



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 8, 2017
Expiration Date: April 7, 2017

Reference No.: NWS-2017-86
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 U.S. as described below and shown on the enclosed drawings dated March 3, 2017.

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: City of Bellingham
Attention: Mr. Sam Shipp
104 Magnolia Street
Bellingham, Washington 98225
Telephone: (360) 778-7900

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

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

WORK: Fill 1.37 acres of wetlands to construct 3,200 feet of new roadway.

PURPOSE: Provide arterial traffic facilities to reduce traffic on Bakerview Road and provide access to proposed developments in the area.

ADDITIONAL INFORMATION: The applicant proposes to fill 1.37 acres of palustrine forested Category II, III, and IV wetlands for construction of 3,200 feet of new roadway (Mahogany Avenue) between Northwest Drive and Pacific Highway. The proposed project would include roadway construction, installation of sidewalks, curb and gutter, and a culvert replacement. Gravel base would be used to fill wetland areas and create the proposed roadway. Retaining walls would be used to minimize impacts to wetlands and Bear Creek. An 18-inch pipe culvert at Bear Creek would be replaced with an 18-foot-wide box culvert. Two feet of streambed aggregate

would be placed in the culvert and a small section of the channel downstream. A gravel bag cofferdam and bypass pipe would be placed in order to isolate the work area from the remainder of the channel. A pump would be used to dewater the work area and any fish present will be relocated downstream. Temporary sediment and erosion controls would be used during construction to protect downstream waters. Post construction stormwater treatment will be provided at the adjacent regional stormwater pond. NOTE: Ancillary to the work requiring Corps authorization, the applicant proposes to widen Northwest Drive north and south of the proposed Mahogany Street intersection, install a traffic signal at the intersection of Northwest Drive and Mahogany Avenue, and install a sewer line along Northwest Drive to Bakerview Road as well as under Mahogany Avenue.

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 proposes to use of an excess 3.21 acres of wetland creation area constructed in conjunction with the North End Regional Pond Project (Corps reference number NWS-2013-1115). This mitigation area is off-site in close proximity to Bear Creek, downstream of the project 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 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. The Federal Highways Administration, as the lead agency for ESA consultation, will consult with the NMFS and/or the USFWS as required under Section 7 of the ESA if necessary.

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. The Federal Highways Administration will consult with the National Marine Fisheries Services if necessary.

CULTURAL RESOURCES: The Federal Highways Administration, as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, will consult with the State Historic Preservation Officer and Native American Tribes 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 U.S.

SOURCE OF FILL MATERIAL: The applicant stated that fill used for the project would be gravel and dirt from a commercial source.

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.

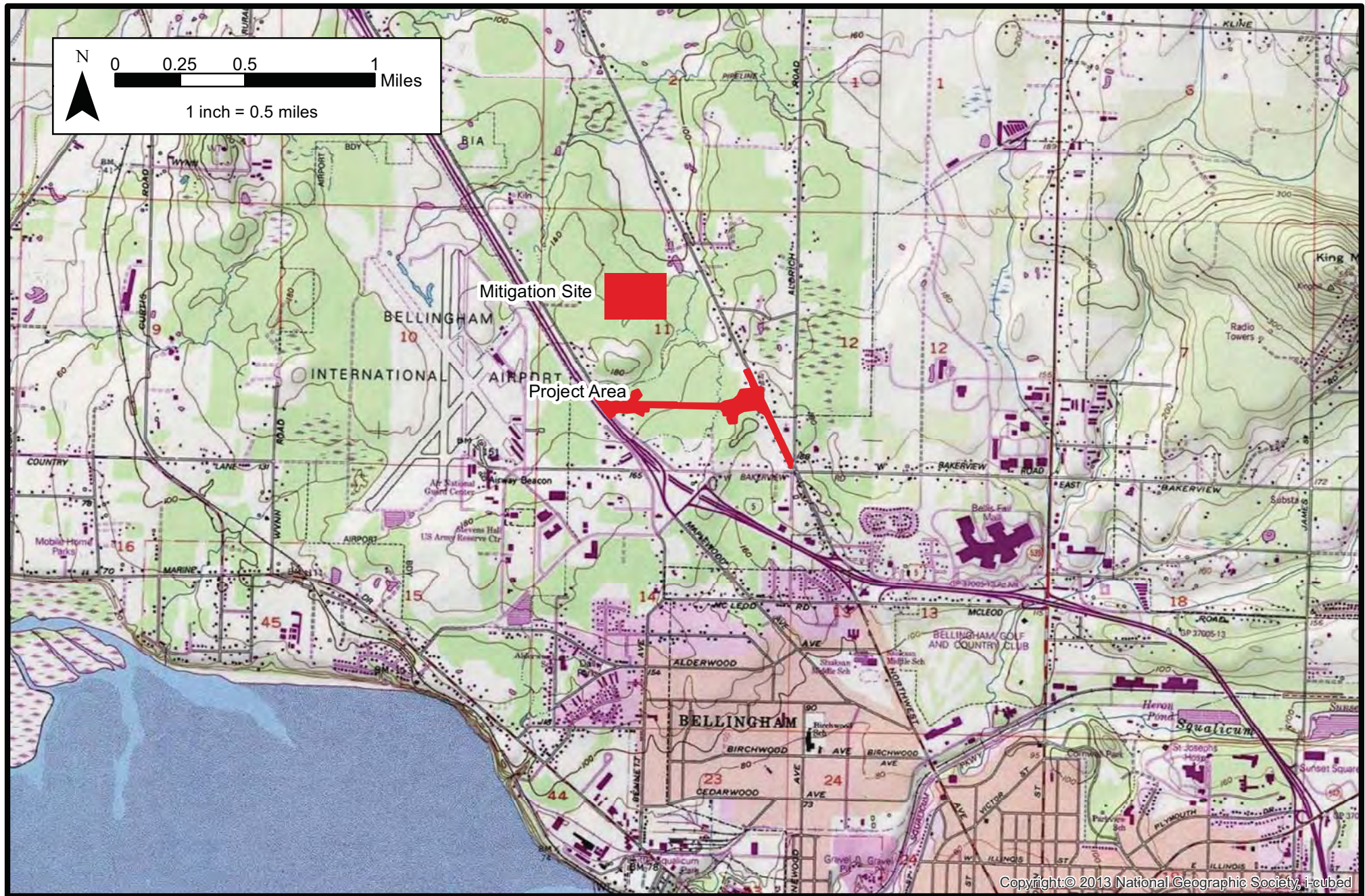
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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-2017-86

Encl: Figures (16)

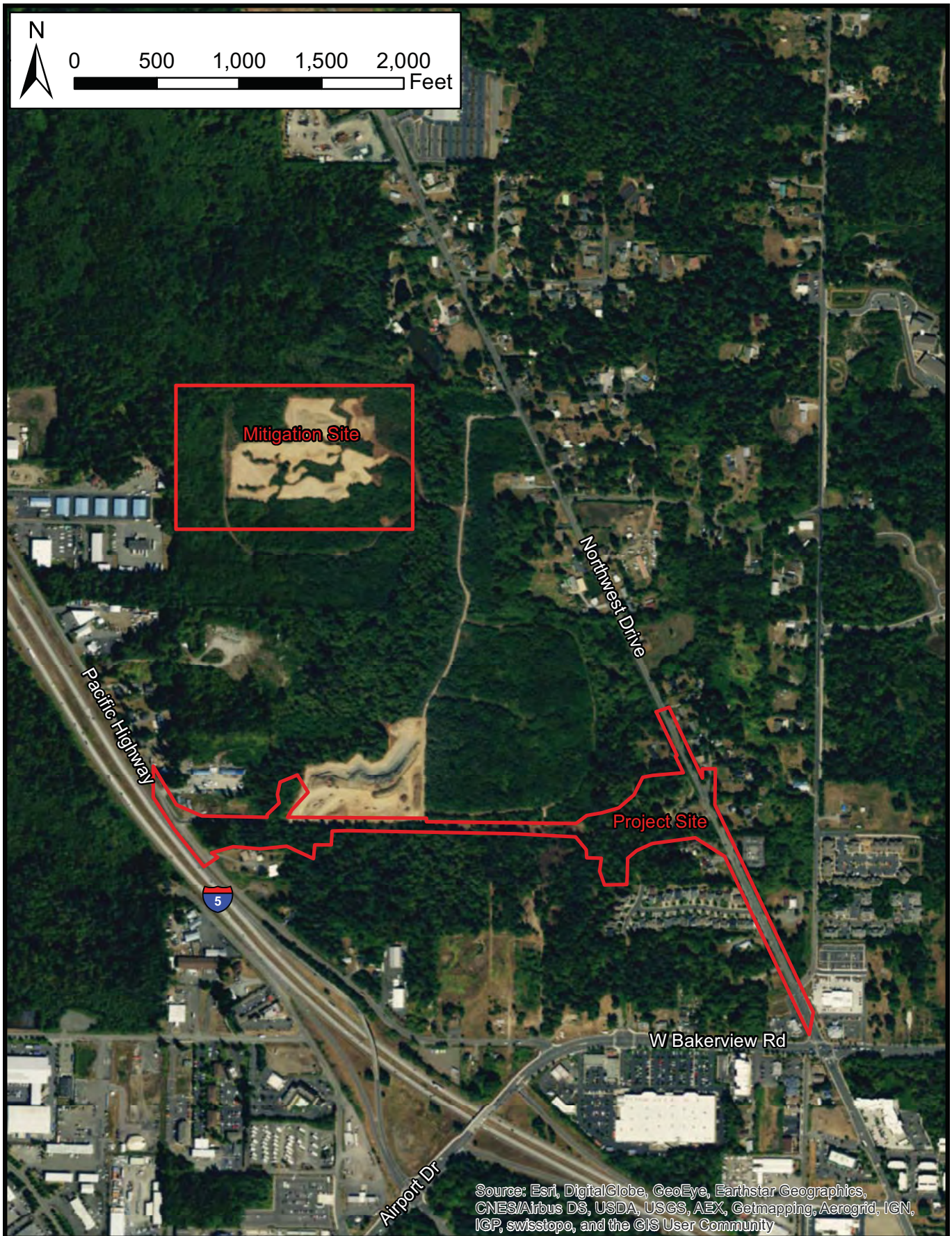


Reference #: NWS-2017-86
 Applicant: City of Bellingham
 County: Whatcom

Location: North of Pacific Hwy and
 Bakerview Rd Intersection
 Lat/Long: 48.79365 N/-122.51758 W
 TRS: 28N 2E 11
 Sheet 1 of 16

