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: Kate Stenberg, Project Manager

Public Notice Date: January 25,2005
Expiration Date: February 25, 2005
Reference: 200401457
Name: Washington State
Dept. of Transportation

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: Washington State Dept. of Transportation
Post Office Box 330310
Seattle, Washington 98133-9710
ATTN: Mr. Ben Brown
Telephone: (206) 440-4528

LOCATION: In wetlands adjacent to Cain Creek, a tributary to Drayton Harbor, in the City of Blaine, Whatcom County, Washington.

WORK: SR 543, from Interstate 5 to the International Boundary will be widened and several intersections will be improved to increase mobility. The southbound lanes will be widened to two lanes north of Boblett Street and the northbound lanes will be widened to two lanes north of Boblett Street and three lanes north of H Street. The highway will also be lowered approximately 18 feet to pass under D Street. The project will place fill in 2.56 acres of five palustrine emergent and scrub/shrub wetlands. In addition, up to 695 square feet of jurisdictional roadside ditches may be impacted. Please note that the jurisdictional determination for roadside ditches dug in uplands is not finalized and this acreage may vary slightly.

PURPOSE: To improve safety and increase mobility both to the international border and across the SR 543 corridor.

MITIGATION: The proposed mitigation includes the creation of 3.35 acres of palustrine scrub/shrub and forested wetlands, 0.16 acres of wetland enhancement, and 0.33 acres of buffer enhancement. The mitigation site is approximately 2.25 miles from the project area, but is still within the Drayton Harbor basin. The U.S. Army Corps of Engineers (Corps) will be evaluating the proposed mitigation plan to determine if it will provide adequate mitigation for project specific impacts. Mitigation plan available upon request.

ENDANGERED SPECIES: The Endangered Species Act (ESA) of 1973 requires assessment of potential impacts to listed and proposed species. The Puget Sound chinook (*Oncorhynchus tshawytscha*), threatened, and Puget Sound bull trout (*Salvelinus confluentus*), threatened, and the bald eagle (*Haliaeetus leucocephalus*) threatened, have been listed in the state of Washington, and may occur in the proposed project area. The Federal Highway Administration (FHWA) as the lead agency for ESA consultation, has determined that the project will have no effect on listed species.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act (MSA), 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). There is no EFH for Pacific salmon within the project area. The FHWA as the lead agency for a determination regarding EFH, has determined that the project will have no adverse effect on EFH.

CULTURAL RESOURCES: The FHWA as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, has conducted surveys of both the project area and the mitigation site. The project will have no adverse impact on historic properties or cultural resources. On August 8, 1999, and on May 23, 2003, the State Historic Preservation Office concurred with this determination (Log # 81899-02-FHWA and 052303-02-FHWA respectively).

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. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit 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 U.S. Army Corps of Engineers (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.

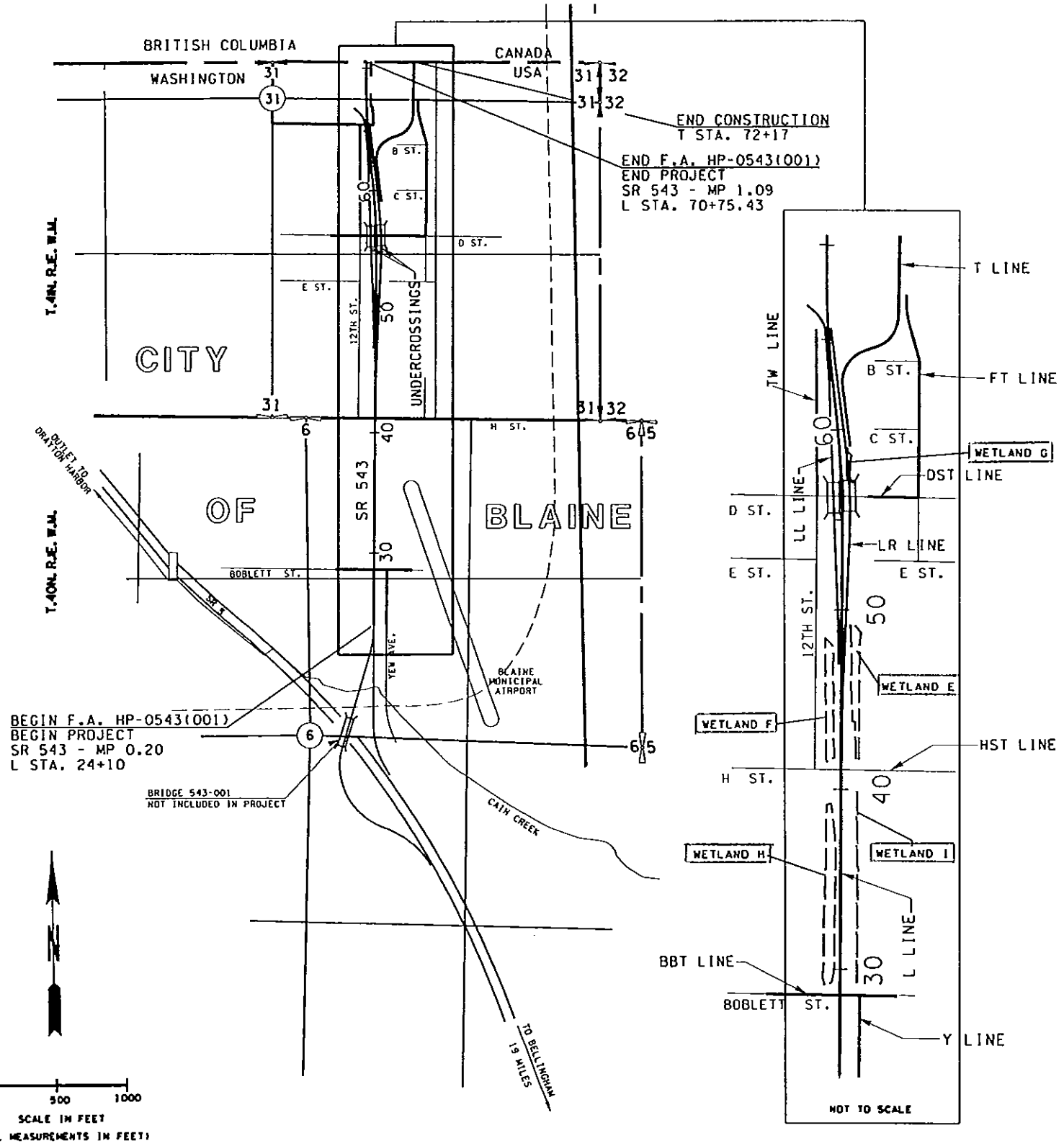
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is outside of Shoreline Management Act jurisdiction and does not require a Shorelines Substantial Development Permit.

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 Kathryn.J.Stenberg@nws02.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. Either 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:

Washington State Dept. of Transportation, 200401457

Encl
Drawings (17)



PURPOSE OF PROJECT:

INCREASE MOBILITY AND, IMPROVE OPERATIONAL & SAFETY PROBLEMS AT THE SR 543 BORDER CROSSINGS

DATUM: NAVD 88

MAILING ADDRESS:

WSDOT
NW REGION
460 STUART ROAD
BELLINGHAM, WA 98226-1204

PROJECT TITLE

SR 543
I-5 TO INTERNATIONAL BOUNDARY

Washington State
Department of Transportation

PROJECT LOCATION:

MILEPOST 0.20 TO MILEPOST 1.09

CITY: BLAINE

COUNTY OF: WHATCOM, WA

STATE ROUTE: 543

APPLICANT: WSDOT

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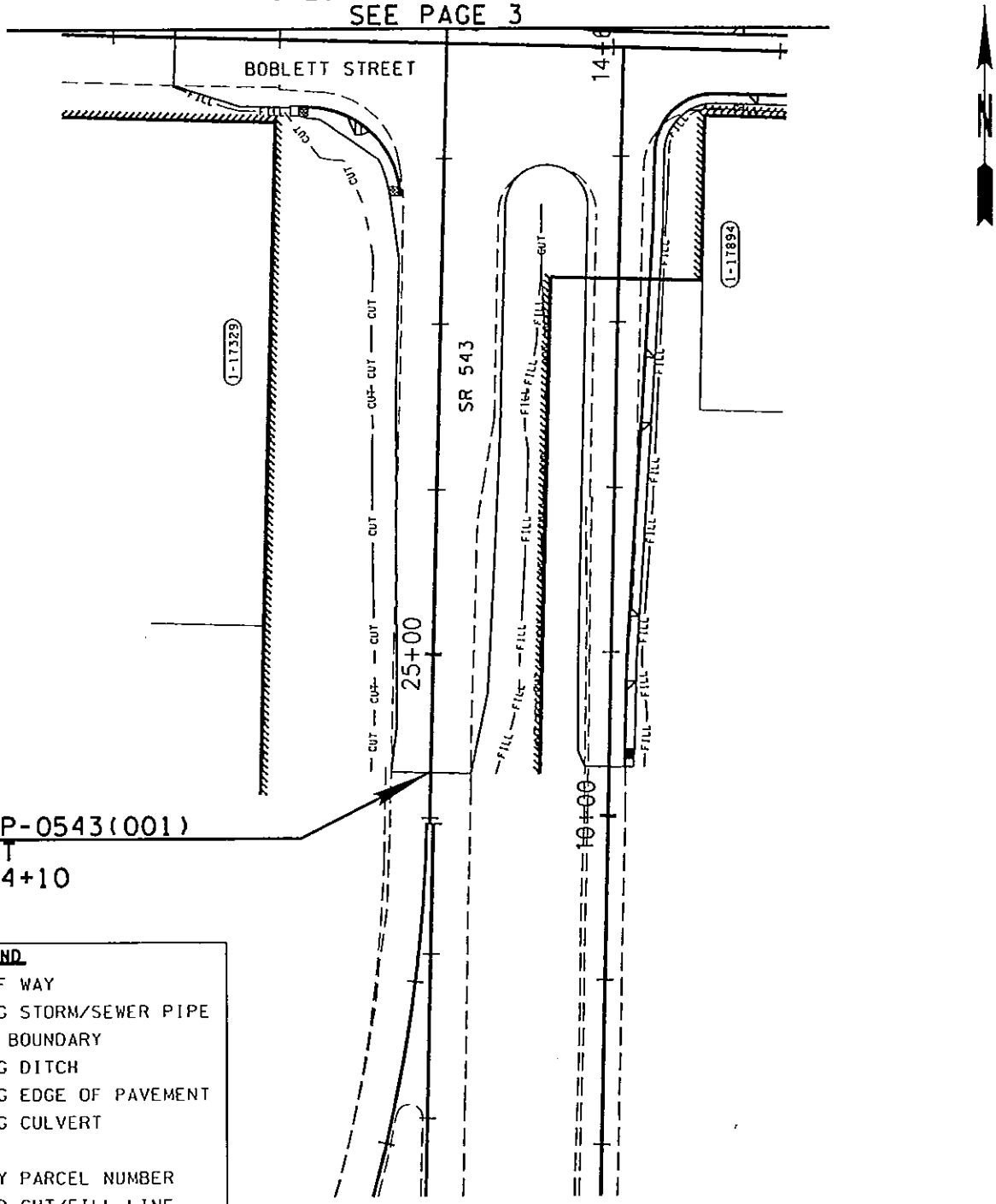
DATE: NOVEMBER 8, 2004

MATCHLINE STATION L 28+70
SEE PAGE 3



BEGIN F.A. HP-0543(001)
BEGIN PROJECT
SR 543 - L 24+10
MP 0.20

LEGEND

- RIGHT OF WAY
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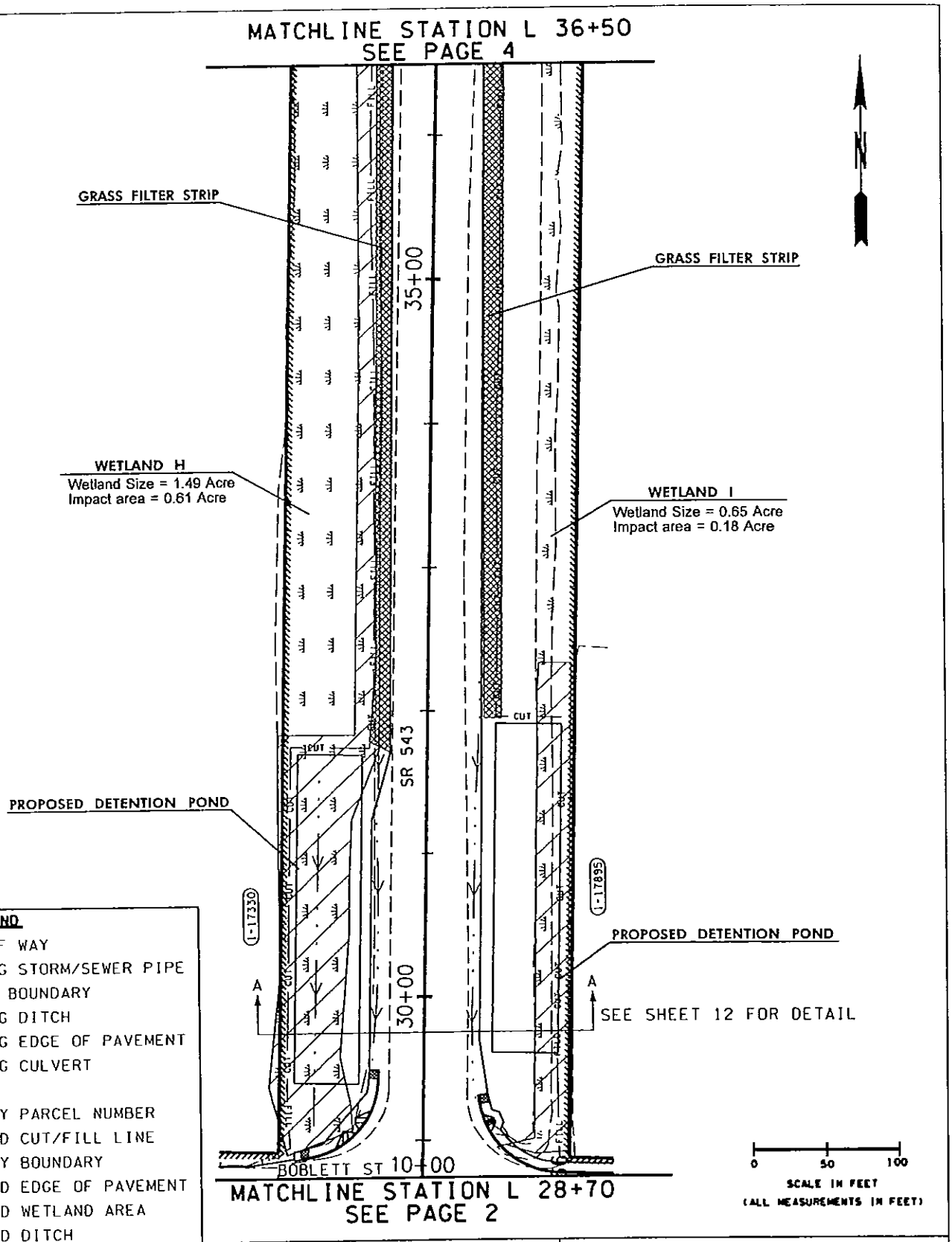

