2. See Sheet 4 for Cross Section A-A'.
3. See Sheet 5 for Cross Section B-B'.

LEGEND:

- TP-1 ● Test Plot Location
- Wetland Boundary



SCALE IN FEET



ECOLOGICAL LAND SERVICES, INC.
 1157 3rd Avenue, Suite 220
 Longview, WA 98632

PURPOSE: Housing development

APPLICANT: Achen Development, LLC
PROJECT NAME: Copper Leaf Phase 2
REFERENCE #: NWS-2006-00392

SITE MAP

ADJACENT PROPERTY OWNERS: See JARPA

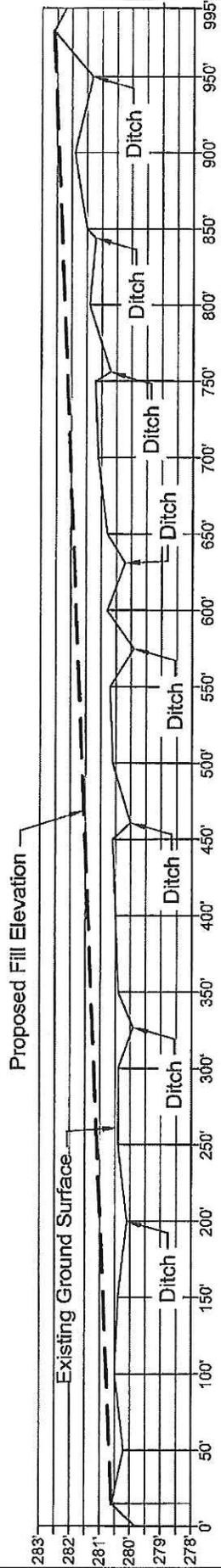
DATE: NAD 83
ADJACENT PROPERTY OWNERS: See JARPA

PROPOSED: wetland fill

IN wetlands
NEAR: Battle Ground
COUNTY: Clark
STATE: WA
SHEET 3 OF 7
DATE: 11/20/12

A

A'



HORIZONTAL SCALE IN FEET
VERTICAL SCALE = 20X

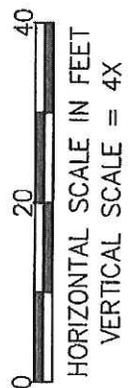
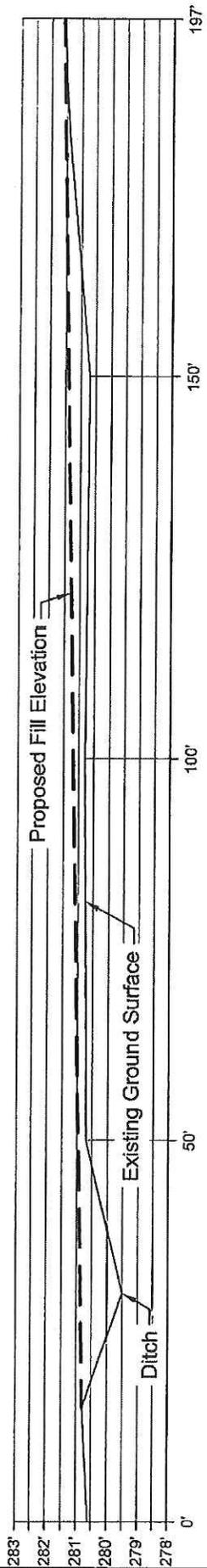
ECOLOGICAL LAND SERVICES, INC.
1157 3rd Avenue, Suite 220
Longview, WA 98652

NOTE(S):

1. Base map from Hagedorn, Inc.

<p>PURPOSE: Housing development</p>	<p>CROSS SECTION A-A'</p>	<p>PROPOSED: wetland fill</p>
<p>DATUM: NAD 83</p>	<p>APPLICANT: Achen Development, LLC</p>	<p>IN wetlands</p>
<p>ADJACENT PROPERTY OWNERS: See JARPA</p>	<p>PROJECT NAME: Copper Leaf Phase 2</p>	<p>NEAR: Battle Ground</p>
<p>ADJACENT PROPERTY OWNERS: See JARPA</p>	<p>REFERENCE #: NWS-2006-00392</p>	<p>COUNTY: Clark STATE: WA</p>
<p>ADJACENT PROPERTY OWNERS: See JARPA</p>	<p>SITE LOCATION ADDRESS: 633 S. Parkway Avenue Battle Ground, WA 98604</p>	<p>SHEET 4 OF 7 DATE: 11/20/12</p>

B B'

