



# **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: (206) 316-3975 ATTN: Kristin McDermott, Project Manager WA Department of Ecology SEA Program Post Office Box 47600 Olympia, WA 98504-7600 Telephone: (360) 407-6076 ATTN: SEA Program, Federal Permit Coordinator Public Notice Date: January 28, 2021 Expiration Date: February 27, 2021

Reference No.: NWS-2020-789 Name: Acquisition 44, LLC (Auburn Logistics Center)

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 December 15, 2020.

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.

- <u>APPLICANT</u>: Acquisition 44, LLC Attention: Mr. Tyler Higgins 3697 Mount Diablo Boulevard Lafayette, CA 94549 Telephone: (925) 444-2202
- <u>AGENT</u>: Soundview Consultants, LLC Attention: Mr. Jon Pickett 2907 Harborview Drive Gig Harbor, WA, 98335 Telephone: (253) 514-8952

LOCATION: In "Wetland A" and "Ditch Z" at Auburn, Washington.

<u>WORK</u>: The applicant proposes to discharge up to 50,000 cubic yards (CY) of fill in up to 5.1 acres of Wetland A and up to 1,000 CY of fill in 0.035 acre of Ditch Z. Additionally, up to 3.2 acres of Wetland A would be indirectly impacted.

<u>PURPOSE</u>: To construct loading docks and truck access to an existing shipping facility.

<u>ADDITIONAL INFORMATION</u>: The wetland boundaries and location of the ordinary high water mark shown on the project drawings have not yet been verified by the Corps. If the Corps determines the boundaries of the wetland/waters are substantially inaccurate a new public notice may be published.

#### NWS-2020-789, Acquisition 44, LLC

<u>MITIGATION</u>: To compensate for loss of aquatic resource functions and services, the applicant has proposed 7.26 acre of on-site rehabilitation of Wetland A and other off-site, in-kind mitigation within the Duwamish-Green watershed. In addition, the applicant proposes to enhance a 100 foot buffer around the remaining Wetland A.

<u>ENDANGERED SPECIES</u>: 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.

After receipt of comments from this public notice, the Corps will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

<u>ESSENTIAL FISH HABITAT</u>: 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 Corps has determined that the proposed action would not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

<u>CULTURAL RESOURCES</u>: The Corps has reviewed the latest published version of the National Register of Historic Places, Washington Information System for Architectural and Archaeological Records Data and other sources of information. No known historic properties occur in the vicinity of the proposed project. However, the property is relatively undisturbed. A historic properties investigation may 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.

<u>PUBLIC HEARING</u>: 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.

<u>EVALUATION</u> – <u>CORPS</u>: 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.

#### NWS-2020-789, Acquisition 44, LLC

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.

<u>SOURCE OF FILL MATERIAL</u>: The source of the fill material would consist of native soils from onsite or a clean commercial source.

<u>EVALUATION</u> – <u>ECOLOGY</u>: 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 water quality certification for the proposed project.

#### ADDITIONAL EVALUATION:

This proposal is the subject of Shorelines Substantial Development Permit an is being processed by Ecology.

<u>COMMENT AND REVIEW PERIOD</u>: 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 authorizing the work would not be contrary to the public interest. 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 commenter'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.