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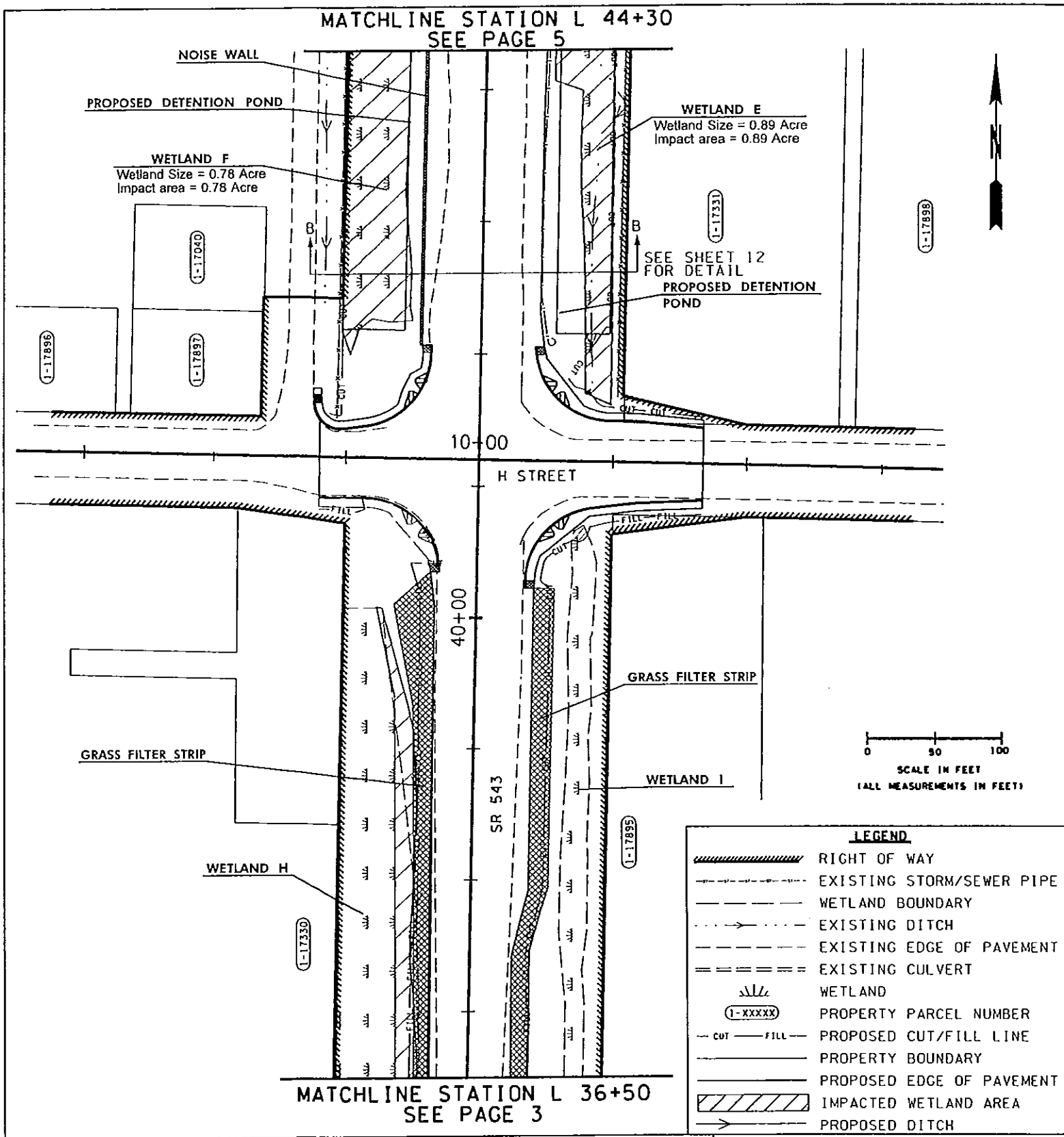

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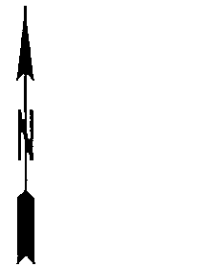

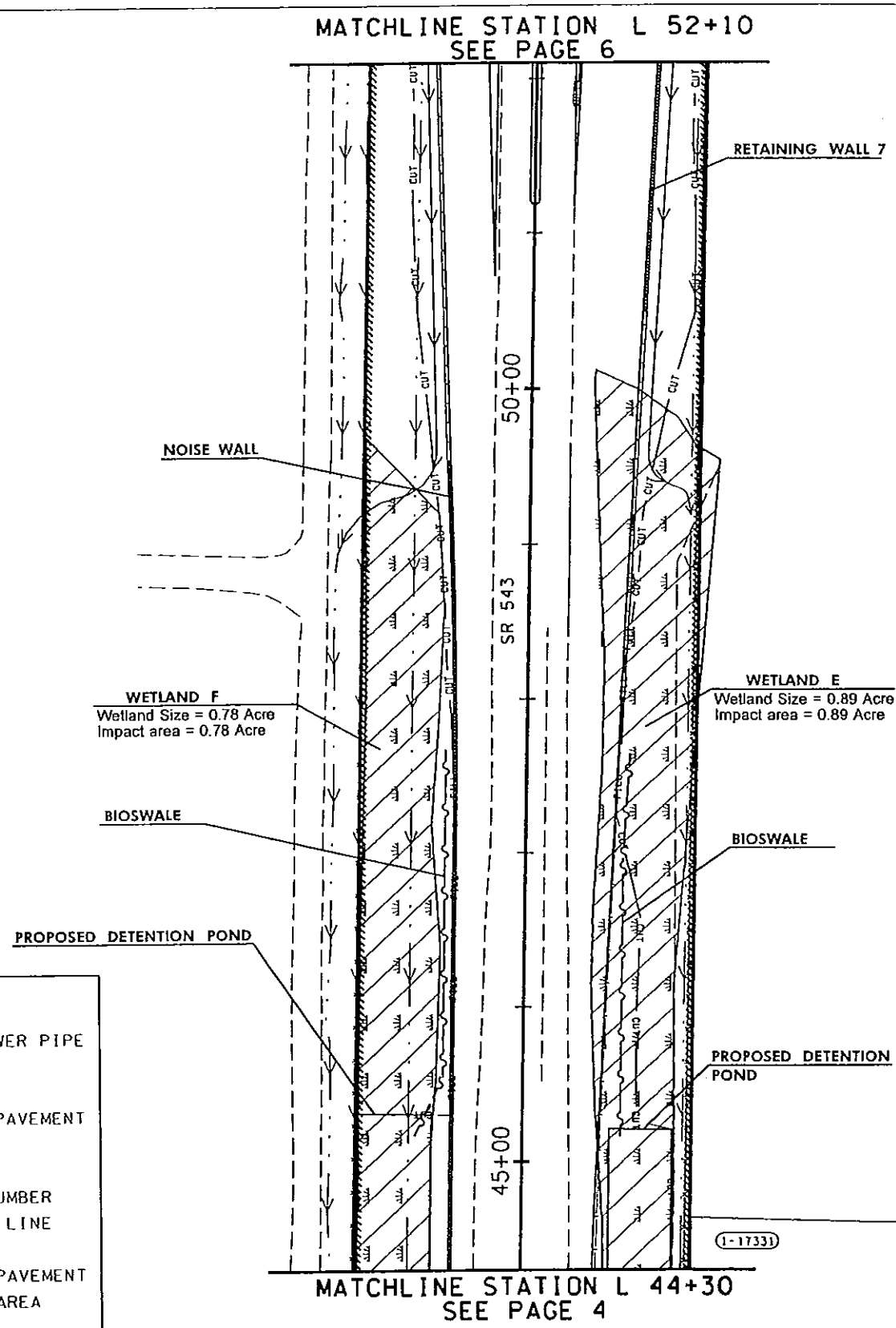

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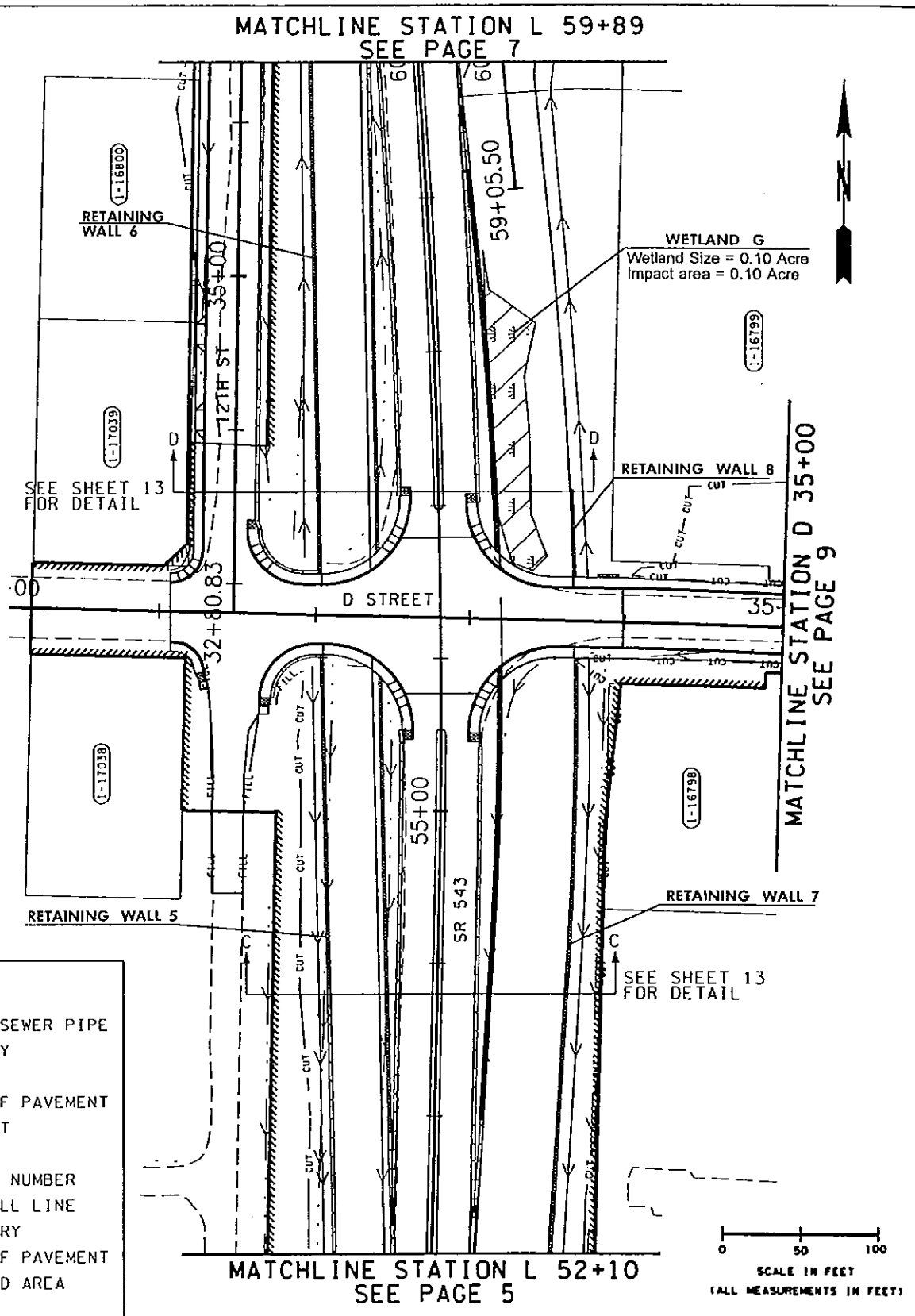

