



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: (206) 764-6910  
Attn: Jonathan Smith, 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 11, 2013  
Expiration Date: February 10, 2013

Reference No.: NWS-2010-1059  
Name: Marysville Public Works

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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 October 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 and the Coastal Zone Management Act.

APPLICANT: Marysville Public Works  
80 Columbia Avenue  
Marysville, Washington 98270  
Attention: Mr. Kevin Nielsen, Director  
Telephone: (360) 363-8121 E-mail: [knielsen@marysvillewa.gov](mailto:knielsen@marysvillewa.gov)

AGENT: Ms. Kari Chennault  
Marysville Public Works  
80 Columbia Avenue  
Marysville, Washington 98270  
Telephone: (360) 363-8277

LOCATION: Smokey Point Master Plan area, Marysville, Snohomish County, Washington.

WORK: Relocate and restore Edgecomb Creek aquatic functions including aquatic habitat, stormwater retention, and water quality improvement. Fill 13,400 lineal feet of former Edgecomb and Hayho Creek channels, fill 4.32 acres of scattered wetlands, and 8,690 lineal feet of agricultural drainage ditches. Fill 9,860 lineal feet of roadside ditch to widen an existing principal arterial, 51st Avenue Northeast.

PURPOSES: Provide institutional and business office, retail, manufacturing, and warehouse building space including attendant features (e.g. stormwater management facilities, local and interior access roads, parking) in the Everett metropolitan area. Maintain north-south mobility as population and employment grow in the north Marysville area.

**ADDITIONAL INFORMATION:** Placement of fill in roadside ditches and stream crossings to widen the principal arterial, 156th/152nd Street Northeast, would result in loss of less than 0.5 of acre of waters of the U.S. and has independent utility from the rest of the proposed business park development. So this activity will be evaluated for authorization under Nationwide Permit 14 (Linear Transportation Projects) rather than included in this individual permit review. The 51st Avenue Northeast principal arterial also has independent utility from the business development, but is being evaluated as part of this individual permit action because aquatic losses would exceed 0.5 of an acre. The applicant also proposes to re-locate and restore 1,700 lineal feet of Hayho Creek under Nationwide Permit 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities). This project also would have independent utility from the rest of the business park development.

Proposed work (not in wetlands) includes three road or railroad spur crossings of the relocated Edgecomb Creek corridor north of 152nd Street Northeast.

Copies of this public notice, which have been mailed or otherwise physically distributed, feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project.

**MITIGATION:** This is a joint restoration and compensatory mitigation project. Edgecomb Creek relocation impacts would be mitigated by creating more habitat-diverse channel and floodplain features in a new restoration/mitigation corridor. South of 152nd Street Northeast, 3.3 acres of wetland would be created and re-established in this corridor, of which 0.77 of an acre will be created to compensate for wetland/stream/ditch losses associated with the 156th/152nd Street Northeast project proposed for authorization under Nationwide Permit 14, and 1.96 acres of existing wetlands impacted by the restoration/stormwater management project will be re-graded and re-established near their original location. North of 152nd Street Northeast, approximately 16 acres of wetland would be created and re-established, 10.16 acres of which will be used to compensate for the 6.57-acre loss associated with filling the former Edgecomb and Hayho Creek channels, agricultural ditches, and scattered wetlands. A minimum 100-foot wide buffer would bound each side of the new Edgecomb Creek corridor and adjacent wetlands.

**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. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area.

If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

**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. No known historic properties occur in the vicinity of the proposed project. However, the property is relatively undisturbed. Because of its location on the landscape there is a high likelihood that unknown historic properties occur in the project area. An historic properties investigation may be required during the permit application review. 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.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**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 alternatives 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.

**ADDITIONAL EVALUATION:** The proposed project is in a coastal zone management area, but does not require a Shoreline Substantial Development Permit.

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.

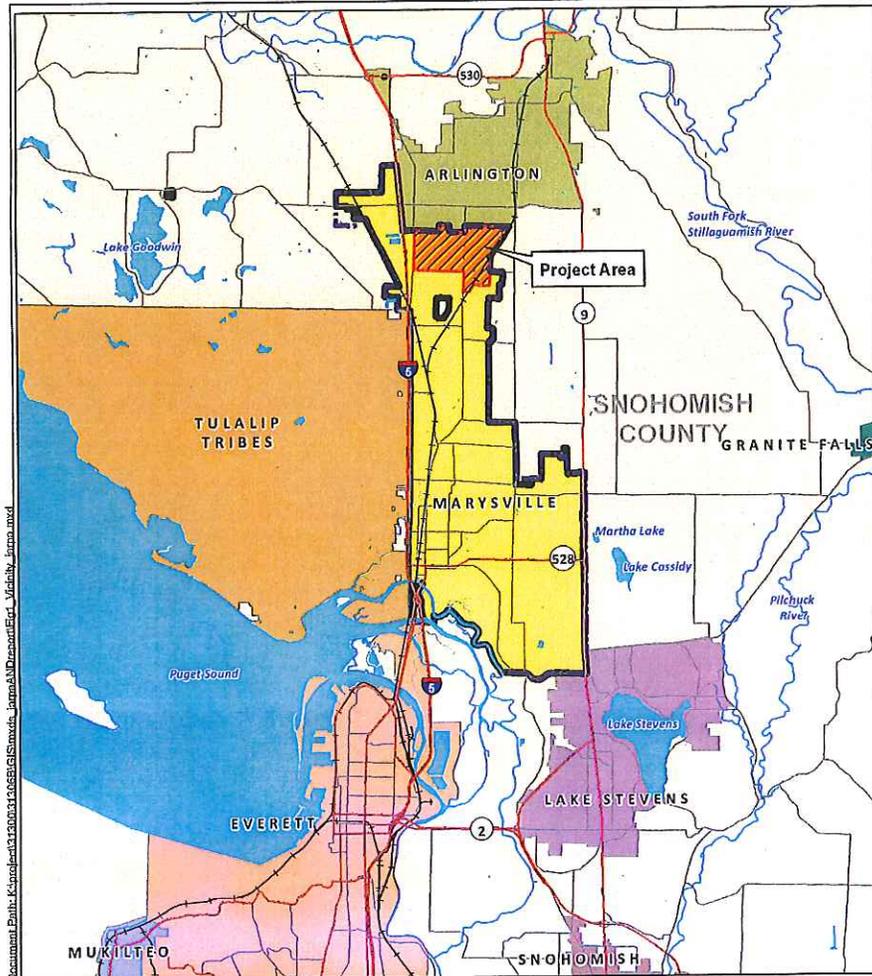
CORPS COMMENTS: All e-mail comments should be sent to [Jonathan.Smith@usace.army.mil](mailto:Jonathan.Smith@usace.army.mil) . Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Jonathan Smith, P.O. Box 3755, Seattle, Washington 98124-3755. All comments 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](mailto: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: Marysville Public Works, NWS-2010-1059