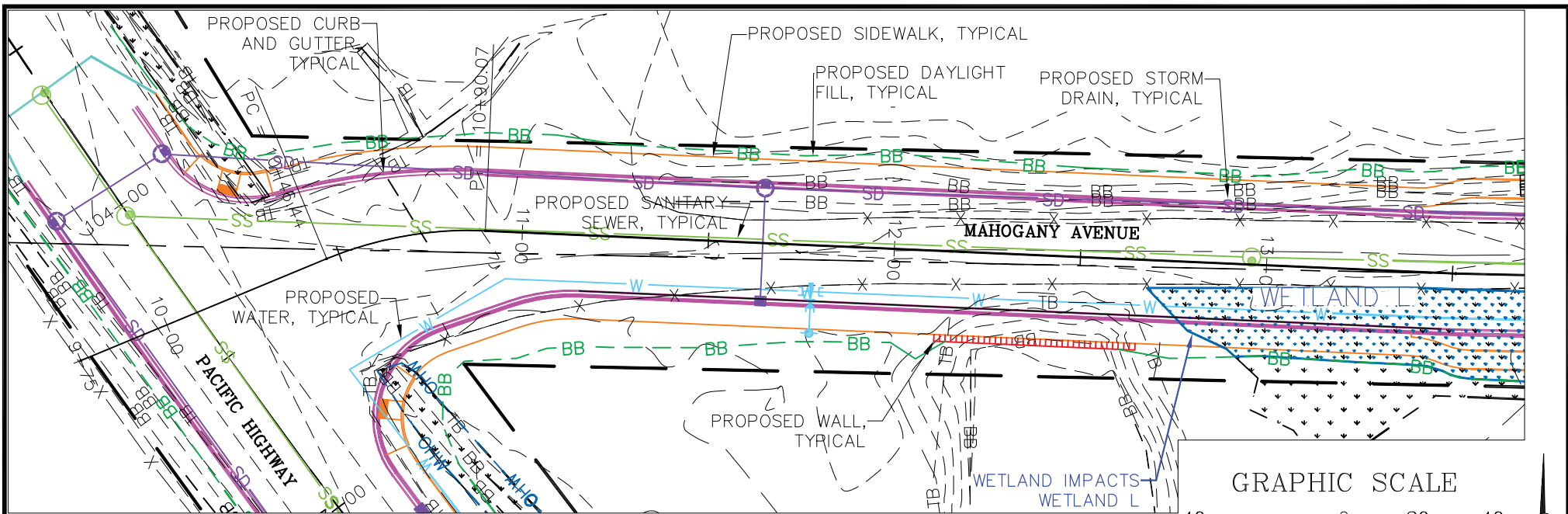
Proposed Project: Mahogany and Arctic
 Arterials

March 3, 2017



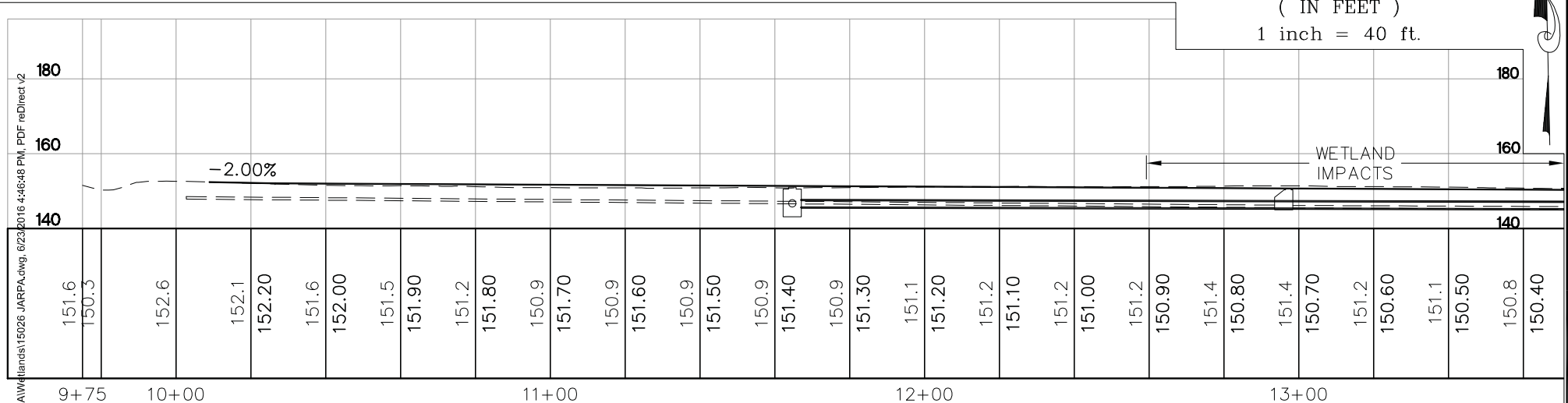
Reference #:NWS-2017-86
Applicant: City of Bellingham
Project: Mahogany and Arctic Arterials
Sheet 2 of 16
March 3, 2017

Project Area



PLAN VIEW

PROFILE VIEW



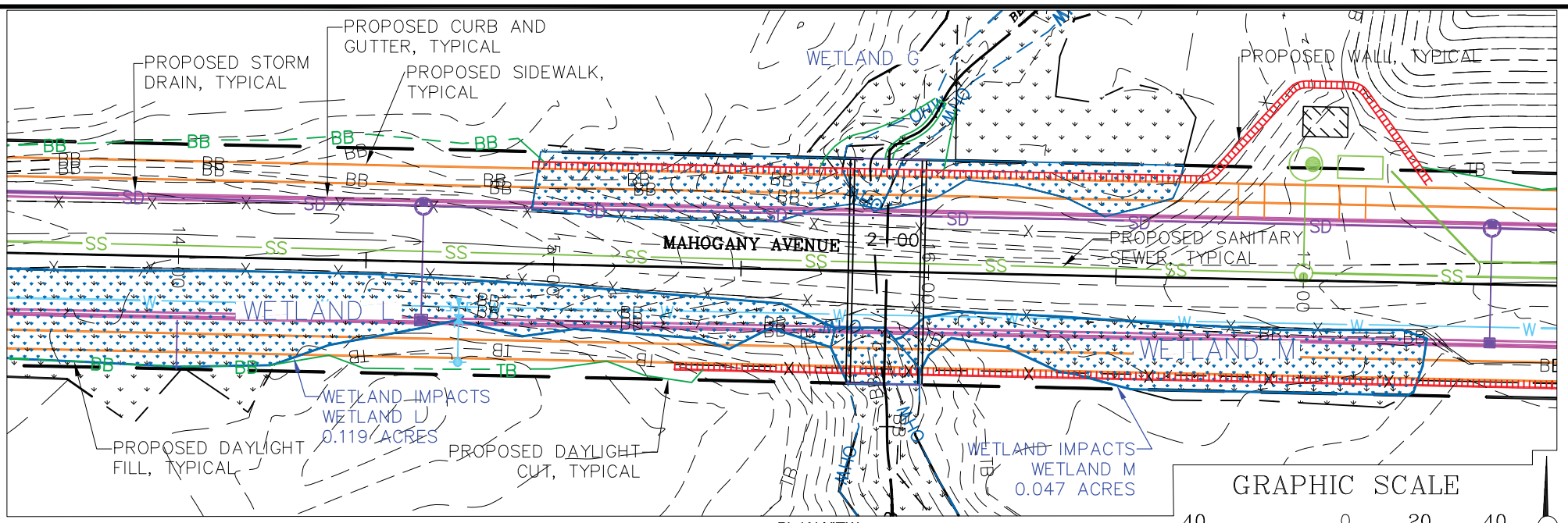
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CITY OF BELLINGHAM
MAHOGANY - ARCTIC AVE. ARTERIALS
MAHOGANY AVE WETLAND IMPACTS

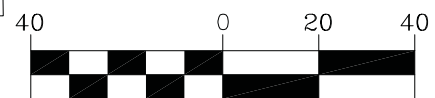
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REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS

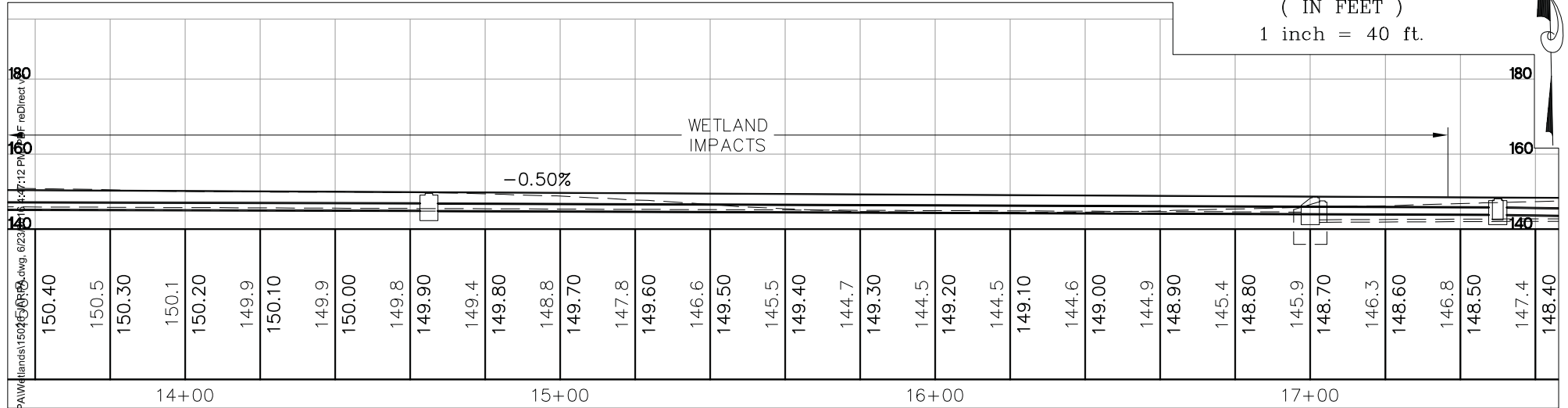


PLAN VIEW

GRAPHIC SCALE



PROFILE VIEW



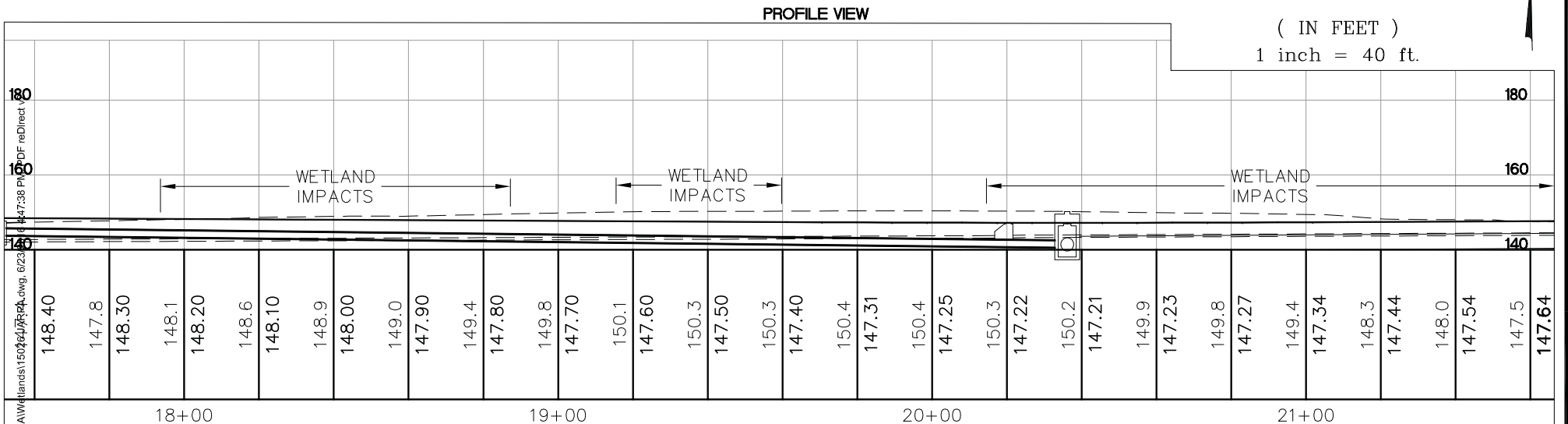
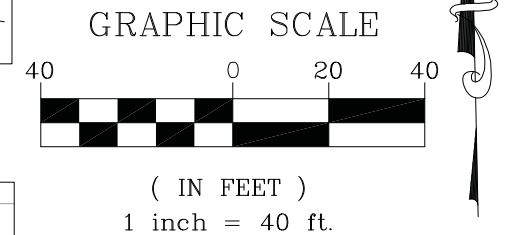
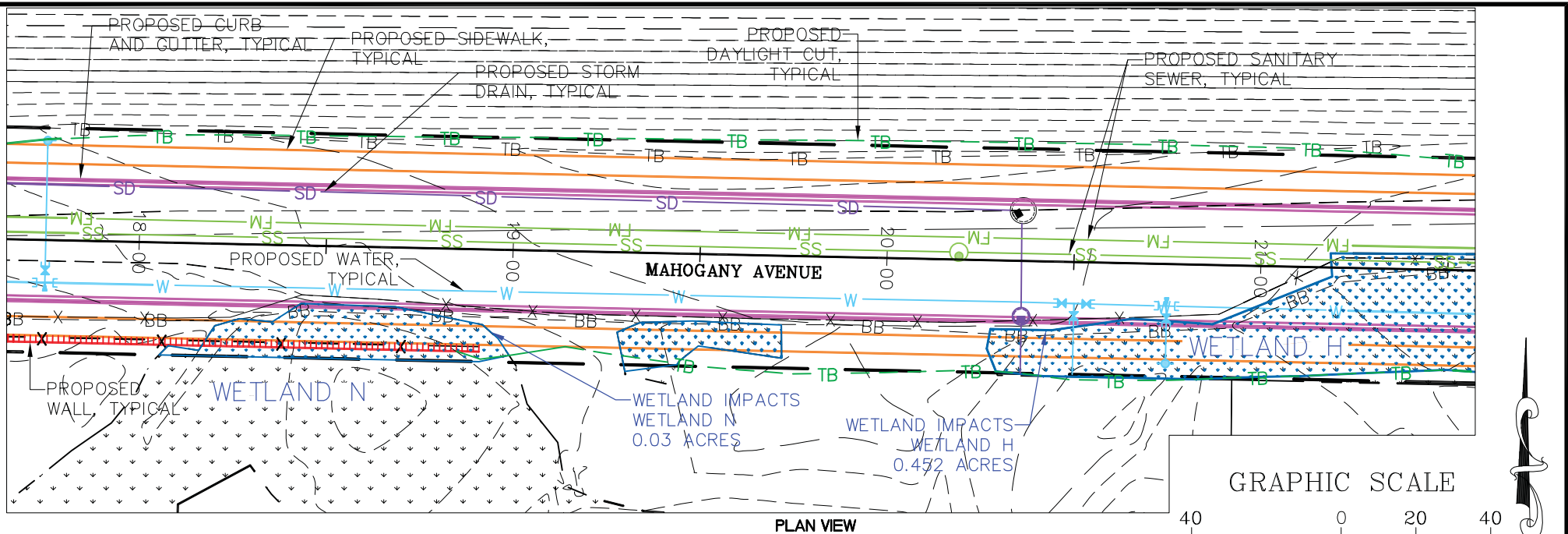
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CITY OF BELLINGHAM
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MAHOGANY AVE WETLAND IMPACTS

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REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



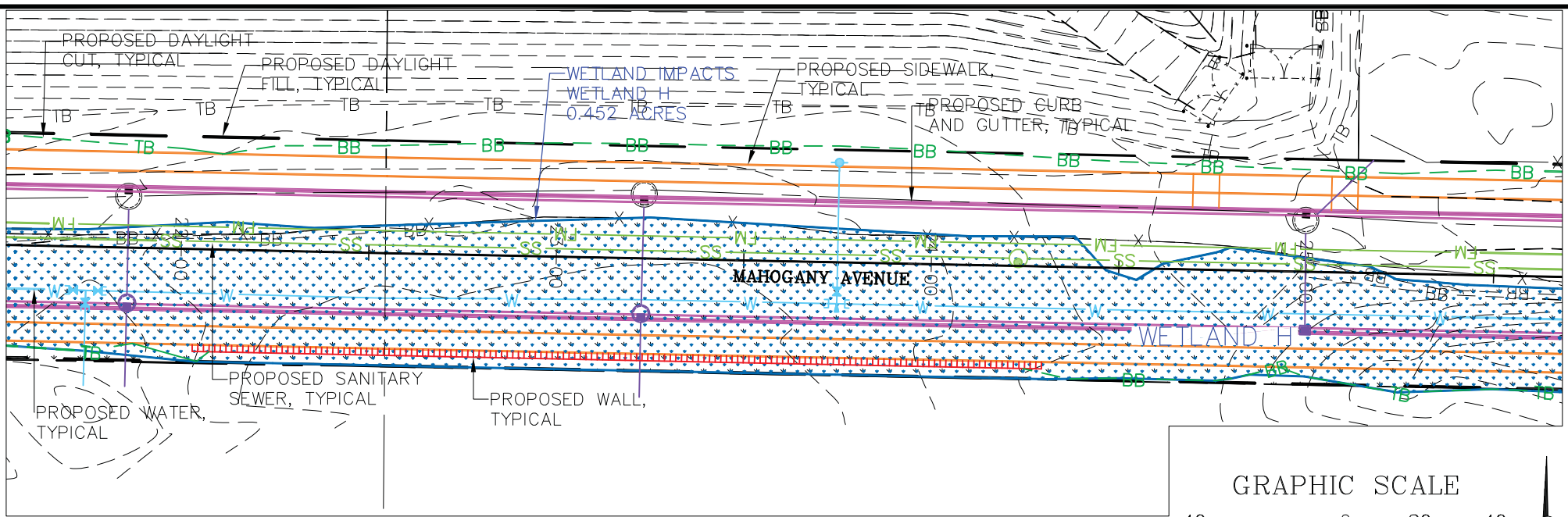
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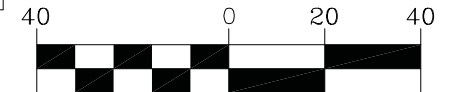
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APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



PLAN VIEW

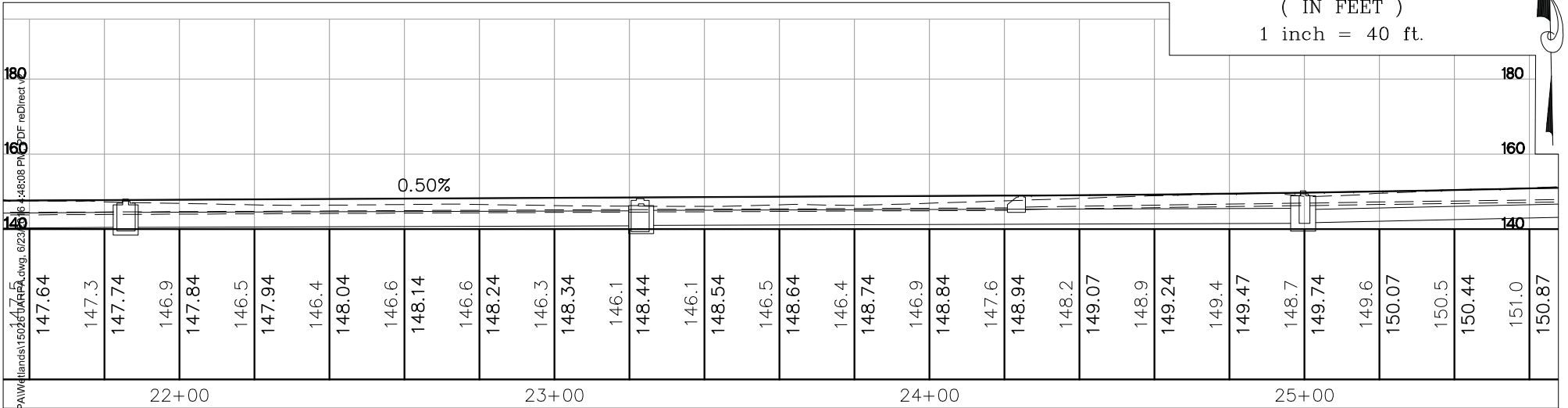
GRAPHIC SCALE



(IN FEET)

1 inch = 40 ft.