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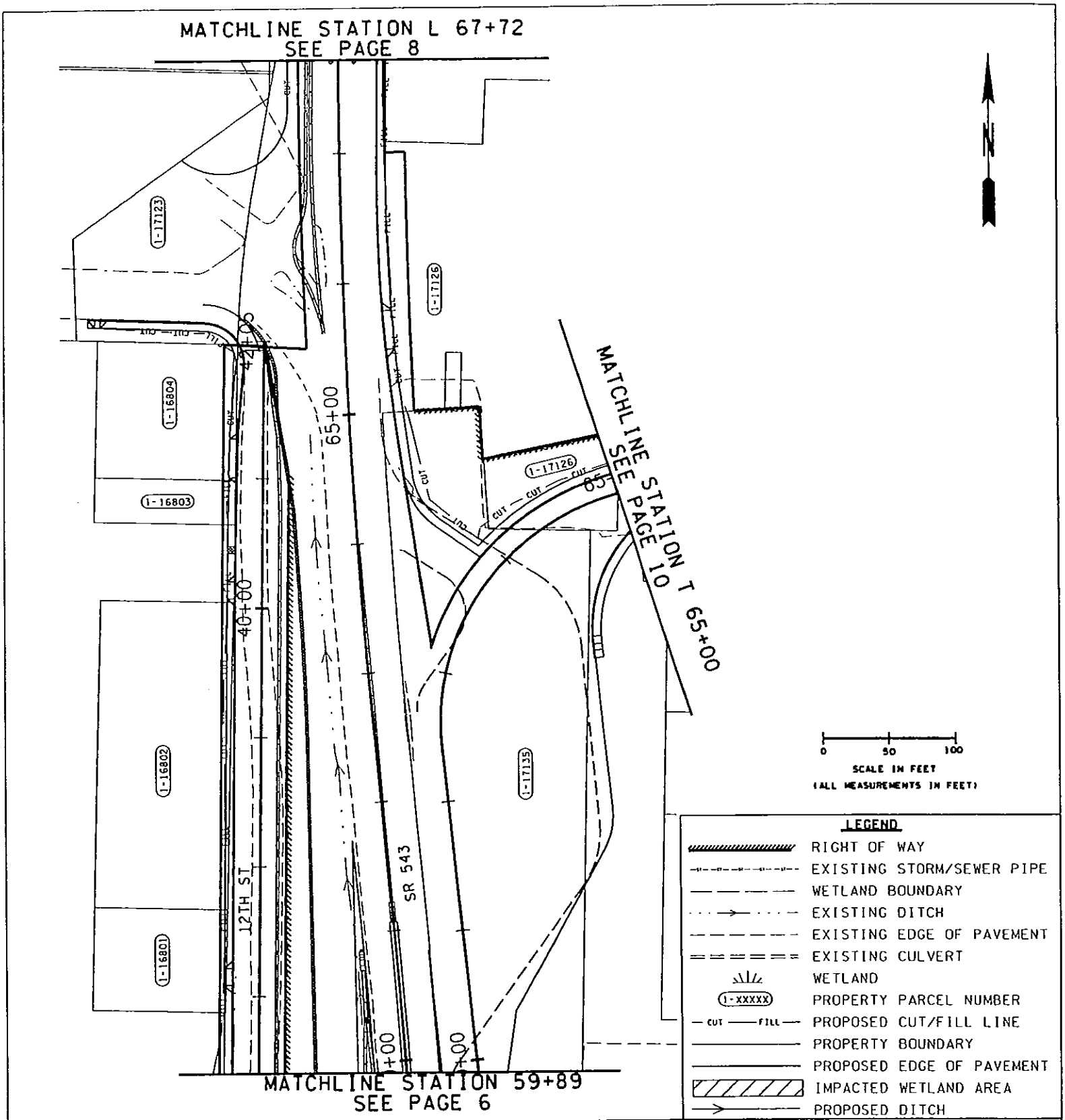

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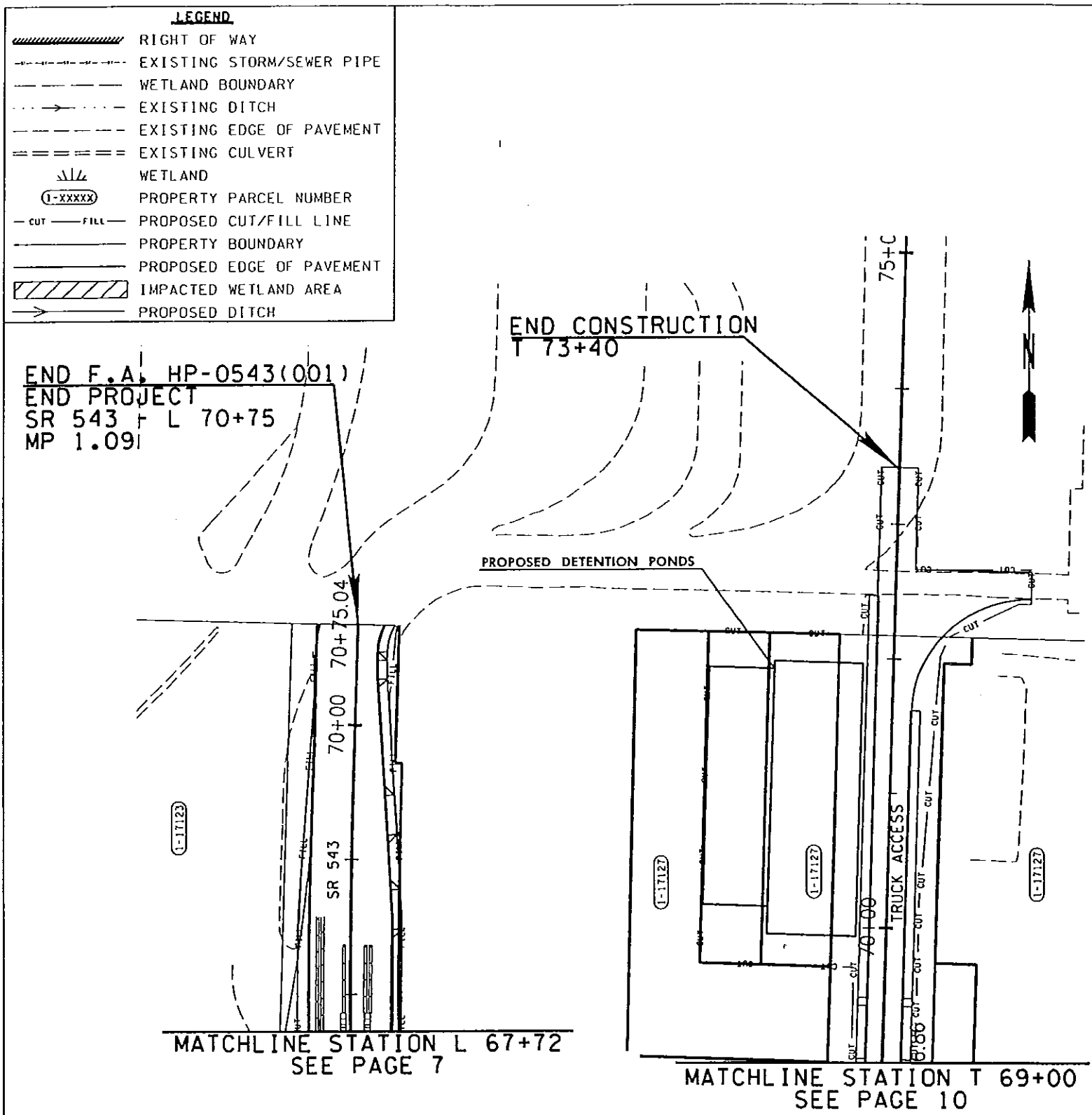