Encl: Figures (9)

# VICINITY MAP



**N**

0 12,000  
Feet  
1 Inch = 12,000 feet

**LEGEND**

- MARYSVILLE CITY LIMITS (2008)
- URBAN GROWTH BOUNDARY
- PROJECT AREA
- STREAMS
- WATERBODIES

**CITY OF MARYSVILLE**  
NORTH MARYSVILLE MASTER DRAINAGE PLAN  
FIGURE 1.  
VICINITY MAP

Plotfile: Oct 23, 2012 -- 4:18pm ryanh K:\project\31300\3130066\Draw\corpa\Figures\Figure1.dwg Layout Name: Figure 1

DATE: October 2012

**PURPOSE:** Relocate Edgcomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area  
*Lat: 48.13624° Long: -122.15375*  
**DATUM:**

**APPLICANT:** City of Marysville & Property Owners

**REFERENCE #:** NWS-2010-1059

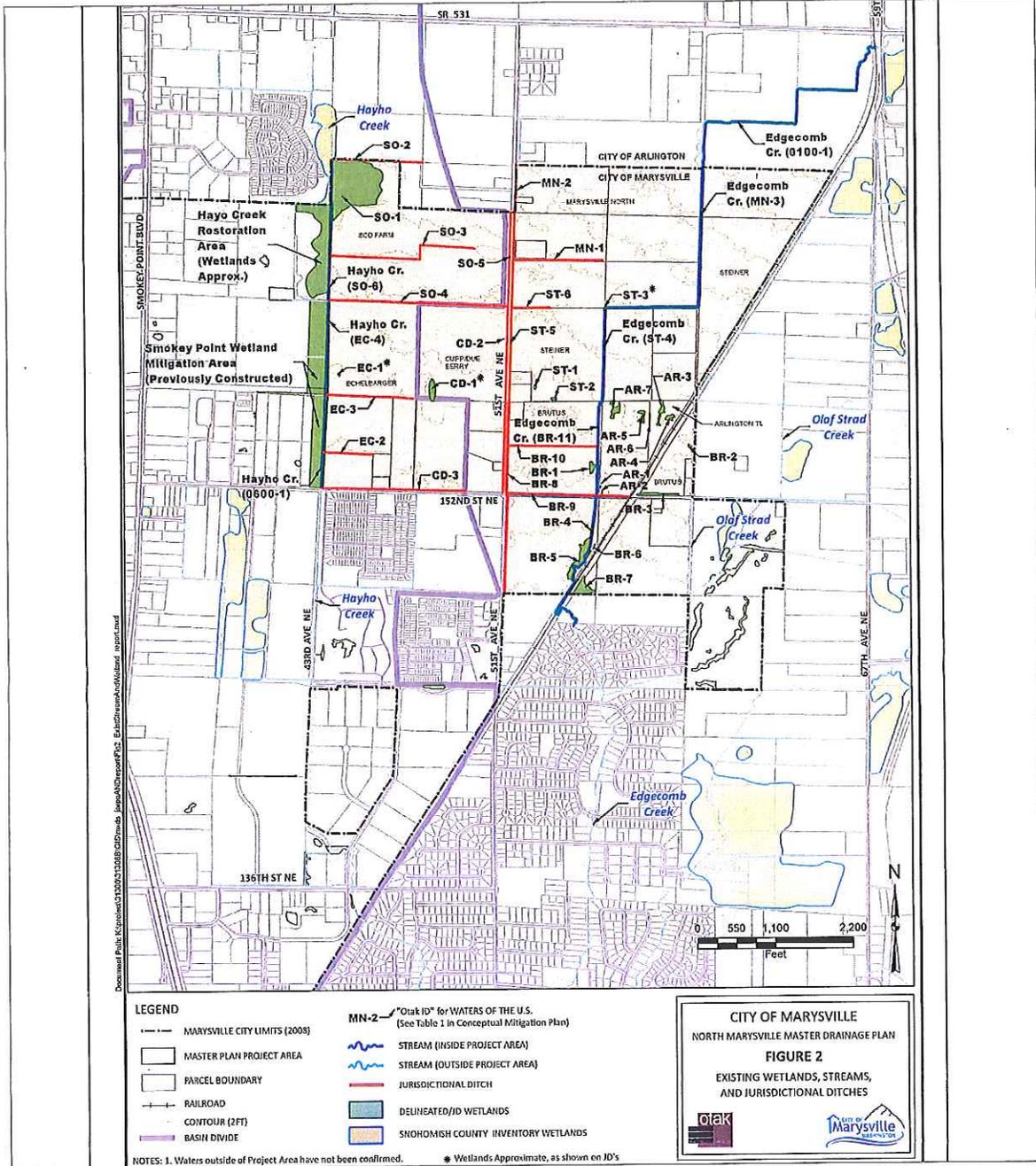
**SITE LOCATION ADDRESS:** Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E

**PROPOSED WORK:** Realignment of Edgcomb and Hayho Creeks, Floodplain & Wetland/ Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities.