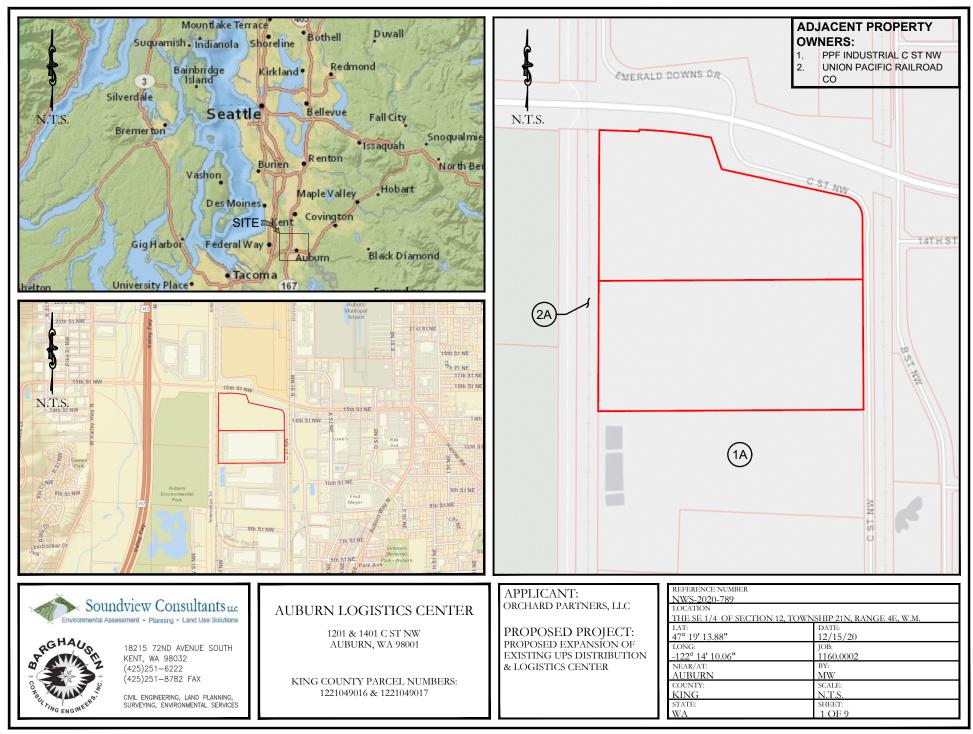
<u>CORPS COMMENTS</u>: All e-mail comments should be sent to kristin.l.mcdermott@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Kristin McDermott, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become 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.

<u>ECOLOGY COMMENTS</u>: 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: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

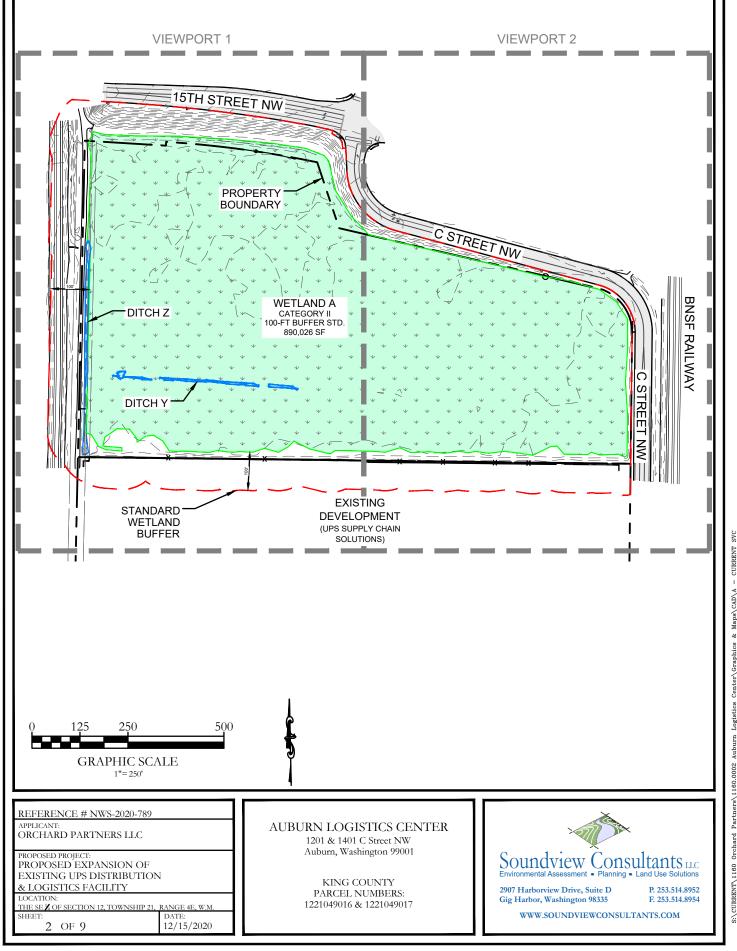
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Acquisition 44, LLC; NWS-2020-789

