



US Army Corps
of Engineers
Seattle District



WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

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 Decision

US Army Corps of Engineers
Regulatory Branch
4735 E. Marginal Way S, Bldg 1202
Seattle, WA 98134-2388
Ryan.J.Cochoit@usace.army.mil
Telephone: (206) 601-2691
ATTN: Ryan Cochoit,
Project Manager

WA Department of Ecology
SEA Program
ecyrefedpermits@ecy.wa.gov
Telephone: (360) 407-6076
ATTN: SEA Program,
Federal Permit Coordinator

Public Notice Date: April 9, 2025
Expiration Date: May 9, 2025

Reference No.: NWS-2024-119
Name: Marysville Riverwalk
Brownfields Redevelopment

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 June 13, 2024.

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:

Attention: Bryan Milligan
City of Marysville
501 Delta Avenue
Marysville, Washington 98270
Telephone: (360) 363-8226

AGENT:

Attention: Andrea Bachman
Perteet, Inc.
2707 Colby Avenue, Suite 900
Marysville, Washington 98270
Telephone: (425) 252-7700

LOCATION: In wetlands at the project site located at 80 Columbia Avenue and 60 State Avenue, Marysville, Washington, 98207. (Lat 48.04827, Long -122.17492)

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WORK: The proposed Marysville Riverwalk Brownfield Redevelopment project aims to convert light industrial lands into multi-family housing, a hotel, a youth sports and recreation facility, restaurants, a family entertainment center, along with improved public access to the waterfront and open space amenities.

This site is located along Ebey Slough and will require raising it above the Base Flood Elevation (BFE) of 13 feet as defined by FEMA. Approximately 200,000 cubic yards of fill material will be imported in three phases of construction to elevate the lowest floors of the new buildings above the BFE. Before filling of the site, approximately 1,530 cubic yards of petroleum-contaminated soil will be removed from four locations identified in previous environmental studies. Other work that will occur before filling the site includes relocating the City's Public Works Department, demolishing structures, and relocating utilities (electrical, stormwater, and sewer).

The reconfiguration of stormwater drainages and filling will impact a total of 345 square feet (ft²) of Wetland 1, 12,890 ft² of Wetland 2, and 14,870 ft² of the Wetland 2 buffer. These wetland impacts will be mitigated by obtaining credits from the City's advance mitigation site at the Qwuloolt Estuary restoration area and by enhancing native vegetation within Wetland 2.

PURPOSE: The future Marysville Riverwalk Brownfield Redevelopment project aims to connect nearby Marysville Town Center, Ebey Park, the Historical 3rd Street commercial area, Marysville Civic Center, and Comeford Park. This project vision is demonstrated in the City's last two Downtown Master Plans and most recently codified through City of Marysville Downtown Master Plan Update & Planned Action Final Supplemental EIS, approved under SEPA on September 27, 2021.

ADDITIONAL INFORMATION: The filling process will occur in three phases:

Phase 1: Fill the 60 State Street property (parcels B, C1, C2, and D) to elevations between 13.2 and 17 feet, including infrastructure adjustments and retaining walls. This phase may start in early 2025 and last up to 10 months.

Phase 2: After relocating Public Works, demolish structures on the 80 Columbia Avenue property and fill to elevations between 13.2 and 18 feet, including a utility corridor. This phase may start in 2026 and last up to 24 months.

Phase 3: After utility service agreements are in place, fill the Columbia Avenue extension, install revised power line configurations, extend stormwater systems, and relocate the sewer pump station to match the grades of Phases 1 and 2. This phase may start in 2026 and last up to 36 months.

The wetland boundaries and location of the ordinary high-water mark shown on the project drawings have not yet been verified by the U.S. Army Corps of Engineers (Corps). If the Corps determines the boundaries of the wetland/waters are substantially inaccurate a new public notice may be published.

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MITIGATION: Under the Advance Wetland Mitigation Agreement (March 2013), the City will utilize available credits from the nearby Qwuloolt Estuary restoration site. According to the agreement, Category II wetlands are replaced at a 1.2:1 credit-to-debit ratio.

Utilizing the adjacent mitigation bank is a watershed-based decision aimed at achieving better results compared to permittee-responsible mitigation and ensuring no net loss of functions. The Qwuloolt Estuary Mitigation Site is located within the lower Snohomish River Estuary (WRIA 7) near the Snohomish River delta, less than half a mile east of the development site. Historically, the development site was part of a larger estuary system (USGS 1944) that included the Qwuloolt Estuary Mitigation Site. This proximity and historical connection make it an ideal location for effective and ecologically meaningful mitigation. The Qwuloolt Estuary provides significant recovered habitat for Puget Sound Chinook, bull trout, and other salmonids through rehabilitated estuary habitat, including channels, marsh, mudflats, and riparian areas. Over 1.5 miles of habitat have been restored within lower Allen and Jones Creeks.