**NEAR:** Marysville  
**COUNTY:** Snohomish **STATE:** WA  
**SHEET 1 OF 9**

**ADJACENT PROPERTY OWNERS:**  
 1. See attached

# EXISTING WETLANDS, STREAMS AND JURISDICTIONAL DITCHES



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DATE: October 2012

**PURPOSE:** Relocate Edgecomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area

**DATUM:**

**ADJACENT PROPERTY OWNERS:**  
1. See attached

**APPLICANT:** City of Marysville & Property Owners

**REFERENCE #:** NWS-2010-1059

**SITE LOCATION ADDRESS:** Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E

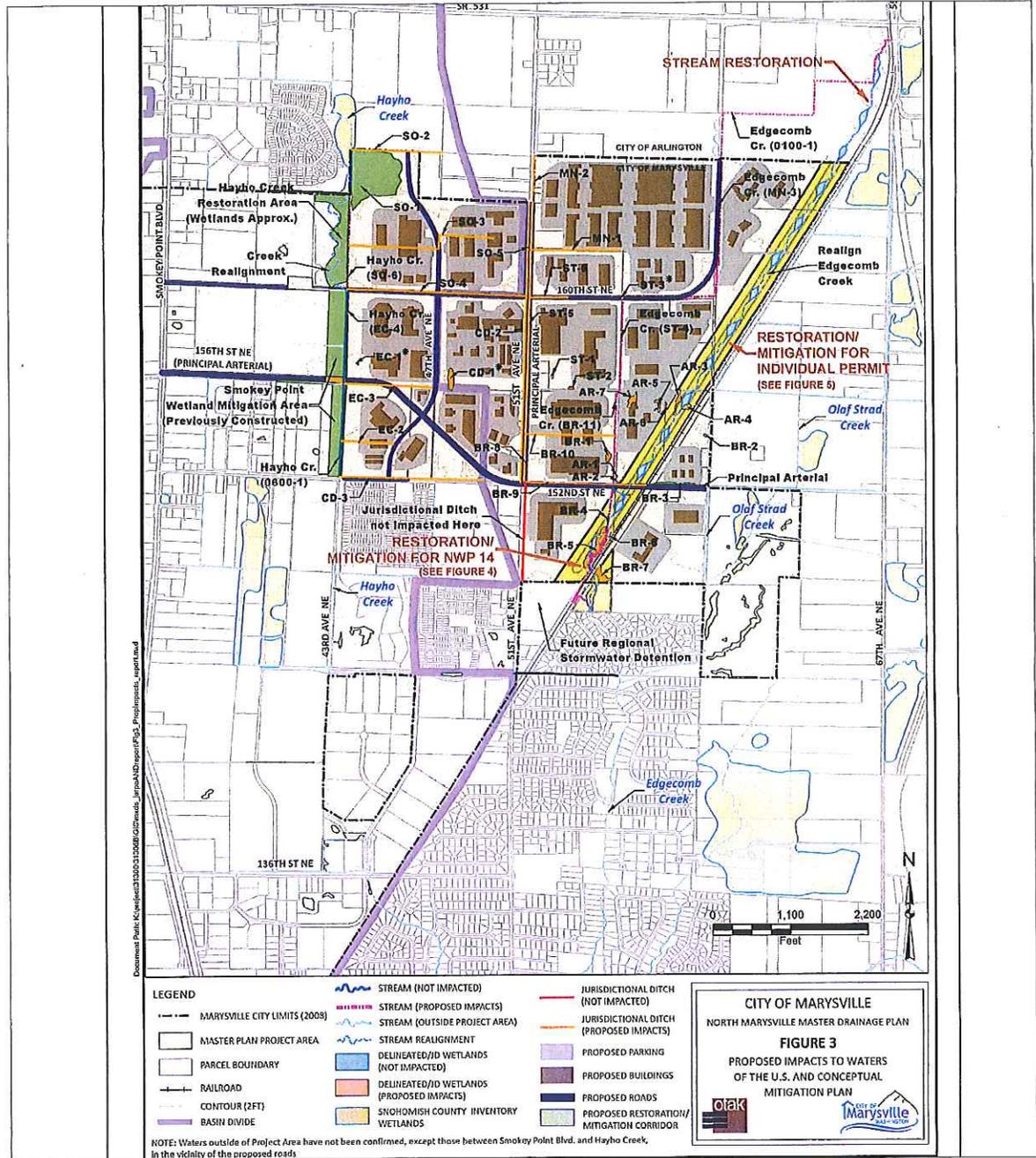
**PROPOSED WORK:** Realignment of Edgecomb and Hayho Creeks, Floodplain & Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities

**NEAR:** Marysville

**COUNTY:** Snohomish      **STATE:** WA

**SHEET 2 OF 9**

# PROPOSED IMPACTS TO WATERS OF THE U.S AND CONCEPTUAL MITIGATION PLAN



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DATE: October 2012

**PURPOSE:** Relocate Edgcomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area

**APPLICANT:** City of Marysville & Property Owners

**PROPOSED WORK:** Realignment of Edgcomb and Hayho Creeks, Floodplain & Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities

