



US Army Corps
of Engineers
Seattle District



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 22, 2013
Expiration Date: February 21, 2013

Reference No.: NWS-2011-430
Name: Omega Funding LLC

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 December 12, 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: Omega Funding LLC
5009 Pacific Highway East, Unit 9-0
Tacoma, Washington 98424

AGENT: PacWest Engineers
ATTN: Mr. Brandon Smith
10209 Bridgeport Way SW, #C1
Lakewood, Washington 98499
Telephone: (253) 830-5960
E-mail: bsmith@pacweste.com

LOCATION: Parkland area near Tacoma, Pierce County, Washington.

WORK: Fill 0.9 of an acre of wetlands (plus associated buffers) to construct multi-family housing and attendant facilities.

PURPOSE: Provide low to moderate income housing in the Tacoma metropolitan area.

MITIGATION: Create 1.59 of an acre of palustrine wetland with an open water component (Wetlands B1 – B3). Enhance and preserve 2.28 acres of existing wetland (Wetlands B, C, D). Re-grade and plant 100- and 75-foot wetland buffers along west side of mitigation area.

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

NWS-2011-430; Omega Funding LLC

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.

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 actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The Corps has determined 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. There are no recorded historic properties within the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. 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.

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.

NWS-2011-430; Omega Funding LLC

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

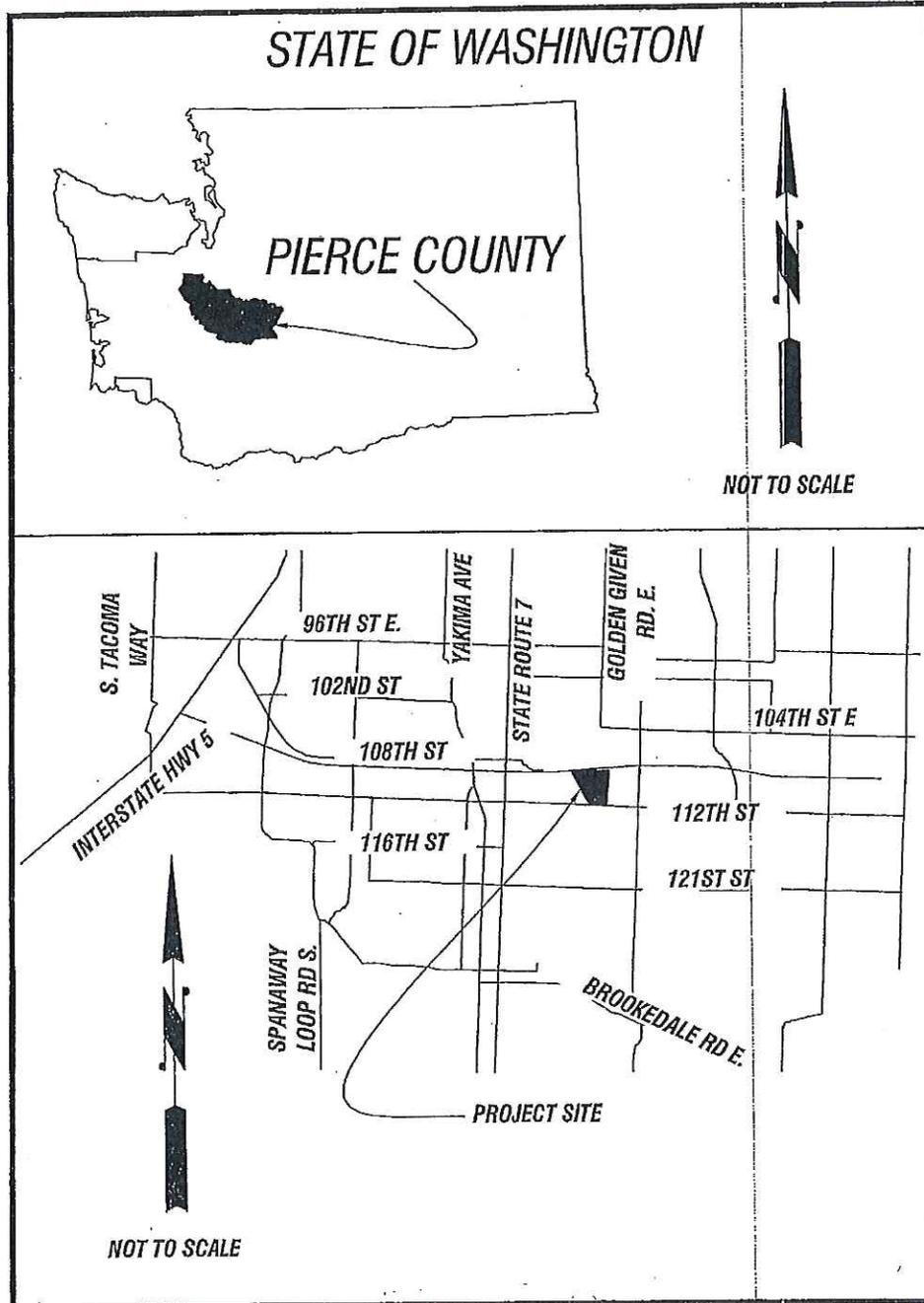
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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. 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: Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