The advance mitigation site has credits available to compensate for impacts on 345 square feet (0.01 acre) of Wetland 1 (Category II) and 12,890 square feet (0.3 acre) of Wetland 2 (Category II). Utilizing this site ensures no net loss of ecological functions within WRIA 7 and aligns with the mitigation hierarchy established in the 2008 Final Rule on Compensatory Mitigation for Losses of Aquatic Resources. A separate bank use proposal is included with this application to Ecology and the Corps.

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.

A preliminary determination indicates that the activity will not affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is not required.

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 Corps has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: 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 project. However, the property has the potential to contain historic properties eligible for inclusion in the National Register. An investigation for the presence of eligible historic properties is justified. The Corps invites responses to this public notice from

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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 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 Nations in accordance with Section 106 of the National Historic Preservation Act, 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.

SOURCE OF FILL MATERIAL: The source of the fill material will be tested dredged spoils from the Snohomish River.

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 a Section 401 Water Quality Certification or issue a Coastal Zone Management federal consistency decision for the proposed project.

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

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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.

CORPS COMMENTS: All e-mail comments can be sent to Ryan.J.Cochoit@usace.army.mil

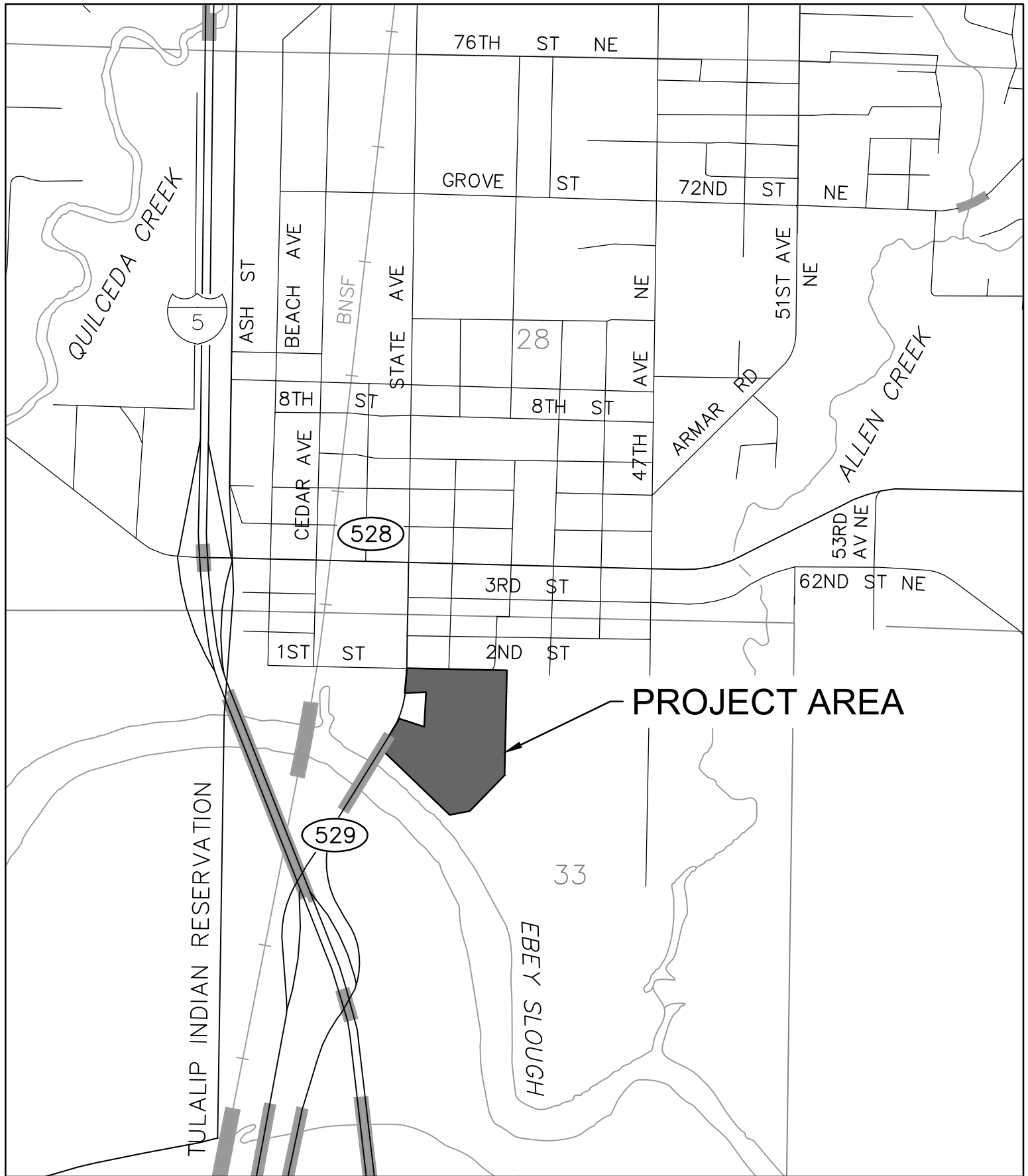
You may also now submit project specific comments to the Corps through the new Regulatory Request System (RRS) through this link: <https://rrs.usace.army.mil/rrs>; Click Public Notices and filter to Washington State to see all current Seattle District Public Notices, including this notice. You may submit your comments directly through this portal.

Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ryan Cochoit, 4735 E. Marginal Way S, Bldg 1202, Seattle, Washington, 98134-2388. 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 decision, may do so by submitting written comments 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: NWS-2024-119; Marysville Riverwalk Brownfields Redevelopment;

Encl: Figures (6)



MARYSVILLE RIVERWALK
 SEC. 33, T. 30 N R. 5 E, W.M.
 PARCEL: 30053300200100
 PARCEL: 30053300201200

 **PERTEET**
 2707 COLBY AVENUE, SUITE 900
 EVERETT, WA 98201
 425.252.7700 | 800.615.9900

VICINITY MAP

PURPOSE: FILL SITE TO ABOVE BASE FLOOD ELEVATION FOR LOT-READY DEVELOPMENT

REFERENCE #: NWS-2024-119

APPLICANT: CITY OF MARYSVILLE
 PUBLIC WORKS
 80 COLUMBIA AVENUE
 MARYSVILLE, WA 98270

FIGURE 1

IN: MARYSVILLE RIVERWALK
 BROWNSFIELD REDEVELOPMENT

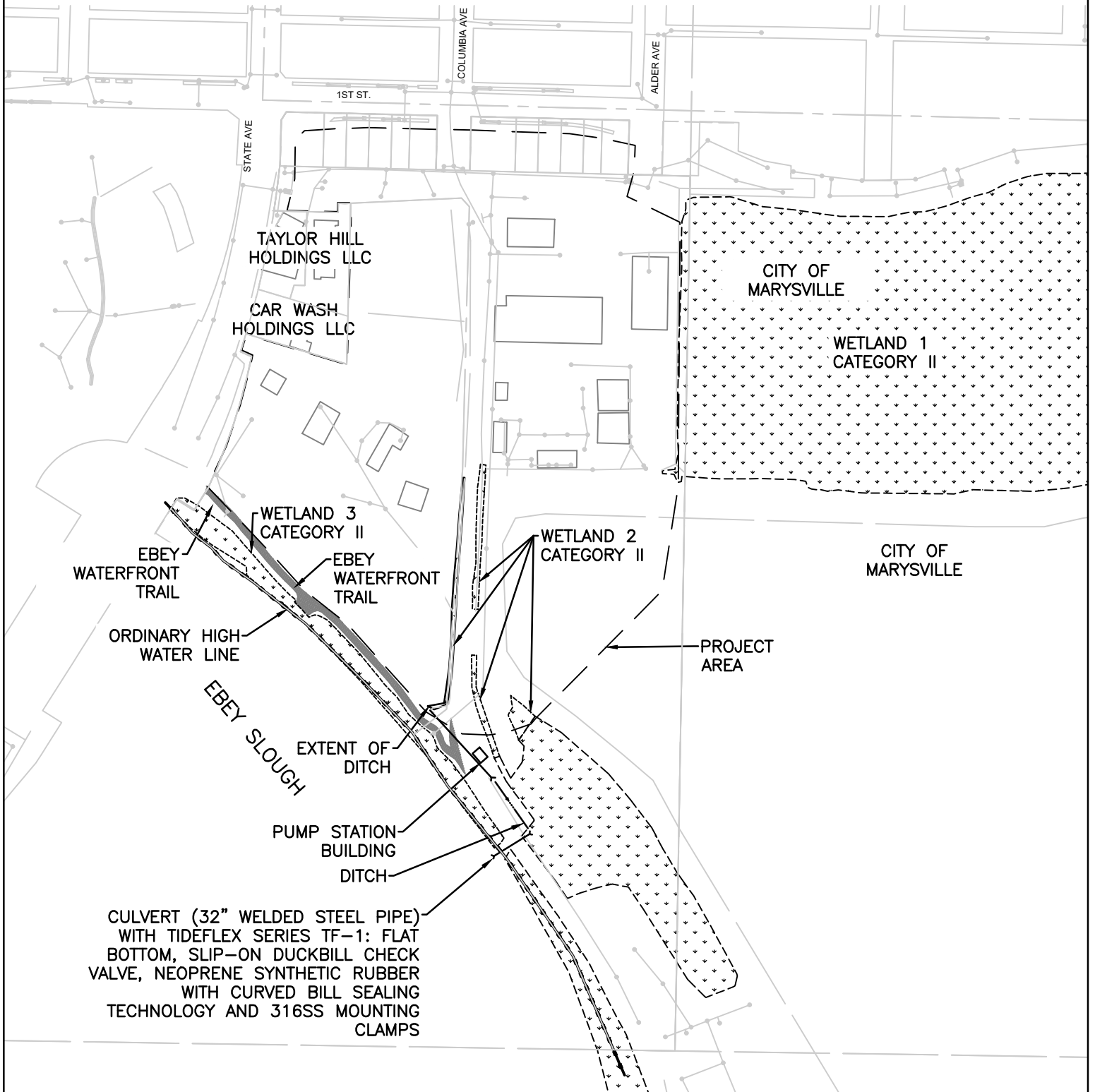
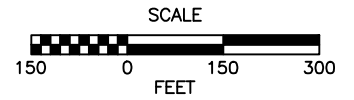
NEAR/AT: CITY OF MARYSVILLE

