



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT
4735 EAST MARGINAL WAY SOUTH, BLDG 1202
SEATTLE, WA 98134-2388

Regulatory Branch

October 23, 2023



Reference: NWS-2022-412
Deacon Development
LLC.
(West Main Commons)



The U.S. Army Corps of Engineers (Corps) received your request for an Approved Jurisdictional Determination (AJD) of the aquatic resources within the review area on the property located at 1305 West Main Street, Battle Ground, Clark County, Washington as shown on the enclosed Amended drawings dated October 18, 2023 (Enclosure 1). This determination applies only to the review area. Other aquatic resources, including wetlands, ditches, or other ponds, that may occur on this property or on adjacent properties outside the review area are not the subject of this determination

The U.S. Army Corps of Engineers has determined that Wetlands A through G are not waters of the U.S. and as such, work that would occur within these areas does not require Department of the Army authorization under Section 404 of the Clean Water Act. The enclosed *Approved Jurisdictional Determination Form* (Enclosure 2) provides the rationale for jurisdiction for all aquatic resources within the review area.

Other state and local regulations may still apply to these waters. For example, the Washington State Department of Ecology (Ecology) may regulate these features. For information on how to obtain State approval for your project, you should contact Ecology's Federal Permit Coordinator at ecyrefedpermits@ecy.wa.gov or at (360) 407-6068. Information regarding State permitting requirements can also be found at the following website: <https://ecology.wa.gov/Water-Shorelines/Wetlands/Regulations>. We are sending a copy of this letter to Ecology and to the Environmental Protection Agency's Aquatic Resources Unit.

This approved jurisdictional determination is valid for a period of five years from the date of this letter unless new information warrants revisions of the determination. If you object to the enclosed AJD, you may request an administrative appeal under 33 CFR Part 331 as described in the enclosed *Notification of Administrative Appeal Options* and *Process and Request for Appeal (RFA)* form (Enclosure 3). To appeal this AJD, you must submit a completed RFA form to the Corps' Northwestern Division (NWD) office at the address listed on the form. In order for the request for appeal to be accepted, the Corps must determine that the form is complete, that the request meets the criteria for appeal under 33 CFR § 331.5, and the form must be received by the NWD office within 60 days from the date on the form. It is not necessary to submit the form to the NWD office if you do not object to the enclosed AJD.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a Natural Resources Conservation Service Certified Wetland Determination with the local USDA service center, prior to starting work.

A copy of this letter with drawings will be furnished to [REDACTED]
[REDACTED] If you propose to do any work in the areas identified to be waters of the U.S., you should contact our office prior to commencing work to determine permit requirements. If you have any questions, please contact [REDACTED]
[REDACTED]