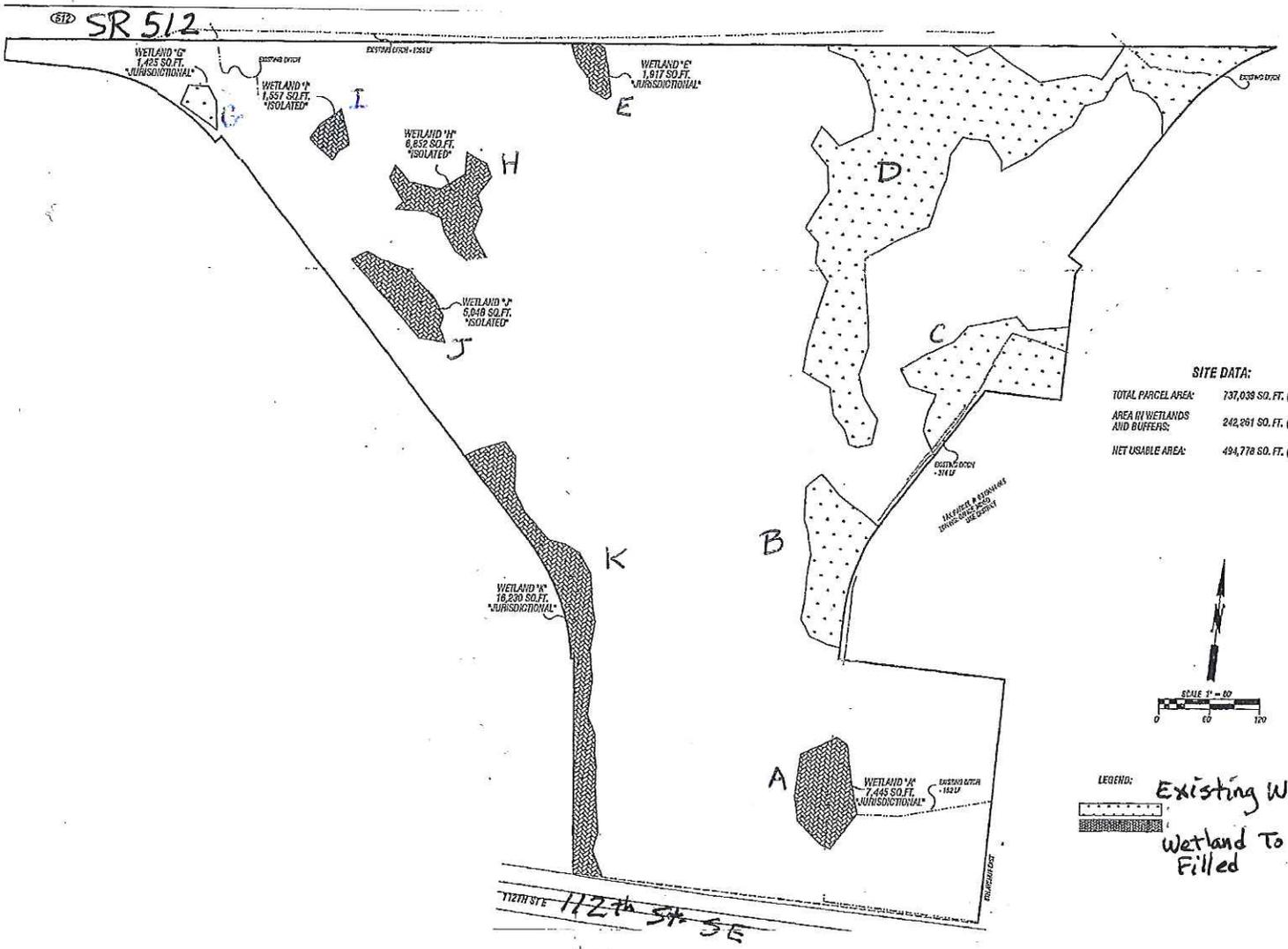
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Omega Funding LLC; NWS-2011-430