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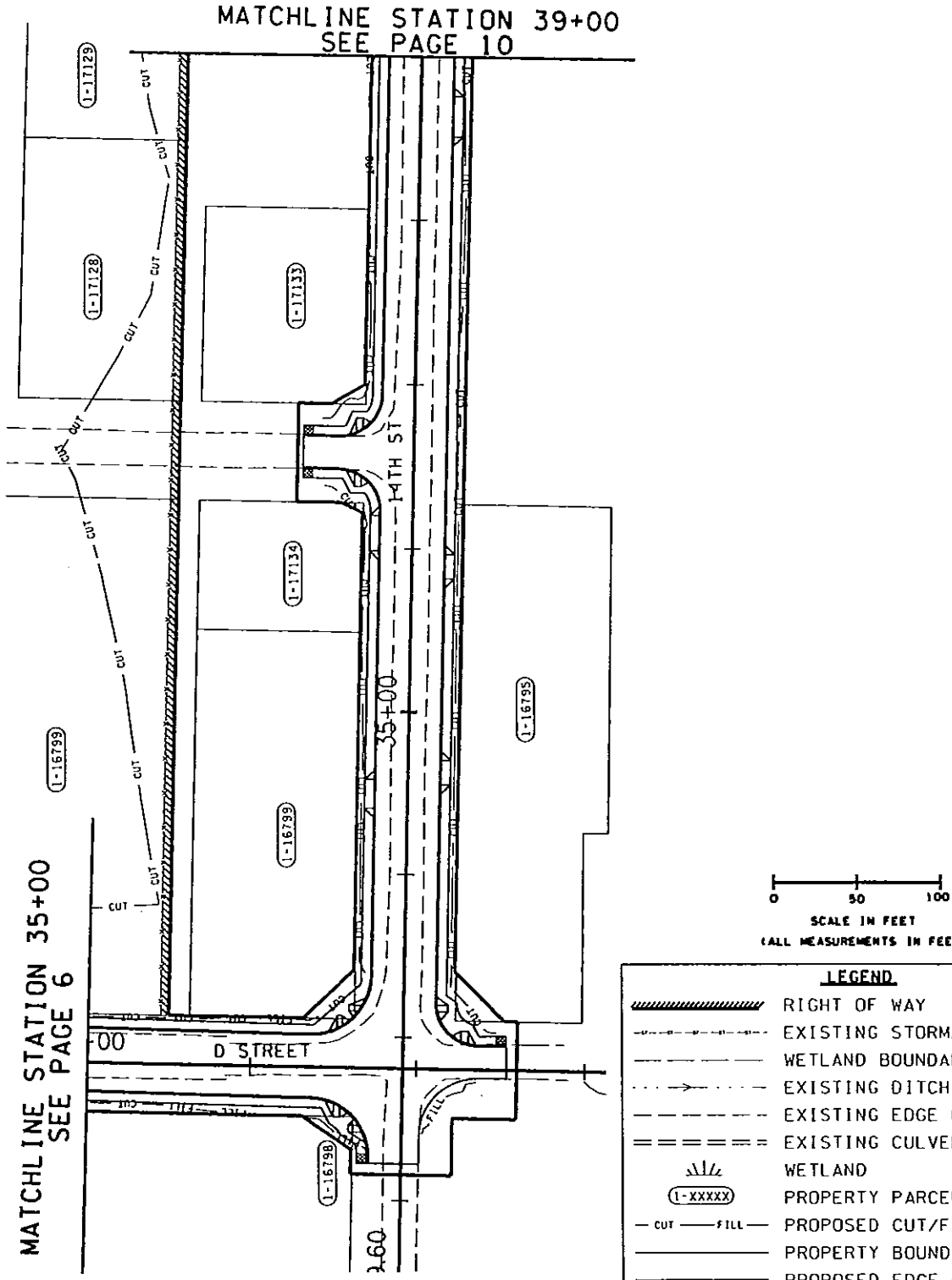

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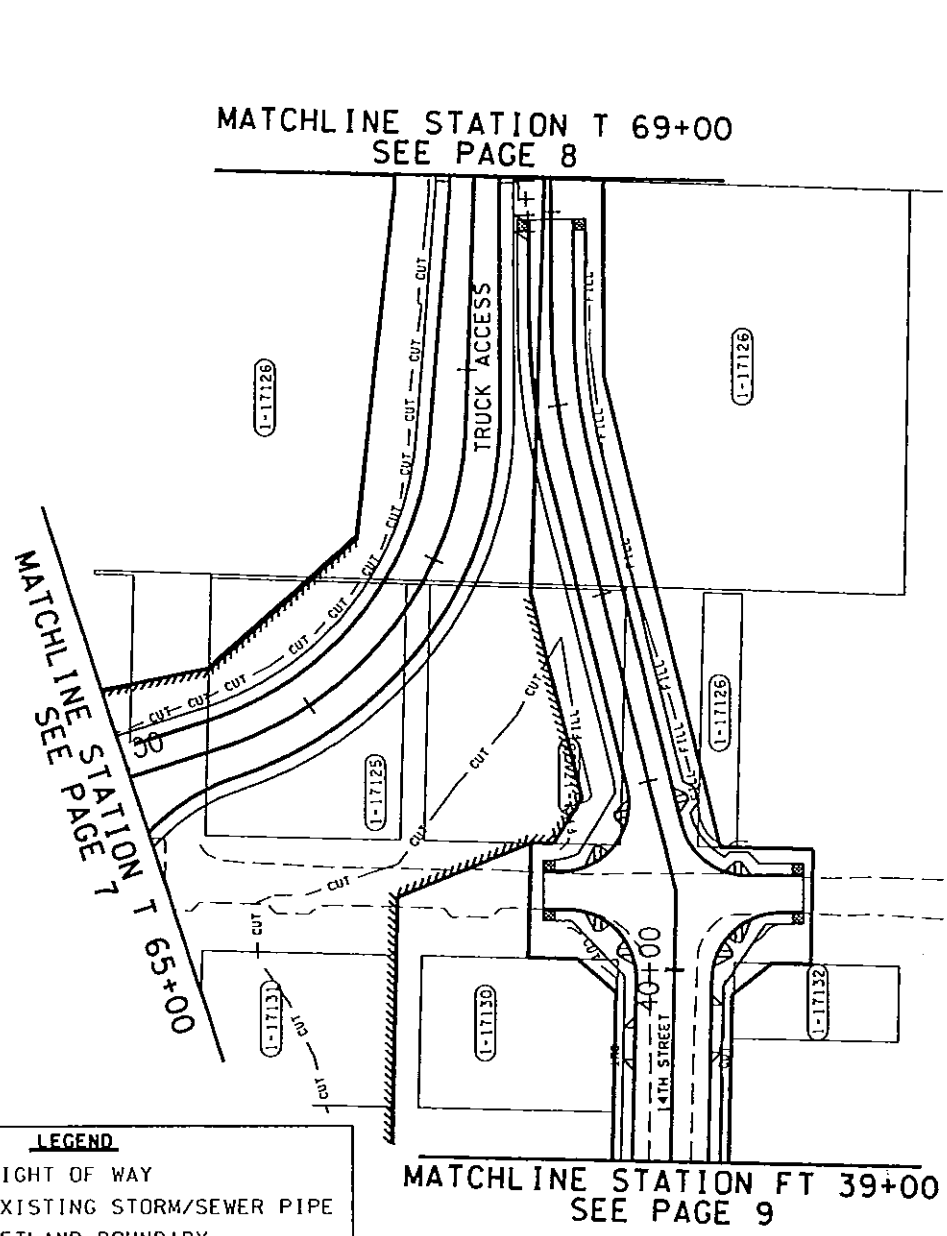

