



REPLY TO
ATTENTION OF

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

November 20, 2012

Regulatory Branch

Mr. Skip Sahlin
Pacific International Terminals
1131 Southwest Klickitat Way
Seattle, Washington 98134

Reference: NWS-2008-260
Pacific International
Terminals

Dear Mr. Sahlin:

On February 6, 2012, and November 1, 2012, Mr. Randel Perry conducted site visits in response to your request for a jurisdictional determination for wetlands and streams on property located near Ferndale, Whatcom County, Washington. The information provided by your agent, AMEC Earth and Environmental, Inc., included a wetland delineation for an additional portion of the property (Parcel 14) and revisions to the previous delineation of wetlands on the property as verified in our jurisdictional determination letter dated March 5, 2009.

We have confirmed that waters of the U.S. including wetlands and streams exist on your property. After reviewing the submitted information and our office resources and after visiting the site, we have determined the all delineated on-site wetlands shown on the enclosed drawing dated November 9, 2012 abut or are adjacent to unnamed tributaries of the Strait of Georgia, a navigable waterway used for interstate and foreign commerce. These wetlands have a significant nexus to downstream traditional navigable waters (the Strait of Georgia) and, as such, are regulated by the U.S. Army Corps of Engineers (Corps) as waters of the U.S. under Section 404 of the Clean Water Act.

We have also confirmed that all waterbodies identified as "Streams" and "Drainages" on the enclosed drawing dated November 9, 2012 are tributaries to downstream navigable waters (the Strait of Georgia) and/or have a significant nexus to downstream traditional navigable waters. These tributaries are waters of the U.S. and are regulated by the Corps under Section 404 of the Clean Water Act.

This approved jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revisions of the determination. A copy of this jurisdictional determination can be found on our website at <http://www.nws.usace.army.mil/>

click on “Regulatory Branch, Permit Information”, Jurisdictional Determinations. If you object to this determination, you may request an administrative appeal under our regulations 33 CFR 331 as described in the enclosed *Appeal Process Fact Sheet* and the *Notification of Administrative Appeal Options and Process and Request for Appeal* form.

A copy of this correspondence with enclosure will be furnished to Ms. Kristie Dunkin of AMEC Earth and Environmental, Inc. at 11810 North Creek Parkway North, Bothell, Washington 98011. Because Department of the Army authorization may be necessary for work in these waters of the U.S., including wetlands and drainages, do not commence construction before written authorization is received. If you have any questions, please contact Mr. Randel Perry at (360) 734-3156 or by email at randel.j.perry@usace.army.mil.

Sincerely,

A handwritten signature in cursive script that reads "Kristina G. Tong".

Kristina G. Tong, Senior Scientist
Regulatory Branch

Enclosure