



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 (360) 734-3156
Attn: Randel Perry, 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: March 6, 2015

Expiration Date: April 5, 2015

Reference No.: NWS-2013-1115

Name: Bellingham, City of

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 16, 2013.

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.

NOTE: A Public Notice for the project was issued on November 26, 2013. The project has been revised. This notice provides information on the new project design.

APPLICANT: City of Bellingham
210 Lottie Street
Bellingham, Washington 98225
Attention: Mr. Sam Shipp
Telephone: (360) 778-7942

AGENT: Widener and Associates
10108 32nd Avenue West, Suite D
Everett, Washington 98204
Attention: Mr. Ross Widener
Telephone: (425) 348-3059

LOCATION: In wetlands adjacent to Bear Creek near Bellingham, Whatcom County, Washington.

WORK: Excavation and fill in 1.20 acres of wetlands to construct a regional stormwater treatment facility.

PURPOSE: Provide stormwater detention and treatment for surrounding developed properties.

ADDITIONAL INFORMATION: Work will involve excavating and grading 0.70 acres of Category II and III palustrine forested wetlands to construct the stormwater facility basin and excavate and grading in 0.50 acres of Category II and III palustrine forested wetlands to install a 48-inch stormwater pipe and access road from the existing City system to the pond. Pond construction will require excavations to approximately 25 feet deep; trench excavation for pipe will be 6 to 8 feet deep. An outfall will be installed from the pond to Bear Creek. All work will be performed by mechanical equipment; temporary sediment and erosion controls will be employed to protect downstream waters.

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: As compensation for wetland impacts, the applicant is proposing to create 3.0 acres of palustrine forested wetlands at an offsite location north of the project site. In addition, to offset 1.36 acres of permanent buffer impacts, the applicant is proposing to enhance uplands at the mitigation site at a 1:1 ratio

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 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 notice, the Corps will evaluate the potential impacts to proposed and/or listed species and 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. 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 will 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.

NWS-2013-1115, Bellingham, City of

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 project is outside the City of Bellingham's Shoreline Management Program jurisdictional area.

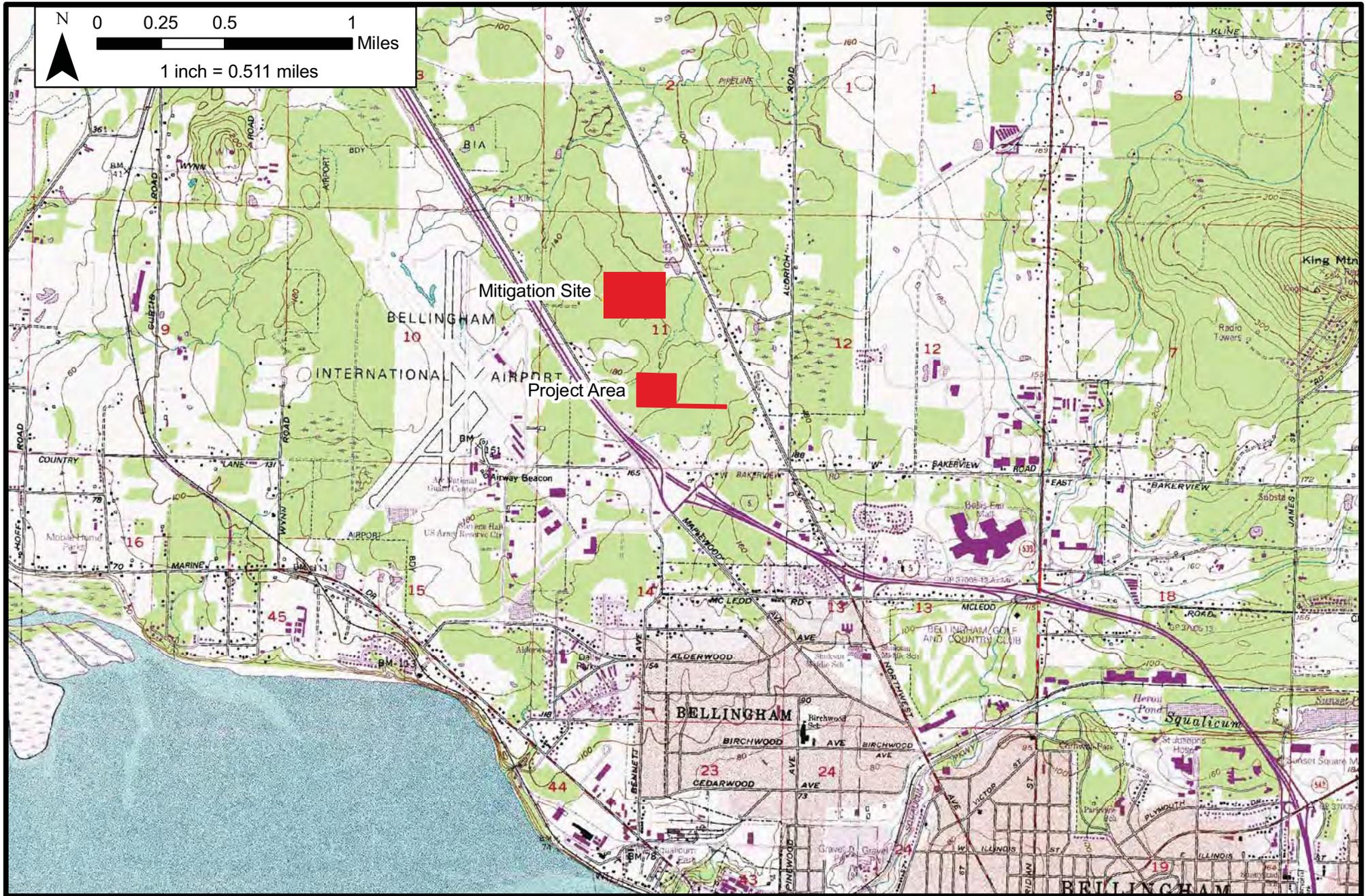
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 randel.j.perry@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Randel Perry, 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: Bellingham, City of, NWS-2013-1115

Encl: Figures (14)



Reference #: NWS-2013-1115
 Applicant: City of Bellingham
 Adjacent Property Owners:
 1. Rockport Holdings LLC 380211196236
 2. Homestead Furnishings Inc. 380211164193

Location: North of Pacific Hwy and
 Bakerview Rd Intersection
 Lat/Long: 48.7972 N/-122.5232 W
 TRS: 28N 2E 11
 Sheet 1 of 14

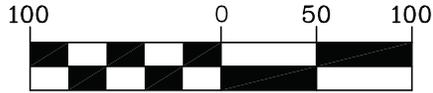
Proposed Project: North End Regional Pond
 In: Wetland
 At: Bellingham
 County: Whatcom
 2/2/2015



