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: Ron Klump, Project Manager

Public Notice Date: December 1, 2004
Expiration Date: December 31, 2004
Reference: 200401192
Name: Prestige Development

Interested parties are hereby notified that an application was 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 - Prestige Development
801 C Street, Suite 200
Vancouver, Washington 98660
ATTN: Elie Kassab
Telephone: (360) 993-0010

AGENT - Henderson Land Services, LLC
200 North State Street, Suite 103
Lake Oswego, Oregon 97034
ATTN: C. Tracey Dulin
Telephone: (503) 699-8999

LOCATION – The proposed project is located in wetlands adjacent to an unnamed tributary to Woodin Creek, east of Highway 503 in the SE ¼ of Section 3, Township 3 North, Range 2 East, at Battle Ground, Washington.

WORK – Fill 2.16 acres of wetlands to construct a fitness center, 2 retail buildings, a storm-water pond, a parking lot, access roads, and a realigned ditch.

PURPOSE – The purpose of this project is to construct a retail/commercial center.

MITIGATION – The applicant proposes to enhance 4.76 acres of pasture wetlands by excavating portions of the existing wetland and planting native trees, shrubs, and herbaceous vegetation.

ENDANGERED SPECIES – The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. Bald Eagle (*Haliaeetus leucocephalus*), Water Howellia (*Howellia aquatilis*), and Bradshaw's Desert Parsley (*Lomatium bradshawii*) are listed as threatened in the state of Washington and 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 the Bald Eagle, Water Howellia, and Bradshaw's Desert Parsley.

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 Corps has determined that the proposed action will not adversely affect designated EFH for federally-managed fisheries in Washington waters. As such, no further EFH consultation with the NMFS is necessary.

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 cultural resources occur in the vicinity of the proposed project. An investigation will be required during the permit review.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments, Federal, State, and local agencies, historical and archeological societies, 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, 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. 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.

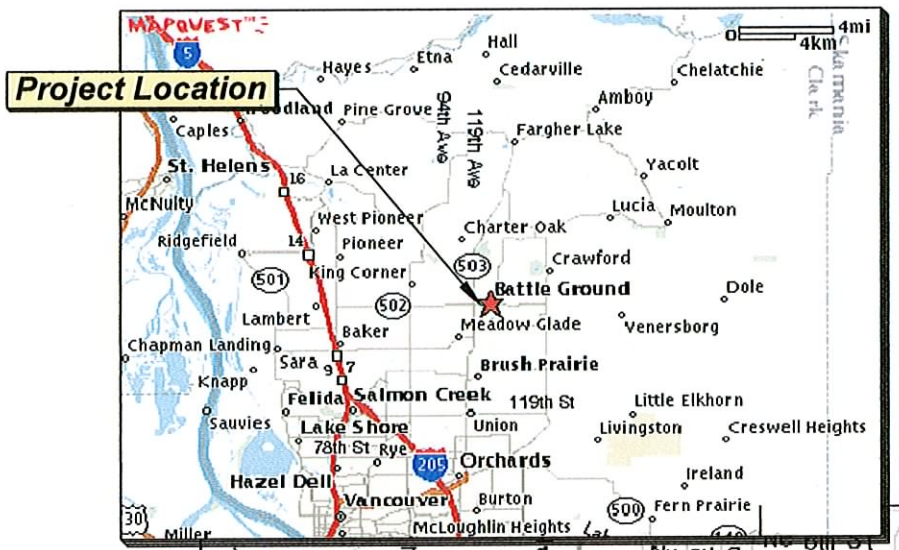
The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