Encl: Figures (5)



VICINITY MAP

PURPOSE: provide housing	APPLICANT: Omega Funding LLC	PROPOSED: construct multi-family housing
DATUM:	REFERENCE: NWS-2011-430	IN: wetlands
Latitude: 47.15721° N	LOCATION ADDRESS:	NEAR/AT: Parkland
Longitude: -122.42309° W	700 Block – 112 th St. East	COUNTY: Pierce STATE: WA
		SHEET 1 OF 5 DATE: December 12, 2012



SITE DATA:

TOTAL PARCEL AREA:	737,038 SQ. FT. (16.92 ACRES)
AREA IN WETLANDS AND BUFFERS:	242,261 SQ. FT. (5.56 ACRES)
NET USABLE AREA:	494,778 SQ. FT. (11.36 ACRES)

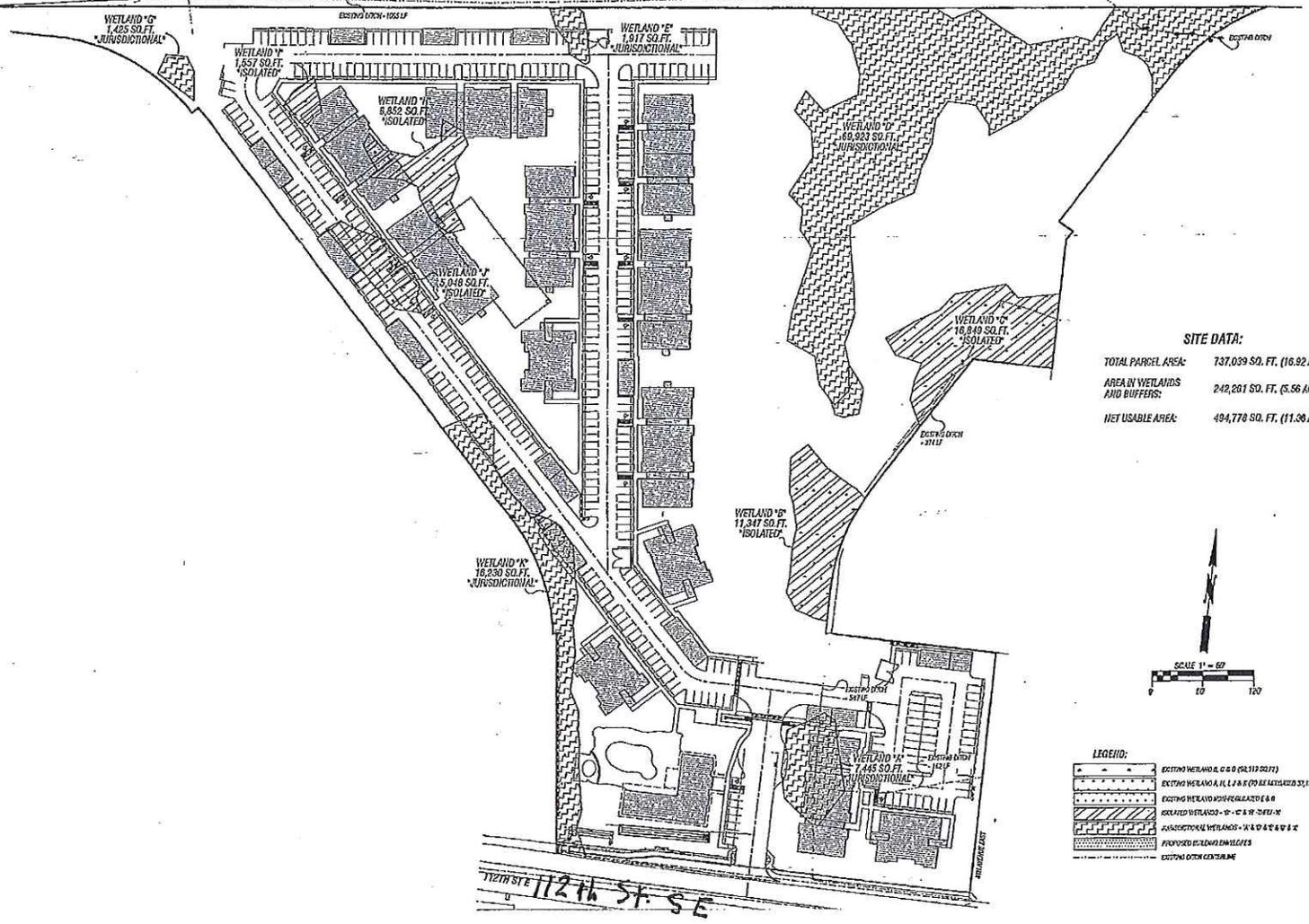


LEGEND:
 Existing Wetland
 Wetland To Be Filled

AREA OF PROPOSED WETLAND FILL

PURPOSE: provide housing DATUM:	APPLICANT: Omega Funding LLC REFERENCE: NWS-2011-430 LOCATION ADDRESS: 700 Block – 112 th St. East	PROPOSED: construct multi-family housing IN: wetlands NEAR/AT: Parkland COUNTY: Pierce STATE: WA SHEET 2 OF 5 DATE: December 12, 2012
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SR512



SITE DATA:

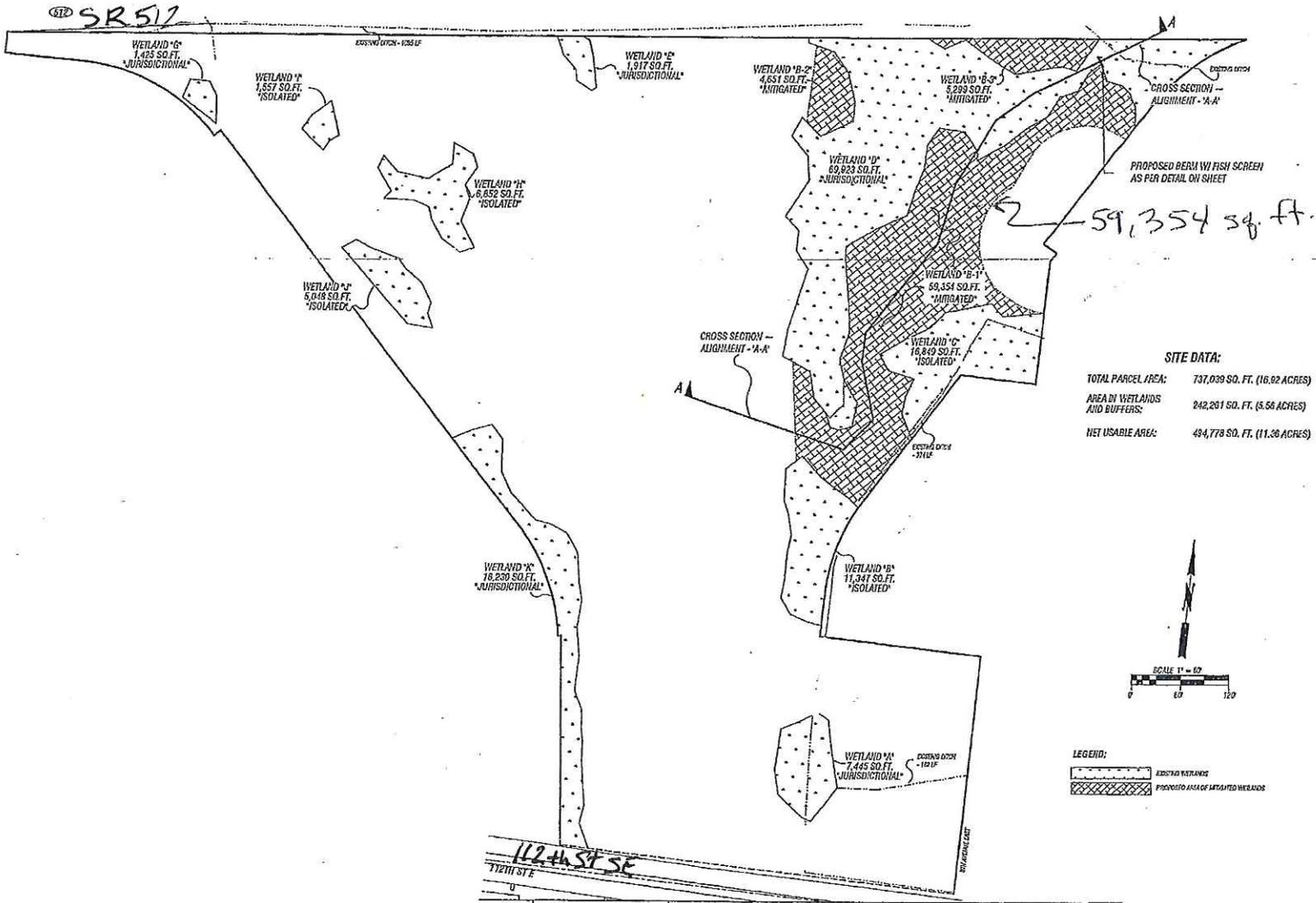
TOTAL PARCEL AREA:	737,039 SQ. FT. (16.92 ACRES)
AREA IN WETLANDS AND BUFFERS:	242,201 SQ. FT. (5.56 ACRES)
NET USABLE AREA:	494,778 SQ. FT. (11.36 ACRES)

LEGEND:

	EXISTING WETLAND - C 6.0 (24,112 SQ. FT.)
	EXISTING WETLAND - H 1.1 A & B (29,845 SQUARED SQ. FT.)
	EXISTING WETLAND AND BUFFER ZONE (48,000 SQ. FT.)
	EXISTING WETLAND - P - C 1.1 (2,112 SQ. FT.)
	EXISTING WETLAND - W 1.0 & 2.0 (4,000 SQ. FT.)
	PROPOSED BUILDING FOOTPRINTS
	EXISTING OTHER FEATURES