PROFILE VIEW



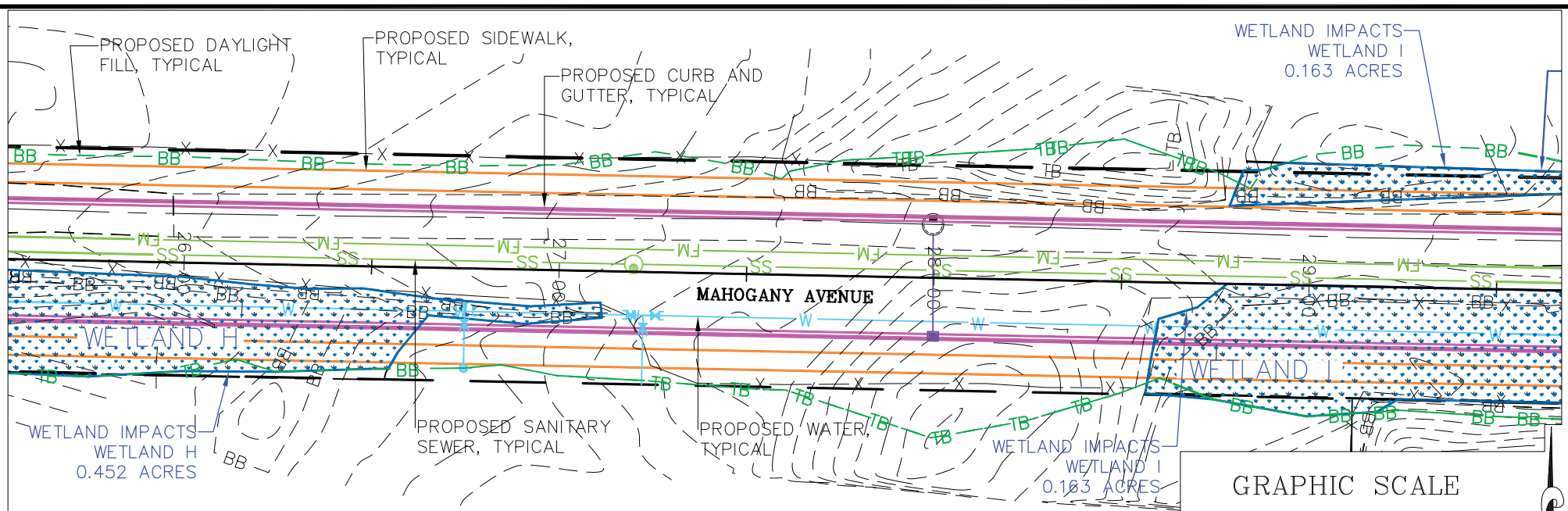
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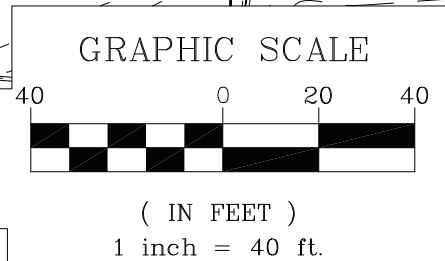
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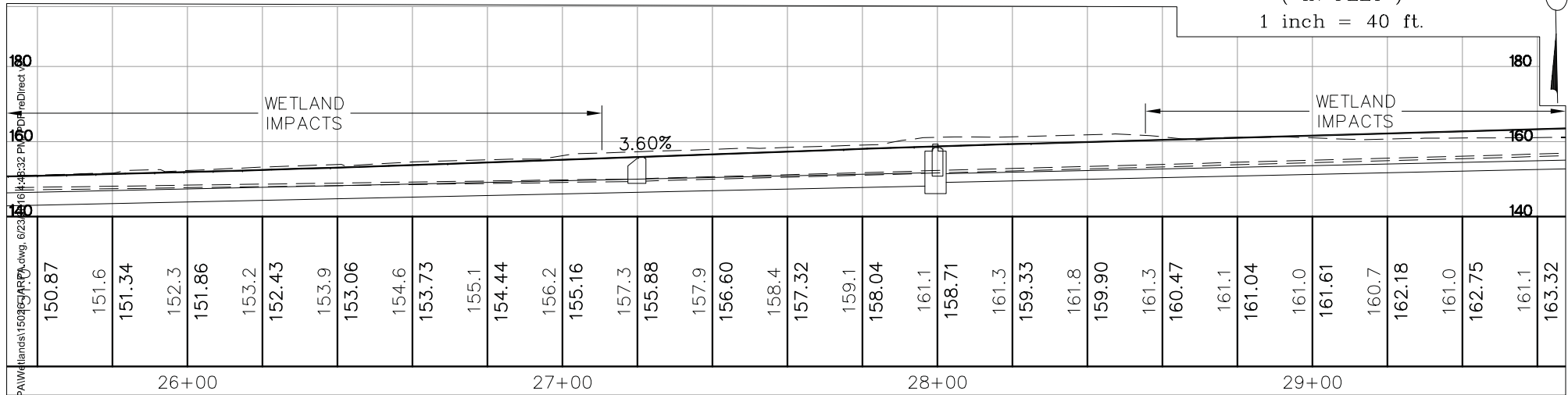
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PLAN VIEW



PROFILE VIEW



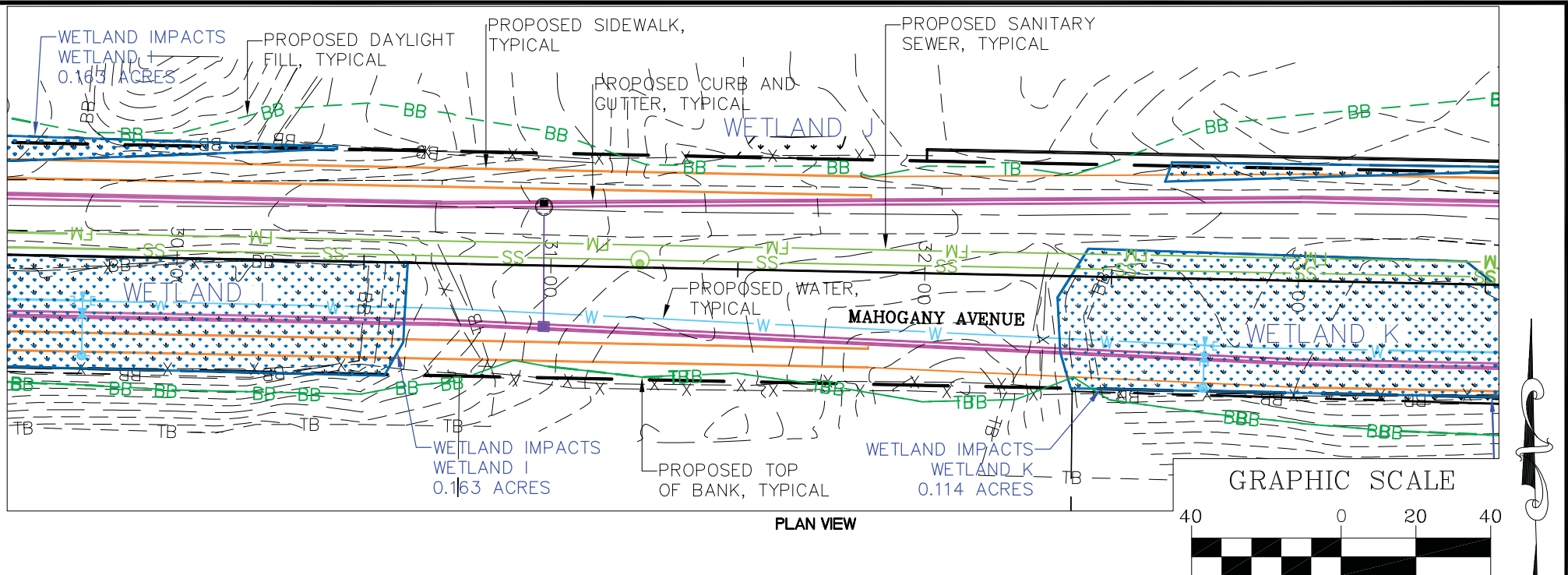
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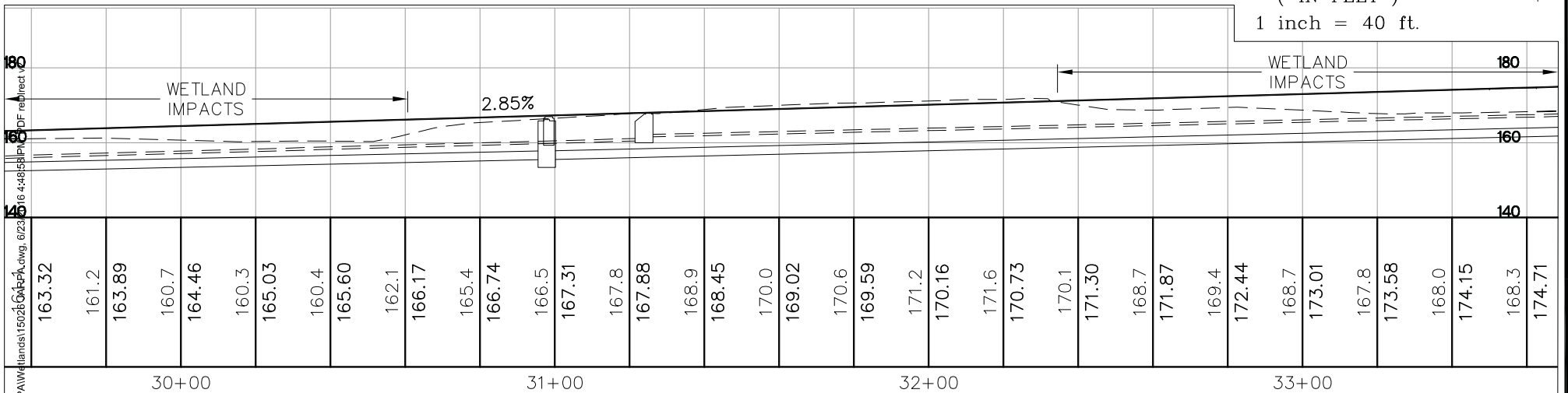
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REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