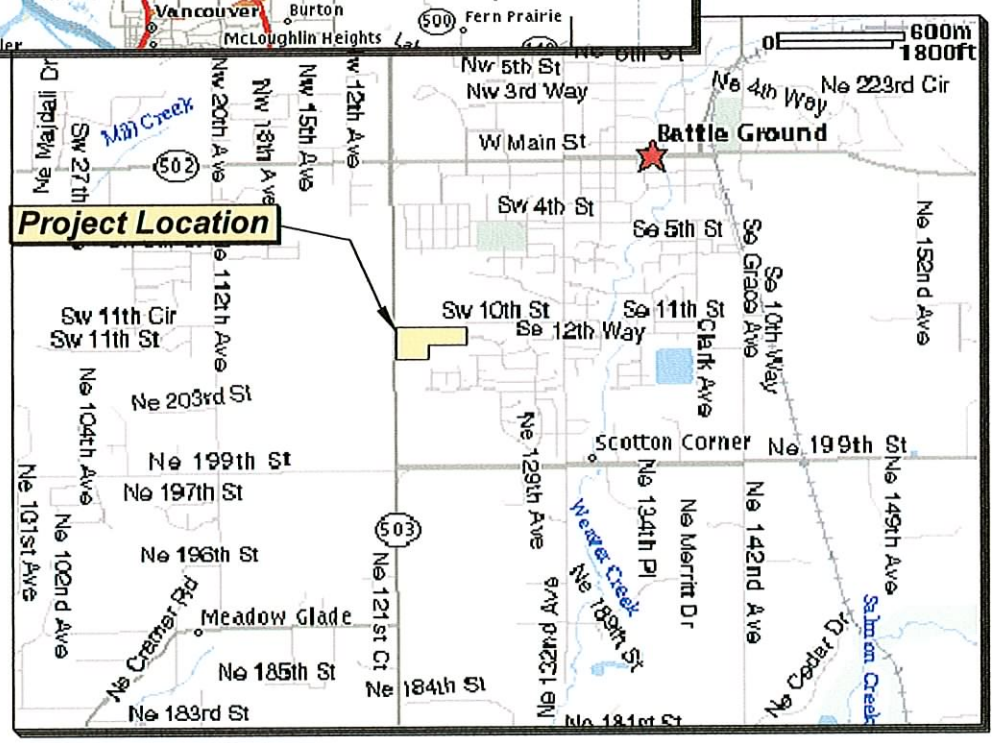
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

COMMENT AND REVIEW PERIOD – Conventional mail or email 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, email comments must originate from the author's email account and must include on the subject line of the email message the permit applicant's name and reference number as shown below. All email comments should be sent to Ron.Klump@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or email 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 email 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:

Prestige Development, 200401192

Encl.
Drawings: (7)





