



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Randel Perry, Project Manager

Public Notice Date: January 13, 2004
Expiration Date: February 12, 2004
Reference: 200201268
Name: Harder, John

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT – Mr. John Harder
6305 Vista Drive
Ferndale, Washington 98248
Telephone: (360) 384-3589

LOCATION – In wetlands adjacent to Drayton Harbor near Blaine, Whatcom County, Washington.

WORK – Place fill into 0.30 acres of palustrine emergent and shrub/scrub wetlands for access road to enable construction of single-family residences and attendant facilities.

PURPOSE – Provide single-family residential space for the Blaine area.

ADDITIONAL INFORMATION – Additional wetland fill for construction of homes, sewer system, etc. will be undertaken at a future date by purchasers of the subdivision lots. Any permit issued for this application will be conditioned to require that a description of the wetland area for each subdivided lot be recorded on the deed for that lot and that a statement to the effect of, "Contact the U. S. Army Corps of Engineers about permit requirements for work in wetlands" will be added to each deed.

MITIGATION – Applicant proposes to enhance 1.58 of an acre of wetlands on-site.

ENDANGERED SPECIES – The Endangered Species Act of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The bald eagle (*Haliaeetus leucocephalus*) listed threatened; marbled murrelet (*Brachyramphus marmoratus*), listed threatened; Coastal/Puget Sound bull trout (*Salvelinus confluentus*) listed threatened; Puget Sound chinook salmon (*Oncorhynchus tshawytscha*) listed threatened; may occur in the proposed project area. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to these species.

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 National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The EFH for Pacific salmon, Groundfish, and Coastal Pelagic species occurs downstream of 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 District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

Known historic properties occur in the vicinity of the proposed project. However, the Corps has no record of historic and/or cultural resource sites in the permit area.

The District Engineer invites responses to this public notice from Federal, State, and local agencies, historical and archeological societies, Indian tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

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 - The decision whether to issue a permit will be based on an evaluation of the probable impact, 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; Federal, State, and local agencies and officials; Indian tribes; 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 evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

ADDITIONAL EVALUATION - The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

Whatcom County has issued an exemption from the requirement of obtaining a Shorelines Substantial Development permit for this project (Reference # SHX2003-00127).

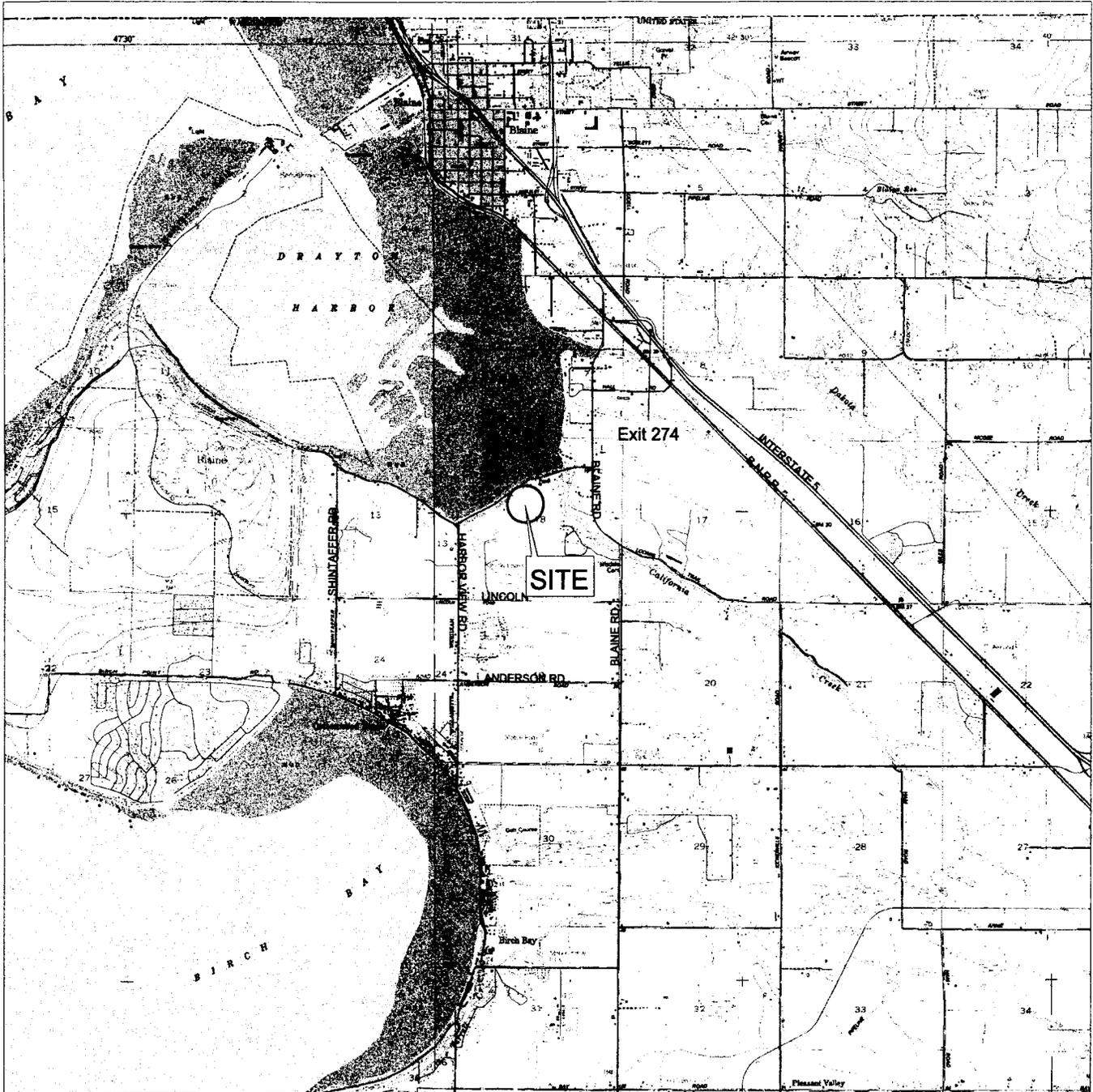
200201268

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. All e-mail comments should be sent to Randel.J.Perry@nws02.usace.army.mil. Conventional mail comments should be sent ATTN: Regulatory Branch. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor'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. Please include the following name and reference number:

Harder, John
200201268

Encl
Drawings (10)

Vicinity Map Harder Property Drayton Harbor Road



CAi Cantrell
& Associates, Inc.