Encl: Figures

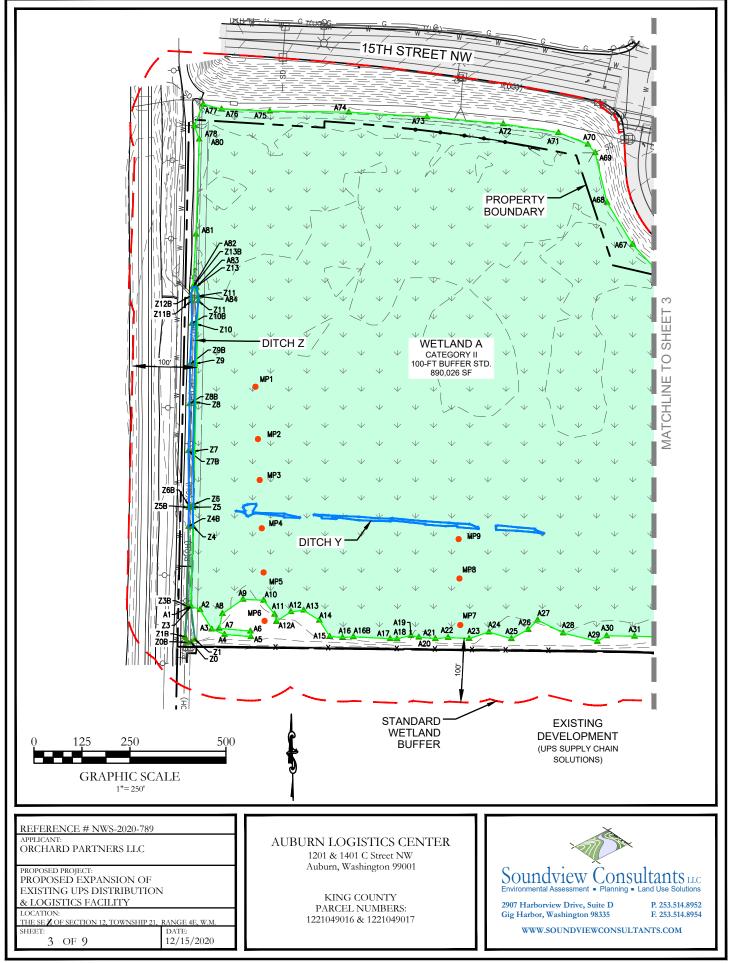
#### AUBURN LOGISTICS - VICINITY MAP



#### AUBURN LOGISTICS - EX. CONDITIONS OVERVIEW

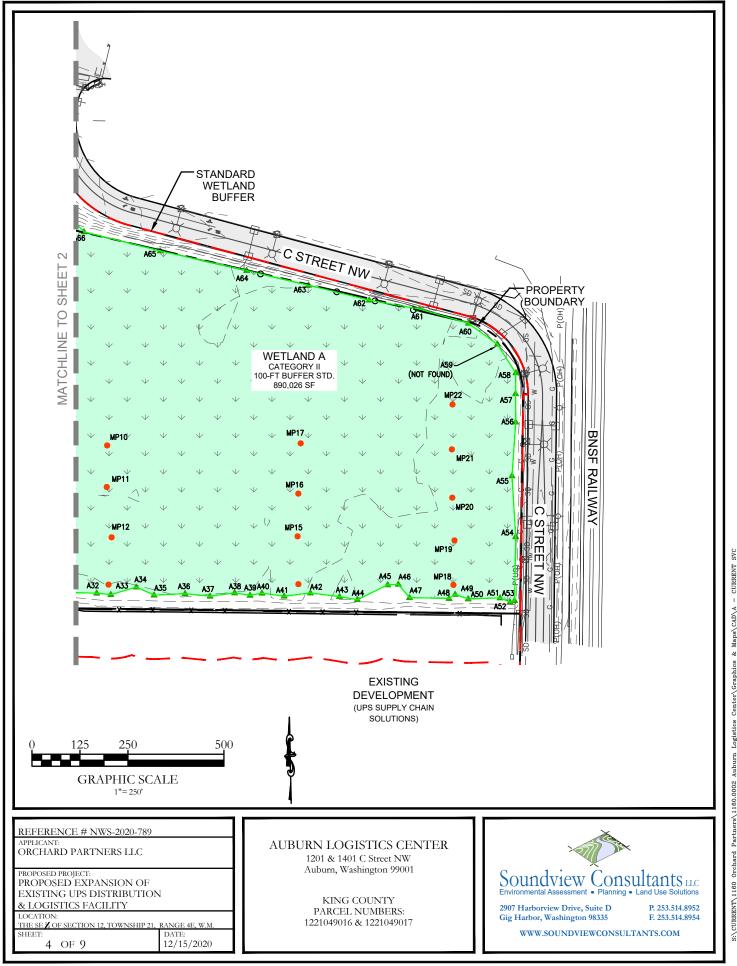


#### AUBURN LOGISTICS - VIEWPORT 1

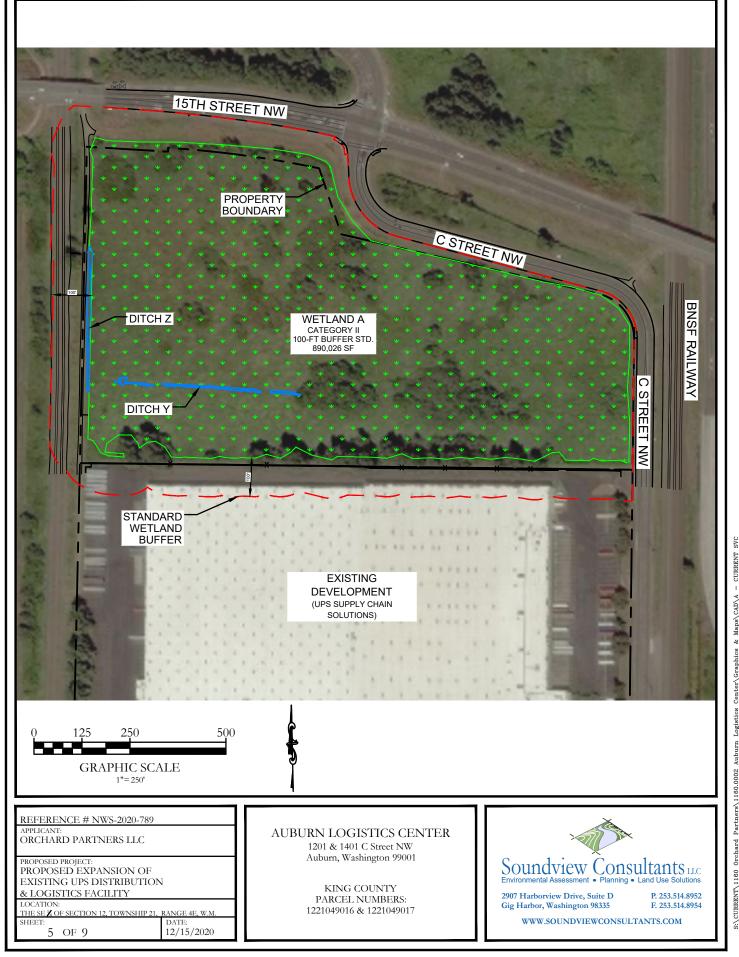