REF: 200401192
PRESTIGE DEVELOPMENT
DATE: NOVEMBER 19, 2004

Not To Scale

Source: MapQuest.com, 2004

HENDERSON LAND SERVICES LLC
200 North State Street, Suite 103
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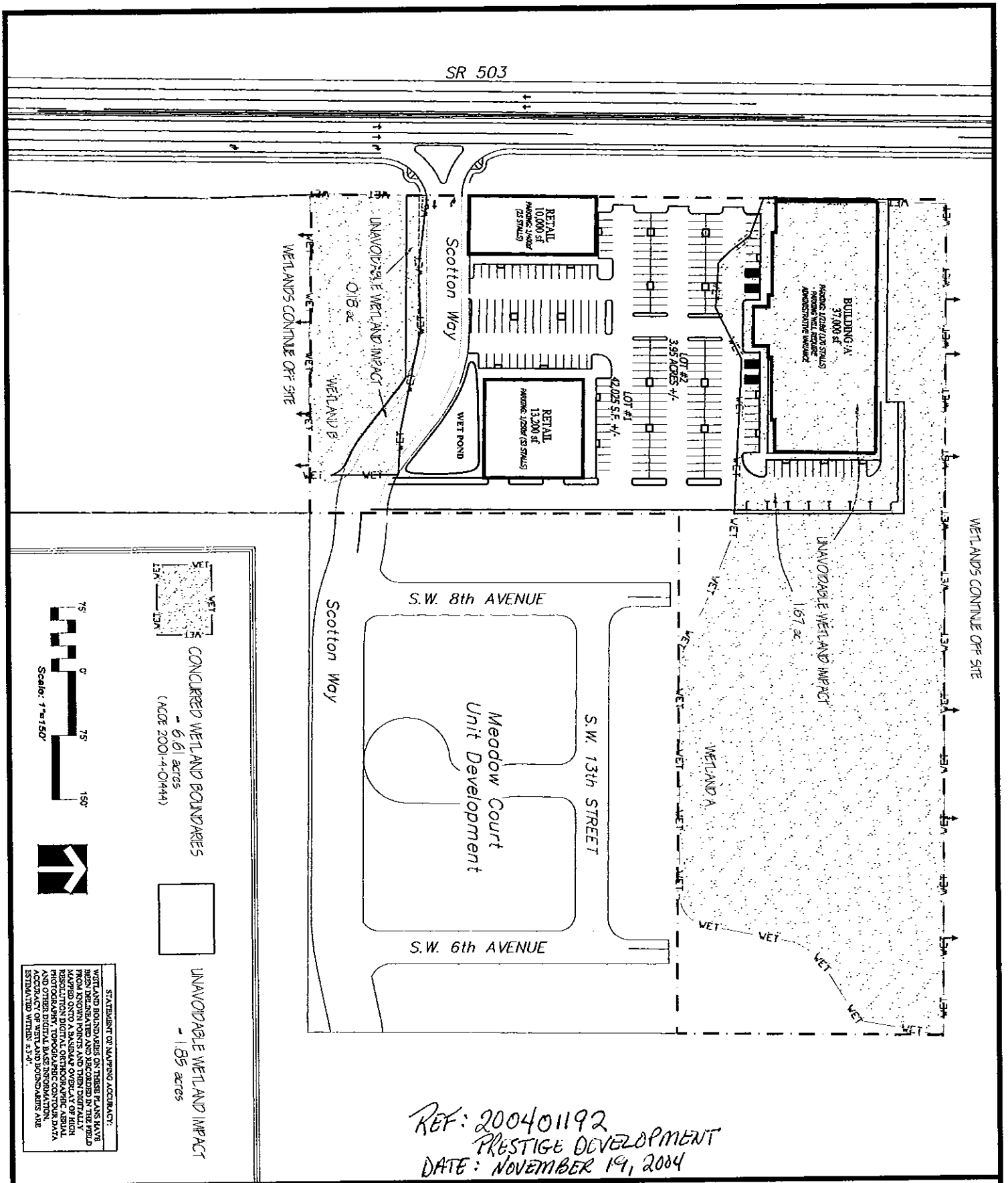
telephone (503) 699-8999
facsimile (503) 699-8777