**NEAR:** Marysville  
**COUNTY:** Snohomish **STATE:** WA  
**SHEET 3 OF 9**

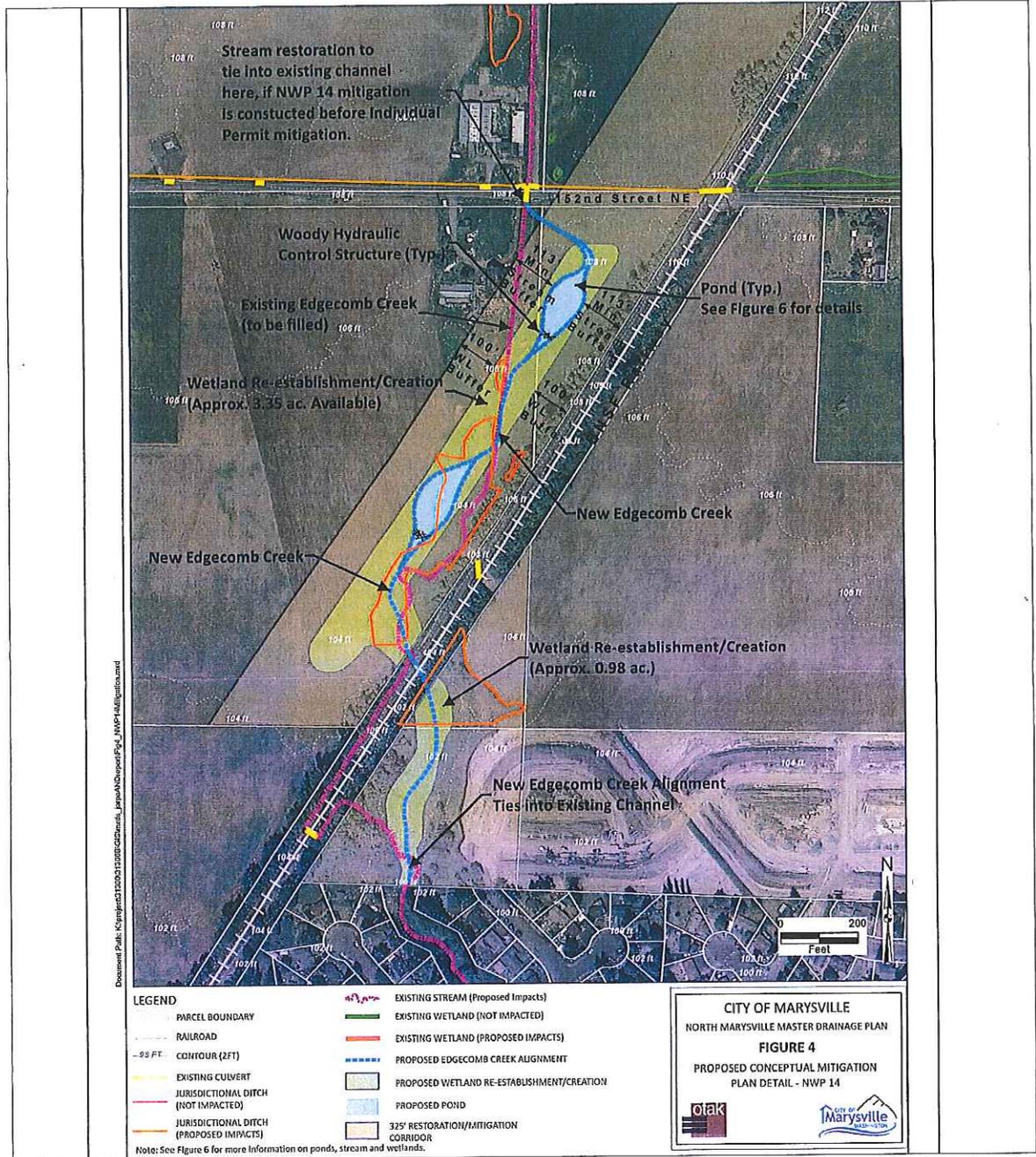
**DATUM:**

**REFERENCE #:** NWS-2010-1059

**ADJACENT PROPERTY OWNERS:**  
1. See attached

**SITE LOCATION ADDRESS:** Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E

**PROPOSED CONCEPTUAL MITIGATION PLAN DETAIL - NWP 14**



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DATE: October 2012

**PURPOSE:** Relocate Edgcomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area

**APPLICANT:** City of Marysville & Property Owners

**PROPOSED WORK:** Realignment of Edgcomb and Hayho Creeks, Floodplain & Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities