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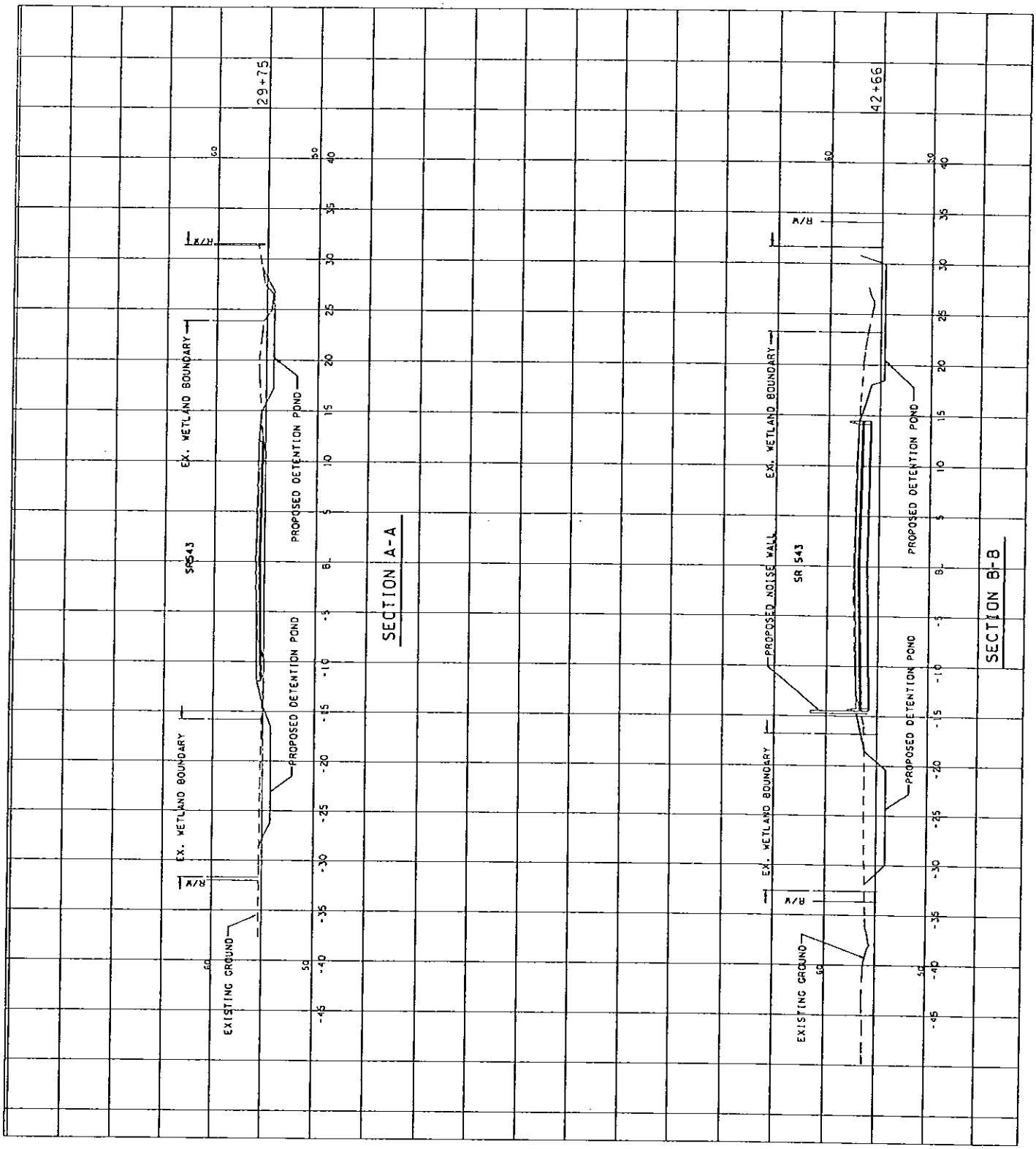

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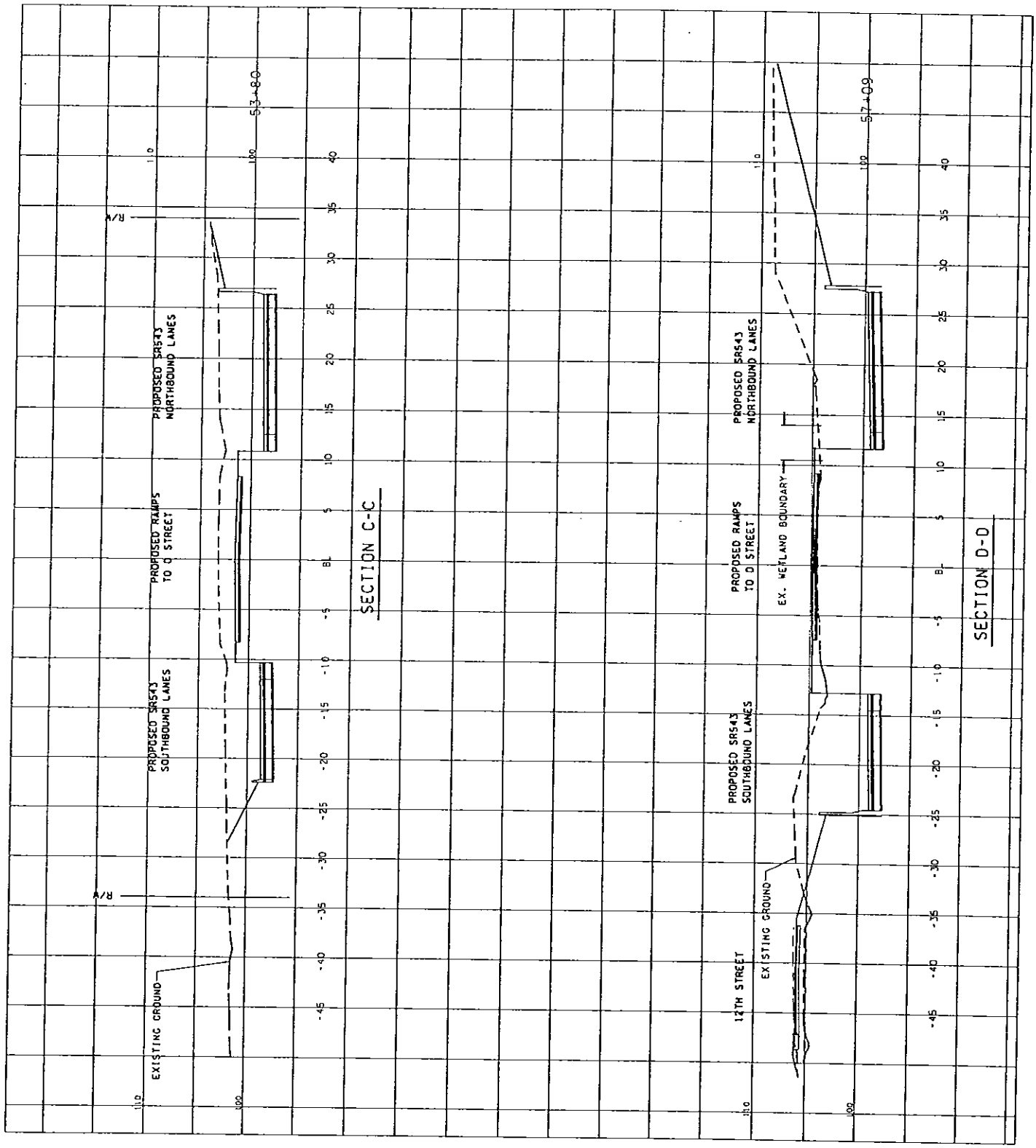

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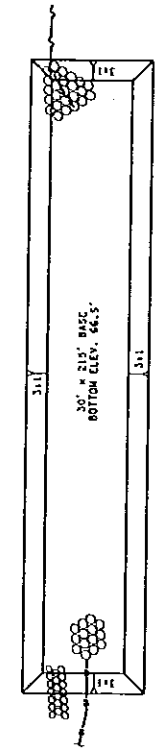
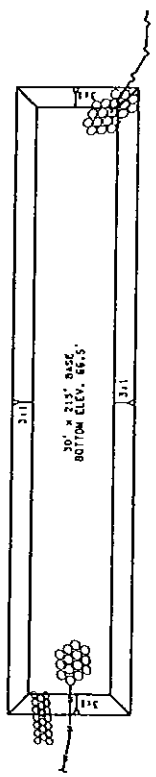