PLAN VIEW

PROFILE VIEW



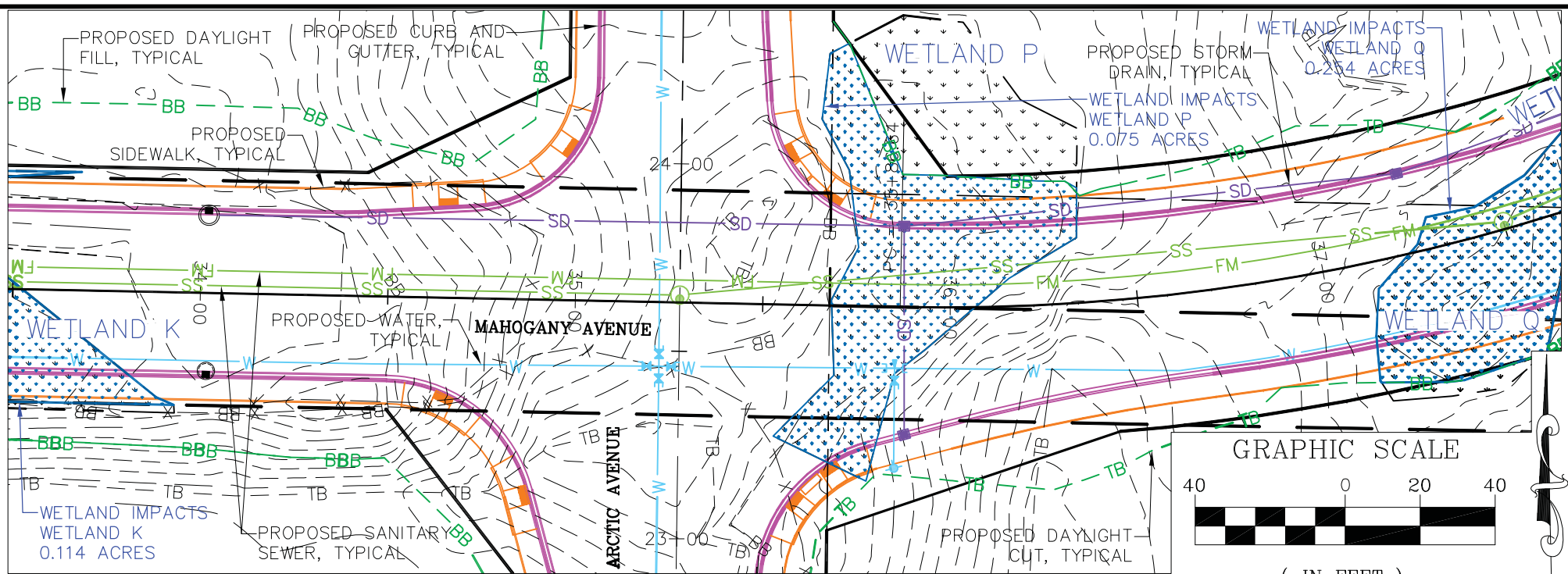
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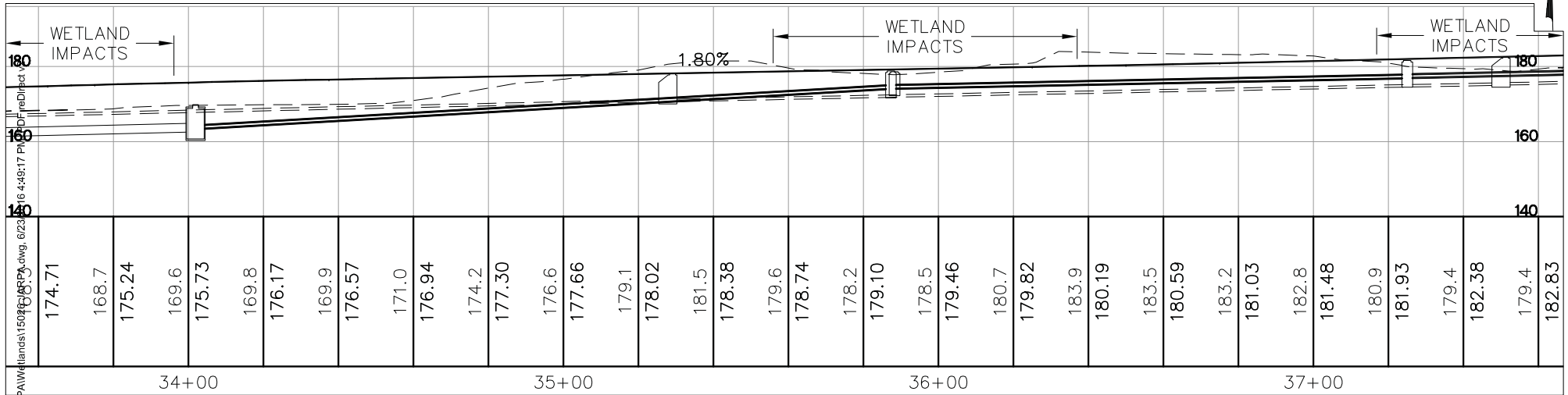
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APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



PLAN VIEW
PROFILE VIEW



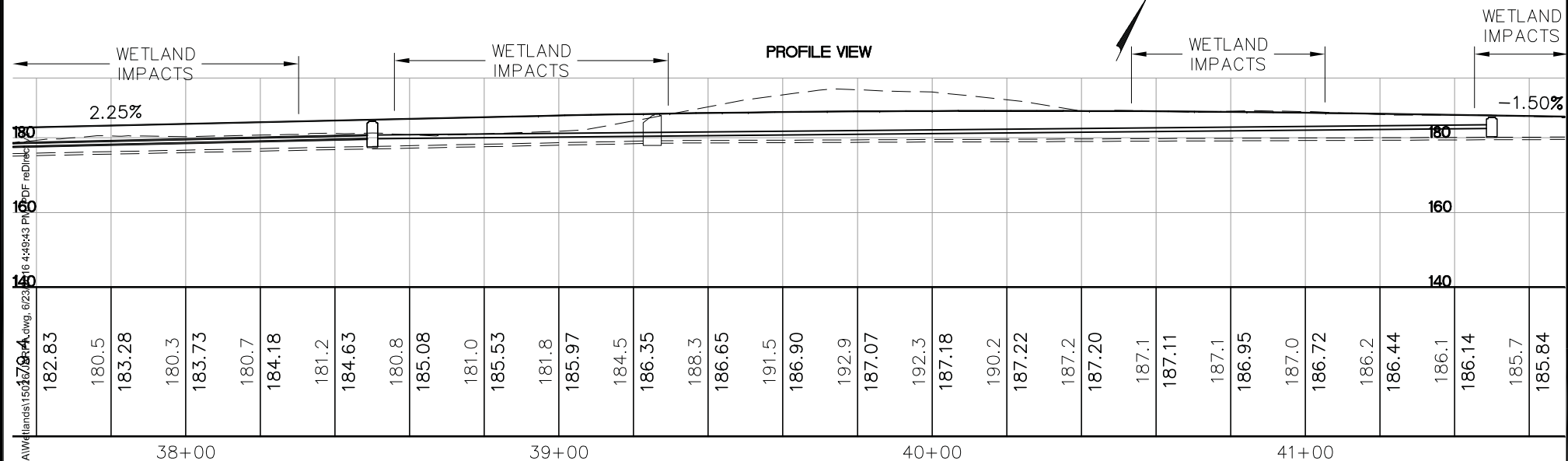
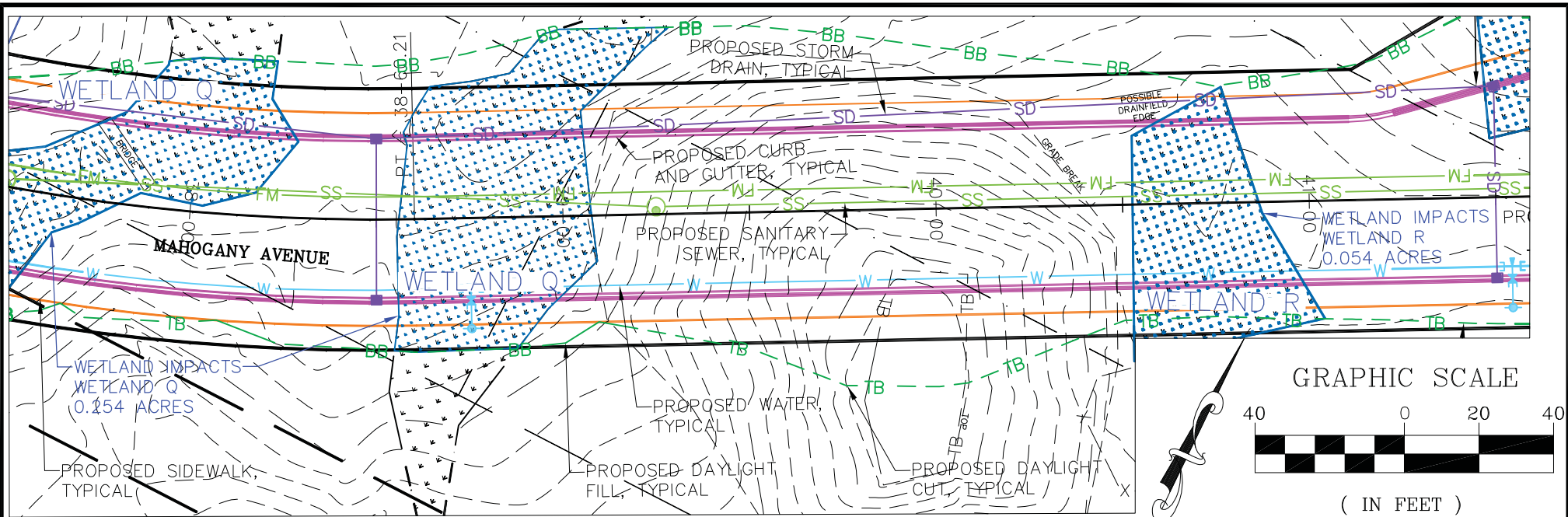
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CITY OF BELLINGHAM
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DATE: MARCH 3, 2017 SCALE: 1" = 40' JOB #: 15026
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REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