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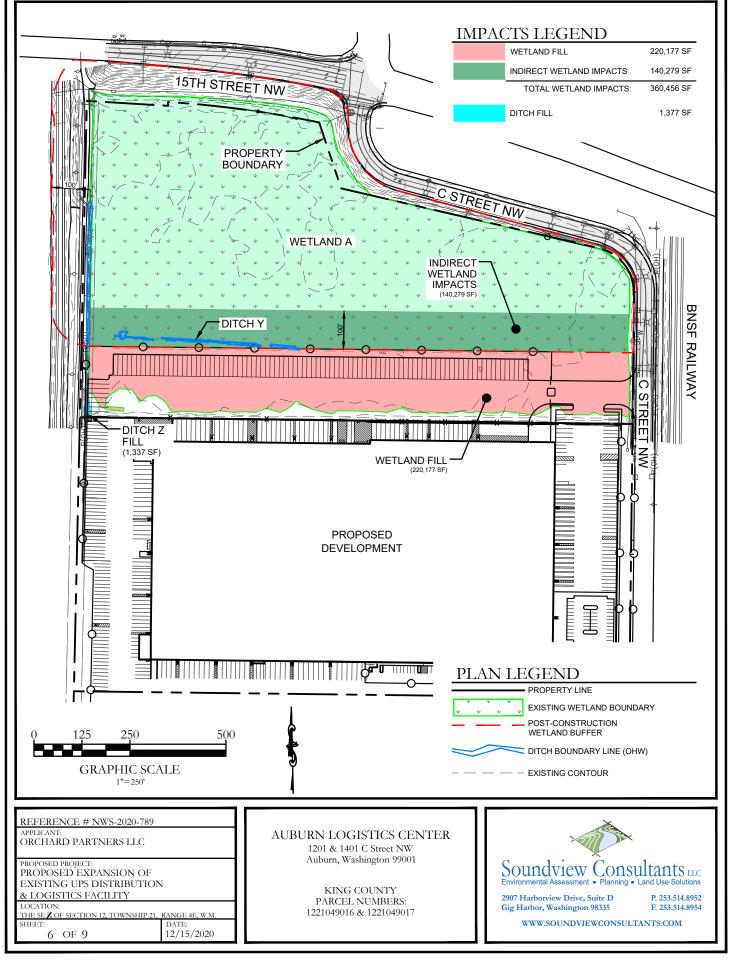
#### AUBURN LOGISTICS - VIEWPORT 2



#### AUBURN LOGISTICS - SITE AERIAL

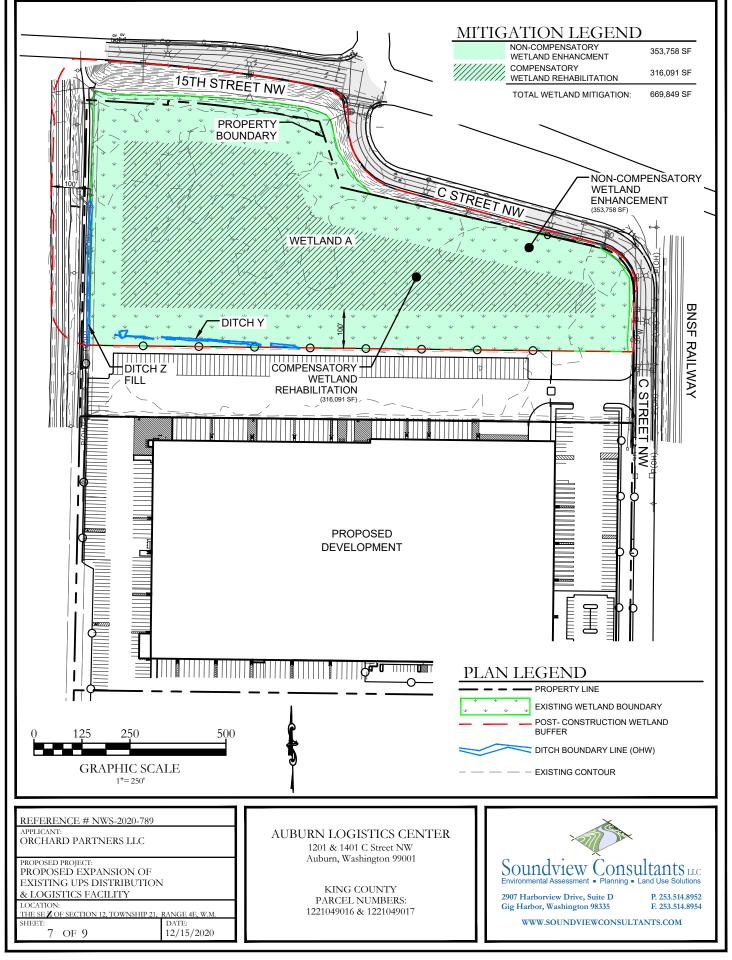


## AUBURN LOGISTICS - IMPACTS PLAN



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## AUBURN LOGISTICS - PLANTING PLAN



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## AUBURN LOGISTICS - PLANTING SCHEDULE