COUNTY: SNOHOMISH **STATE:** WA

DATE: JUNE 13, 2024

HORIZONTAL DATUM
 NAV 83/91

VERTICAL DATUM
 NAVD 88



MARYSVILLE RIVERWALK
SEC. 33, T. 30 N R. 5 E, W.M.
PARCEL: 30053300200100
PARCEL: 30053300201200

 **PERTEET**
2707 COLBY AVENUE, SUITE 900
EVERETT, WA 98201
425.252.7700 | 800.615.9900

EXISTING CONDITIONS

FILL SITE TO ABOVE BASE
FLOOD ELEVATION FOR
PURPOSE: LOT-READY DEVELOPMENT
REFERENCE #: NWS-2024-119
APPLICANT: CITY OF MARYSVILLE
PUBLIC WORKS
80 COLUMBIA AVENUE
MARYSVILLE, WA 98270

FIGURE 2

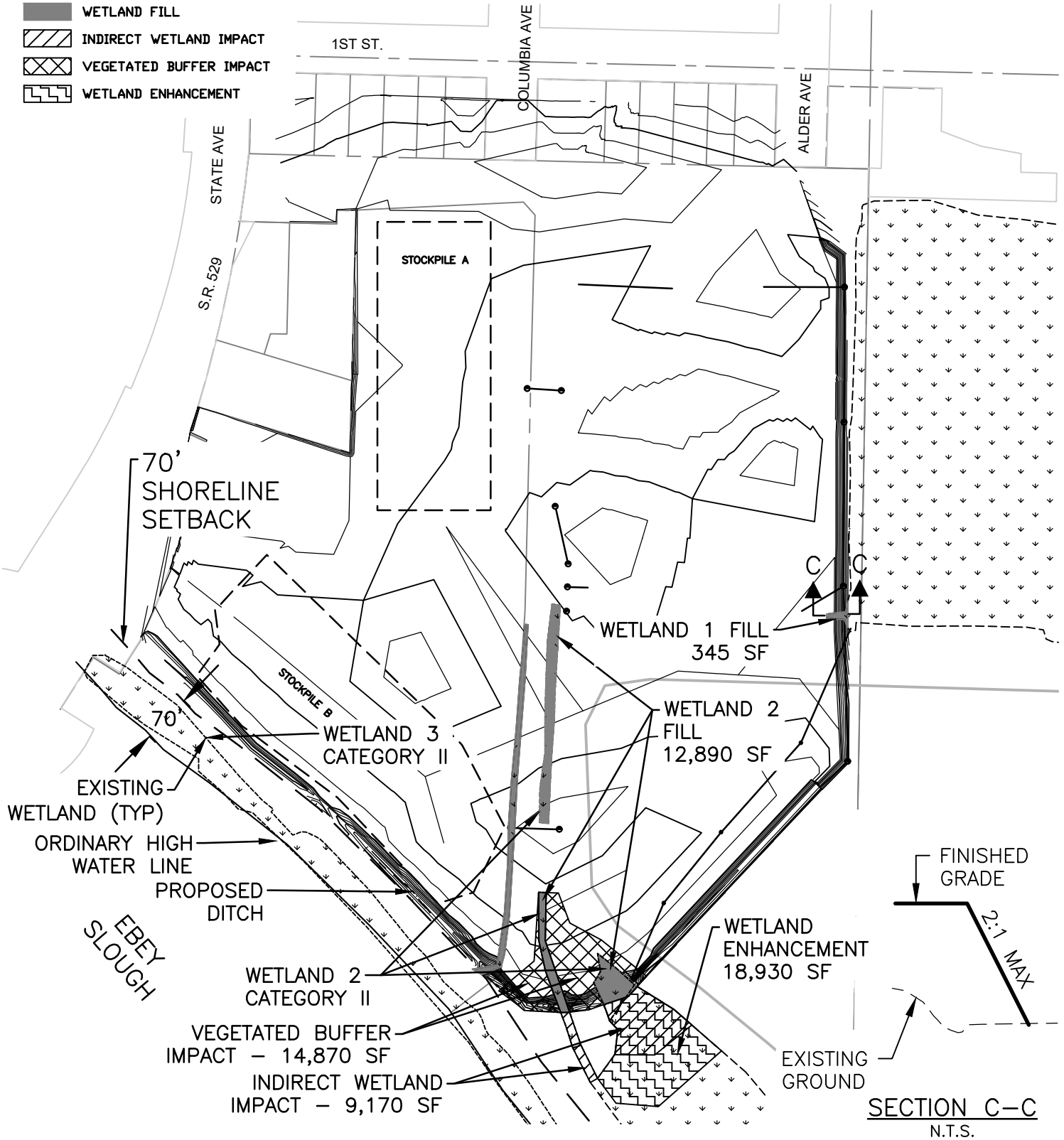
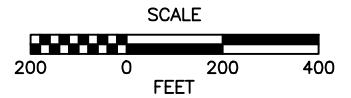
IN: MARYSVILLE RIVERWALK
BROWNSFIELD REDEVELOPMENT
NEAR/AT: CITY OF MARYSVILLE
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NWS-2024-119