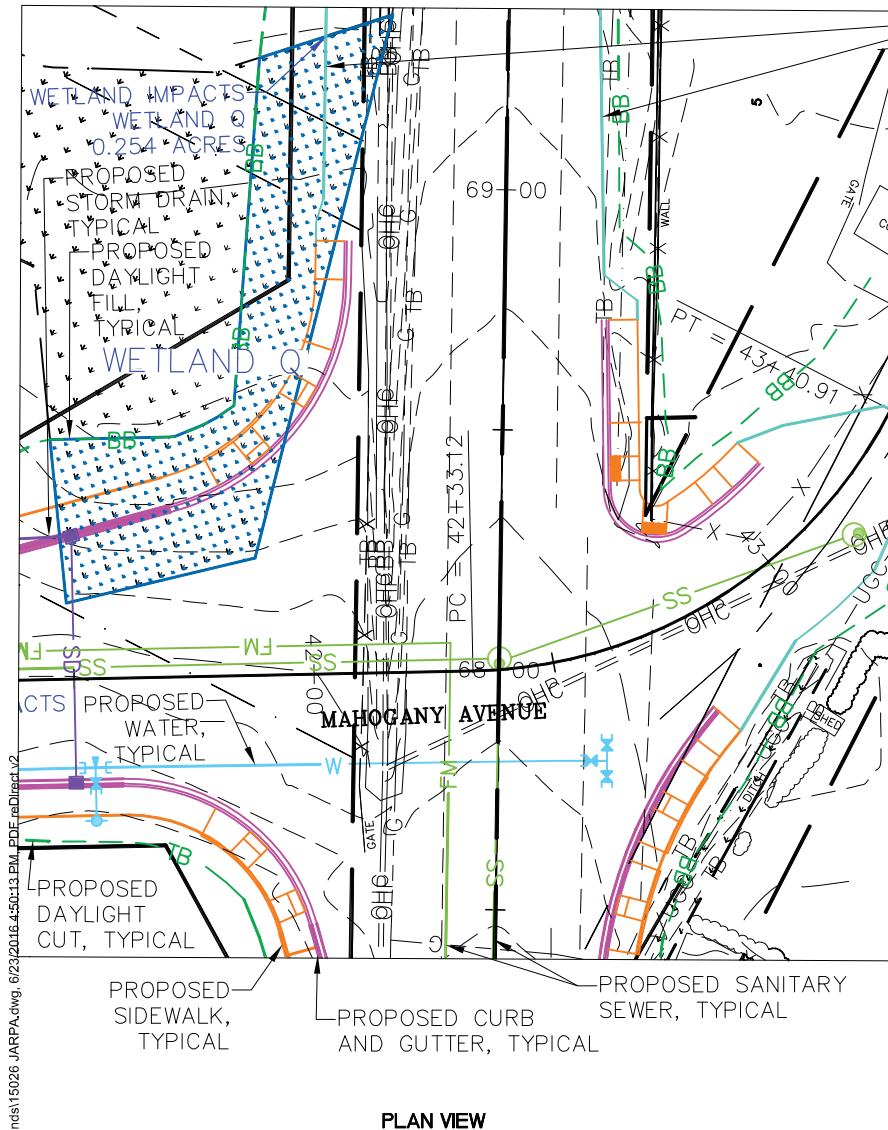
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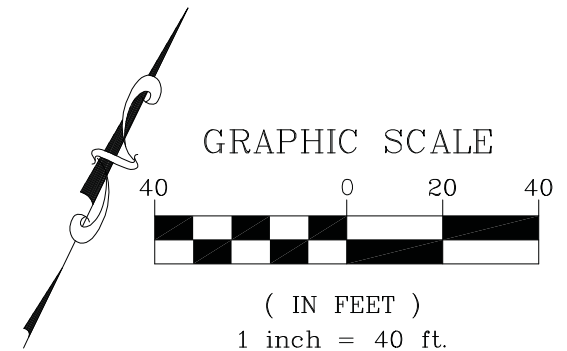
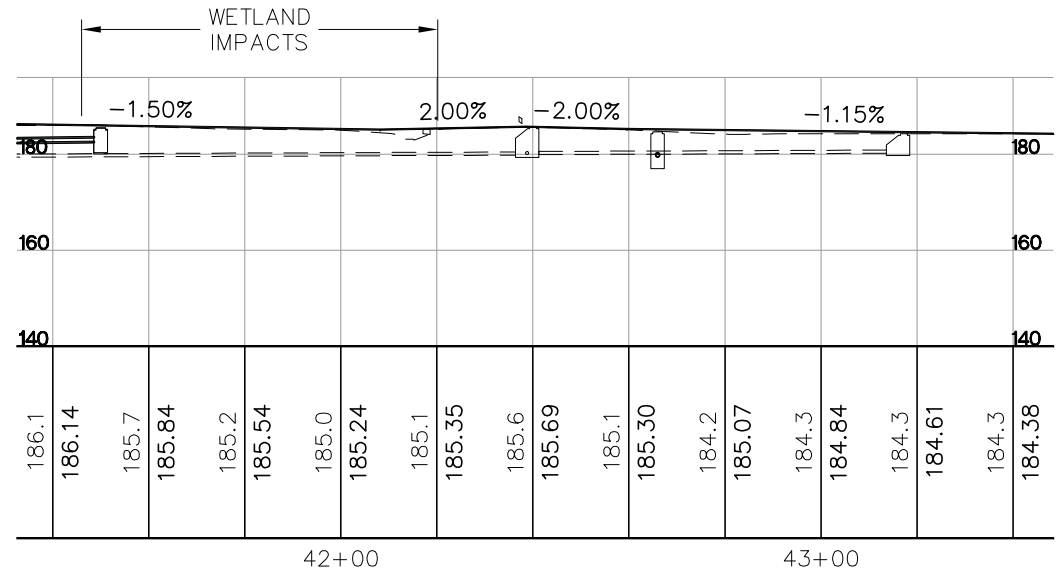
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REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



PROPOSED EDGE OF PAVEMENT, TYPICAL



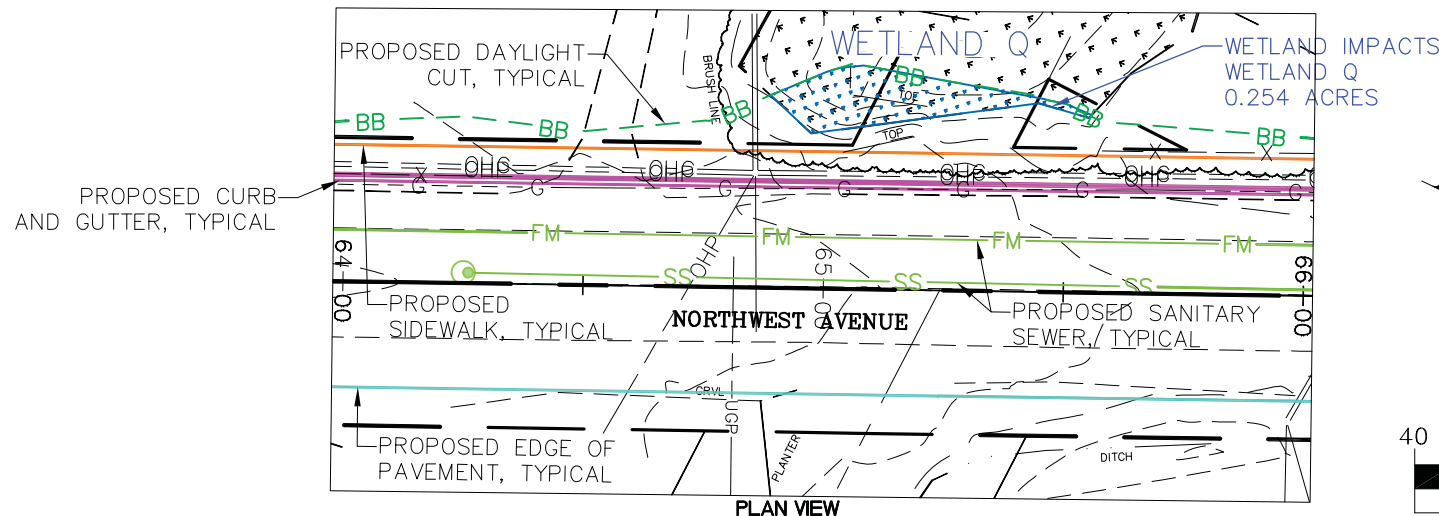
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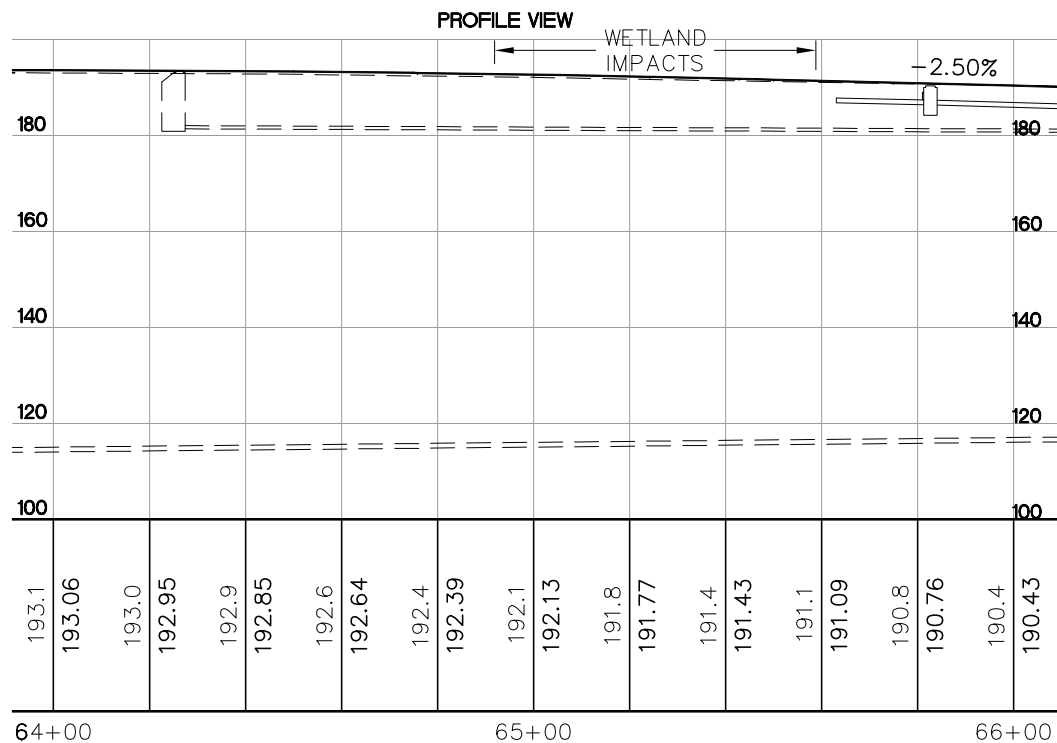
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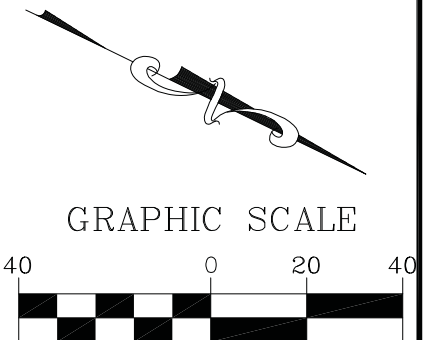
REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