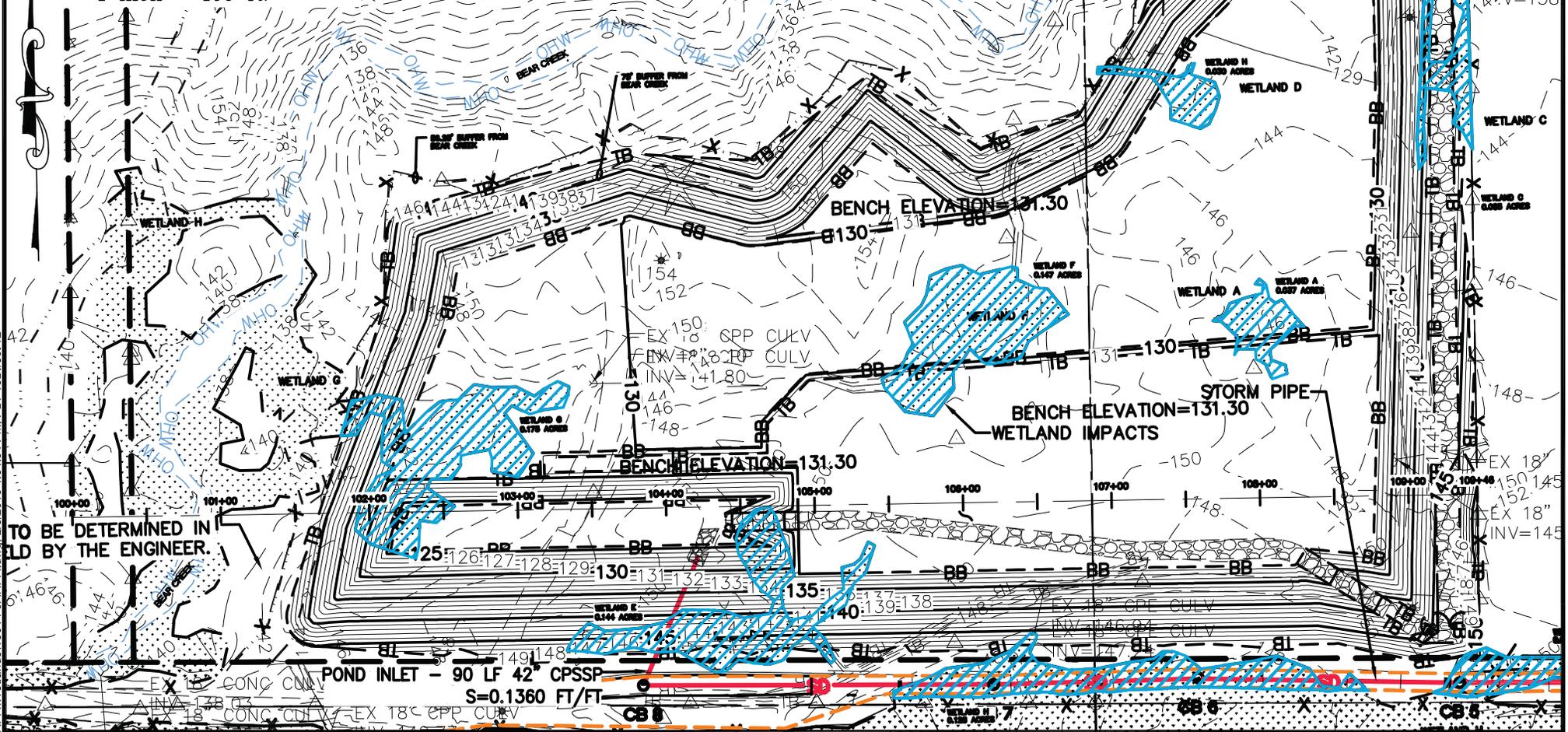
Reference #:NWS-2013-1115
Applicant: City of Bellingham
Project: North End Regional Pond
Sheet 2 of 14
2/2/15

Project Area

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



R&E Reichhardt & Ebe
ENGINEERING INC

423 Front St., Lynden, WA 98264 (360) 354-3687
813 Metcalf St., Sedro-Woolley, WA 98284 (360) 855-1713

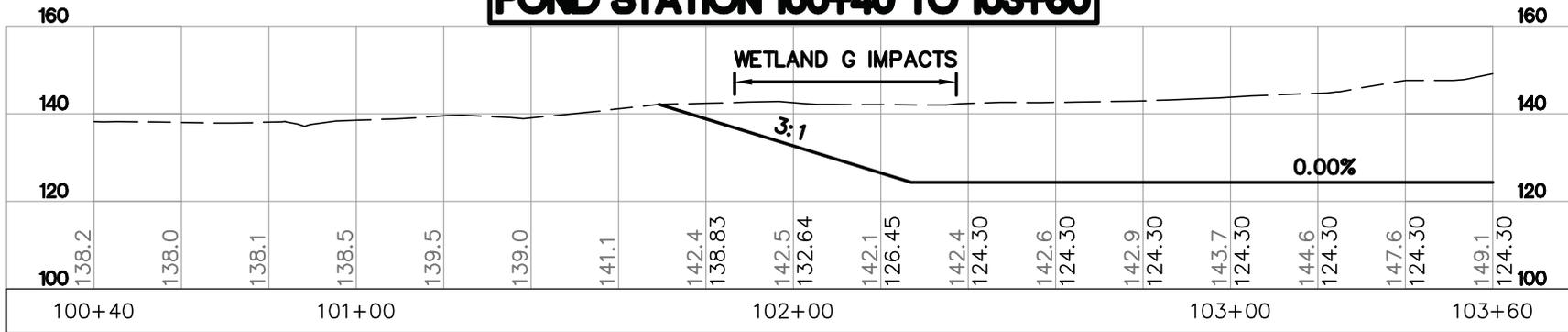
CITY OF BELLINGHAM
NORTH END REGIONAL POND
STORM WATER SEWER DETENTION POND PLAN VIEW

DATE: 2/2/2015 SCALE: 1" = 100' JOB #: 13014
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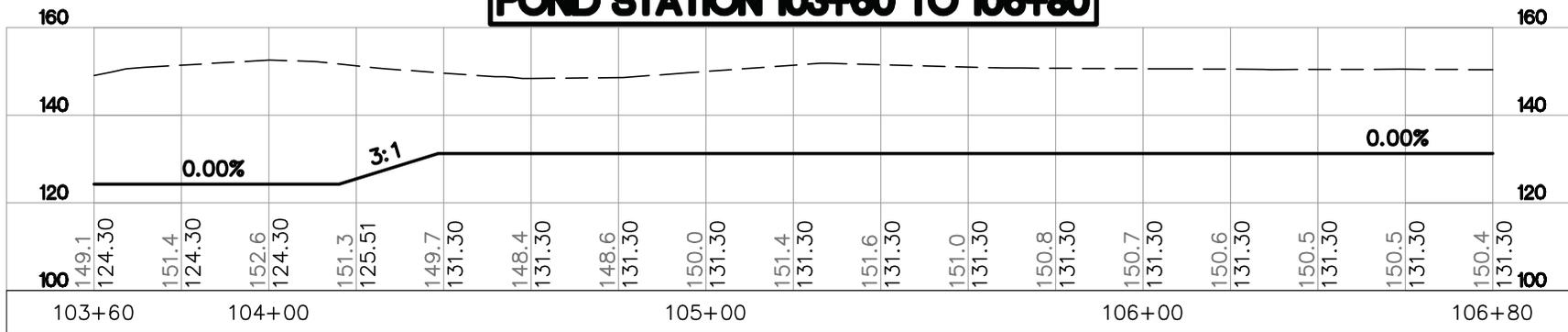
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APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND

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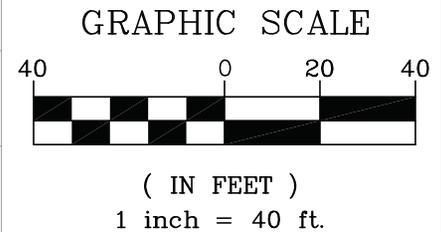
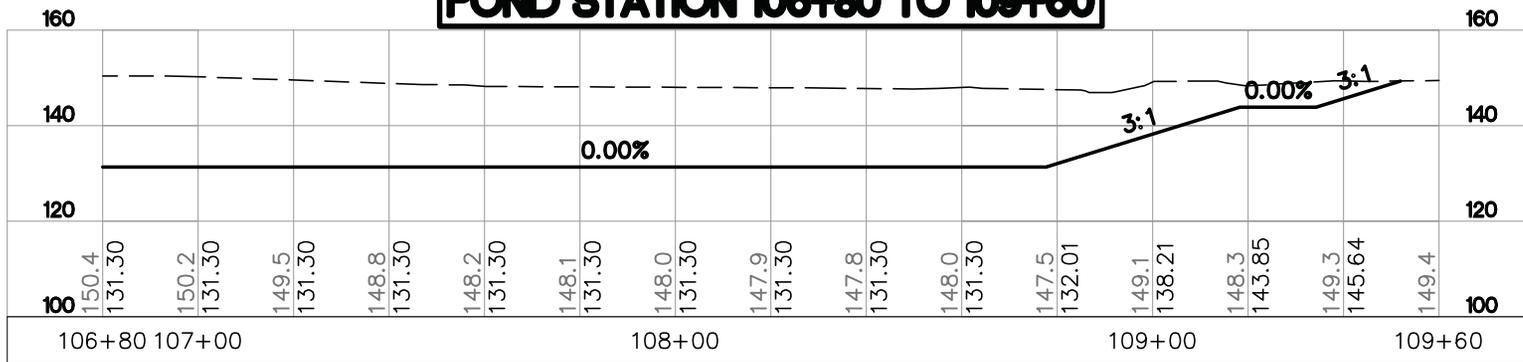
POND STATION 100+40 TO 103+60



POND STATION 103+60 TO 106+80



POND STATION 106+80 TO 109+60



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CITY OF BELLINGHAM

NORTH END REGIONAL POND

STORM WATER SEWER DETENTION POND PROFILE VIEW

DATE: 2/2/2015

SCALE: 1" = 40'

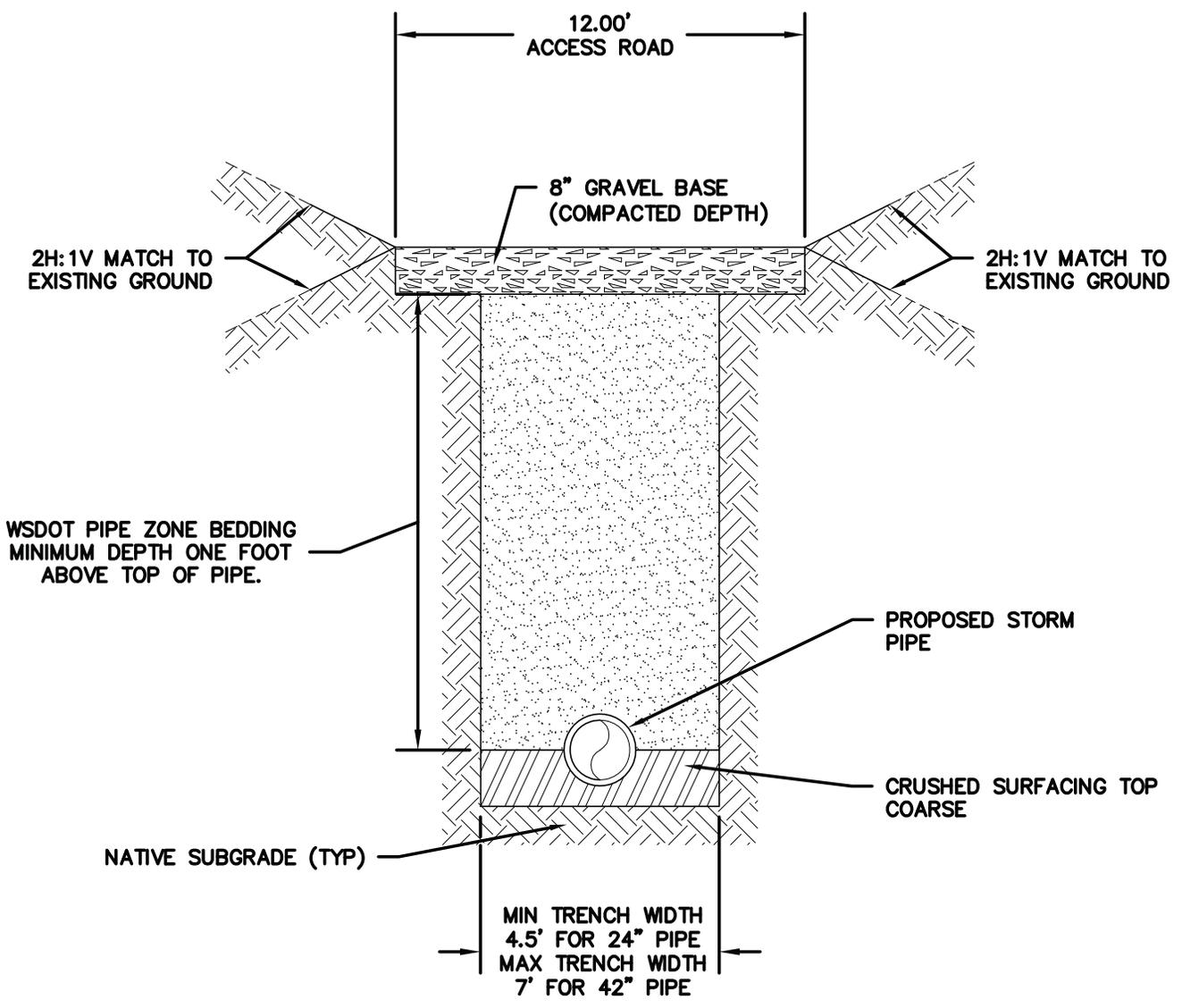
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SHEET 4 OF 14

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APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND

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ACCESS ROAD NOT IN WETLAND
NOT TO SCALE