HEALTH AND FITNESS CENTER
WETLAND MITIGATION PLAN
VICINITY MAP

BATTLE GROUND, WASHINGTON | SEC 3 / T3N / R2E | CLARK COUNTY

SHEET 1/1



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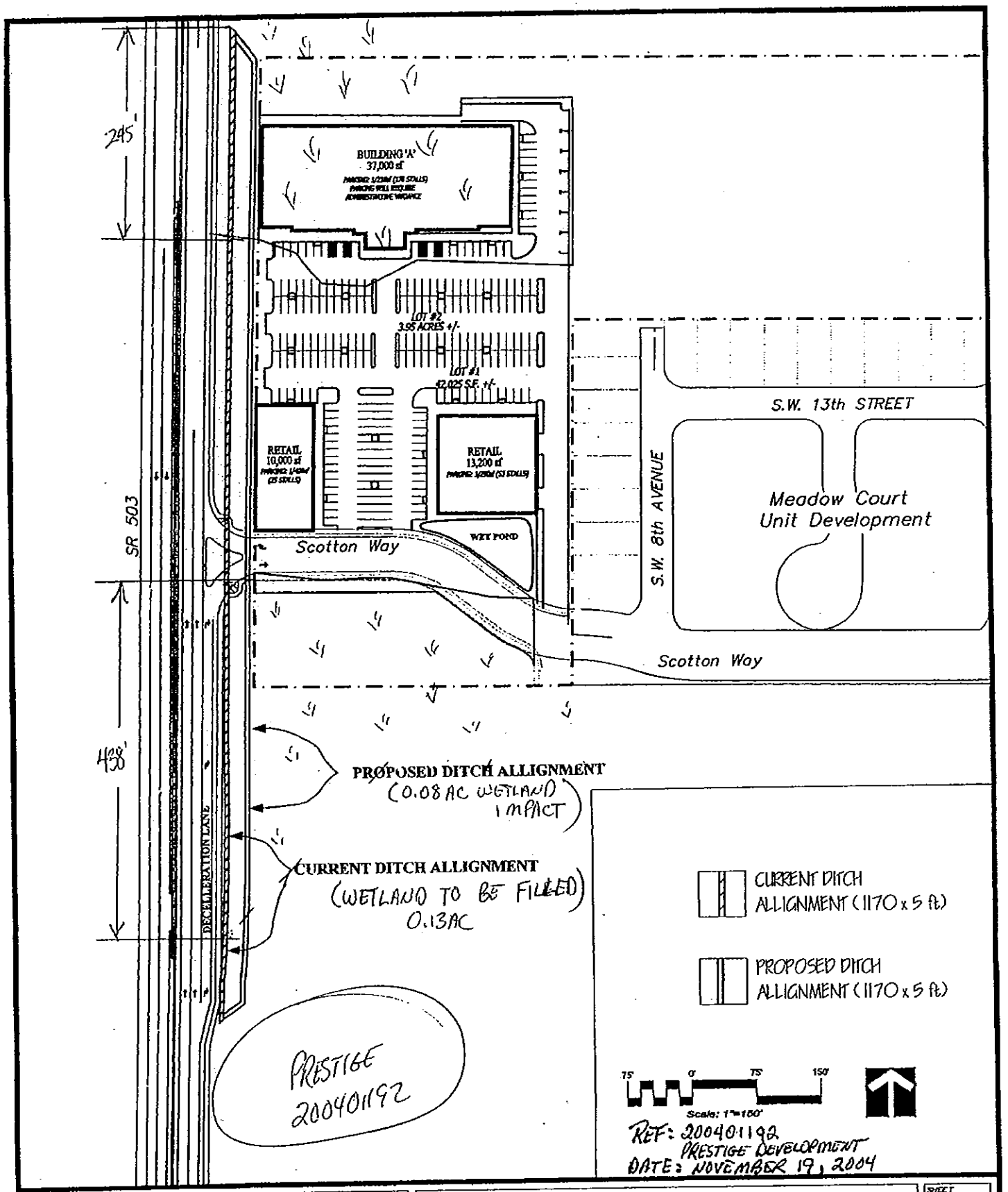
HEALTH AND FITNESS CENTER