COE Ref. # 200201268

December 18, 2003
Sheet 1 of 10

Northern View



Wetland Fill Area Summary

Wetland	Type	Fill Area
A	PEMC	1,174 SF (0.03 A)
B	PEMC	228 SF (0.005 A)
C	PEMC	6,890 SF (0.15 A)
D	PEMC	4,852 SF (0.11 A)

Total Wetland Fill: 13,144 SF (0.30 A)

Wetland Fill Volume Summary

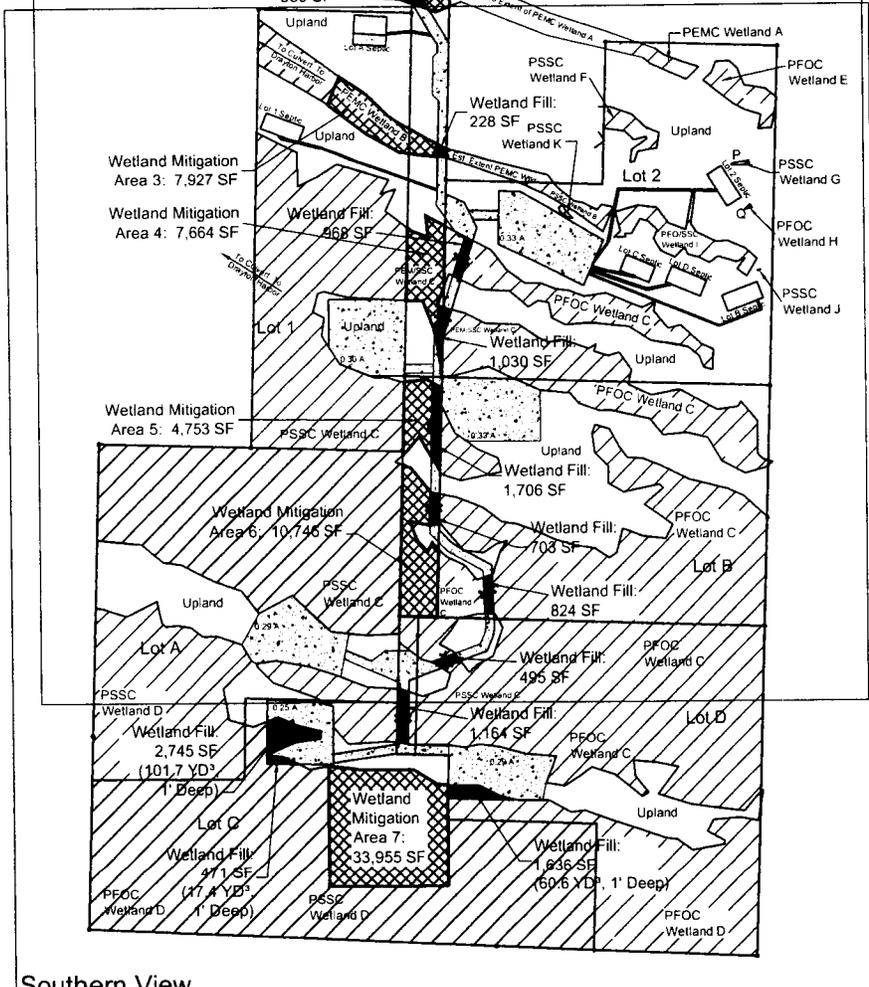
Wetland	Type	Fill Volume
A	PEMC	31.7 YD ³
B	PEMC	19.4 YD ³
C	PEMC	191.4 YD ³
D	PEMC	179.7 YD ³

Total Wetland Fill: 422.2 YD³

Wetland Mitigation Area Summary

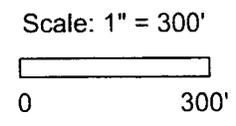
Wetland	Enhancement Area
A	3,887 SF
B	7,927 SF
C	23,163 SF
D	33,955 SF

Total Enhancement Area: 68,932 SF



Southern View

- Wetland
- Wetland Mitigation Area
- Wetland Fill
- Proposed Road & Building Areas
- Culvert



Site Plan, Entire Property

CORPS REFERENCE NO.: 2002-4-01268
 PURPOSE: To Construct Gravel Road
 DATUM:
 JOB ADDRESS: Drayton Harbor Road
 APPLICATION BY: John Harder
 MAILING ADDRESS: 6305 Vista Drive,
 Ferndale, WA 98248

ACTION: Proposed Wetland Fill
 ADJACENT TO: Drayton Harbor
 AT: W 1/2 S 18, T40N, R1E W.M.
 IN: Whatcom County
 STATE: Washington
 SHEET: 2 of 10 DATE: 12/18/03

Wetland Fill Area Summary

Wetland	Type	Fill Area
A	PEMC	1,174 SF (0.03 A)
B	PEMC	228 SF (0.005 A)
C	PEMC	6,890 SF (0.15 A)
D	PEMC	4,852 SF (0.11 A)

Total Wetland Fill: 13,144 SF (0.30 A)