#### PLANT SCHEDULE

Scientific Name	Common Name	Plant Status	Planting Area	Plant Quantities (50% coverage)	Spacing (min.)	Size (min.)	Condition
TREES	(25% of total density)		5 5	669,849 SF			
Frangula purshiana	Cascara	FAC	Dry	50	10 ft	4 ft.	Single trunk, well branched
Fraxinus latifolia	Oregon ash	FACW	Wet	100	10 ft	4 ft.	Single trunk, well branched
Malus fusca	Pacific crabapple	FACW	Moist/Wet	50	10 ft	4 ft.	Single trunk, well branched
Picea sitchensis	Sitka spruce	FAC	Moist	180	12 ft	4 ft	Full & bushy
Populus balsamifera	Black cottonwood	FAC	Moist/Wet	147	10 ft	4 ft.	Single trunk, well branched
Salix lucida or Salix lasiandra	Pacific willow	FACW	Wet	300	10 ft	4 ft.	Stakes (3/symbol)
Thuja plicata	Western red cedar	FAC	Moist	140	12 ft	4 ft	Full & bushy
			Total:	967			
SHRUBS	(75% of total density)						1
Acer circinatum	Vine maple	FAC	Dry/Moist	75	10 ft	4 ft	Multi-trunk, well branched
Cornus sericea	Red-twig dogwood	FACW	Moist/Wet	927	5 ft	stakes	1/2 in diameter min.
Crataegus douglasii	Douglas hawthorn	FAC	Moist	200	6 ft	2 gal	Multi-trunk, well branched
Lonicera involucrata	Black twinberry	FAC	Moist/Wet	600	4 ft	1 gal	Multi-stem, well branched
Physocarpus capitatus	Pacific ninebark	FACW	Moist/Wet	200	5 ft	1 gal	Multi-stem, well branched
Rosa pisocarpa	Clustered wild rose	FAC	Wet	400	4 ft	1 gal	Multi-stem, well branched
Rubus spectabilis	Salmonberry	FAC	Moist	600	4 ft	1 gal	Multi-stem, well branched
Salix scouleriana	Scouler's willow	FAC	Dry/Moist	3300	4 ft 6 ft	stakes	1/2 in diameter min.
Salix sitchensis	Sitka willow	FACW	Moist/Wet	3300	6 ft	stakes	1/2 in diameter min.
	Douglas Spirea/Hardhack	FACW	Moist/Wet	2000	4 ft	2 - 4 ft	Multi-stem, well branched
Spirea douglasii	Dougras Spirca Hardilack	TACW	Total:	11602	4 IL	2 - 4 IL	winderstein, wen branched
			Total.	11002	2		
Native Wetland Grass Seed Mix 2	20 lbs/acre		% by wt.	(75% coverage)		~	807
Glyceria occidentalis	Western mannagrass	OBL	40				
Beckmannia syzigachne	American sloughgrass	OBL	30				
Hordeum brachyantherum Alopecurus aequalis	Meadow barley Shortawn foxtail	FACW OBL	20				
a representation in quanto	Shortawn Ioxtan	Total	100	12 lbs			
Moist Soil Sedge & Rush Mix 20			% by wt.	(25% coverage)			
Carex unilateralis Carix densa	One-sided sedge Dense sedge	FACW OBL	70 12				
Juncus effusus	Common rush	FACW	5				
Juncus tenuis	Slender rush	FACW	5				
Juncus bufonius	Toad rush	FAC	5				
Carex stipata	Awl fruited sedge	OBL	2				
Carex obnupta	Slough sedge	OBL Total	100	4 lbs			
REFERENCE # NWS-2020-78 APPLICANT: ORCHARD PARTNERS LLC PROPOSED PROJECT:	A	12	N LOGISTIC 01 & 1401 C Stree iburn, Washington	t NW		oundvie	w Consultante.
PROPOSED EXPANSION OF EXISTING UPS DISTRIBUTIV & LOGISTICS FACILITY LOCATION:			KING COUNT PARCEL NUMBE	ERS:	Envi 290	JUIIUVI ronmental Asses 7 Harborview D Harbor, Washi	ssment • Planning • Land Use Solution Drive, Suite D P. 253.514.8

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