



DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-2255

RECEIVED

APR 28 1991

HABITAT MGMT.

JUL 16 1991

REPLY TO
ATTENTION OF

Regulatory Branch

Pickering Park Associates
Cumberland Northwest, Incorporated
10900 Northeast 4th Street, Suite 1330
Bellevue, Washington 98004

Reference: OYB-4-012513
Pickering Park Associates

Gentlemen:

Enclosed is a Department of the Army permit which authorizes performance of the work described in your referenced application.

You are cautioned that any change in the location or plans of the work will require submittal of a revised plan to this office for approval prior to accomplishment. Deviation from approved plans may result in imposition of criminal or civil penalties.

Your attention is drawn to General Condition 1 of the permit which specifies the expiration date for completion of the work. You are requested to notify this office of the date the work is completed.

Sincerely,

Thomas F. Mueller
Chief, Regulatory Branch

Enclosure

NPS FL 1145-7
APR 91 (Rev)

DEPARTMENT OF THE ARMY PERMIT

Permittee Pickering Park Associates

Pickering Park Associates
Cumberland Northwest, Incorporated
10900 Northeast 4th Street, Suite 133
Bellevue, Washington 98004

Permit No. OYB-4-012513

Issuing Office Seattle District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Place fill material and perform certain mitigating activities in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit. (Construct an office park.)

Project Location: In four isolated wetlands near the mouth of Issaquah Creek at Issaquah, Washington.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on July 16, 1994. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

X  X 7.16.91
 (PERMITTEE) PICKERING PARK ASSOCIATES (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

 7/16/91
 (DISTRICT ENGINEER) (DATE)
 for MILTON HUNTER
 Colonel

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

 (TRANSFEEE) (DATE)



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504-8711 • (206) 459-6000

June 6, 1989

Mr. Thomas Willett
Pickering Park Associates.
10900 Northeast Fourth Street, Suite 1330
Bellevue, WA 98004

Re: Water Quality Certification
Public Notice No. OYB-4-012513

Dear Mr. Willett:

The public notice for this proposed Corps of Engineers permit has been reviewed in accordance with all pertinent rules and regulations.

This agency certifies these activities comply with applicable provisions of sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act as amended. This certification is subject to compliance with terms and conditions stipulated in the Mitigation Plan "Agreement Providing for the Creation and Maintenance of an Improved Wetland Habitat in Mitigation for the Filling of Certain Wet Meadow Areas," Pickering Park Associates and Department of Wildlife, July 29, 1988, and the following provisions:

1. Native vegetation shall be used in the mitigation revegetation effort, provided such use of native plants is consistent with the mitigation plan approved by the Department of Wildlife and provided such stock is reasonably available.
2. Monitoring requirements of the mitigation site shall include more detailed methods, such as photo plots and establishment of permanent quadrants.
3. Additional performance standards to be applied to the mitigation effort are as follows:
 - a. Revegetation shall be attained to a level of 80% survival of shrubs and trees and 80% cover of desirable understory species (as called for in the mitigation plan).
 - b. Plant survival shall be ensured for five years after planting to be considered successful mitigation.

Mr. Thomas Willett

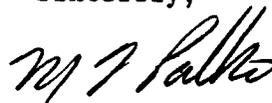
June 6, 1989

Page 2

4. Michelle Stevens of the Washington Department of Ecology's Wetland Section (459-6765) shall be contacted concerning any additions, deletions or changes to the mitigation plan and subsequent monitoring effort.

Please note this certification does not exempt, and is provisional upon, compliance with other statutes and codes administered by federal, state, and local agencies.