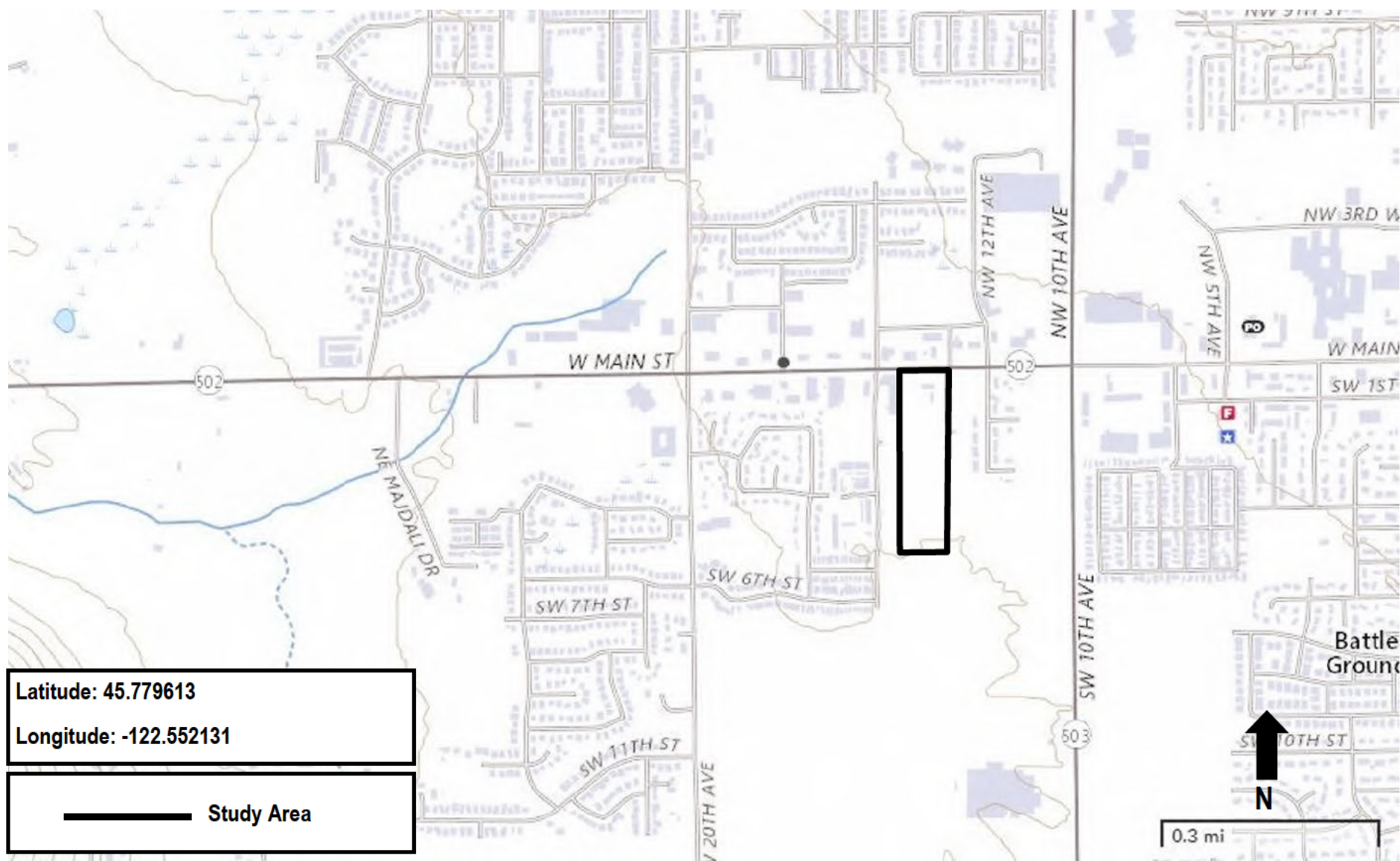
Sincerely,

[REDACTED]

Enclosures

cc:

Washington State Department of Ecology (ecyrefedpermits@ecy.wa.gov)



Project #7259
4/18/2022

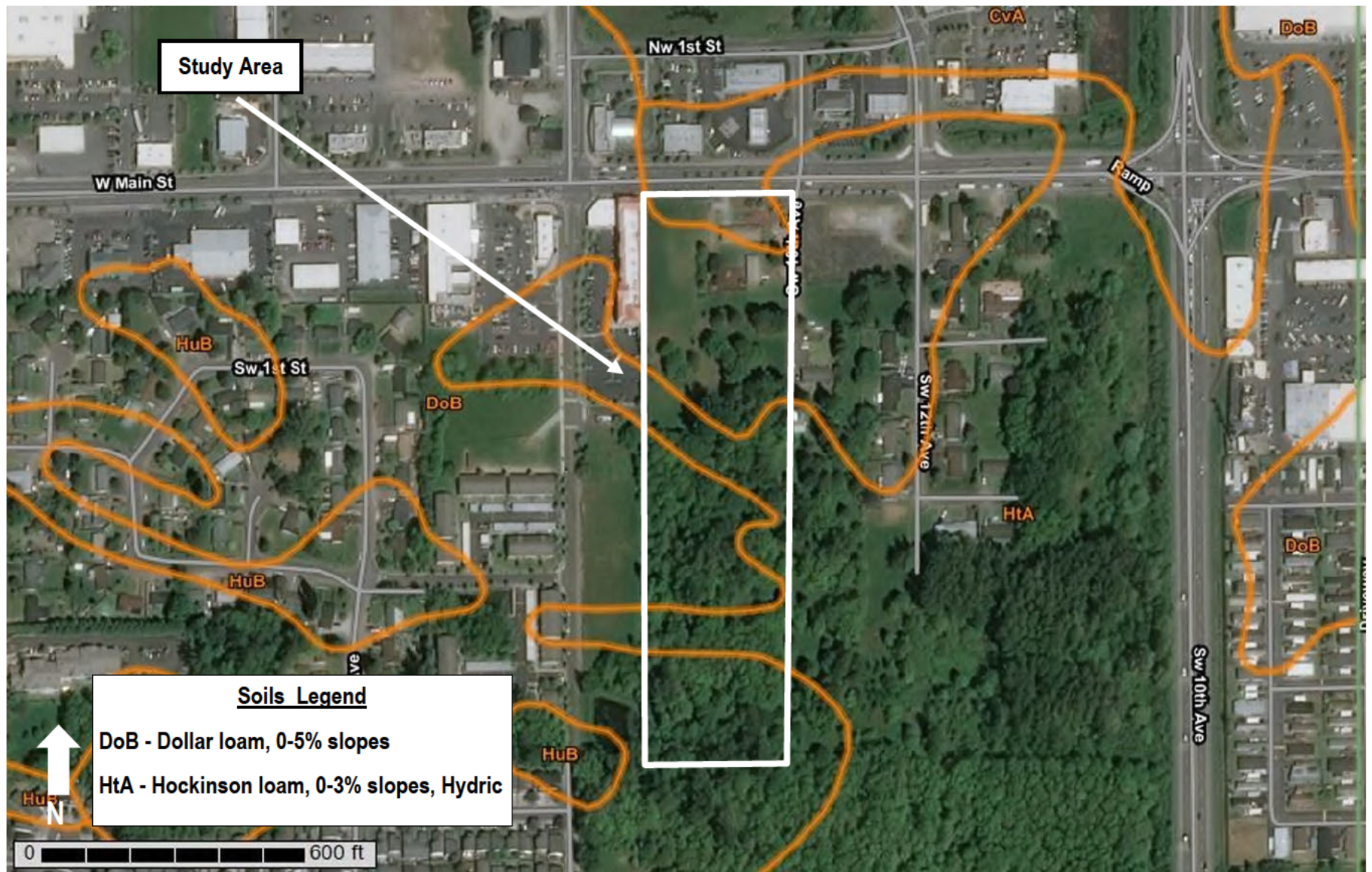


Pacific Habitat Services, Inc.
9450 SW Commerce Circle, Suite 180
Wilsonville, OR 97070