LEGEND

- ORDINARY HIGH WATER MARK
- WETLAND
- WETLAND FILL
- INDIRECT WETLAND IMPACT
- VEGETATED BUFFER IMPACT
- WETLAND ENHANCEMENT



MARYSVILLE RIVERWALK
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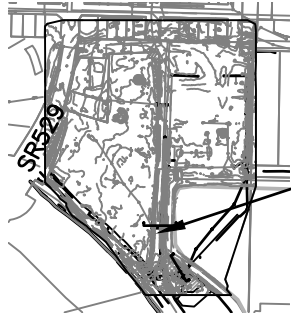
PROPOSED CONDITIONS

PURPOSE: FILL SITE TO ABOVE BASE FLOOD ELEVATION FOR LOT-READY DEVELOPMENT
REFERENCE #: NWS-2024-119
APPLICANT: CITY OF MARYSVILLE
 PUBLIC WORKS
 80 COLUMBIA AVENUE
 MARYSVILLE, WA 98270

FIGURE 3

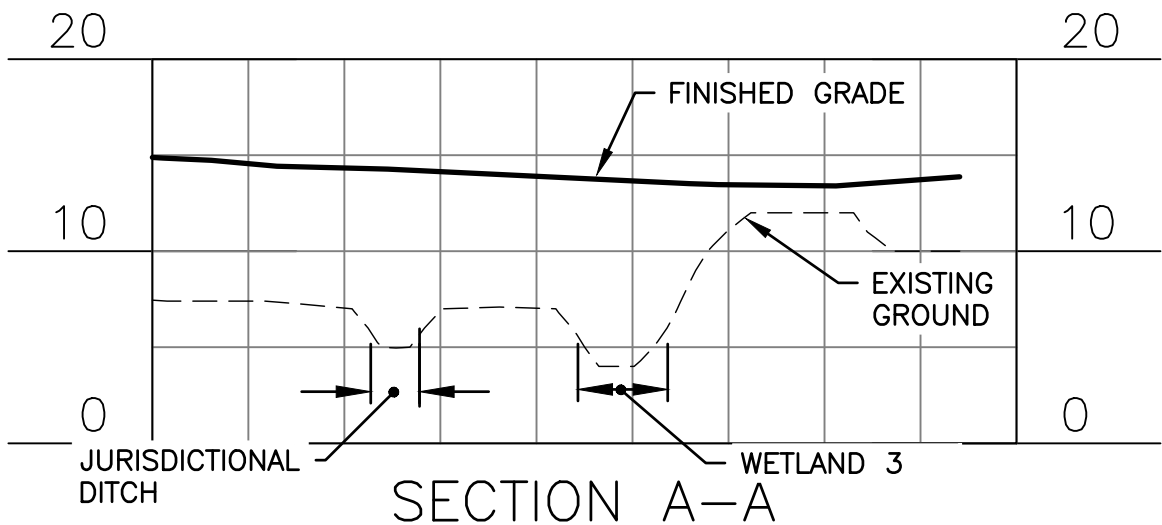
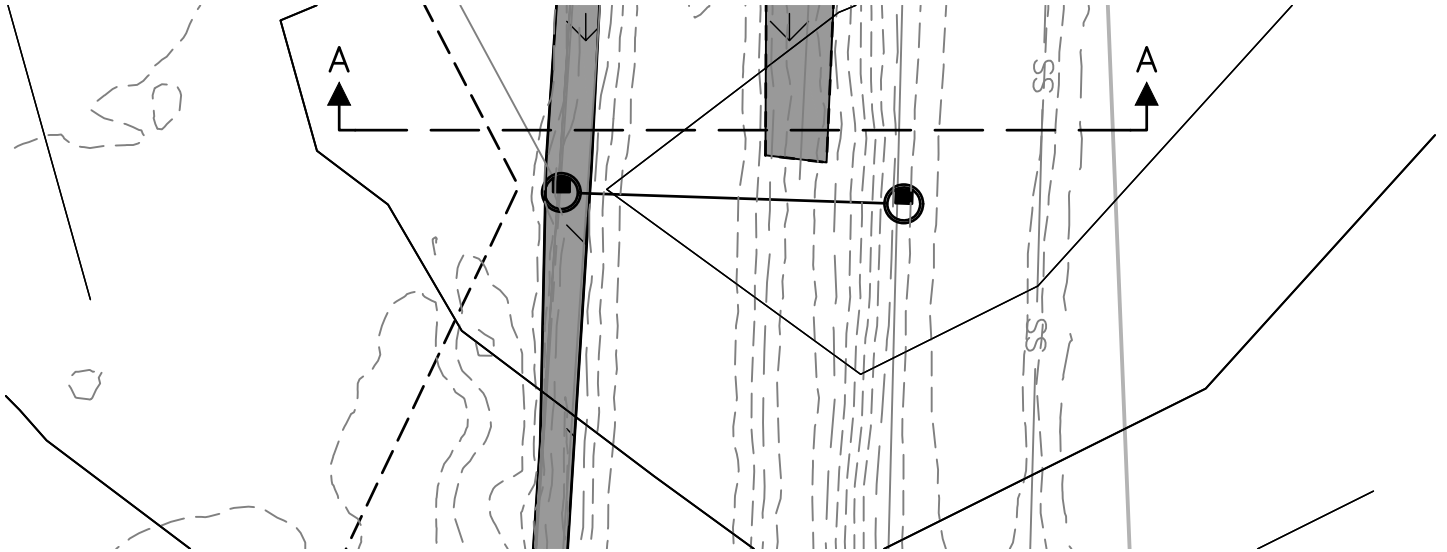
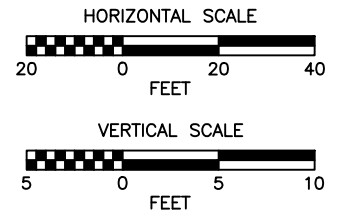
IN: MARYSVILLE RIVERWALK
 BROWNSFIELD REDEVELOPMENT
NEAR/AT: CITY OF MARYSVILLE
COUNTY: SNOHOMISH **STATE:** WA
DATE: JUNE 13, 2024