Wetland Fill Volume Summary

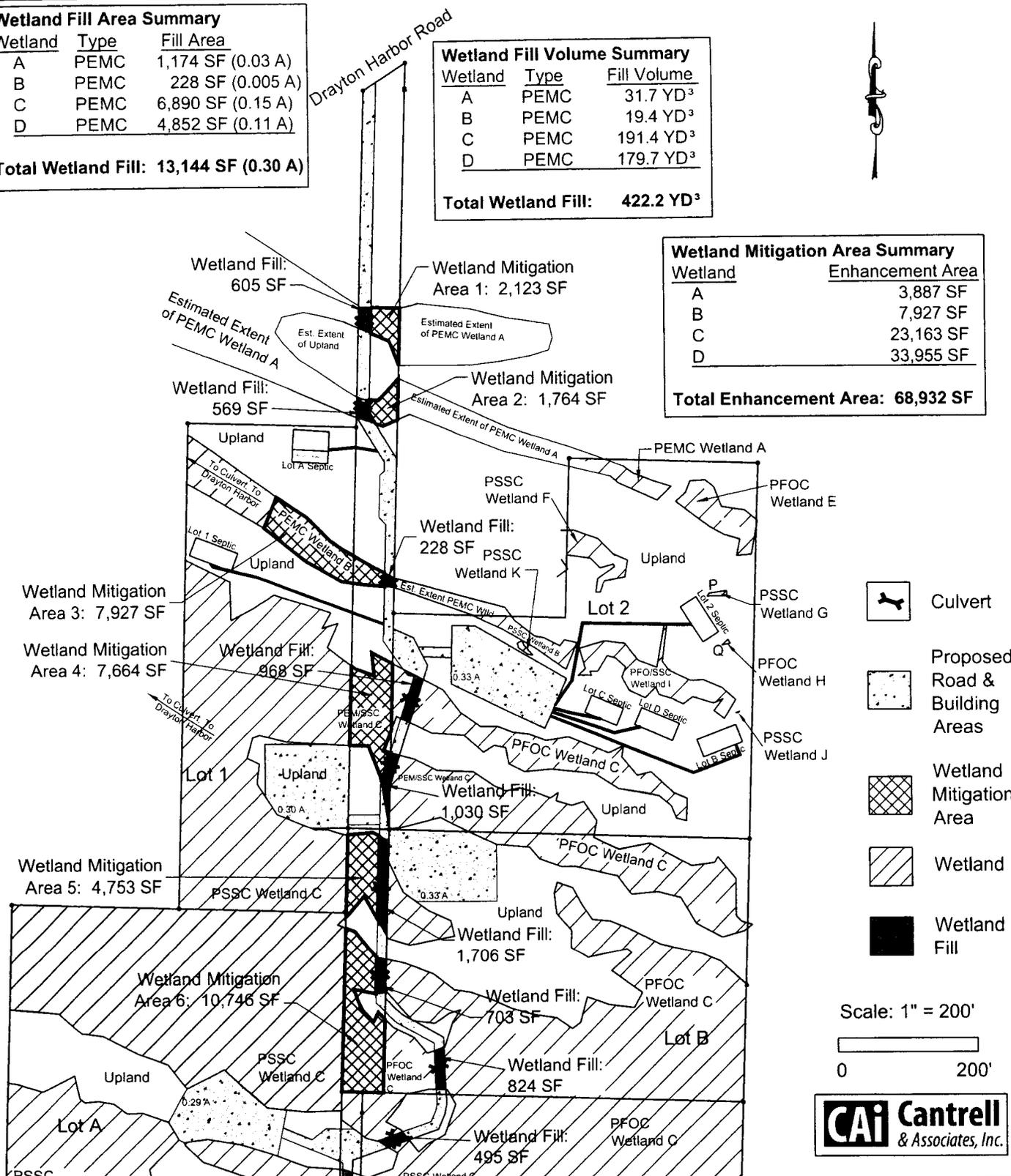
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Wetland Mitigation Area Summary

Wetland	Enhancement Area
A	3,887 SF
B	7,927 SF
C	23,163 SF
D	33,955 SF

Total Enhancement Area: 68,932 SF



Site Plan, Northern View

CORPS REFERENCE NO.: 2002-4-01268
 PURPOSE: To Construct Gravel Road
 DATUM:
 JOB ADDRESS: Drayton Harbor Road
 APPLICATION BY: John Harder
 MAILING ADDRESS: 6305 Vista Drive,
 Ferndale, WA 98248

ACTION: Proposed Wetland Fill
 ADJACENT TO: Drayton Harbor
 AT: W¹/₂ 518, T40N, R1E W.M.
 IN: Whatcom County
 STATE: Washington
 SHEET: 3 of 10 DATE: 12/18/03



Wetland Fill Area Summary

Wetland	Type	Fill Area
A	PEMC	1,174 SF (0.03 A)
B	PEMC	228 SF (0.005 A)
C	PEMC	6,890 SF (0.15 A)
D	PEMC	4,852 SF (0.11 A)

Total Wetland Fill: 13,144 SF (0.30 A)

Wetland Mitigation Area Summary

Wetland	Enhancement Area
A	3,887 SF
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C	23,163 SF
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Total Enhancement Area: 68,932 SF

Wetland Mitigation Area 3: 7,927 SF

Wetland Mitigation Area 4: 7,664 SF

Wetland Mitigation Area 5: 4,753 SF

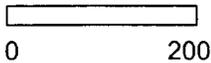
Wetland Mitigation Area 6: 10,746 SF

Wetland Mitigation Area 7: 33,955 SF

-  Wetland
-  Wetland Fill
-  Proposed Road & Building Areas
-  Culvert

-  Wetland Mitigation Area

Scale: 1" = 200'



Site Plan, Southern Portion

CORPS REFERENCE NO.: 2002-4-01268
 PURPOSE: To Construct Gravel Road
 DATUM:
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 APPLICATION BY: John Harder
 MAILING ADDRESS: 6305 Vista Drive,
 Ferndale, WA 98248

ACTION: Proposed Wetland Fill
 ADJACENT TO: Drayton Harbor
 AT: W $\frac{1}{2}$ 518, T40N, R1E W.M.
 IN: Whatcom County
 STATE: Washington
 SHEET: 4 of 10 DATE: 12/18/03

Wetland Fill Area Summary

Wetland	Type	Fill Area
A	PEMC	1,174 SF (0.03 A)
B	PEMC	228 SF (0.005 A)
C	PEMC	6,890 SF (0.15 A)
D	PEMC	4,852 SF (0.11 A)