**NEAR:** Marysville

**COUNTY:** Snohomish **STATE:** WA

**SHEET 4 OF 9**

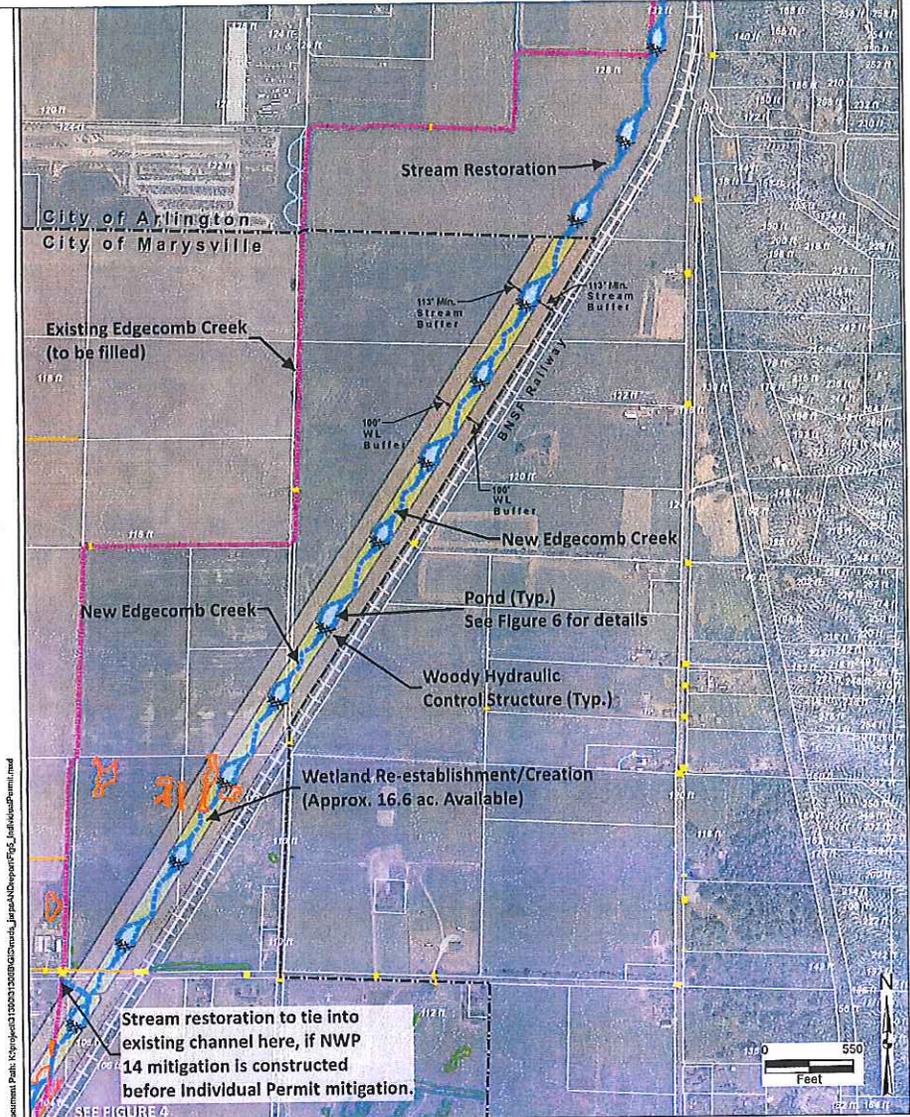
**DATUM:**

**REFERENCE #:** NWS-2010-1059

**ADJACENT PROPERTY OWNERS:**  
1. See attached

**SITE LOCATION ADDRESS:** Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E

**PROPOSED CONCEPTUAL MITIGATION PLAN DETAIL - INDIVIDUAL PERMIT**



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SEE FIGURE 4

LEGEND	
—	PARCEL BOUNDARY
- - -	MARYSVILLE CITY LIMITS (2008)
—	RAILROAD
- - -	93 FF- CONTOUR (2FT)
—	EXISTING CULVERT
—	JURISDICTIONAL DITCH (NOT IMPACTED)
—	JURISDICTIONAL DITCH (PROPOSED IMPACTS)
—	EXISTING STREAM (PROPOSED IMPACTS)
—	EXISTING WETLAND (NOT IMPACTED)
—	EXISTING WETLAND (PROPOSED IMPACTS)
—	PROPOSED EDGCOMB CREEK ALIGNMENT
—	PROPOSED WETLAND RE-ESTABLISHMENT/CREATION
—	PROPOSED POND
—	325' RESTORATION/MITIGATION CORRIDOR

Note: See Figure 6 for more information on ponds, stream and wetlands.

CITY OF MARYSVILLE  
NORTH MARYSVILLE MASTER DRAINAGE PLAN  
**FIGURE 5**  
PROPOSED CONCEPTUAL MITIGATION  
PLAN DETAIL - INDIVIDUAL PERMIT