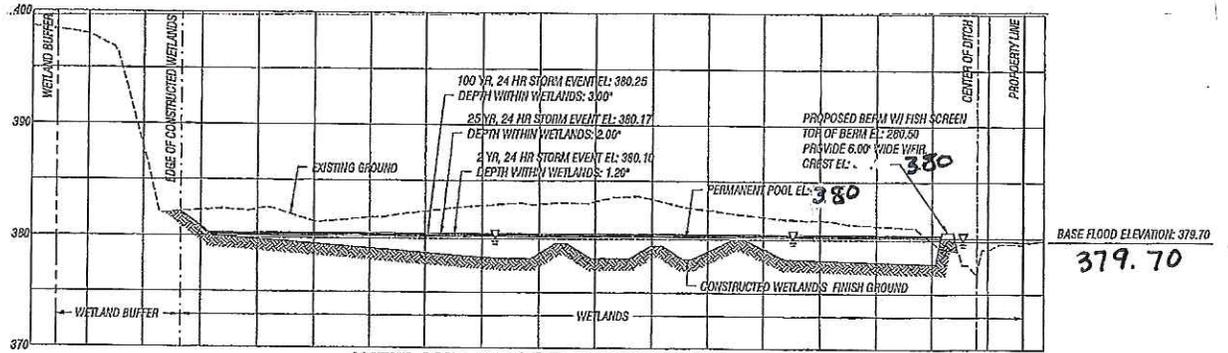
PROPOSED DEVELOPMENT

<p>PURPOSE: provide housing</p> <p>DATUM:</p>	<p>APPLICANT: Omega Funding LLC</p> <p>REFERENCE: NWS-2011-430</p> <p>LOCATION ADDRESS: 700 Block - 112th St. East</p>	<p>PROPOSED: construct multi-family housing</p> <p>IN: wetlands</p> <p>NEAR/AT: Parkland</p> <p>COUNTY: Pierce STATE: WA</p> <p>SHEET 3 OF 5</p> <p>DATE: December 12, 2012</p>
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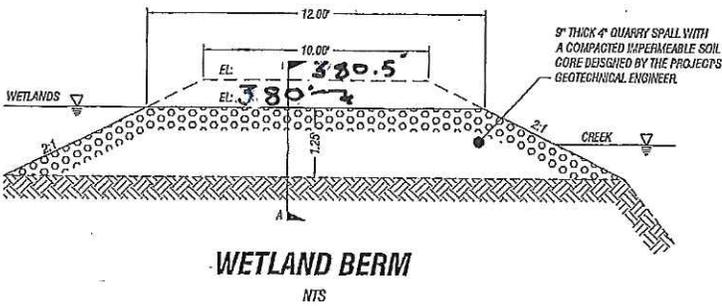
PROPOSED MITIGATION AREA – PLAN VIEW

<p>PURPOSE: provide housing</p> <p>DATUM:</p>	<p>APPLICANT: Omega Funding LLC</p> <p>REFERENCE: NWS-2011-430</p> <p>LOCATION ADDRESS: 700 Block – 112th St. East</p>	<p>PROPOSED: construct multi-family housing</p> <p>IN: wetlands</p> <p>NEAR/AT: Parkland</p> <p>COUNTY: Pierce STATE: WA</p> <p>SHEET 4 OF 5</p> <p>DATE: December 12, 2012</p>
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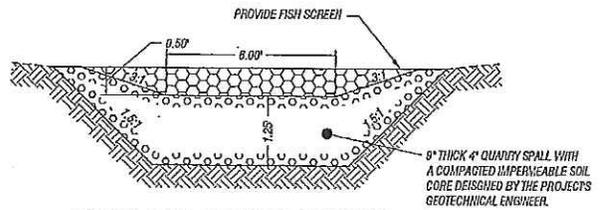
WETLAND CROSS-SECTION A-A

1" = 50' H
1" = 5' V



WETLAND BERM

NTS



WETLAND BERM SECTION A-A

NTS

PROPOSED MITIGATION AREA – CROSS-SECTION VIEWS

PURPOSE: provide housing	APPLICANT: Omega Funding LLC	PROPOSED: construct multi-family housing
DATUM:	REFERENCE: NWS-2011-430	IN: wetlands
	LOCATION ADDRESS: 700 Block – 112 th St. East	NEAR/AT: Parkland COUNTY: Pierce STATE: WA
		SHEET 5 OF 5
		DATE: December 12, 2012