HORIZONTAL DATUM
 NAV 83/91
VERTICAL DATUM
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KEY MAP

SECTION A-A



MARYSVILLE RIVERWALK
SEC. 33, T. 30 N R. 5 E, W.M.
PARCEL: 30053300200100
PARCEL: 30053300201200



PROPOSED SECTION

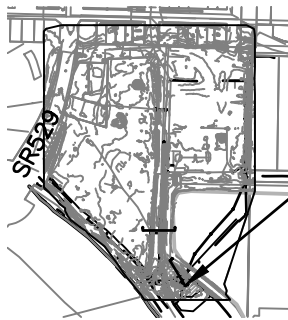
PURPOSE: FILL SITE TO ABOVE BASE FLOOD ELEVATION FOR LOT-READY DEVELOPMENT
REFERENCE #: NWS-2024-119
APPLICANT: CITY OF MARYSVILLE PUBLIC WORKS
80 COLUMBIA AVENUE
MARYSVILLE, WA 98270

FIGURE 4

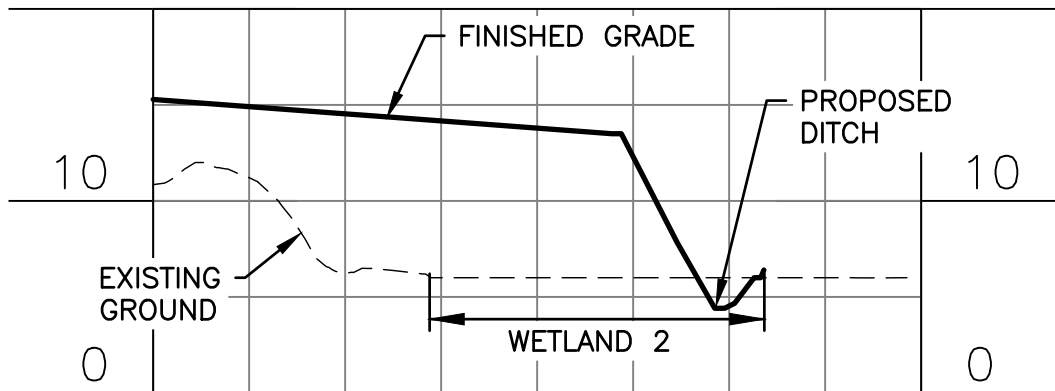
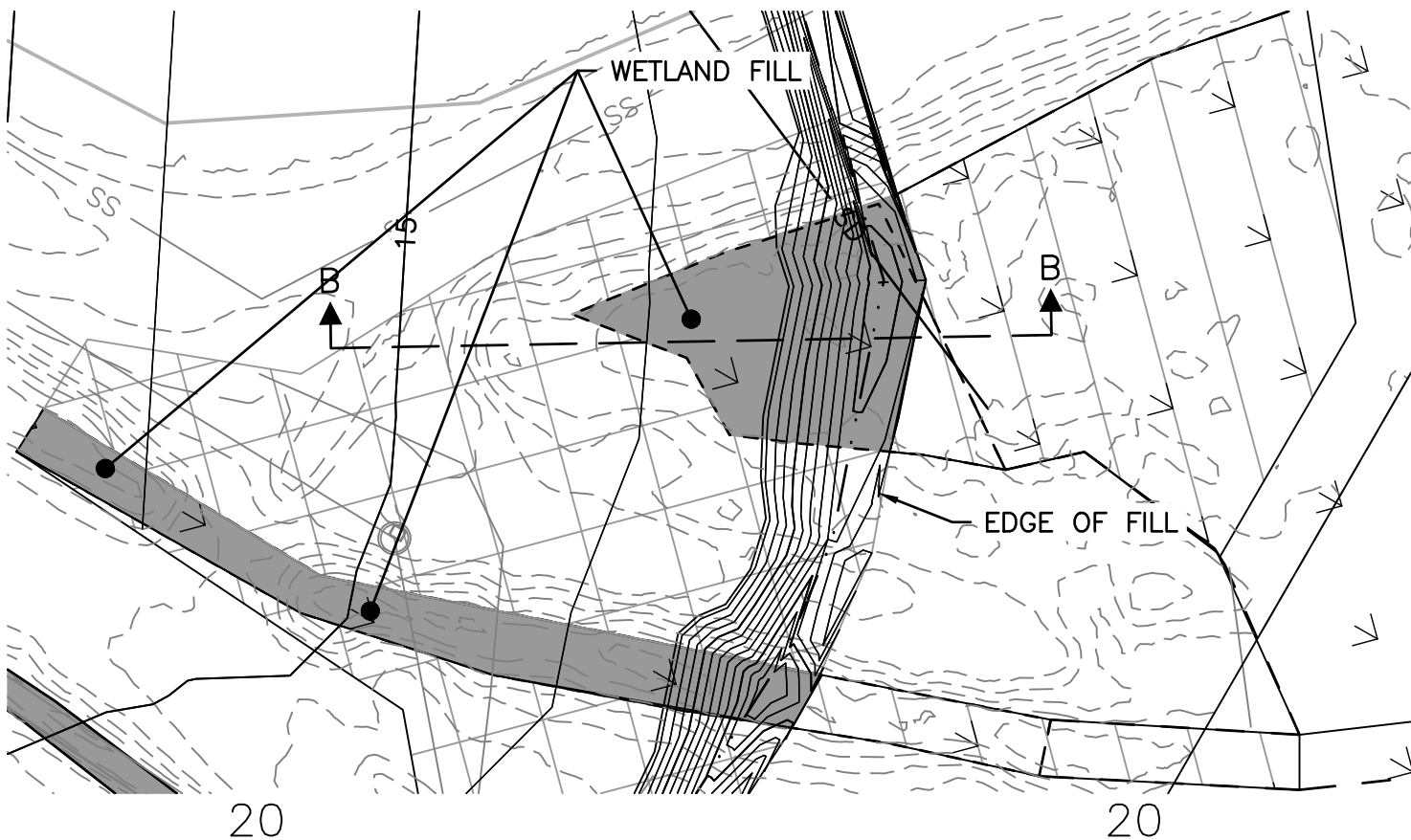
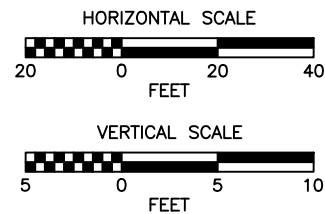
IN: MARYSVILLE RIVERWALK BROWNSFIELD REDEVELOPMENT
NEAR/AT: CITY OF MARYSVILLE
COUNTY: SNOHOMISH **STATE:** WA
DATE: JUNE 13, 2024



HORIZONTAL DATUM
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KEY MAP



SECTION B-B

MARYSVILLE RIVERWALK
SEC. 33, T. 30 N R. 5 E, W.M.
PARCEL: 30053300200100
PARCEL: 30053300201200



PROPOSED SECTION

PURPOSE: FILL SITE TO ABOVE BASE FLOOD ELEVATION FOR LOT-READY DEVELOPMENT
REFERENCE #: NWS-2024-119
APPLICANT: CITY OF MARYSVILLE PUBLIC WORKS
80 COLUMBIA AVENUE
MARYSVILLE, WA 98270