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DATE: October 2012

**PURPOSE:** Relocate Edgcomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area

**DATUM:**

**ADJACENT PROPERTY OWNERS:**  
1. See attached

**APPLICANT:** City of Marysville & Property Owners

**REFERENCE #:** NWS-2010-1059

**SITE LOCATION ADDRESS:** Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E

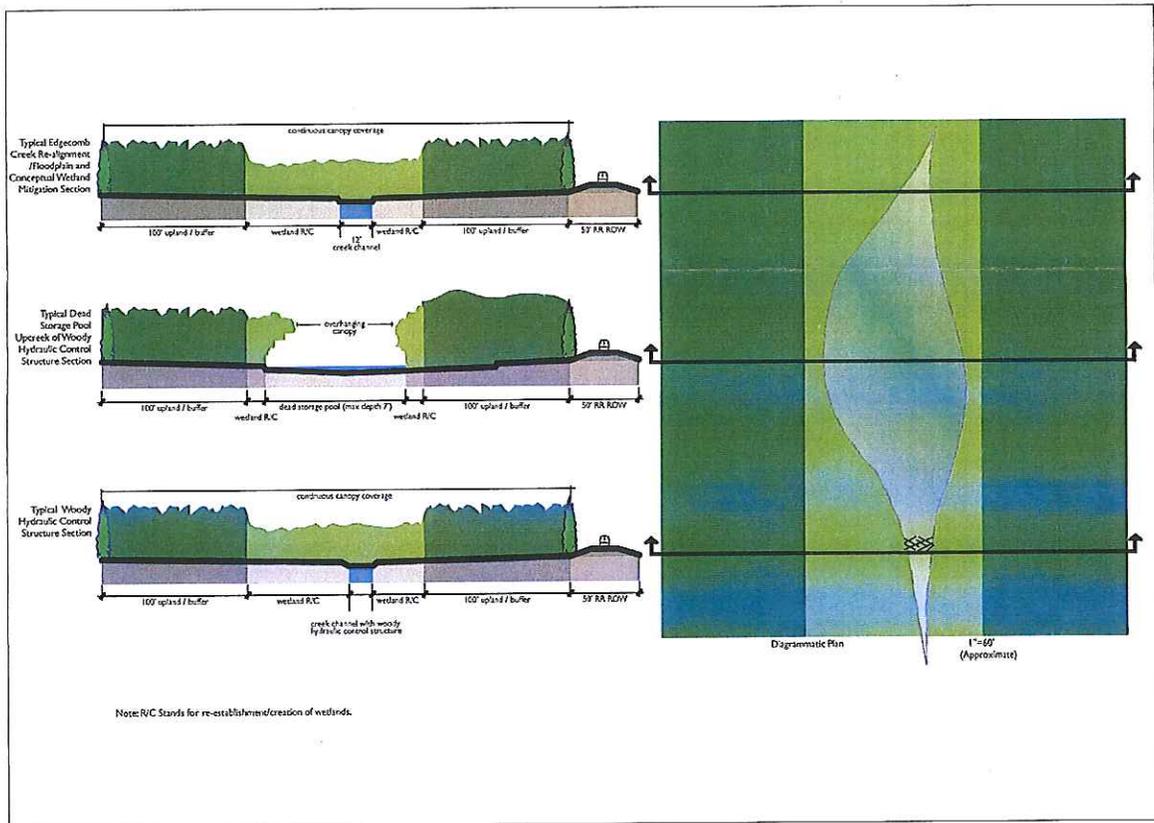
**PROPOSED WORK:** Realignment of Edgcomb and Hayho Creeks, Floodplain & Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities

**NEAR:** Marysville

**COUNTY:** Snohomish      **STATE:** WA

**SHEET 5 OF 9**

## TYPICAL CROSS-SECTION FOR MITIGATION AREA



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DATE: October 2012

**PURPOSE:** Relocate Edgcomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area

**DATUM:**

**ADJACENT PROPERTY OWNERS:**  
1. See attached

**APPLICANT:** City of Marysville & Property Owners

**REFERENCE #:** NWS-2010-1059

**SITE LOCATION ADDRESS:** Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E

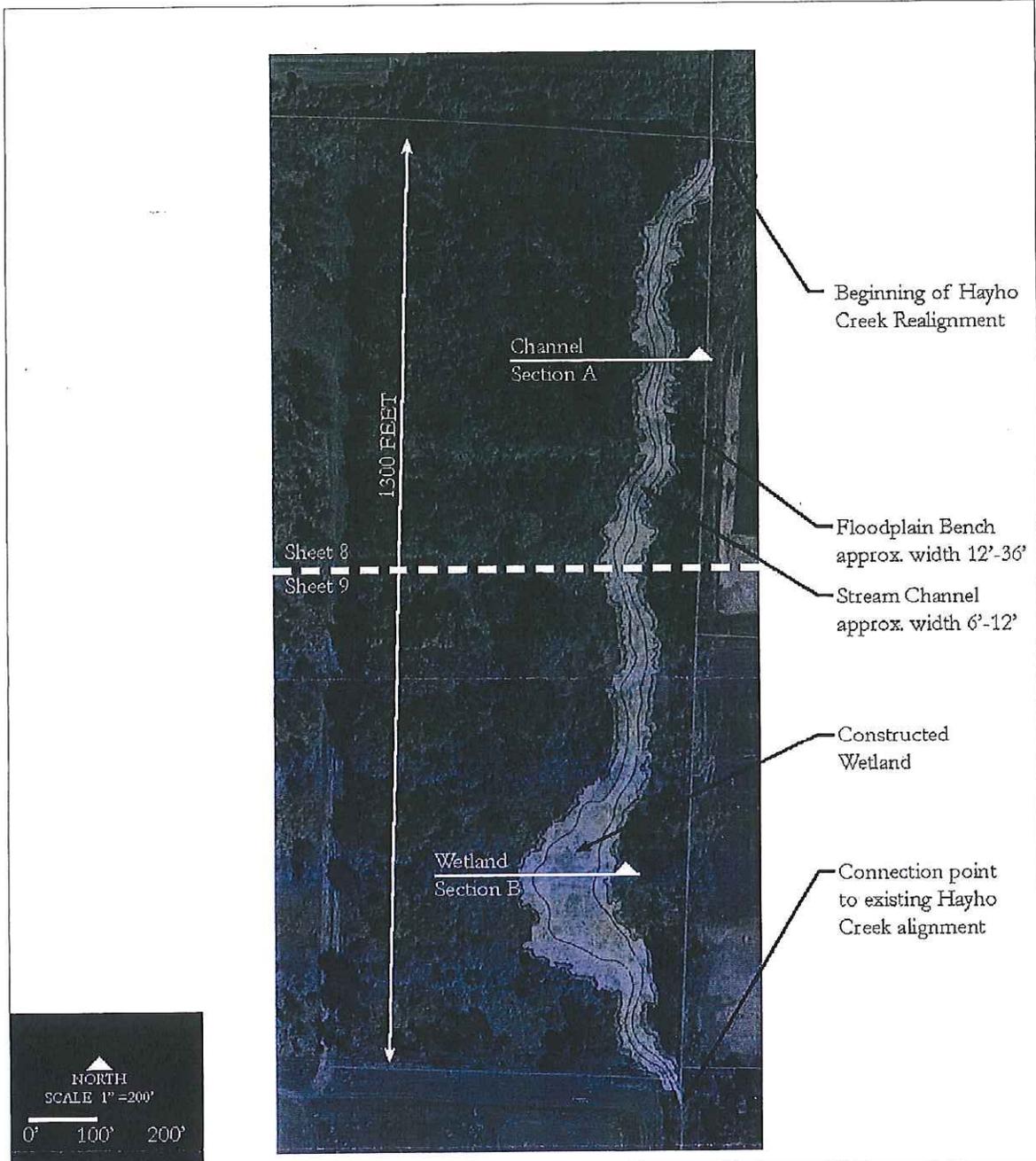
**PROPOSED WORK:** Realignment of Edgcomb and Hayho Creeks, Floodplain & Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities

**NEAR:** Marysville

**COUNTY:** Snohomish      **STATE:** WA

**SHEET 6 OF 9**

## PROPOSED HAYHO ALIGNMENT



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DATE: October 2012

**PURPOSE:** Relocate Edgecomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area

**APPLICANT:** City of Marysville & Property Owners

**PROPOSED WORK:** Realignment of Edgecomb and Hayho Creeks, Floodplain & Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities

**DATUM:**

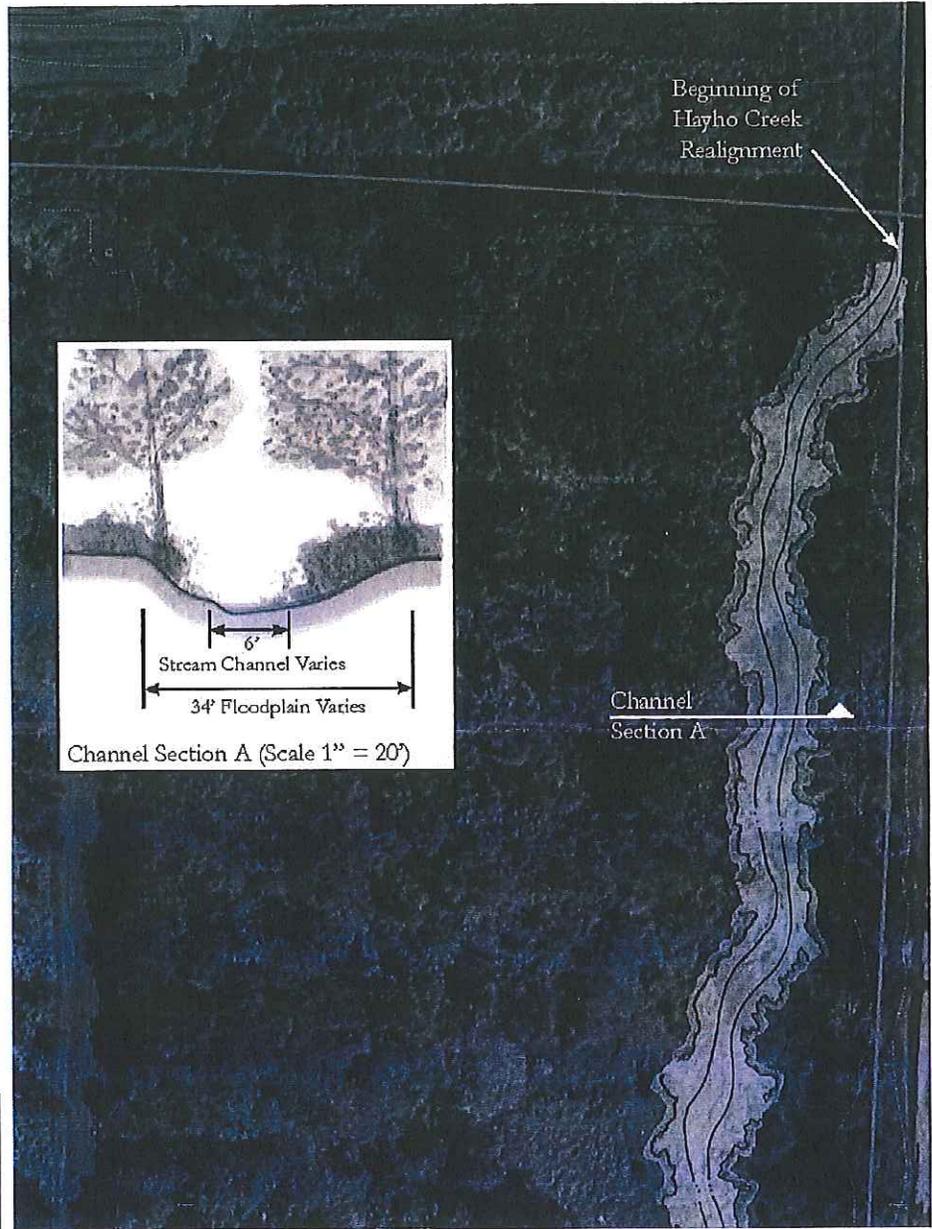
**REFERENCE #:** NWS-2010-1059

**NEAR:** Marysville  
**COUNTY:** Snohomish    **STATE:** WA  
**SHEET 7 OF 9**

**ADJACENT PROPERTY OWNERS:**  
 1. See attached

**SITE LOCATION ADDRESS:** Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E

# HAYHO DETAIL SECTION A

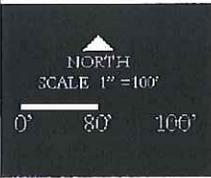
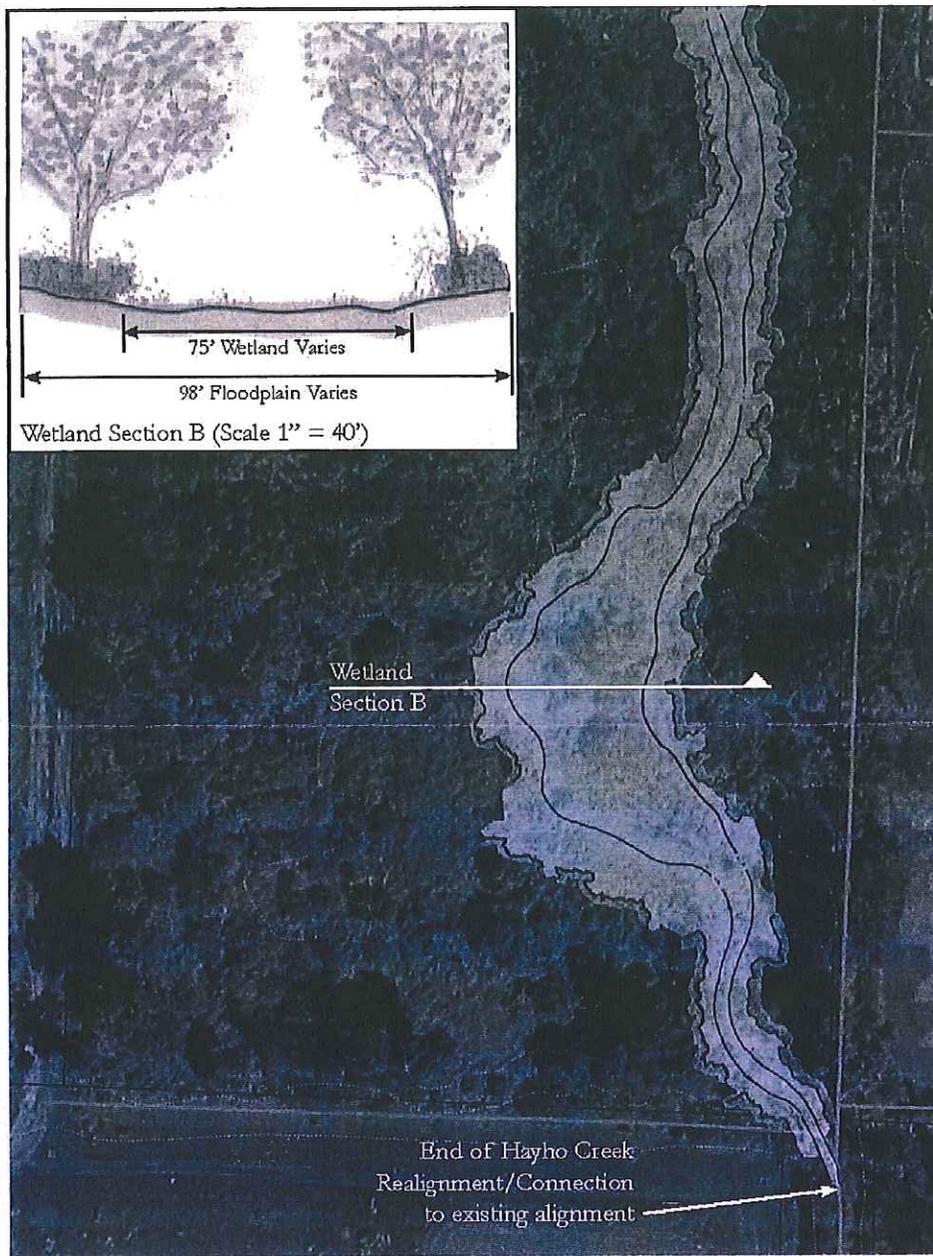


DATE: October 2012

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<p><b>PURPOSE:</b> Relocate Edgecomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area</p>	<p><b>APPLICANT:</b> City of Marysville &amp; Property Owners</p>	<p><b>PROPOSED WORK:</b> Realignment of Edgecomb and Hayho Creeks, Floodplain &amp; Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities</p>