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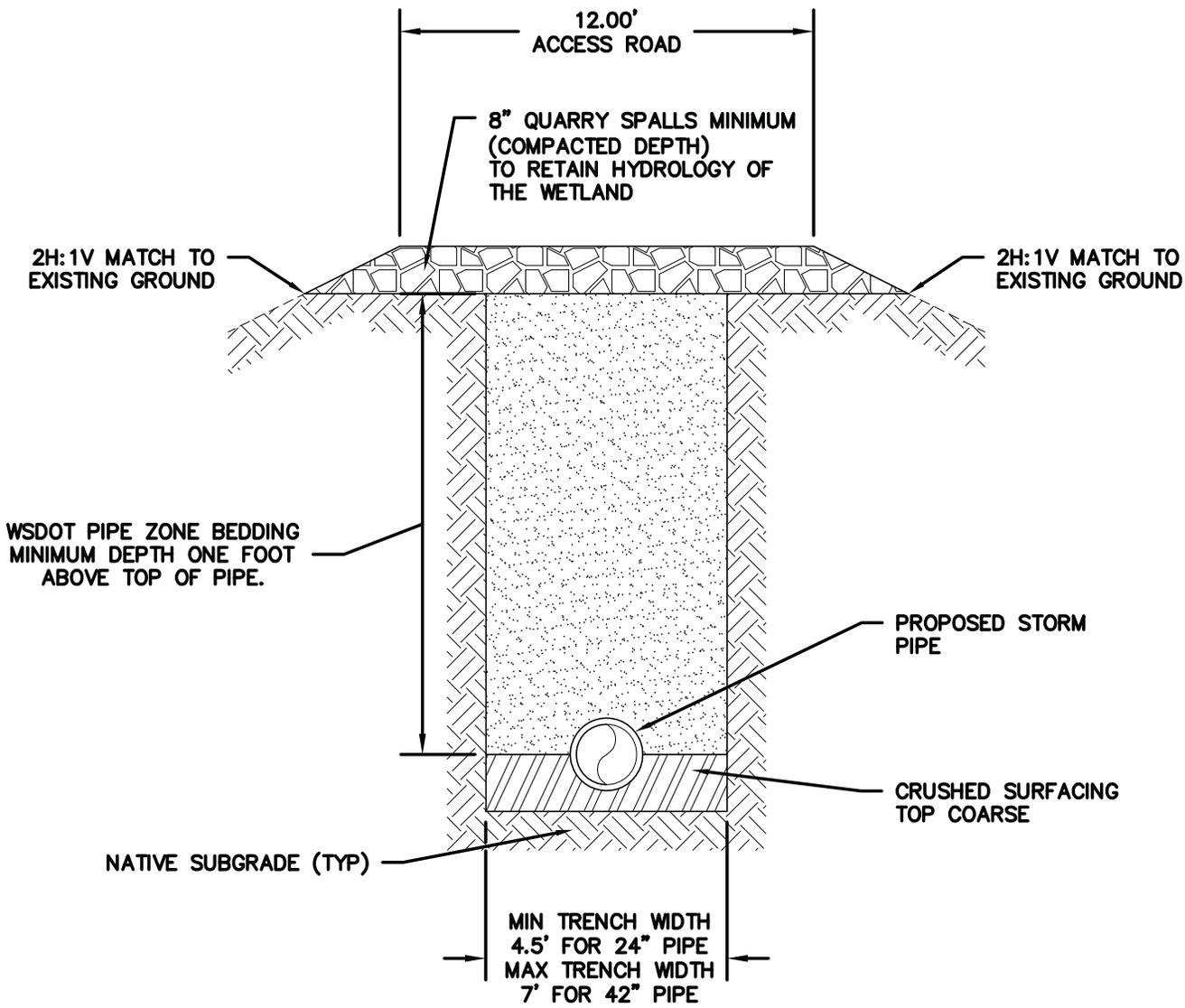
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CITY OF BELLINGHAM
NORTH END REGIONAL POND

ACCESS ROAD CROSS SECTION

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REFERENCE #: NWS-2013-1115
APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND



ACCESS ROAD IN WETLAND
NOT TO SCALE

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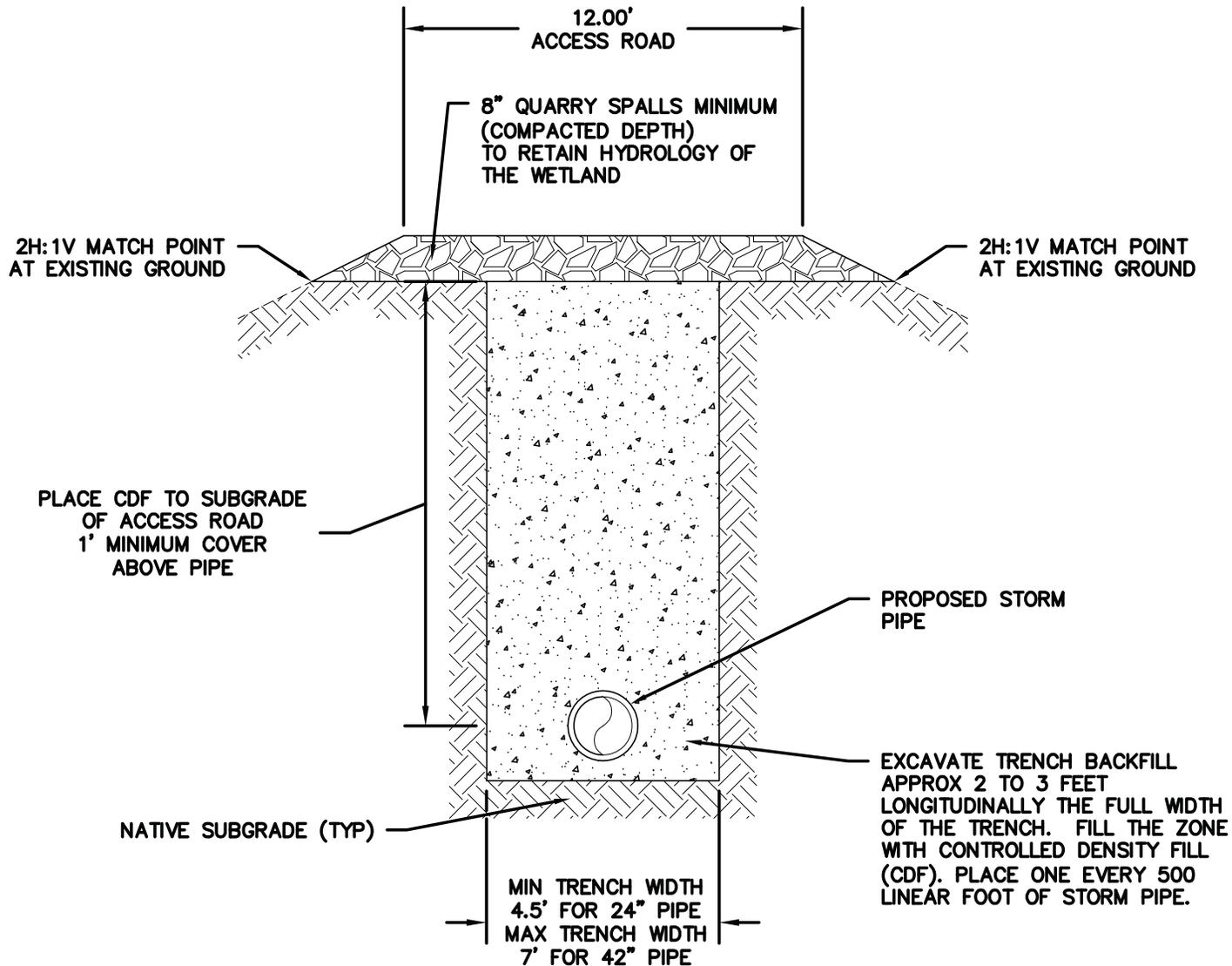
CITY OF BELLINGHAM
NORTH END REGIONAL POND

ACCESS ROAD CROSS SECTION

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APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND

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**ACCESS ROAD IN WETLAND
WITH CDF TRENCH DAM**
NOT TO SCALE

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CITY OF BELLINGHAM
NORTH END REGIONAL POND

ACCESS ROAD CROSS SECTION

DATE: 2/2/2015

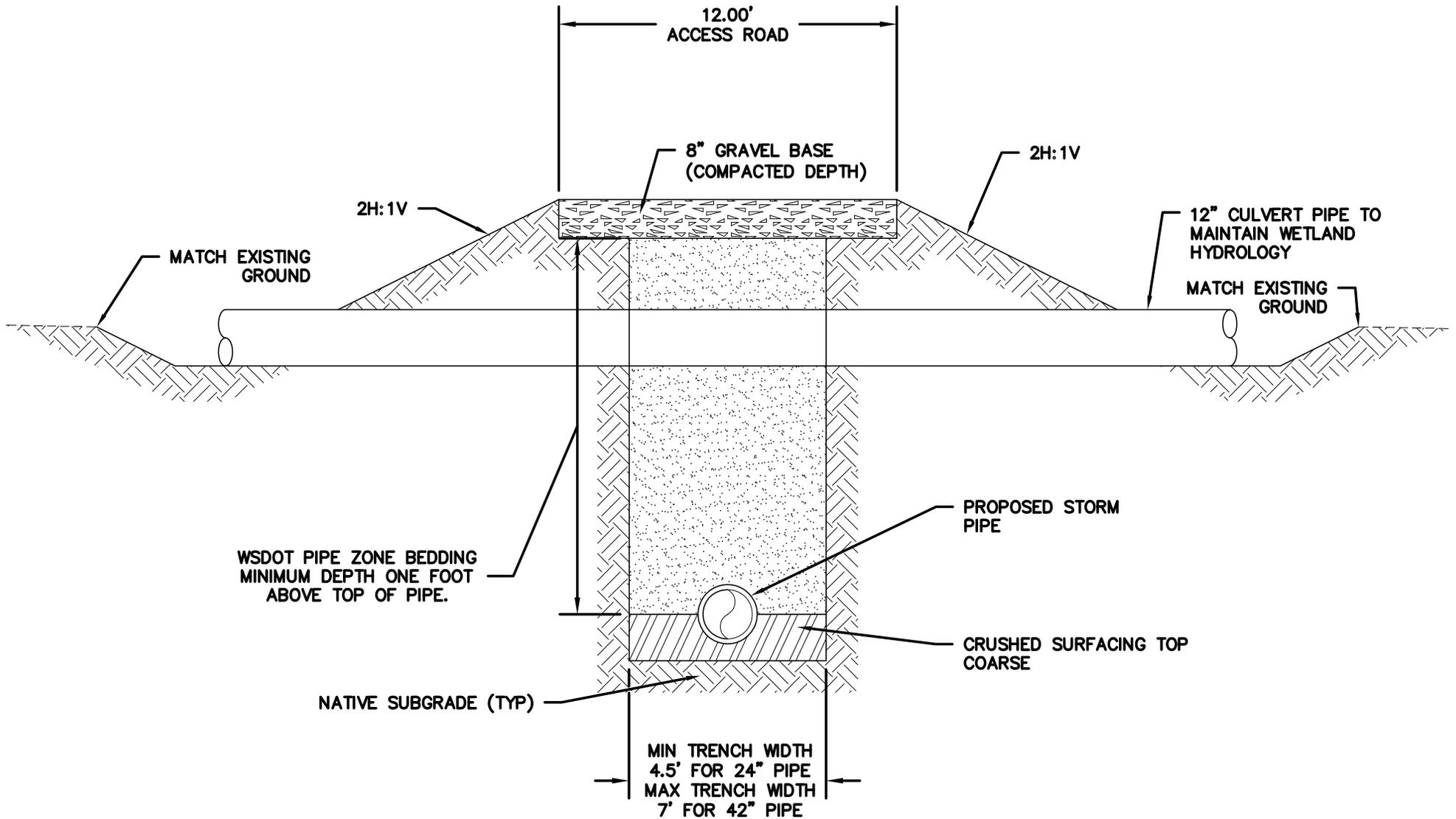
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SHEET 7 OF 14

REFERENCE #: NWS-2013-1115
APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL
POND



ACCESS ROAD IN WETLAND FILL ZONE WITH PIPE
NOT TO SCALE

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NORTH END REGIONAL POND

ACCESS ROAD CROSS SECTION

DATE: 2/2/2015

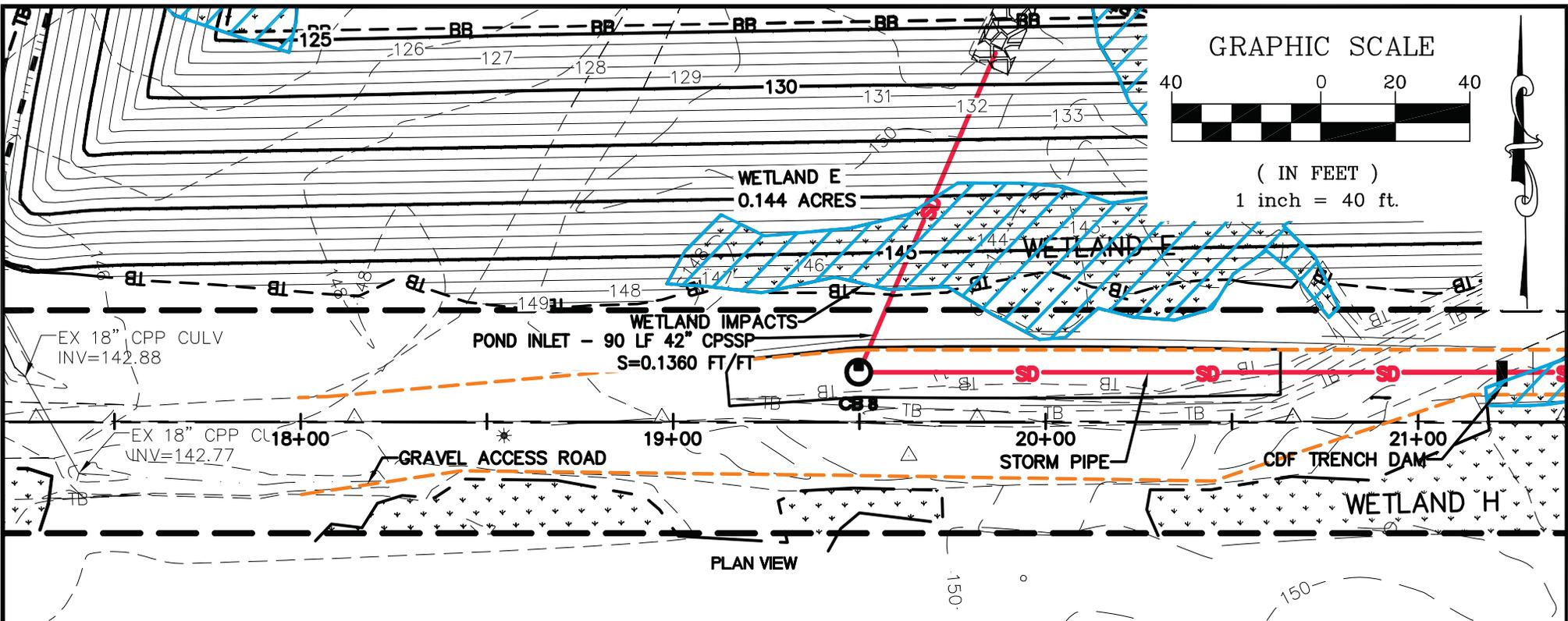
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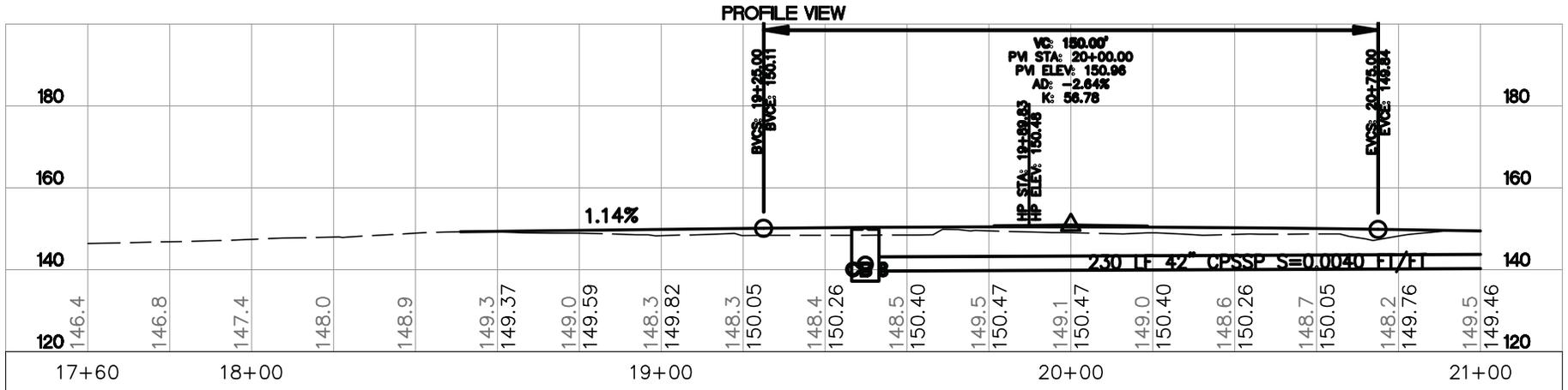
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SHEET 8 OF 14