PLAN VIEW



PROFILE VIEW



GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

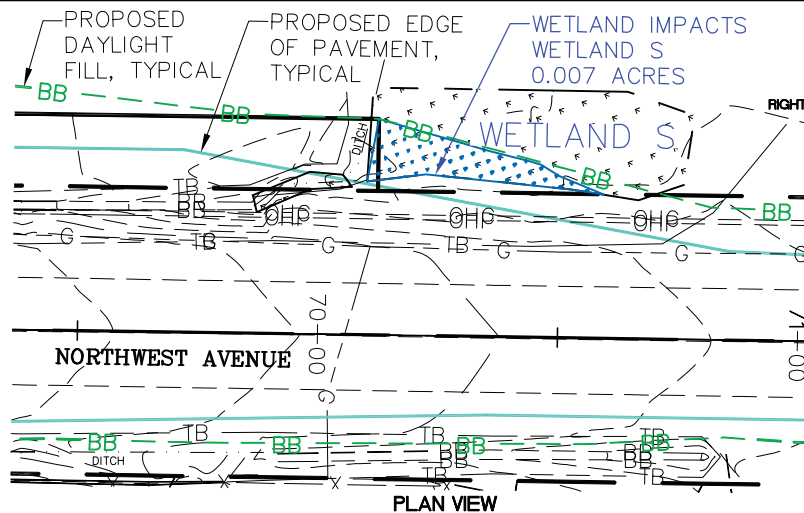
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813 Metcalf St., Sedro-Woolley, WA 98284 (360) 855-1713

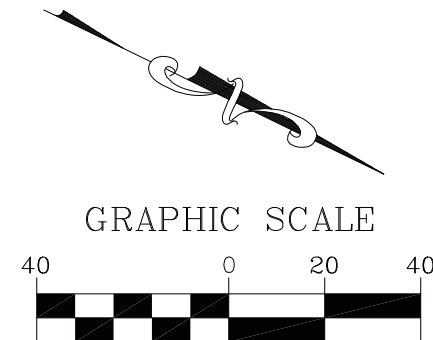
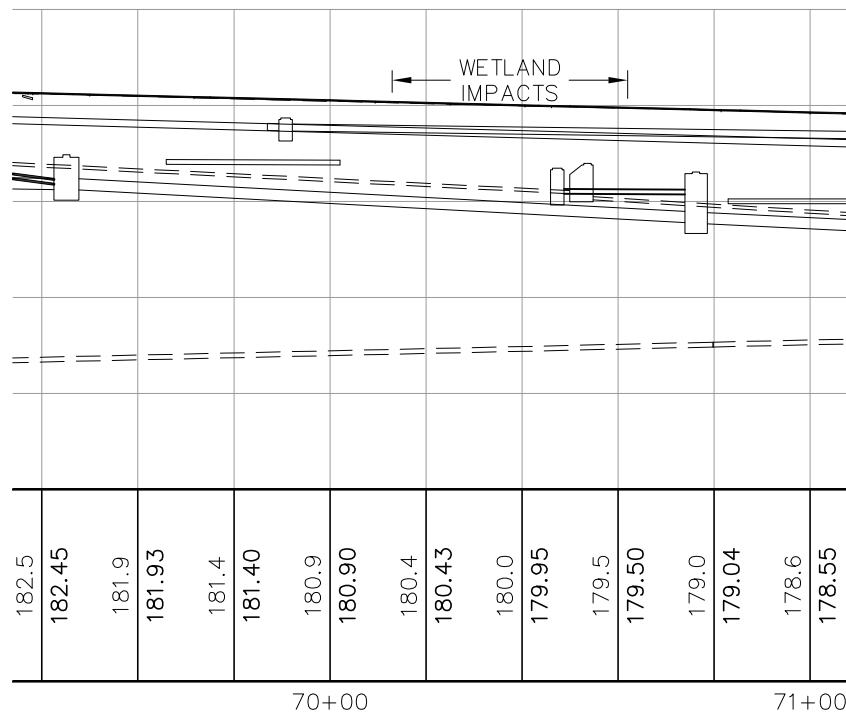
CITY OF BELLINGHAM
MAHOGANY - ARCTIC AVE. ARTERIALS
NORTHWEST AVE WETLAND IMPACTS

DATE: MARCH 3, 2017 SCALE: 1" = 40' JOB #: 15026
FILENAME: P:\PROJECTS\15026\9. PERMITTING\JARPA\WETLANDS\15026 JARPA SHEET 12 OF 16

REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



PROFILE VIEW



(IN FEET)
1 inch = 40 ft.

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ENGINEERING INC

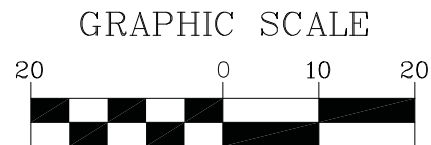
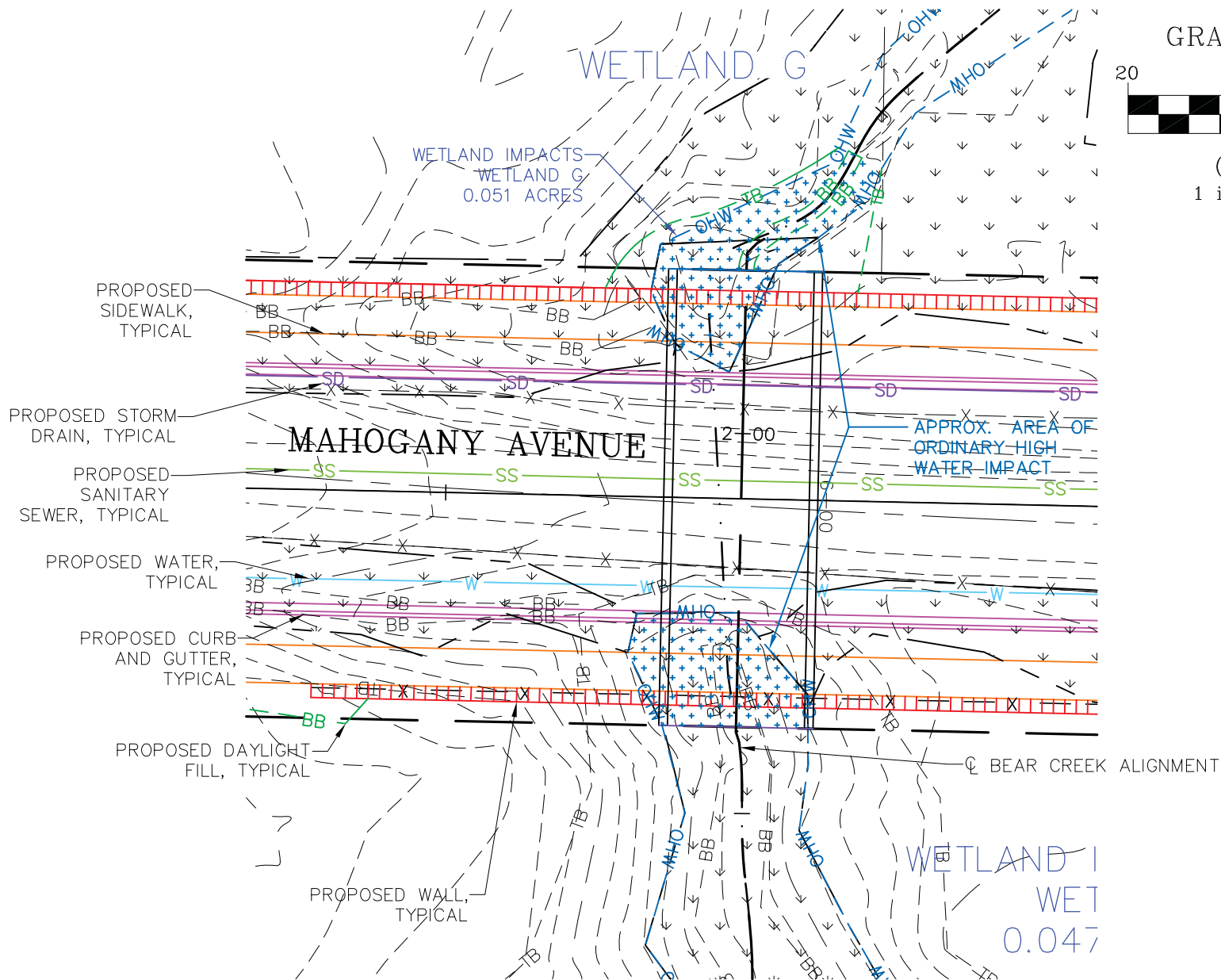
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CITY OF BELLINGHAM
MAHOGANY - ARCTIC AVE. ARTERIALS
NORTHWEST AVE WETLAND IMPACTS

DATE: MARCH 3, 2017 SCALE: 1" = 40' JOB #: 15026
FILENAME: P:\PROJECTS\15026\9. PERMITTING\JARPA\WETLANDS\15026 JARPA SHEET 13 OF 16

REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS

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(IN FEET)
1 inch = 20 ft.