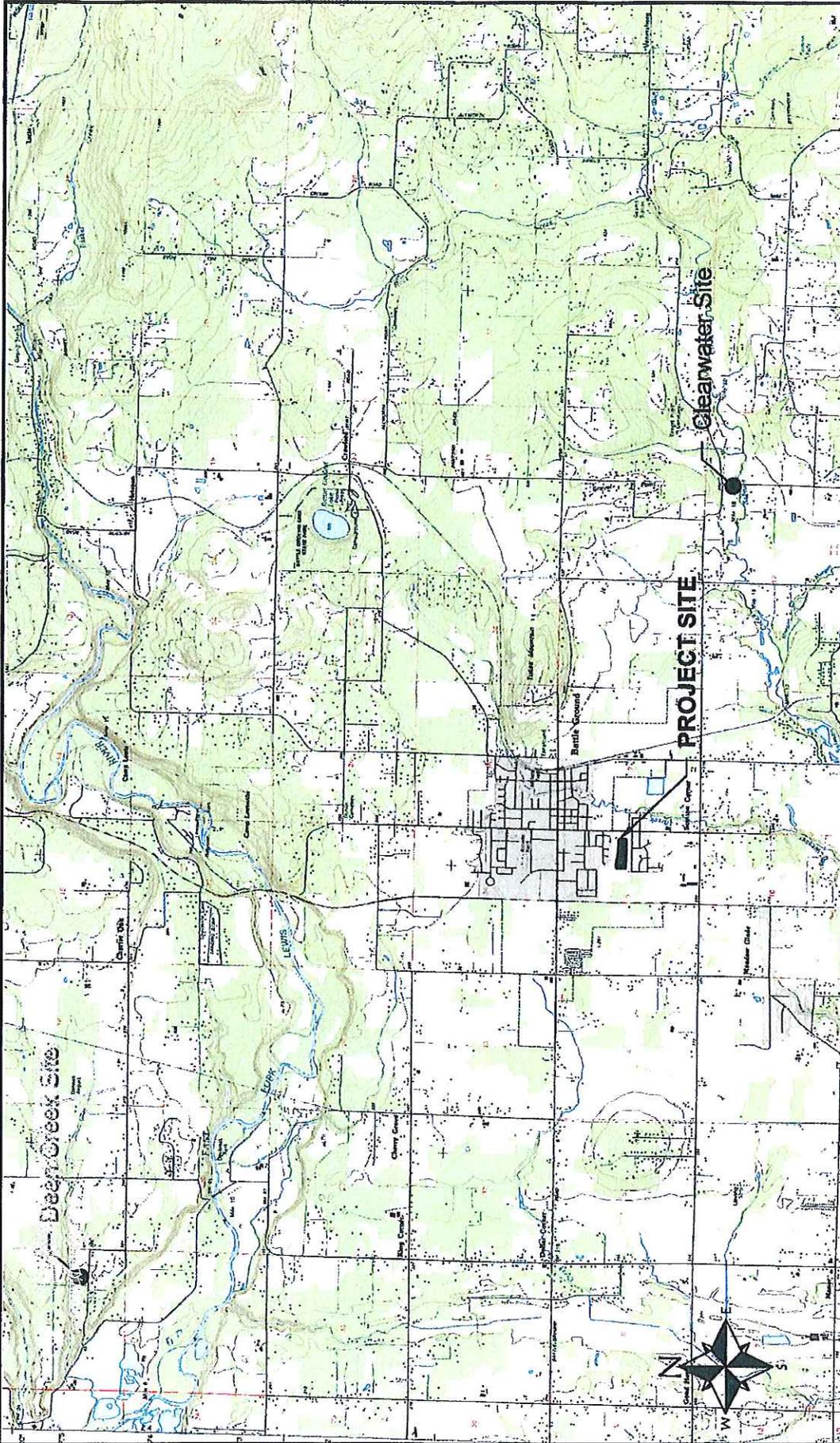


ECOLOGICAL LAND SERVICES, INC.
1157 3rd Avenue, Suite 220
Longview, WA 98632

NOTE(S):

1. Base map from Hagedorn, Inc.

<p>PURPOSE: Housing development</p> <p>DATUM: NAD 83</p> <p>ADJACENT PROPERTY OWNERS: See JARPA</p>	<p>CROSS SECTION B-B'</p> <p>APPLICANT: Achen Development, LLC</p> <p>PROJECT NAME: Copper Leaf Phase 2</p> <p>REFERENCE #: NWS-2006-00392</p> <p>SITE LOCATION ADDRESS: 633 S. Parkway Avenue Battle Ground, WA 98604</p>	<p>PROPOSED: wetland fill</p> <p>IN wetlands</p> <p>NEAR: Battle Ground</p> <p>COUNTY: Clark STATE: WA</p> <p>SHEET 5 OF 7</p> <p>DATE: 11/20/12</p>
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NOTE:

USGS topographic quadrangle map reproduced using MAPTECH Inc., Terrain Navigator Pro software.