Wetland Delineation and Site Plan

CLARK COUNTY | Sec3/T3N/R2E | BATTLE GROUND, WA

SHEET 2/7



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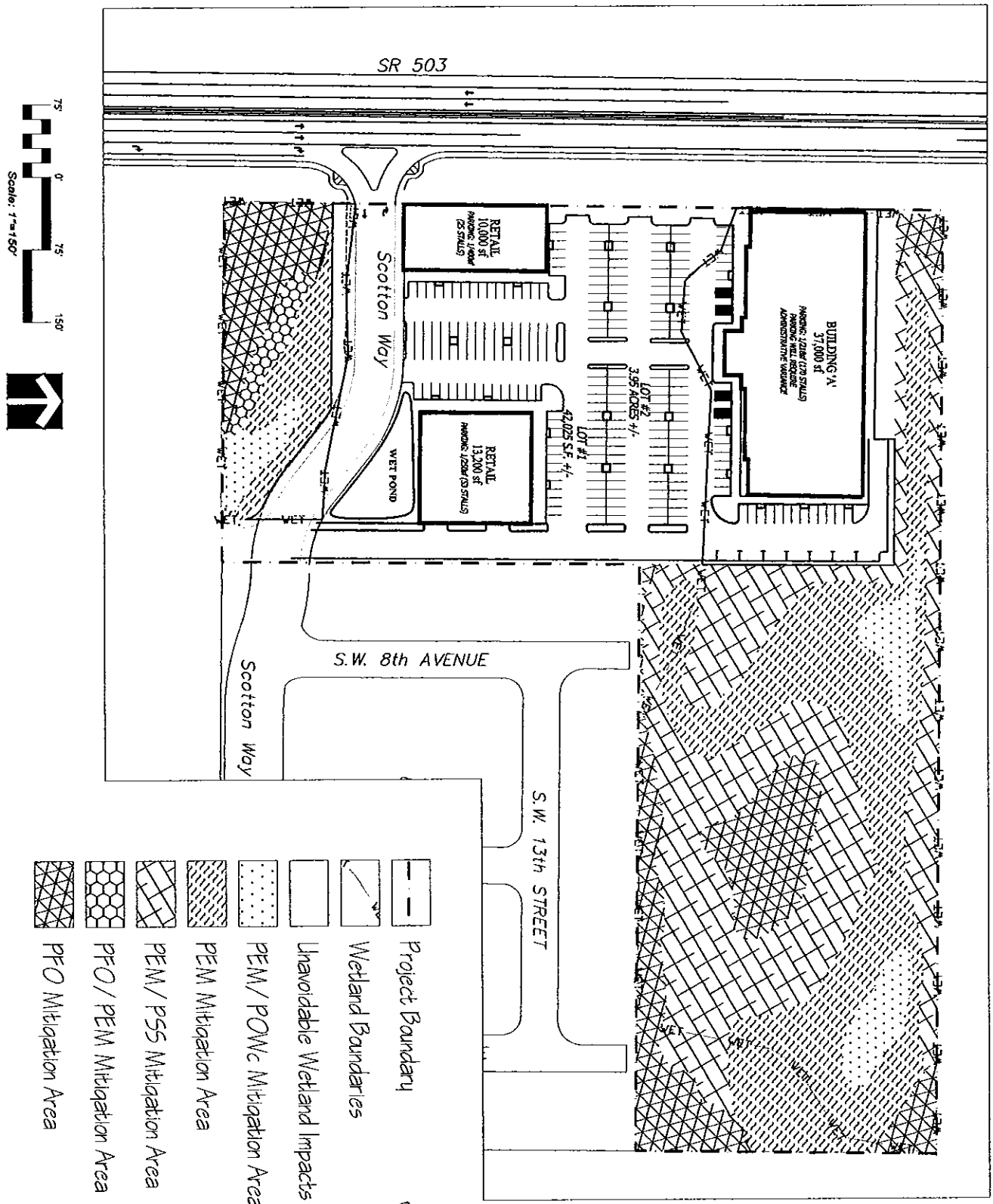
SR503 Ditch Realligment