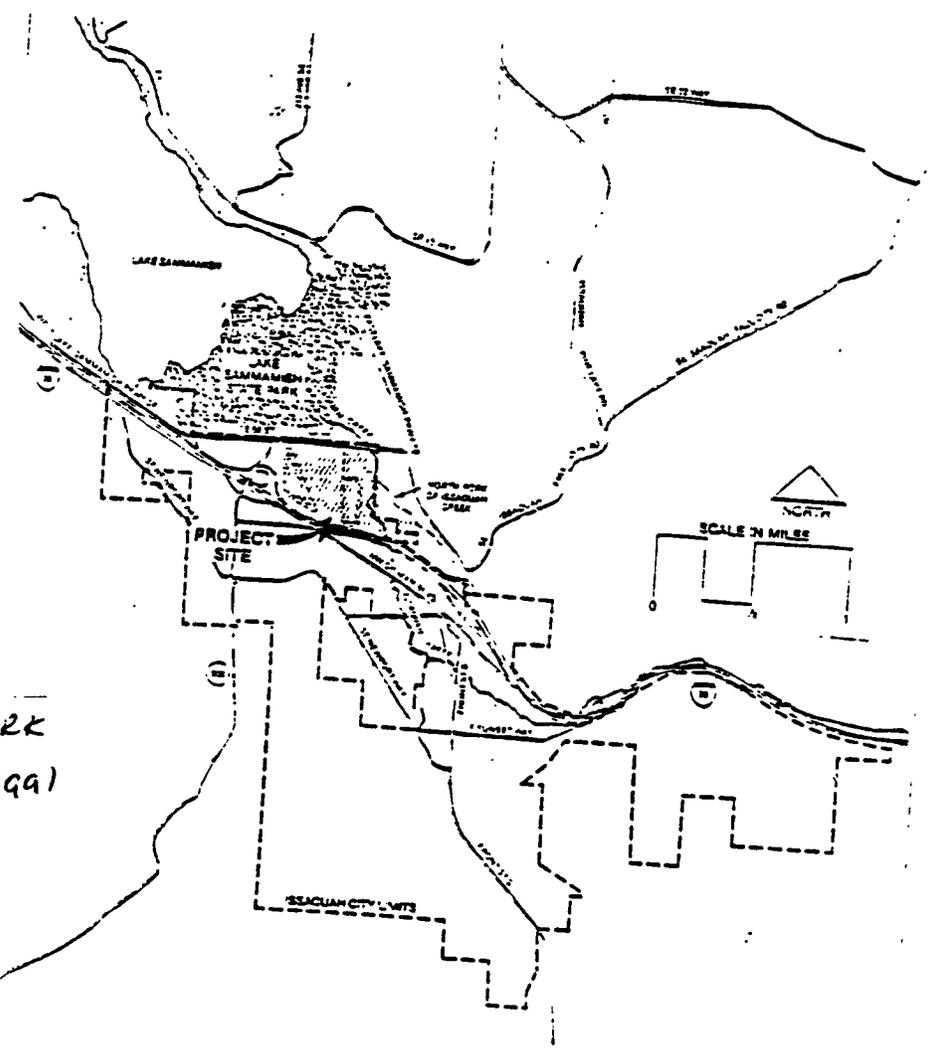
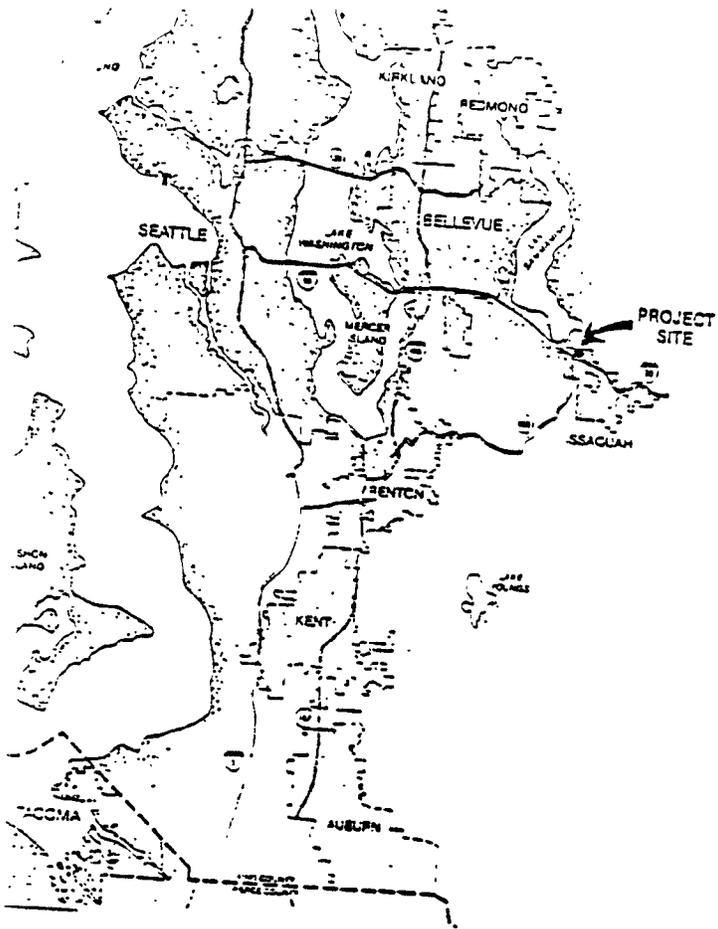
Sincerely,