Total Wetland Fill: 13,144 SF (0.30 A)

Wetland Mitigation Area Summary

Wetland	Enhancement Area
A	3,887 SF
B	7,927 SF
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D	33,955 SF

Total Enhancement Area: 68,932 SF

Wetland Fill Volume Summary

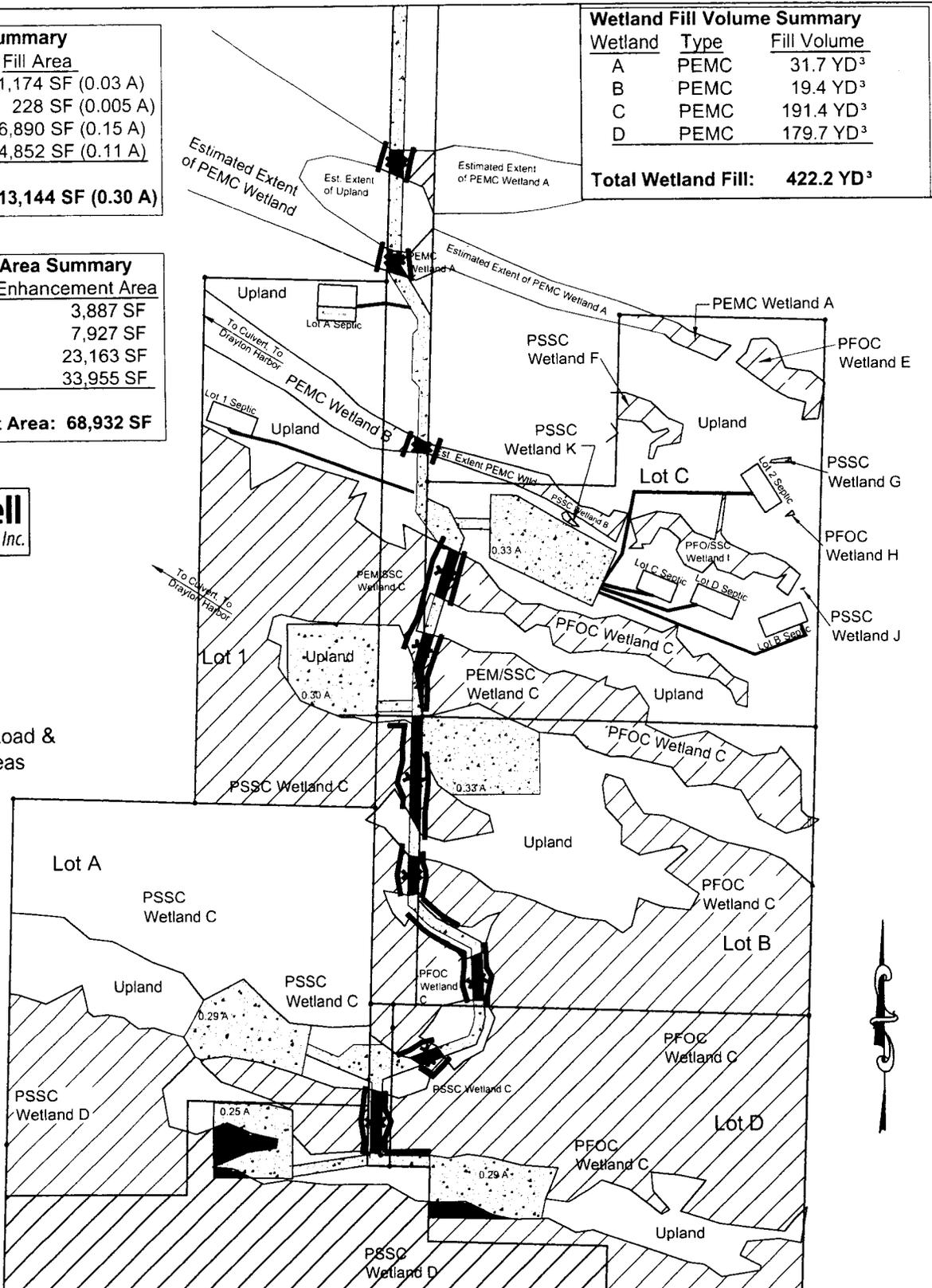
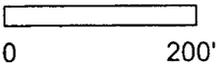
Wetland	Type	Fill Volume
A	PEMC	31.7 YD ³
B	PEMC	19.4 YD ³
C	PEMC	191.4 YD ³
D	PEMC	179.7 YD ³

Total Wetland Fill: 422.2 YD³



- Wetland
- Wetland Fill
- Proposed Road & Building Areas
- Culvert
- Silt Fence

Scale: 1" = 200'