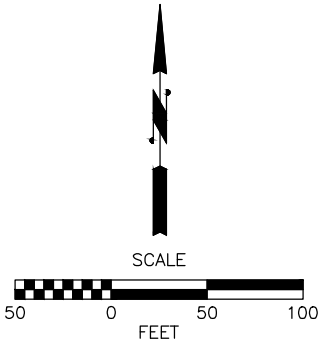
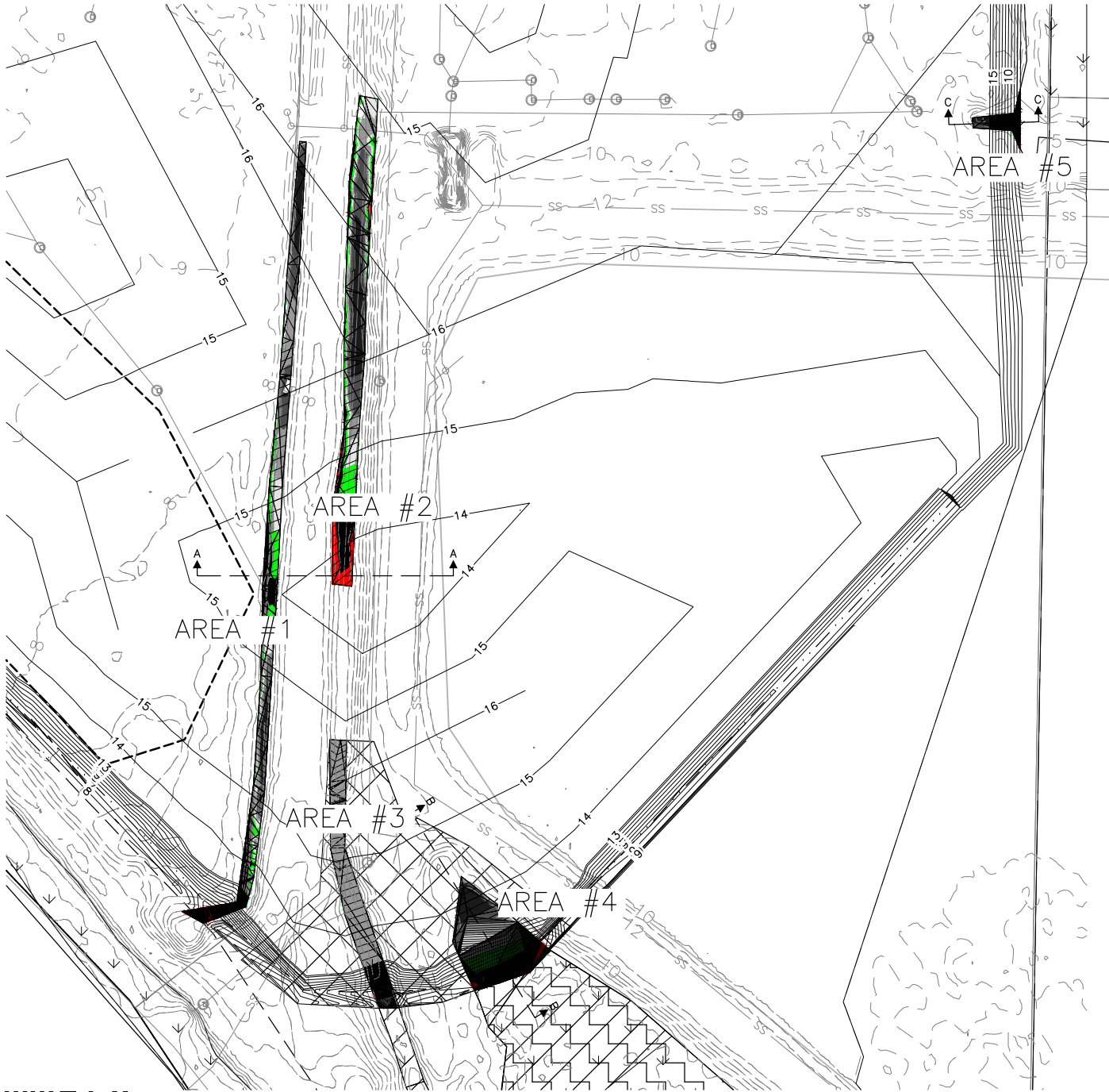
FIGURE 5

IN: MARYSVILLE RIVERWALK BROWNSFIELD REDEVELOPMENT
NEAR/AT: CITY OF MARYSVILLE
COUNTY: SNOHOMISH **STATE:** WA
DATE: JUNE 13, 2024

HORIZONTAL DATUM
NAV 83/91
VERTICAL DATUM
NAVD 88



Jul 15, 2024 - 4:43pm mickey.cales X:\Marysville_City of Projects\20230034 - Marysville Riverwalk\CADD\05 - Exhibits\JARPA\20230034-SECTION VIEWS-Volumes.dwg Layout Name: Sheet



Cut/Fill Summary

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AREA #5	VOLUME	1.00	1.00	347.14 Sq. Ft.	0.00	Cu. Yd.	81.85	Cu. Yd.	81.85 Cu. Yd.<Fill>
Totals				13406.21 Sq. Ft.	17.64	Cu. Yd.	4383.34	Cu. Yd.	4365.71 Cu. Yd.<Fill>

NOTE: VOLUMES CALCULATED BY CIVIL3D DO NOT ACCOUNT FOR COMPACTION OR FLUFF FACTORS



PERTEET
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EVERETT, WA 98201
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CITY OF MARYSVILLE
MARYSVILLE RIVERWALK

WETLAND VOLUMES

FIGURE
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