CLARK COUNTY | Sec3/T3N/R2E | BATTLEGROUND, WA

SHEET 3/7



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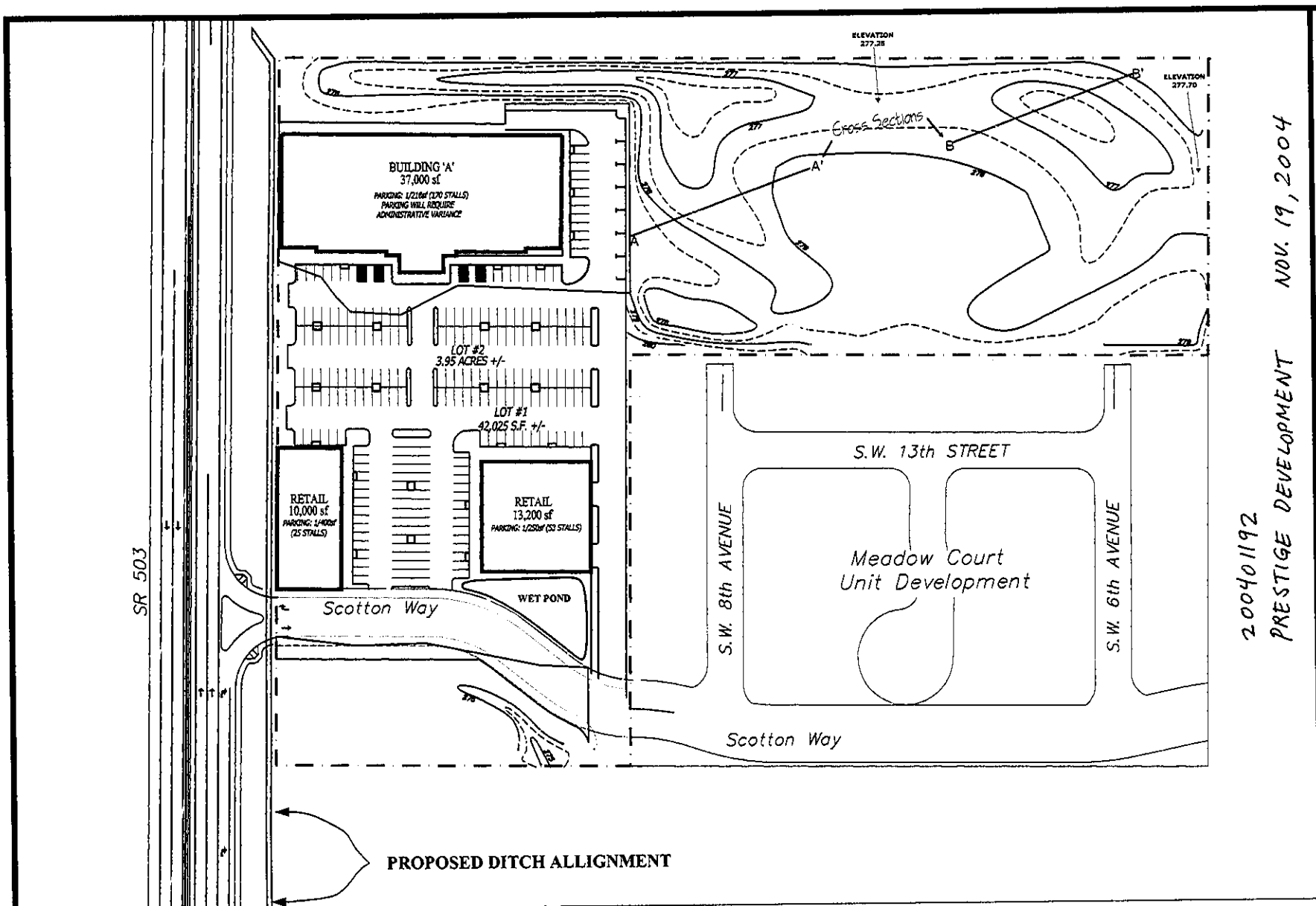
Mitigation Plan

Sec3/T3N/R2E Sec3/T3N/R2E BATTLEGROUND, WA

SHEET 4/7



200401192
PRESTIGE DEVELOPMENT NOV. 19, 2004

Unavoidable Wetland Impact Area

Existing Topographic Contour Lines (1 foot)

Proposed Topographic Contour Lines (1 foot)

Proposed Topographic Contour Lines (half foot)

Direction of Flow

75' 0' 75' 150'
Scale: 1"=150'