General Location and Topography
West Main Commons - Battle Ground, Washington
United States Geological Survey (USGS) Battle Ground, Washington 7.5 quadrangle, 2020
(viewer.nationalmap.gov/basic)

FIGURE

1



Project #7259
4/18/2022

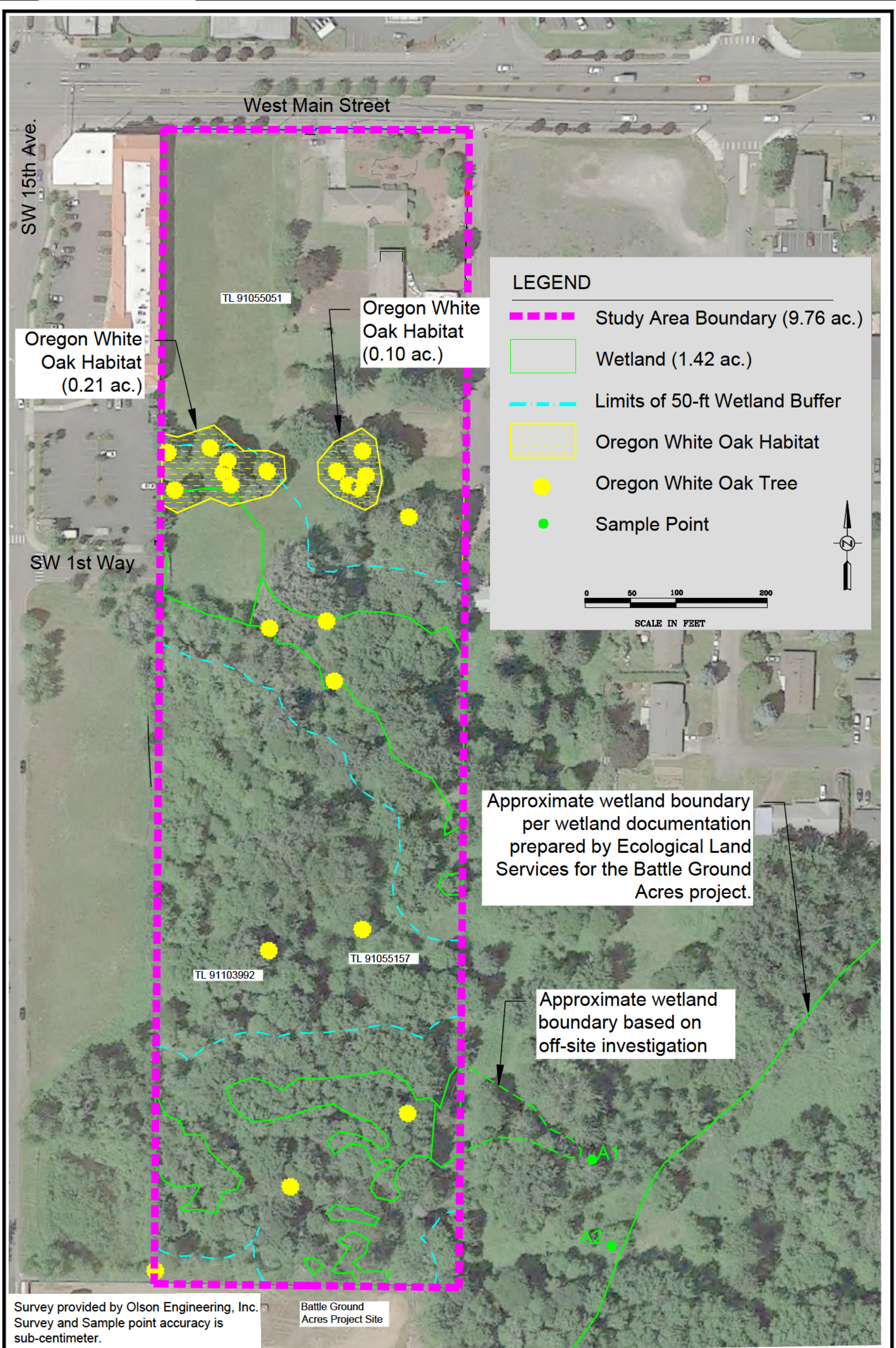


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Soils
West Main Commons - Battle Ground, Washington
Natural Resources Conservation Services, Web Soil Survey, 2021
(websoilsurvey.sc.egov.usda.gov)

FIGURE

4



LEGEND

Study Area Boundary

Wetland (1.42 ac.)

150-ft Offset from On-Site Wetland

0 50 100 200

SCALE IN FEET

N