REFERENCE #: NWS-2013-1115
APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL
POND



PLAN VIEW



PROFILE VIEW

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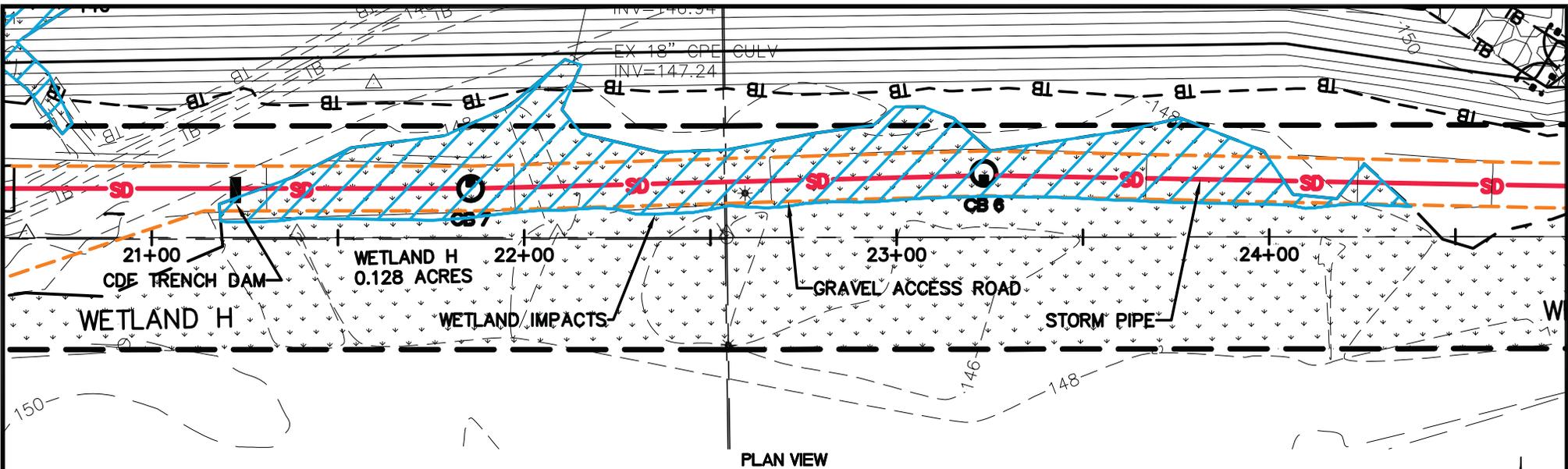
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CITY OF BELLINGHAM
NORTH END REGIONAL POND
MAHOGANY ROW STORM WATER SEWER

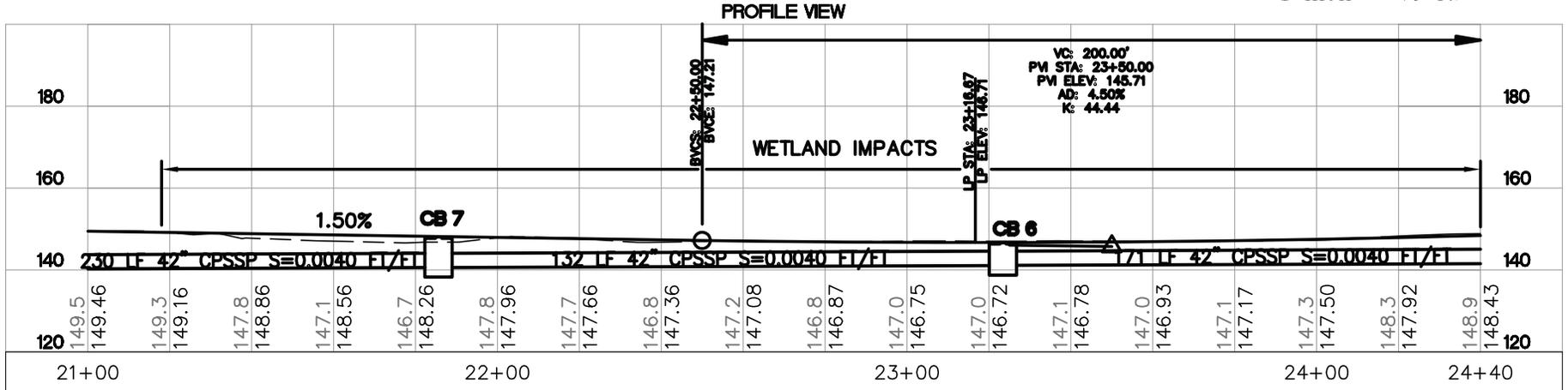
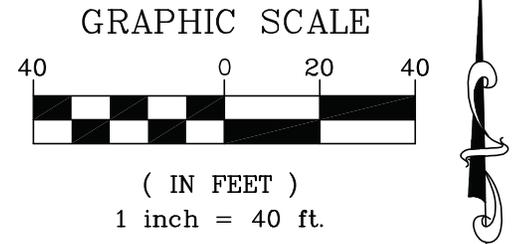
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APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND

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PLAN VIEW



PROFILE VIEW

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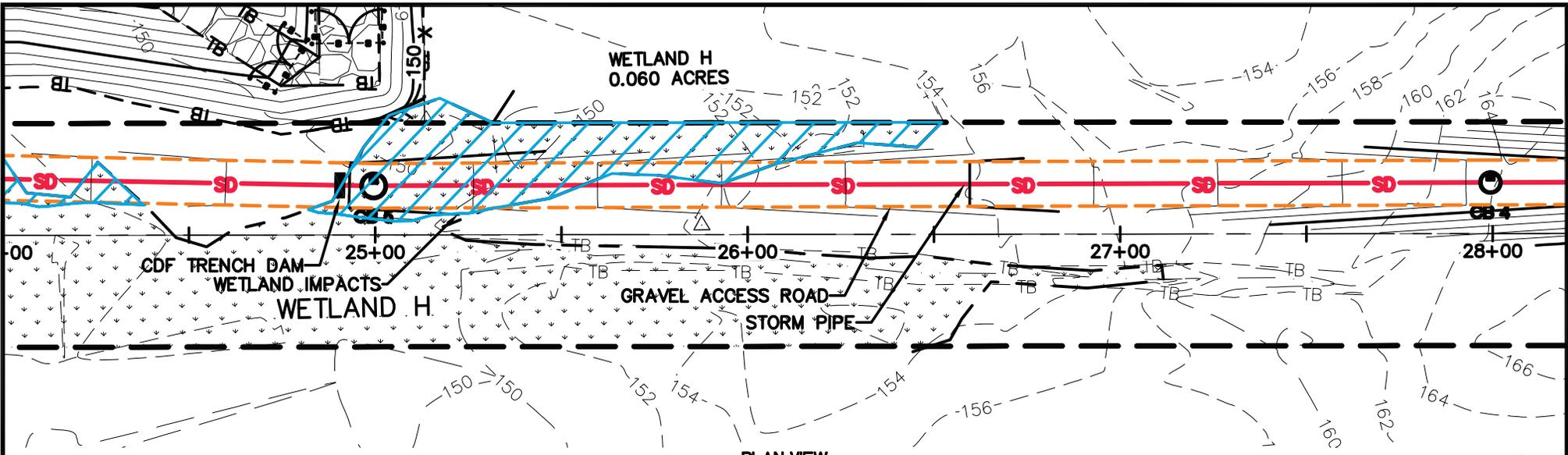
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CITY OF BELLINGHAM
NORTH END REGIONAL POND
MAHOGANY ROW STORM WATER SEWER

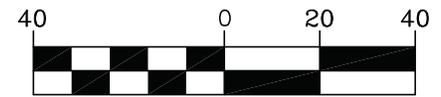
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APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND

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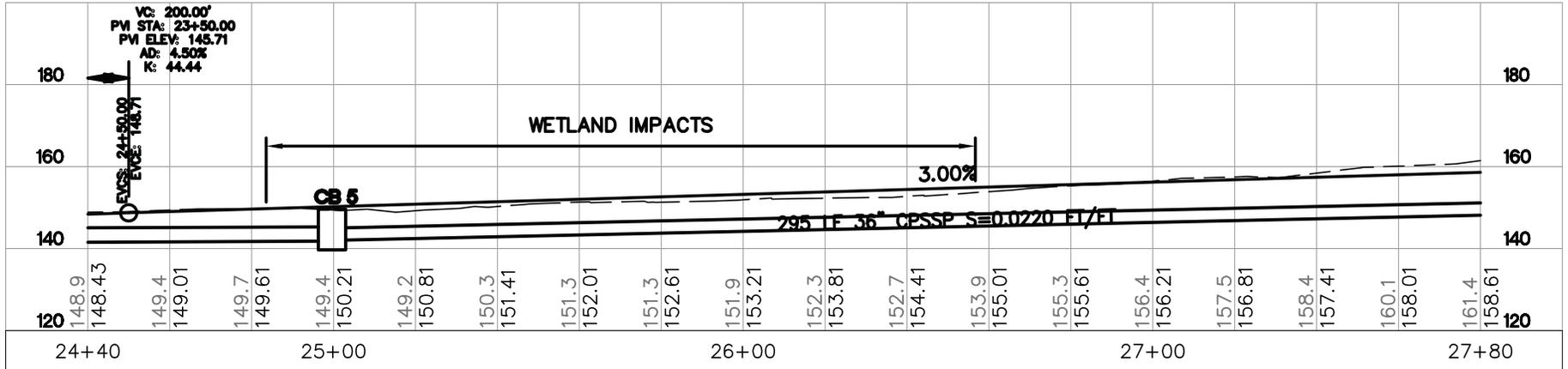


GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

PROFILE VIEW



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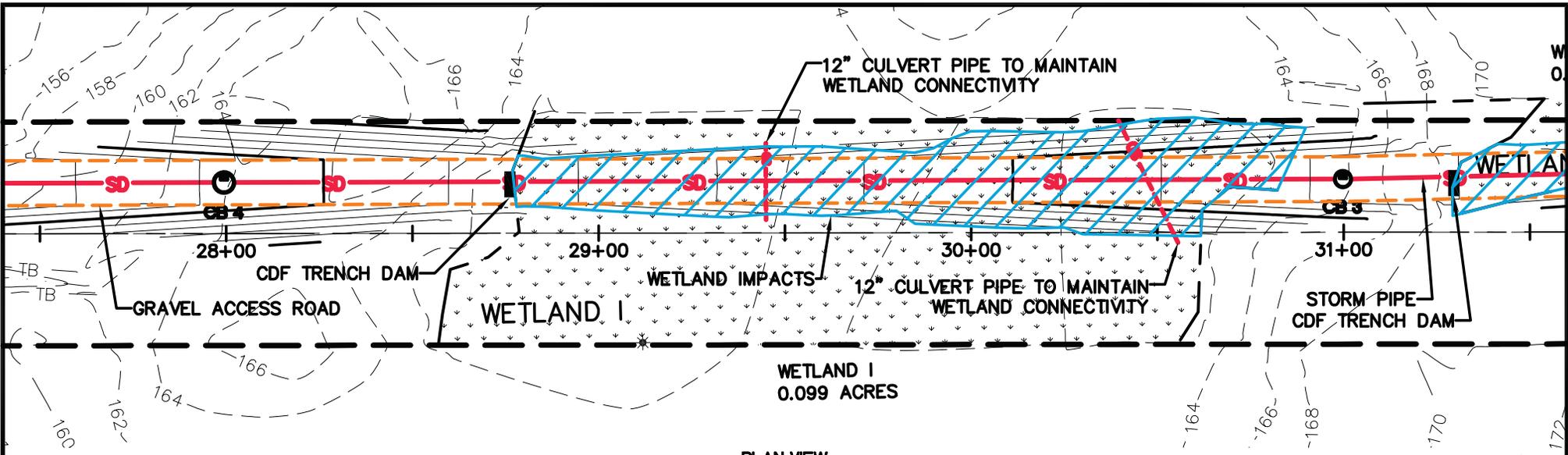
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CITY OF BELLINGHAM
NORTH END REGIONAL POND
MAHOGANY ROW STORM WATER SEWER

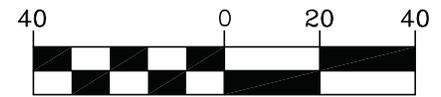
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PROJECT: NORTH END REGIONAL POND