BOBLETT - H EAST
NOT TO SCALE



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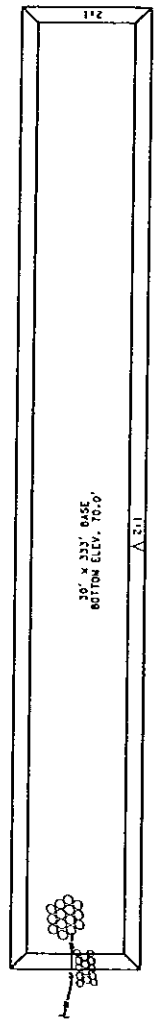
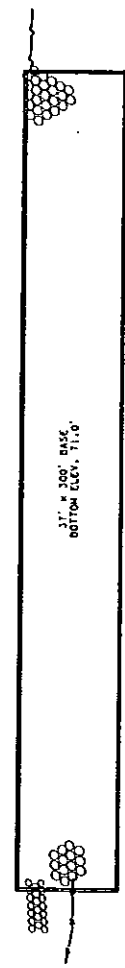


H-D WEST
NOT TO SCALE



H-D EAST
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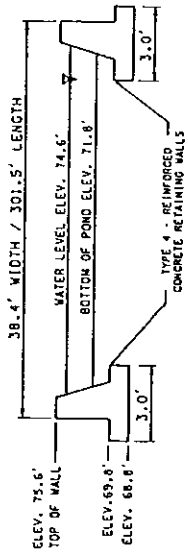

H-D EAST POND
RETAINING WALLS
NOT TO SCALE

DETENTION POND DETAILS

ALL DIMENSIONS IN FEET

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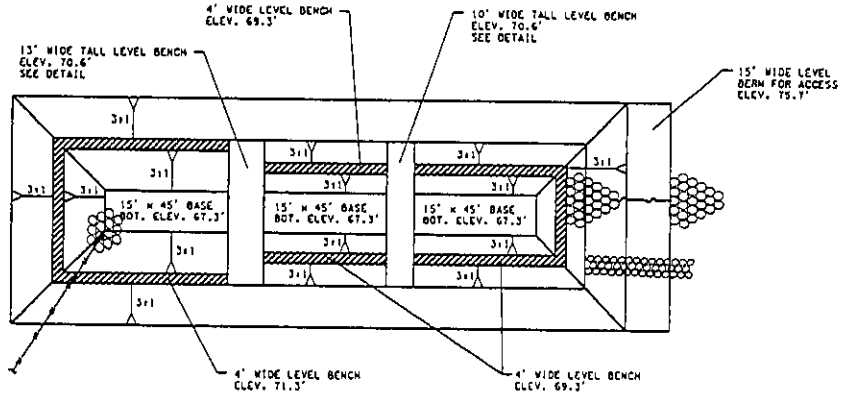

T-LINE WEST (WSDOT POND)
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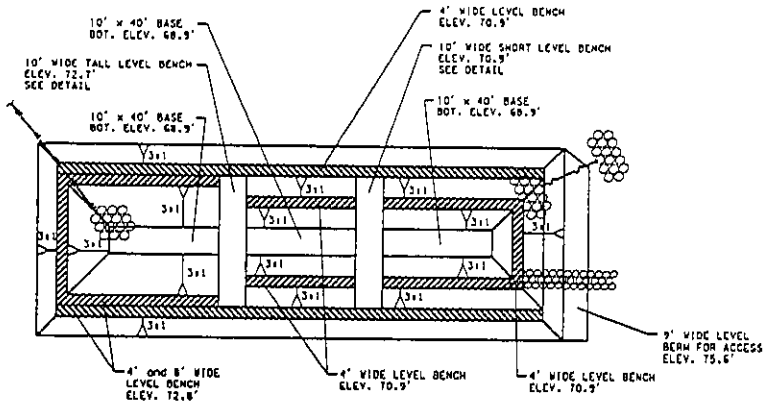
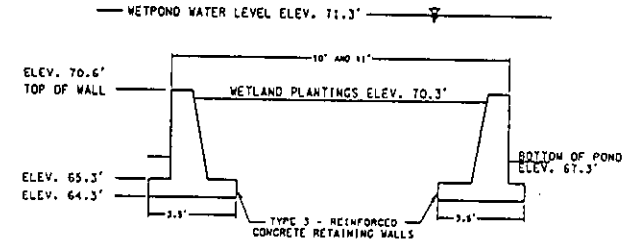
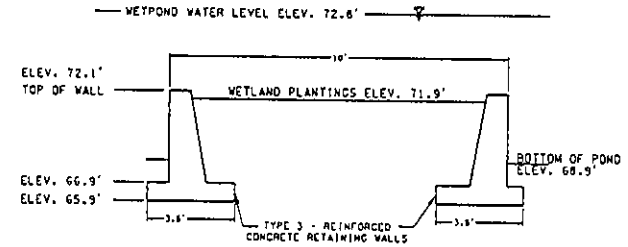


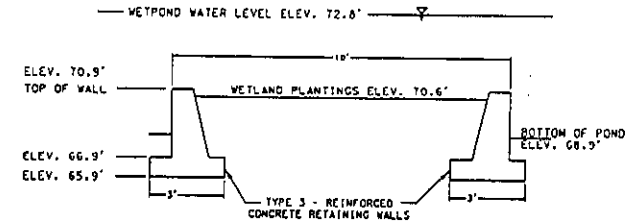
T-LINE EAST (CITY POND)
NOT TO SCALE



T-LINE WEST (WSDOT POND)
TALL LEVEL BENCHES
NOT TO SCALE



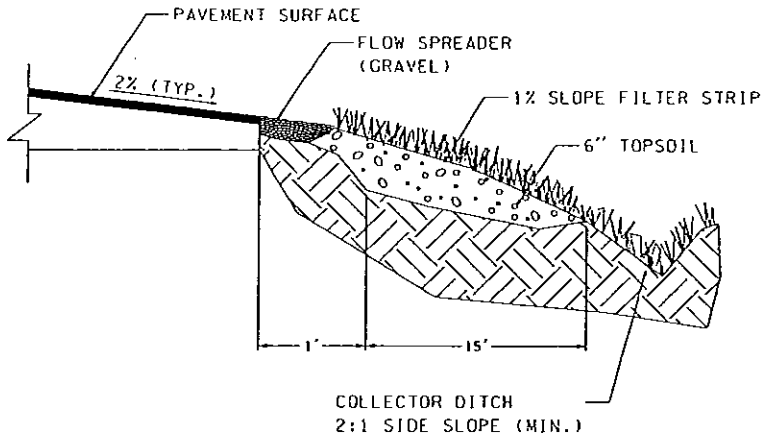
T-LINE WEST (CITY POND)
TALL LEVEL BENCH
NOT TO SCALE



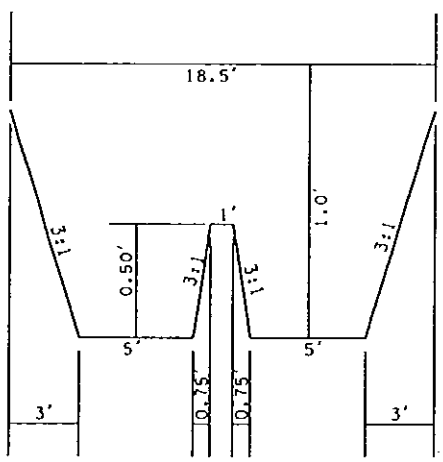
T-LINE WEST (CITY POND)
SHORT LEVEL BENCH
NOT TO SCALE