M. F. Palko
Supervisor
Environmental Review

MFP:mds

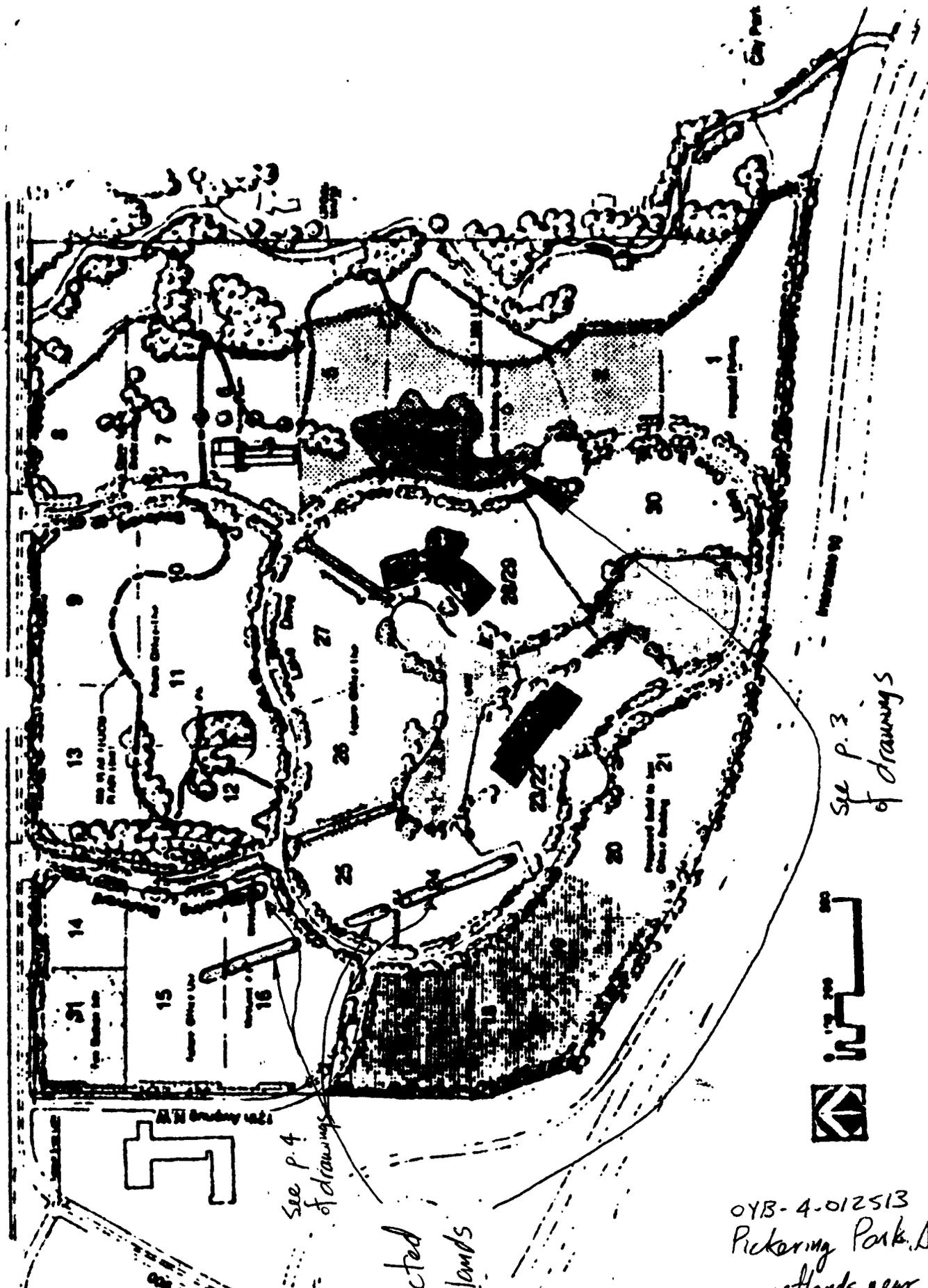
cc: COE
Ecology, ER/PM
EPA, Seattle



PROPOSED: FILL IN 3 ISOLATED
 WETLANDS (3.3 ACRES)
 NEAR ISSAQUAH CREEK
 IN
 AT ISSAQUAH, WASHINGT
 COUNTY OF KING STATE WA
 APPLICATION BY PICKERING PARK
 PURPOSE: CONSTRUCT OFFICE PARK