Temporary Erosion & Sediment Control Plan

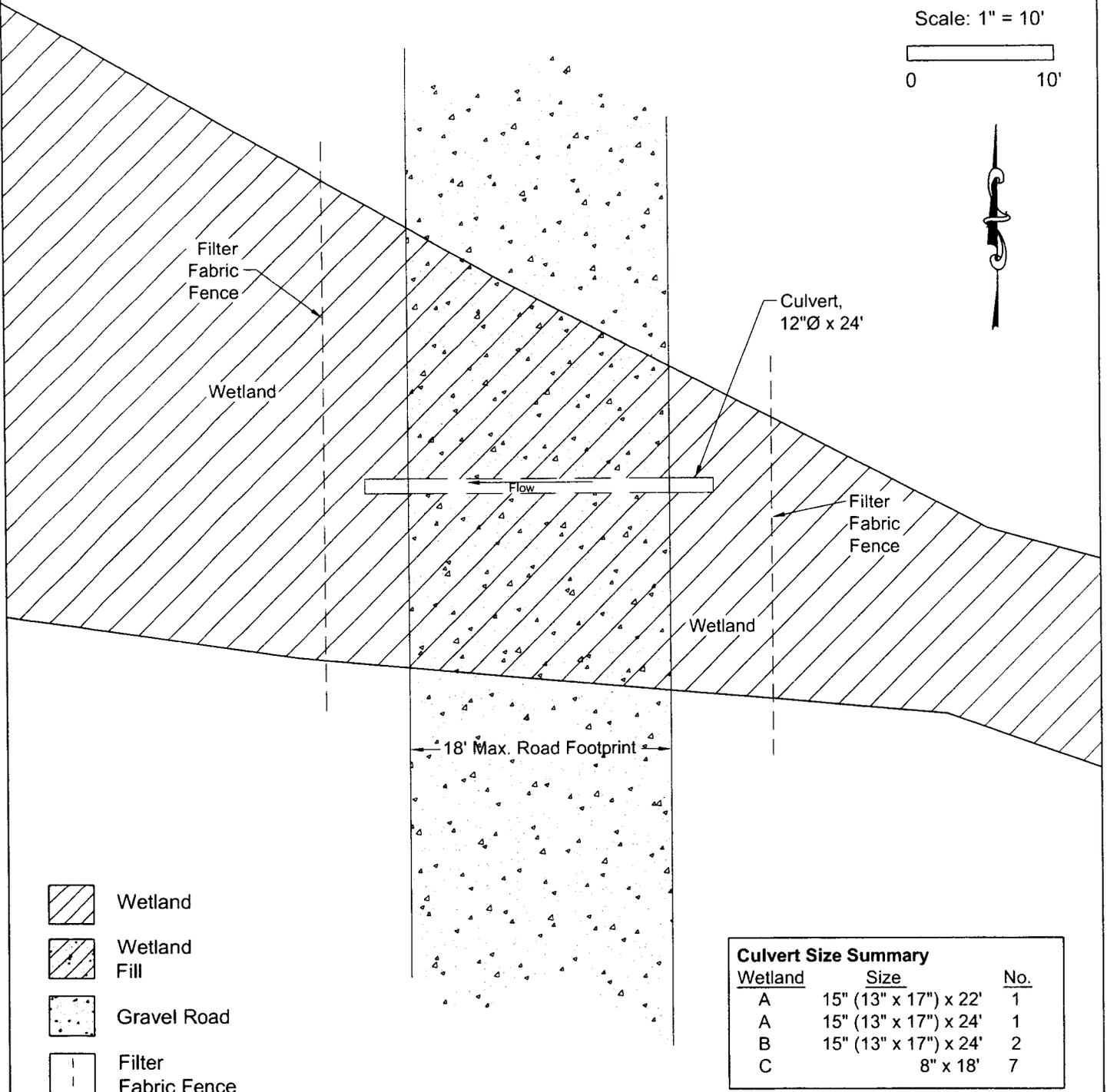
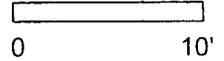
CORPS REFERENCE NO.: 2002-4-01268
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 APPLICATION BY: John Harder
 MAILING ADDRESS: 6305 Vista Drive,
 Ferndale, WA 98248

ACTION: Proposed Wetland Fill
 ADJACENT TO: Drayton Harbor

AT: W 2 S 18, T40N, R1E W.M.
 IN: Whatcom County
 STATE: Washington

SHEET: 5 of 10 DATE: 12/18/03

Scale: 1" = 10'



-  Wetland
-  Wetland Fill
-  Gravel Road
-  Filter Fabric Fence

Culvert Size Summary		
Wetland	Size	No.
A	15" (13" x 17") x 22'	1
A	15" (13" x 17") x 24'	1
B	15" (13" x 17") x 24'	2
C	8" x 18'	7

Typical Culvert Installation With Filter Fence

CORPS REFERENCE NO.: 2002-4-01268

PURPOSE: To Construct Gravel Road

DATUM:

JOB ADDRESS: Drayton Harbor Road

APPLICATION BY: John Harder

MAILING ADDRESS: 6305 Vista Drive,
Ferndale, WA 98248

ACTION: Proposed Wetland Fill

ADJACENT TO: Drayton Harbor

AT: W₂ S 18, T40N, R1E W.M.