SHEET 5/7

HEALTH AND FITNESS CENTER

Grading Plan

CLARK COUNTY Sec3/T3N/R2E BATTLEGROUND, WA

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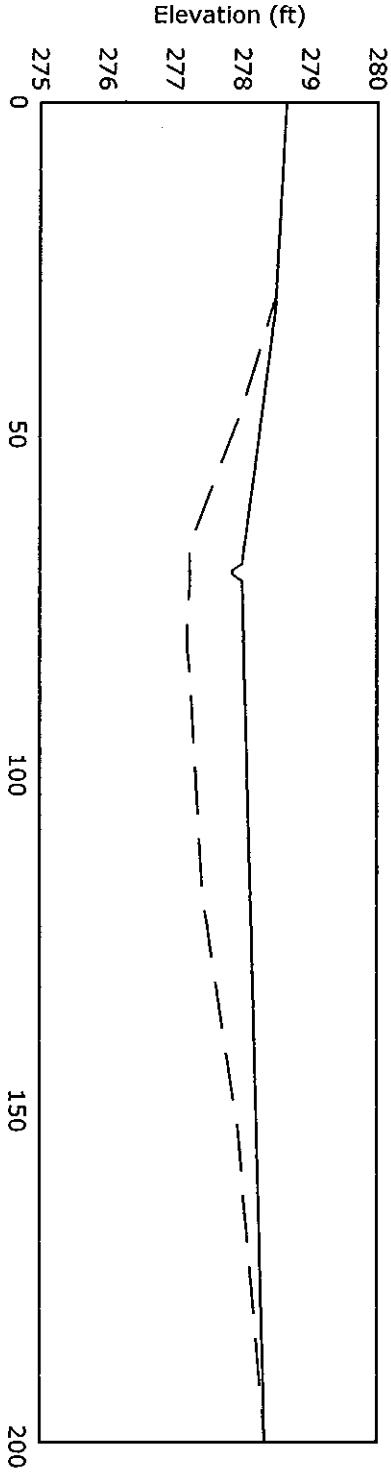
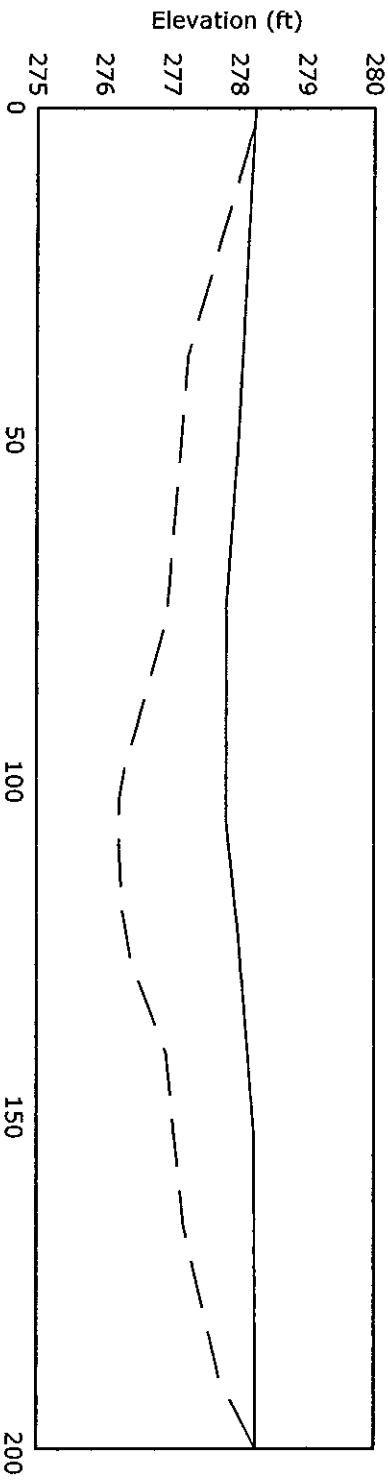
Cross Section View: A - A'



Cross Section View: B - B'



* Cross sections are vertically exagerated.