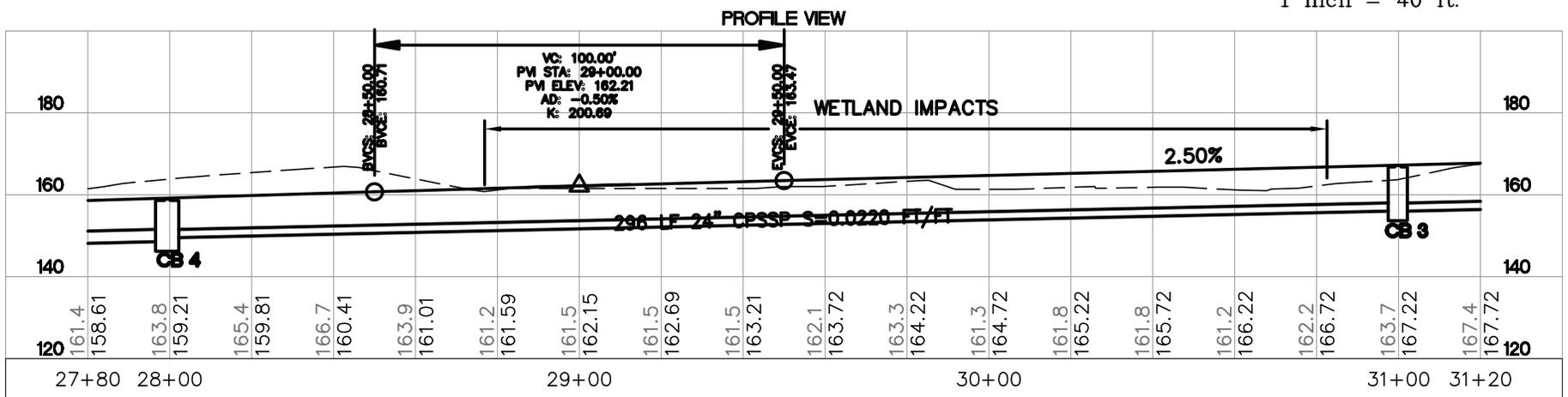
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GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.



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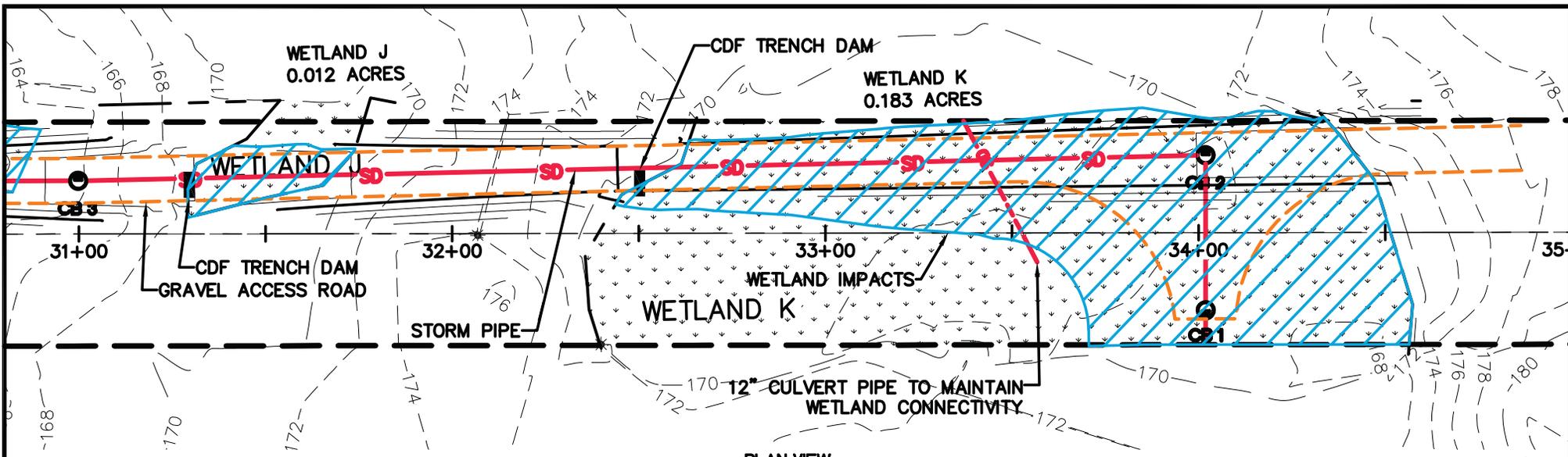
CITY OF BELLINGHAM
NORTH END REGIONAL POND
MAHOGANY ROW STORM WATER SEWER

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APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND

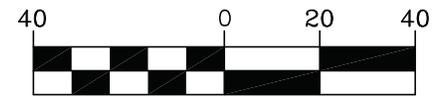
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PLAN VIEW

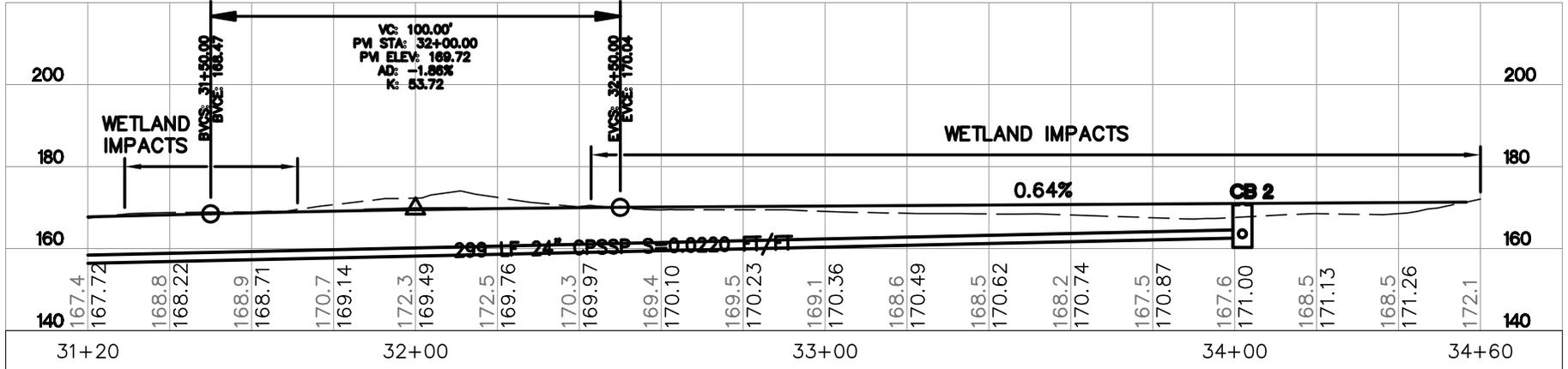
GRAPHIC SCALE



(IN FEET)
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PROFILE VIEW



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CITY OF BELLINGHAM
NORTH END REGIONAL POND
MAHOGANY ROW STORM WATER SEWER

DATE: 2/2/2015 SCALE: 1" = 40' JOB #: 13014
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REFERENCE #: NWS-2013-1115
APPLICANT: CITY OF BELLINGHAM
PROJECT: NORTH END REGIONAL POND