<p><b>DATUM:</b></p>	<p><b>REFERENCE #:</b> NWS-2010-1059</p>	<p><b>NEAR:</b> Marysville</p>
<p><b>ADJACENT PROPERTY OWNERS:</b> 1. See attached</p>	<p><b>SITE LOCATION ADDRESS:</b> Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E</p>	<p><b>COUNTY:</b> Snohomish      <b>STATE:</b> WA <b>SHEET 8 OF 9</b></p>

## HAYHO DETAIL SECTION B



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DATE: October 2012

<p><b>PURPOSE:</b> Relocate Edgecomb Creek out of the Light Industrial Zone to Provide Commercial and Industrial Development Area</p> <p><b>DATUM:</b></p> <p><b>ADJACENT PROPERTY OWNERS:</b> 1. See attached</p>	<p><b>APPLICANT:</b> City of Marysville &amp; Property Owners</p> <p><b>REFERENCE #:</b> NWS-2010-1059</p> <p><b>SITE LOCATION ADDRESS:</b> Portions of Sections 20, 21, 22, 27, 28, 29; Township 30N; Range 5E</p>	<p><b>PROPOSED WORK:</b> Realignment of Edgecomb and Hayho Creeks, Floodplain &amp; Wetland/Waters Mitigation for Construction of Business Park including City Arterials and Stormwater Facilities</p> <p><b>NEAR:</b> Marysville</p> <p><b>COUNTY:</b> Snohomish     <b>STATE:</b> WA</p> <p style="text-align: right;"><b>SHEET 9 OF 9</b></p>
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