Proposed Grade

Existing Grade

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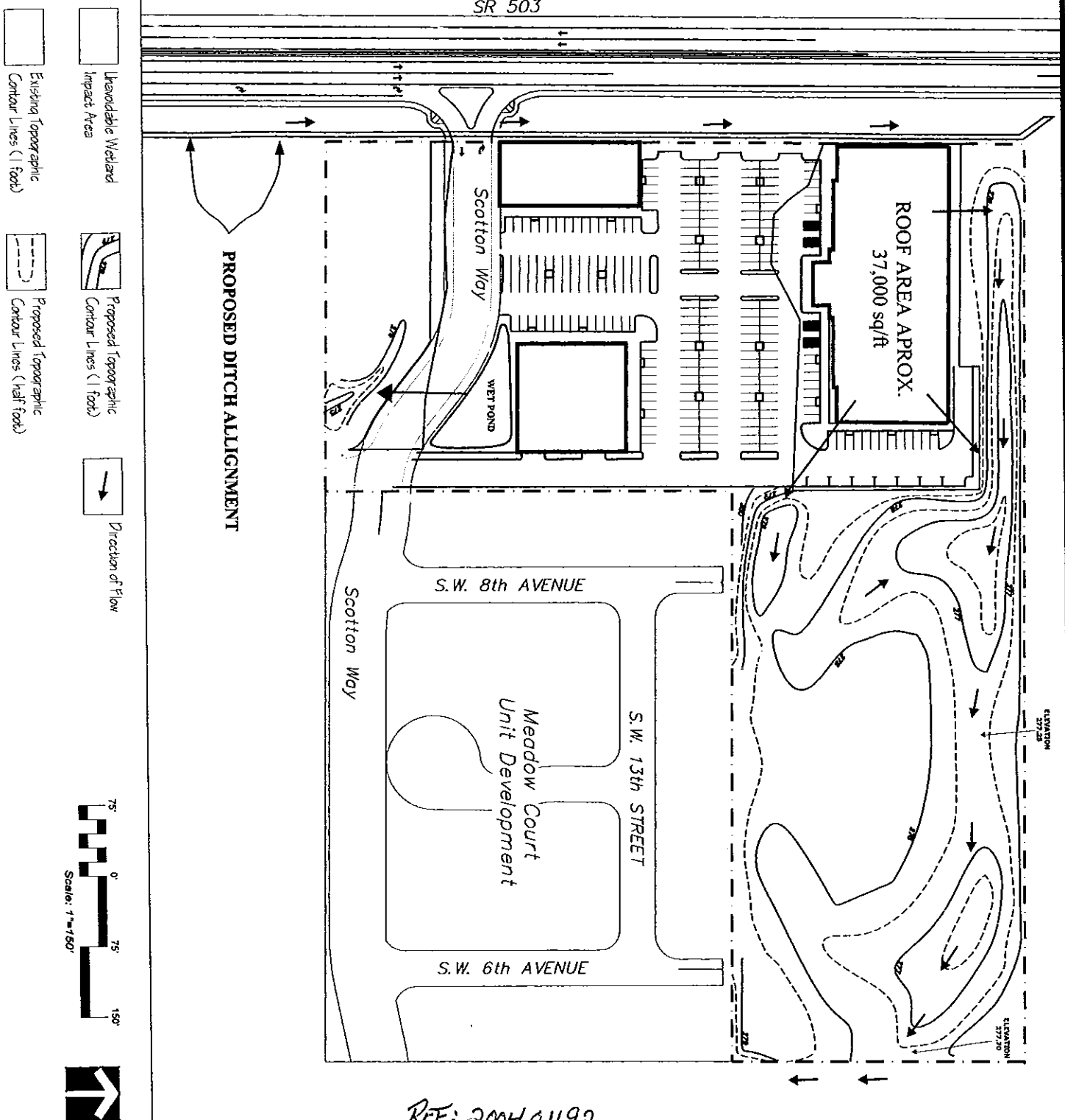
HEALTH AND FITNESS CENTER
Cross Section Views

CLARK COUNTY | Sec3/T3N/R2E | BATTLEGROUND, WA

SHEET 6/7



REF: 20040 1192
PRESTIGE DEVELOPMENT

DATE: NOVEMBER 19, 2004

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HEALTH AND FITNESS CENTER

Stormwater Plan

CLARK COUNTY | Sec3/T3N/R2E | BATTLEGROUND, WA

SHEET 7/7

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

Date: December 1, 2004

Notice is herby 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. 200401192 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.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws 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