IN: Whatcom County

STATE: Washington

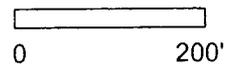
SHEET: **6** of **10** DATE: 12/18/03

Culvert Size Summary

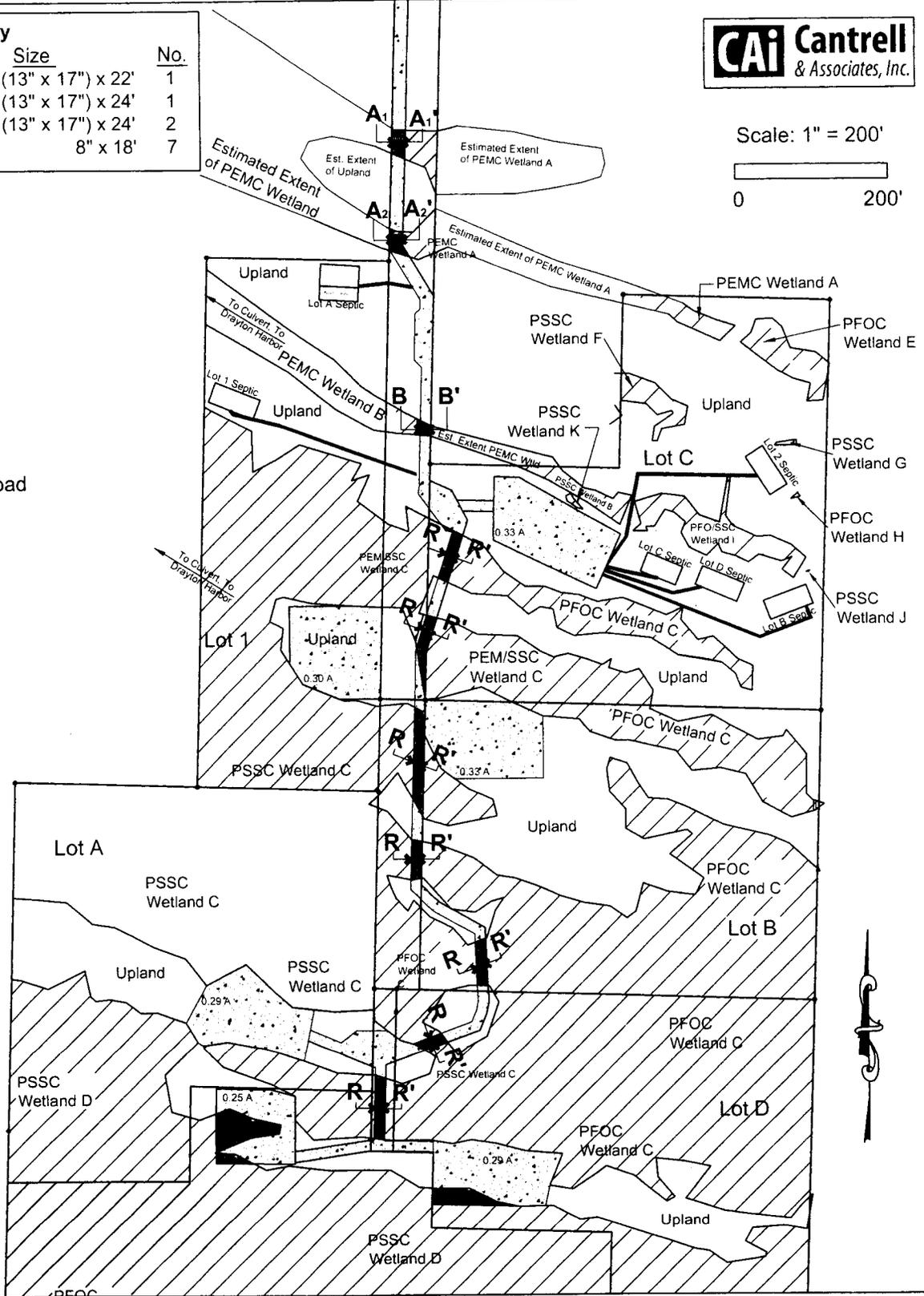
Wetland	Size	No.
A	15" (13" x 17") x 22'	1
A	15" (13" x 17") x 24'	1
B	15" (13" x 17") x 24'	2
C (Labeled R)	8" x 18'	7



Scale: 1" = 200'



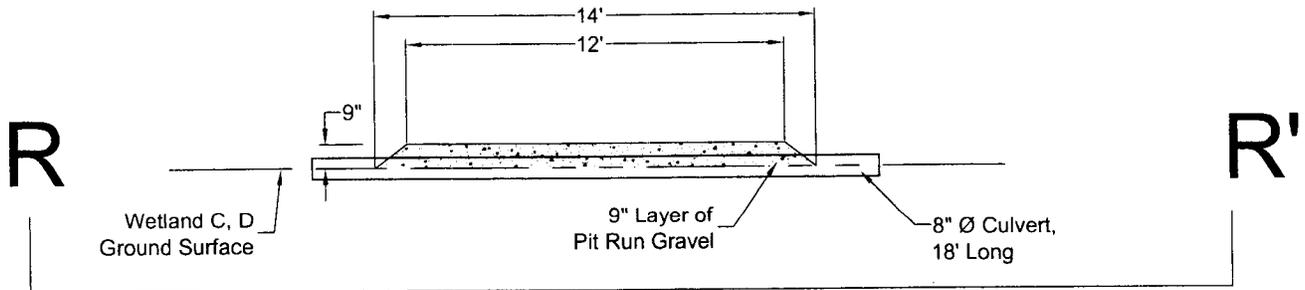
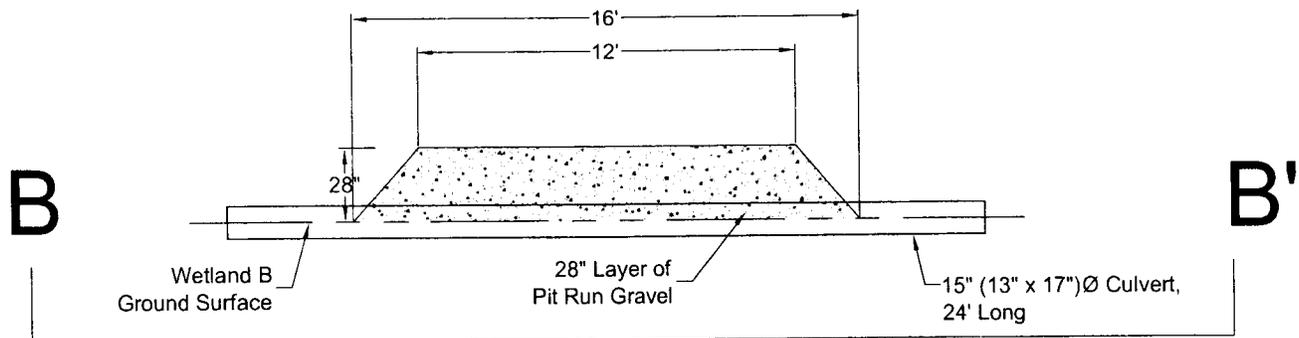
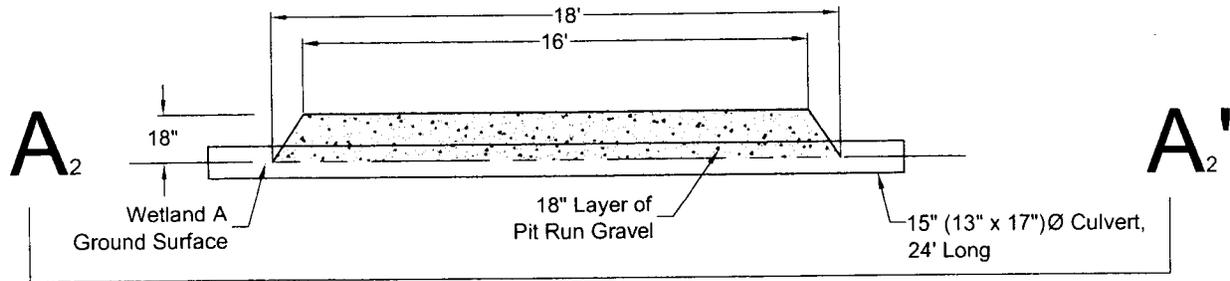
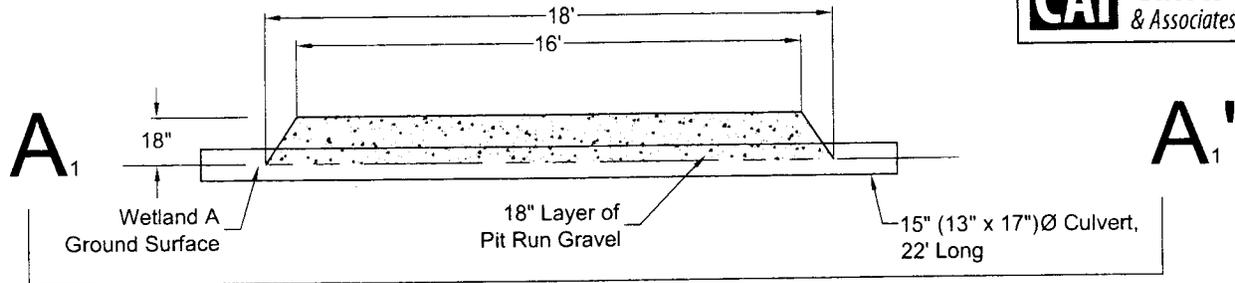
- Wetland
- Wetland Fill
- Gravel Road
- Culvert