DETENTION POND DETAILS

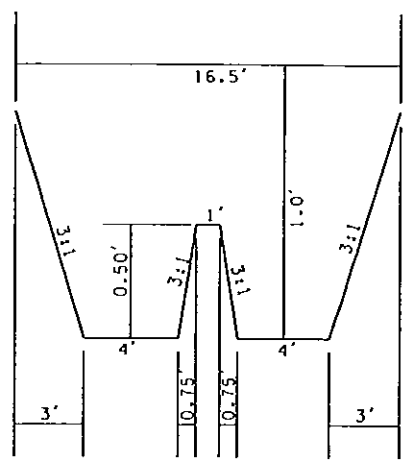
ALL DIMENSIONS IN FEET



GRASS FILTER STRIP

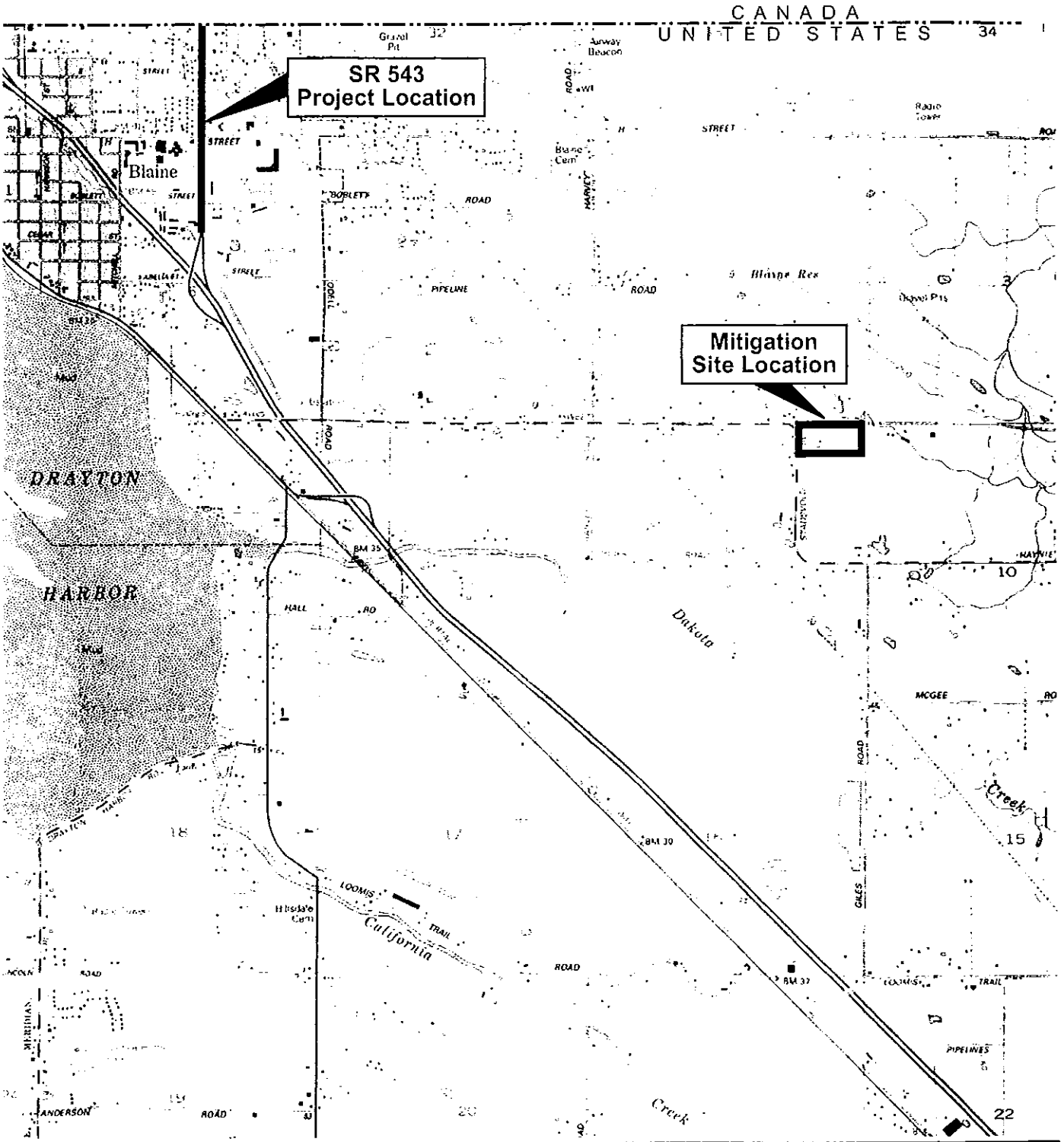


H-D EAST BIOSWALE



H-D WEST BIOSWALE

PURPOSE OF PROJECT:	PROJECT TITLE	PROJECT LOCATION:
INCREASE MOBILITY AND, IMPROVE OPERATIONAL & SAFETY PROBLEMS AT THE SR 543 BORDER CROSSINGS DATUM: NAVD 88 MAILING ADDRESS: WSDOT NW REGION 460 STUART ROAD BELLINGHAM, WA 98226-1204	SR 543 I-5 TO INTERNATIONAL BOUNDARY Washington State Department of Transportation	MILEPOST 0.20 TO MILEPOST 1.09 CITY: BLAINE COUNTY OF: WHATCOM STATE ROUTE: 543 APPLICANT: WSDOT REFERENCE NO: 200401457 DATE: NOVEMBER 8, 2004 SHEET 15 OF 17



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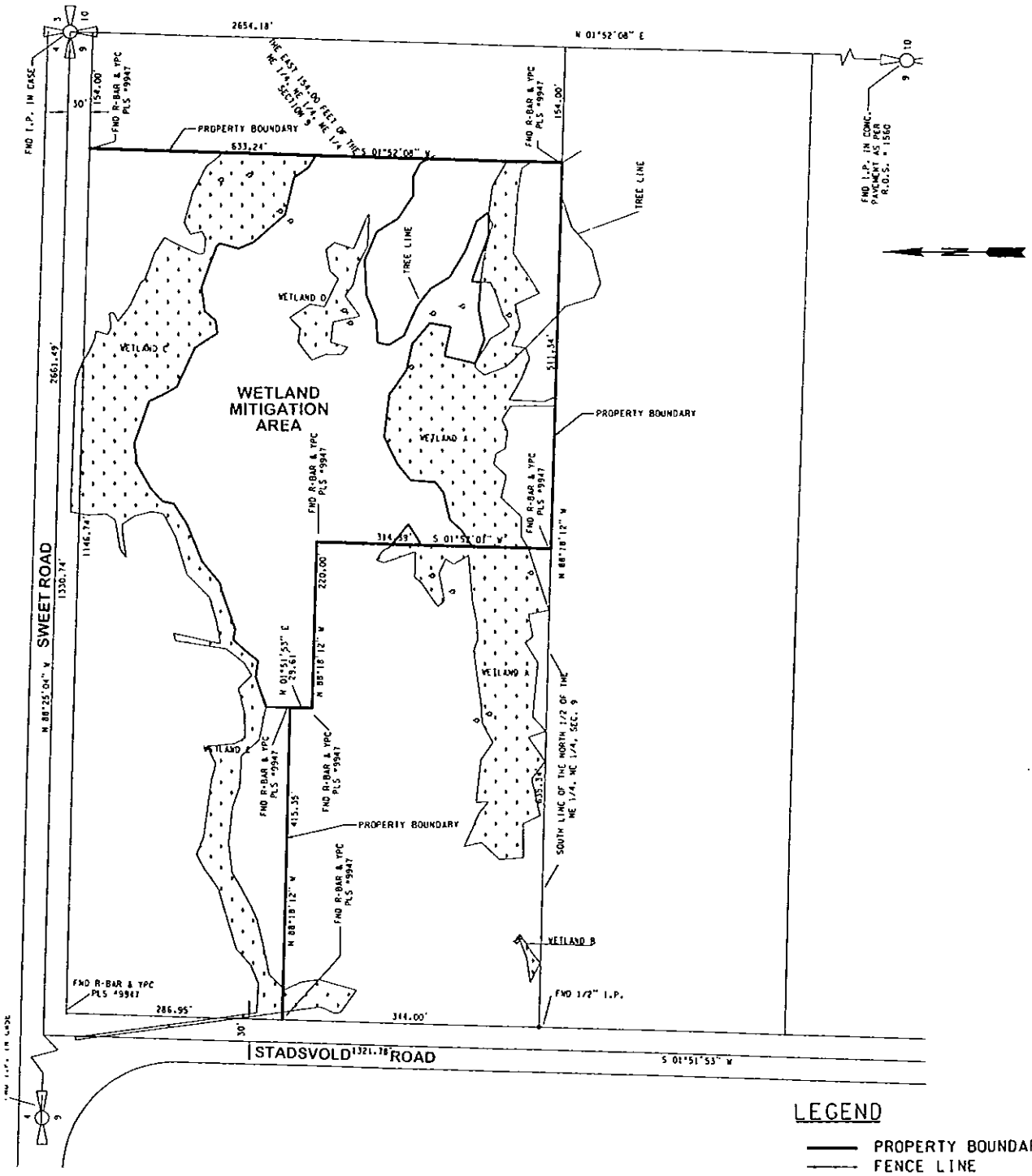
INCREASE MOBILITY AND, IMPROVE OPERATIONAL & SAFETY PROBLEMS AT THE SR 543 BORDER CROSSINGS DATUM: NAVD 88 MAILING ADDRESS: WSDOT NW REGION 460 STUART ROAD BELLINGHAM, WA 98226-1104	SR 543 I-5 TO INTERNATIONAL BOUNDARY Washington State Department of Transportation	MILEPOST 0.20 TO MILEPOST 1.09 CITY: BLAINE COUNTY OF: WHATCOM STATE ROUTE: 543 APPLICANT: WSDOT REFERENCE NO: 200401457 DATE: NOVEMBER 8, 2004 SHEET 16 OF 17



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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: January 25, 2005

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. 200401457 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