



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

JUL 06 2017

Regulatory Branch

Mr. Kevin Chinn
Chinn Construction LLC
PO Box 2137
Redmond, Washington 98073

Reference: NWS-2016-844
Chinn Construction LLC
Washington Charter School

Dear Mr. Chinn:

We have received your application for a Department of the Army (DA) permit to construct a school at Martin Luther King Jr. Way South, Seattle, King County, Washington. We have reviewed the information you provided to us pursuant to Section 404 of the Clean Water Act. On May 23, 2017, we inspected this property in response to your request for verification of the jurisdictional limits of waters of the U.S. in the review area as shown on the enclosed drawing, dated June 21, 2016. The U.S. Army Corps of Engineers has determined that Wetlands A and B are not waters of the U.S. Because Wetlands A and B are not waters of the U.S., we have determined that a DA permit is not required for your proposed work as described in your application and drawings.

Under Section 404 of the Clean Water Act, a DA permit is normally required for the discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into waters of the U.S., including wetlands and navigable waters of the U.S. For more information, see the enclosed *Clean Water Act Extracts and Definitions*. Since Wetlands A and B are not waters of the U.S., work that would occur within these areas does not require Department of the Army authorization under Section 404 of the Clean Water Act. Other state and local regulations may still apply to these wetlands. For example, the Washington State Department of Ecology (Ecology) may regulate these wetlands. The enclosed Ecology *Focus* sheet explains how Ecology regulates wetlands. You should contact Ecology's Federal Permit Coordinator at (360) 407-6068 or ecyrefedpermits@ecy.wa.gov for more information on how to obtain State approval for your project. We are sending a copy of this letter to Ecology and to the Environmental Protection Agency's Aquatic Resources Unit.

This approved jurisdictional determination is valid for a period of five years from the date of this letter unless new information warrants revisions of the determination. A copy of this

jurisdictional determination, dated July 6, 2017, can be found on our website at www.nws.usace.army.mil. Select "Regulatory Branch, Permit Information" and then "Jurisdictional Determinations". If you object to this determination, you may request an administrative appeal under our regulations (33 Code of Federal Regulations, Part 331) as described in the enclosed *Appeal Process Fact Sheet* and the *Notification of Administrative Appeal Options and Process and Request for Appeal* form.

While a DA permit is not required, other local, State, and Federal requirements may still apply. For assistance in determining other permit requirements for the proposed project, we recommend you contact the Washington State Office of Regulatory Assistance via the internet at www.ora.wa.gov.

A copy of this letter with drawings will be furnished to Ms. Jennifer Marriott of Talasaea Consultants, Inc. at 15020 Bear Creek Road Northeast, Woodinville, Washington 98077. If you propose to do any work outside of the review area in other waters and wetlands that were not the subject of this determination, you should contact our office prior to commencing work to determine permit requirements. If you have any questions, please contact Ms. Susan Buis at susan.w.buis@usace.army.mil or at (206) 316-3037.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristina Tong', with a stylized flourish at the end.

for Kristina Tong, Section Chief
Regulatory Branch

Enclosure



Note: Approximate wetland area is based on field notes and has not been professionally surveyed. This image should be used for conceptual purposes only. King County wetland approximated based on print-out from City of Seattle public GIS.

Reference: GIS parcel data from King County GIS, 2014. Aerial image 2012 from Earth Explorer.

NWS-2016-844



**TALASAEA
CONSULTANTS, INC.**

Resource & Environmental Planning
15020 Bear Creek Road Northeast
Woodinville, Washington 98077
Bus (425)861-7550 - Fax (425)861-7519

FIGURE TITLE
EXISTING CONDITIONS

REFERENCE NWS-2016-XXX APPLICANT MR. KEVIN CHINN

PROPOSED PROJECT: CHARTER SCHOOL

ADDRESS: 5960 MARTIN LUTHER KING JR WAY SOUTH

CITY SEATTLE COUNTY KING STATE WA IN UNNAMED WETLANDS

DRAWN
ABS

TAL#
1548

LAT. & LONG.
47.548912, -122.286757

DATE
6-21-2016

REVISED

FIGURE # 4 OF 5