Culvert and Road Cross-Section Locations

CORPS REFERENCE NO.: 2002-4-01268
 PURPOSE: To Construct Gravel Road
 DATUM:
 JOB ADDRESS: Drayton Harbor Road
 APPLICATION BY: John Harder
 MAILING ADDRESS: 6305 Vista Drive,
 Ferndale, WA 98248

ACTION: Proposed Wetland Fill
 ADJACENT TO: Drayton Harbor
 AT: W $\frac{1}{2}$ S18, T40N, R1E W.M.
 IN: Whatcom County
 STATE: Washington
 SHEET: 7 of 10 DATE: 12/18/03



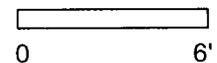
Culvert Size Summary

Wetland	Size	No.
A	15" (13" x 17") x 22'	1
A	15" (13" x 17") x 24'	1
B	15" (13" x 17") x 24'	2
C (Labeled R)	8" x 18'	7



Pit Run Gravel

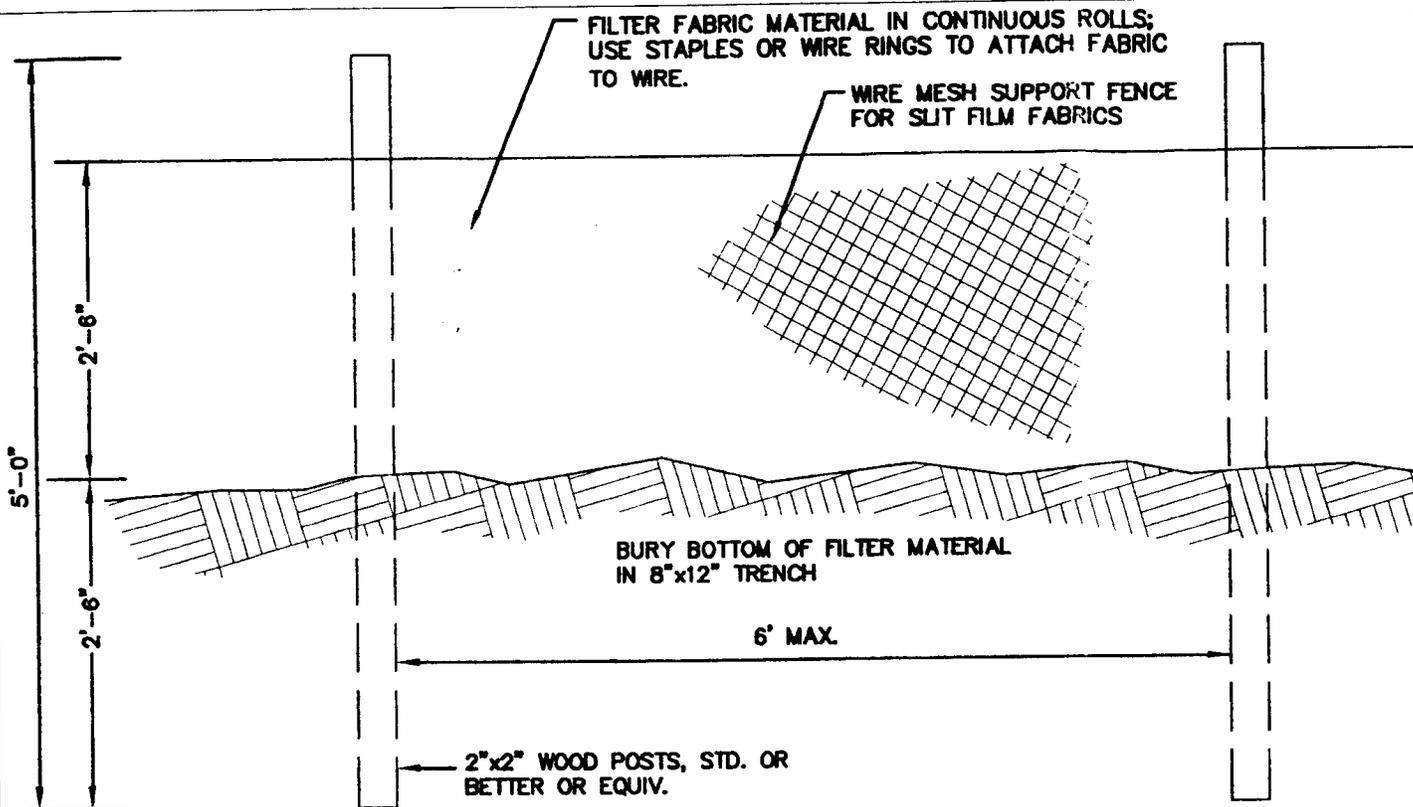
Scale: 1" = 6'