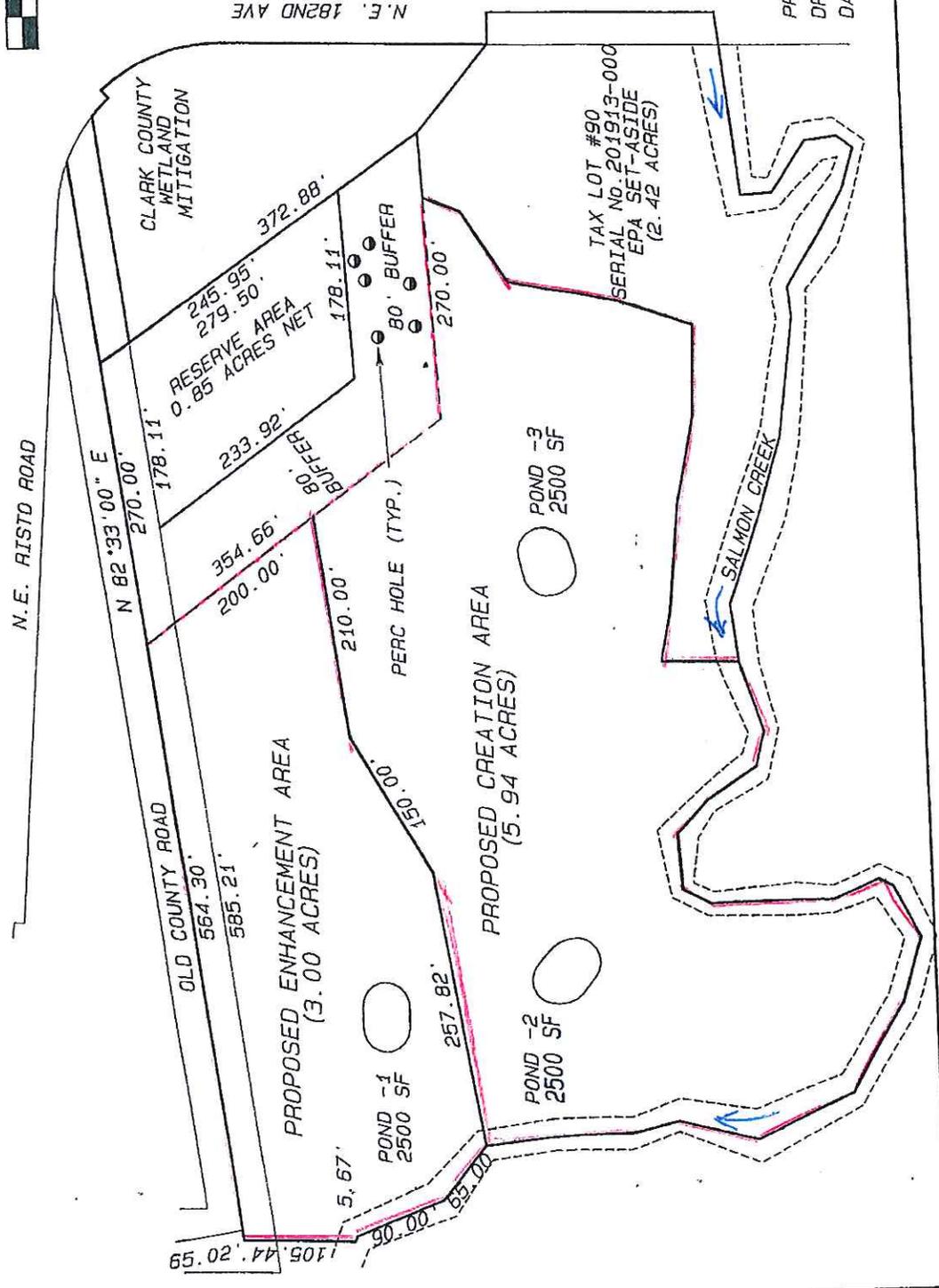
<p>PURPOSE: Housing development</p>	<p>MITIGATION AREA LOCATION MAP</p>	<p>PROPOSED: wetland fill</p>
<p>DATUM: NAD 27</p>	<p>APPLICANT: Achen Development, LLC</p>	<p>IN wetlands</p>
<p>ADJACENT PROPERTY OWNERS: See IARPA</p>	<p>PROJECT NAME: Copper Leaf Phase 2</p>	<p>NEAR: Battle Ground</p>
<p>ECOLOGICAL LAND SERVICES, INC. 1157 3rd Avenue, Suite 220 Longview, WA 98632</p>	<p>REFERENCE #: NWS-2006-00392</p>	<p>COUNTY: Clark STATE: WA</p>
<p>SCALE IN MILES</p> 	<p>SITE LOCATION ADDRESS: 633 S. Parkway Avenue Battle Ground, WA 98604</p>	<p>SHEET 6 OF XX 7</p>
<p>DATE: 11/20/12 11/20/12</p>		

Purpose: Housing Development Applicant: Achen Development LLC Proposed: Wetland Fill
 Datum: NAD 27 Project Name: Copperleaf Phase 2 In: Wetlands
 Adjacent Property Owners: Reference: NWS-2006-00392 Near: Battle Ground

CLEARWATER MITIGATION PLAN

OF
 TAX LOT #16, SERIAL NO. 201840-000
 IN THE NW 1/4 OF SECTION 7
 T3N, R3E, W. M. CLARK CO. WA.

see JARPA
 Site Address: 33 S. Parkway Avenue
 Battle Ground, WA
 County: Clark State: WA
 Sheet: 7 of 7
 Date: 11/20/12



Total 8.94 Ac
 Used 1.00 Ac
 Available 7.94 Ac



PREPARED BY: HAGEDORN INC
 DRAWN BY: R.D. SMITH
 DATE: ~~10/24/12~~