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ENGINEERING INC

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CITY OF BELLINGHAM
MAHOGANY - ARCTIC AVE. ARTERIALS

BEAR CREEK OHW IMPACTS - PLAN

DATE: MARCH 3, 2017

SCALE: 1" = 40'

JOB #: 15026

FILENAME: P:\PROJECTS\15026\9. PERMITTING\JARPA\WETLANDS\15026 JARPA

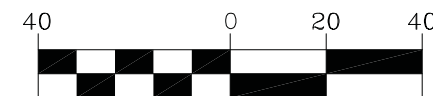
SHEET 14 OF 16

REFERENCE #: NWS-2017-86

APPLICANT: CITY OF BELLINGHAM

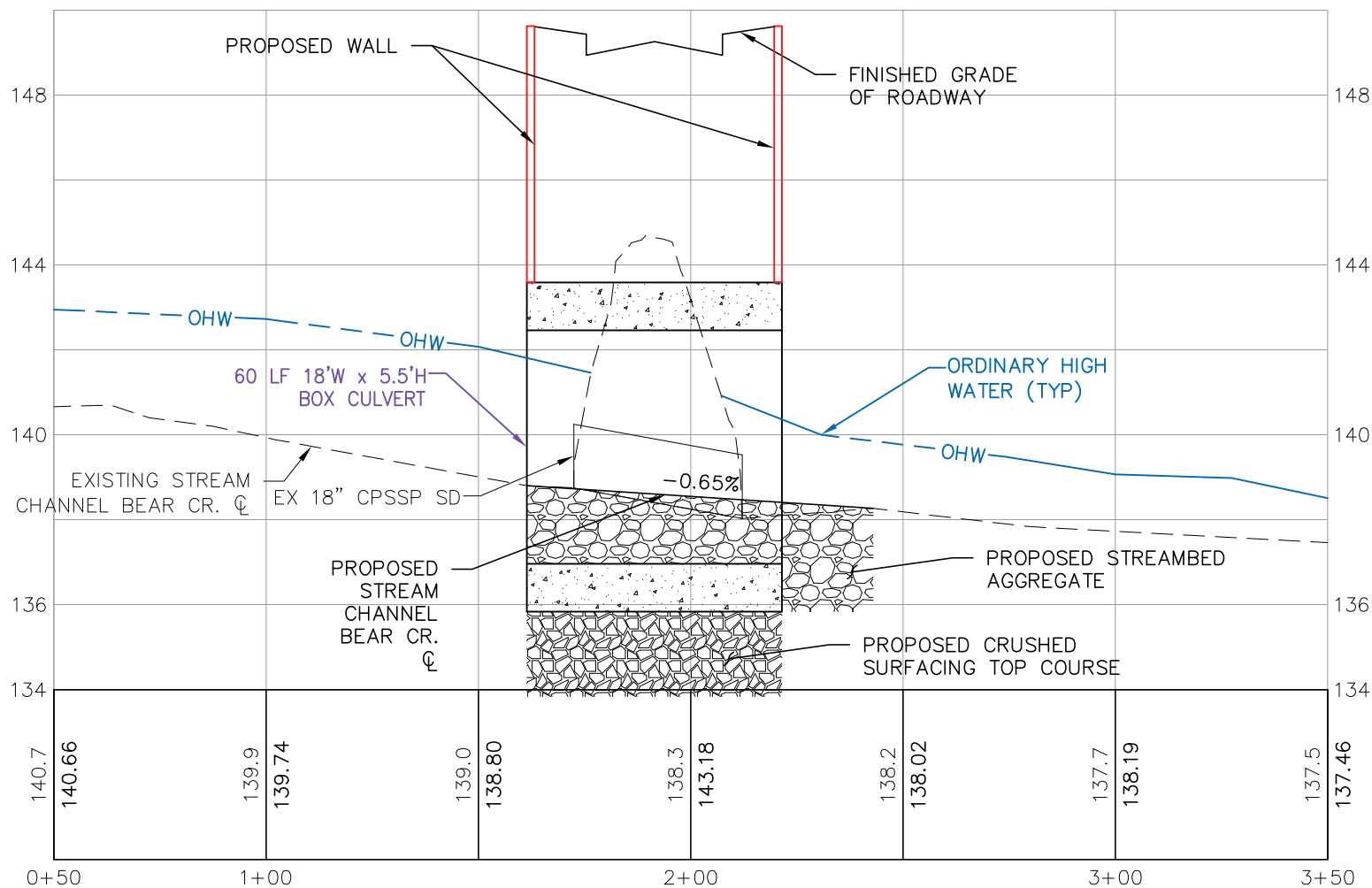
PROJECT: MAHOGANY-ARCTIC
AVE. ARTERIALS

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

CL BEAR CREEK ALIGNMENT



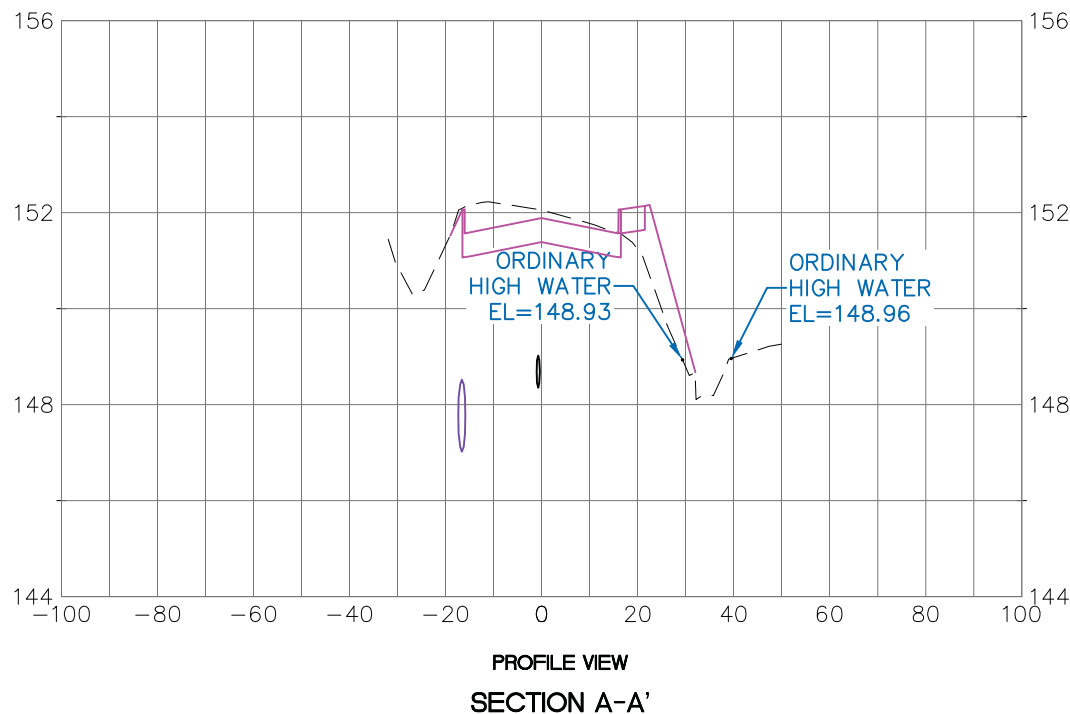
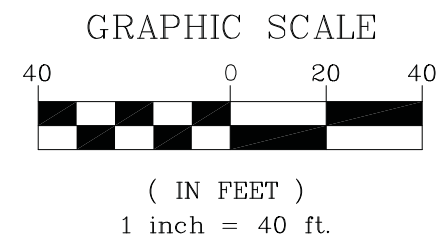
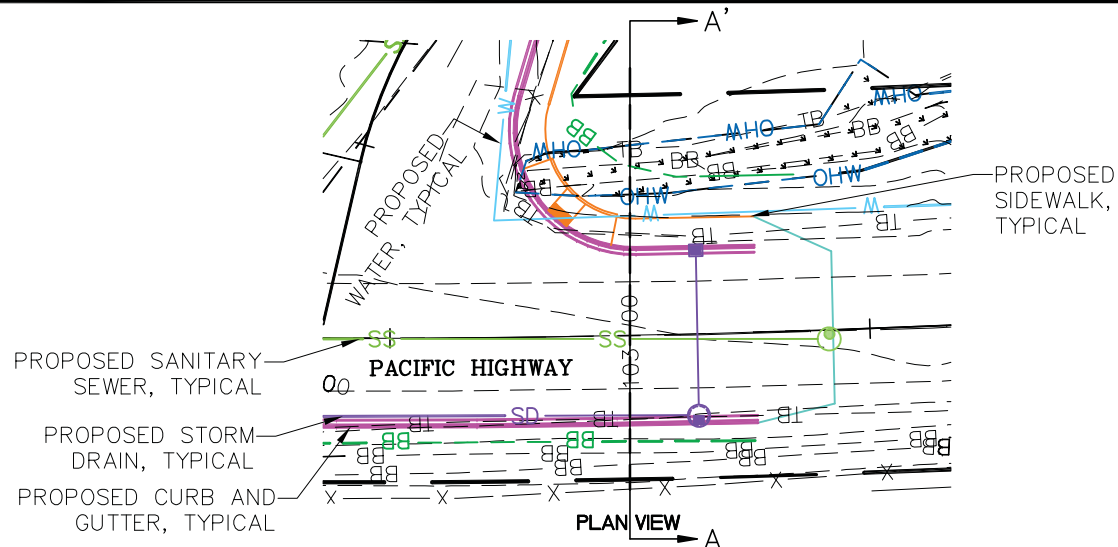
R&E Reichhardt & Ebe
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CITY OF BELLINGHAM
MAHOGANY - ARCTIC AVE. ARTERIALS
BEAR CREEK OHW IMPACTS - PROFILE

DATE: MARCH 3, 2017 SCALE: 1" = 40' JOB #: 15026
FILENAME: P:\PROJECTS\15026\9. PERMITTING\JARPA\WETLANDS\15026 JARPA SHEET 15 OF 16

REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS



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CITY OF BELLINGHAM
MAHOGANY - ARCTIC AVE. ARTERIALS
FILLED DITCH PLAN AND PROFILE

DATE: MARCH 3, 2017 SCALE: 1" = 40' JOB #: 15026
FILENAME: P:\PROJECTS\15026\9. PERMITTING\JARPA\WETLANDS\15026 JARPA SHEET 16 OF 16

REFERENCE #: NWS-2017-86
APPLICANT: CITY OF BELLINGHAM
PROJECT: MAHOGANY-ARCTIC AVE. ARTERIALS