Culvert and Road Cross-Sections

CORPS REFERENCE NO.: 2002-4-01268
 PURPOSE: To Construct Gravel Road
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 JOB ADDRESS: Drayton Harbor Road
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 Ferndale, WA 98248

ACTION: Proposed Wetland Fill
 ADJACENT TO: Drayton Harbor
 AT: W $\frac{1}{2}$ S18, T40N, R1E W.M.
 IN: Whatcom County
 STATE: Washington
 SHEET: **8** of **10** DATE: 12/18/03



Not To Scale



Filter Fabric Fence Detail 1

CORPS REFERENCE NO.: 2002-4-01268

PURPOSE: To Construct Gravel Road

DATUM:

JOB ADDRESS: Drayton Harbor Road

APPLICATION BY: John Harder

MAILING ADDRESS: 6305 Vista Drive,
Ferndale, WA 98248

ACTION: Proposed Wetland Fill

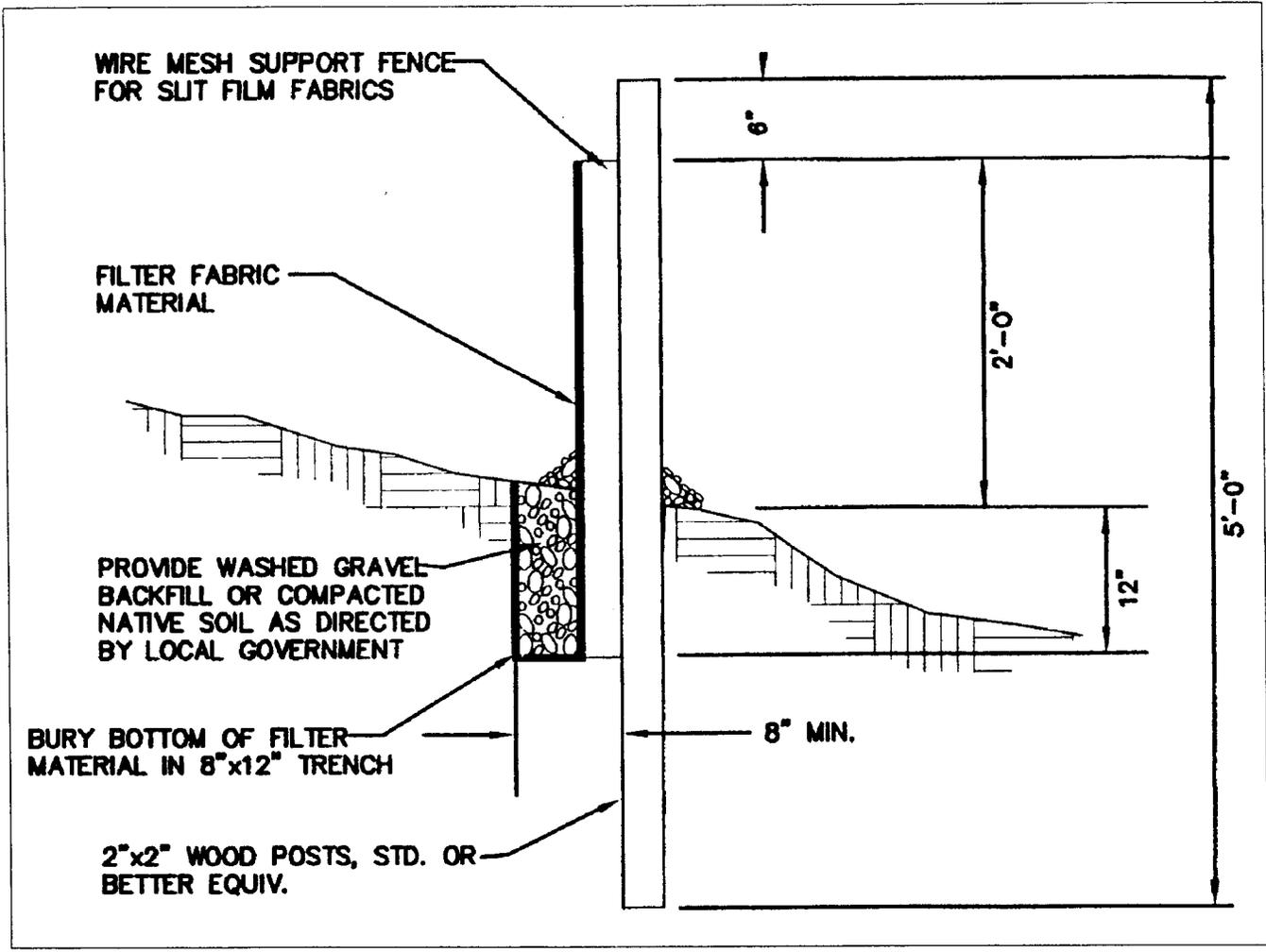
ADJACENT TO: Drayton Harbor

AT: W $\frac{1}{2}$ S18, T40N, R1E W.M.

IN: Whatcom County

STATE: Washington

SHEET: 9 of 10 DATE: 12/18/03



Not To Scale



Filter Fabric Fence Detail 2

CORPS REFERENCE NO.: 2002-4-01268
 PURPOSE: To Construct Gravel Road
 DATUM:
 JOB ADDRESS: Drayton Harbor Road
 APPLICATION BY: John Harder
 MAILING ADDRESS: 6305 Vista Drive,
 Ferndale, WA 98248

ACTION: Proposed Wetland Fill
 ADJACENT TO: Drayton Harbor
 AT: W $\frac{1}{2}$ S18, T40N, R1E W.M.
 IN: Whatcom County
 STATE: Washington
 SHEET: 10 of 10 DATE: 12/18/03



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: January 13, 2004

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200201268 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600