July 9, 1991

0YB4 012513



See p. 3
of drawings

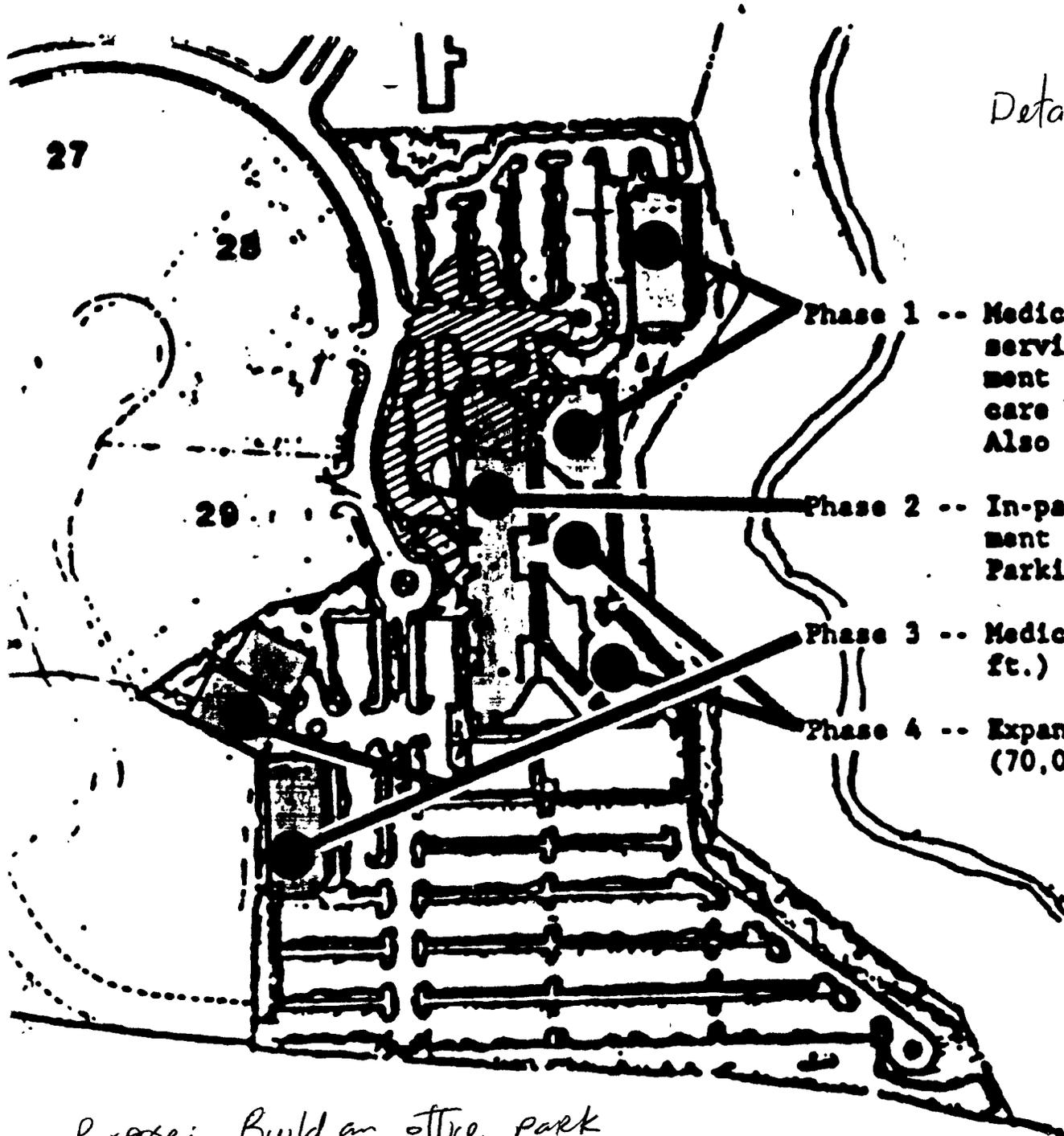


See p. 4
of drawings

Affected
Wetlands

OYB-4-012513
Pickering Park Associates
in wetlands near Issaquah
of Issaquah, WA

Proposed: Fill 4 wetlands
Purpose: Build office park



Details on wetland 1 fill

Phase 1 -- Medical offices, ambulatory services, diagnostic and treatment facility, and chronic care building (110,000 sq. ft.) Also parking.

Phase 2 -- In-patient services and treatment facility (150,000 sq. ft.) Parking

Phase 3 -- Medical Office Bldg (60,000 sq. ft.) and parking

Phase 4 -- Expansion of Phase 2 buildings (70,000 sq. ft.)

Proposed: Place fill in wetlands
 wetlands near Issaquah Creek
 at Issaquah, WA

07B-4-012513

Pickering Park Associates

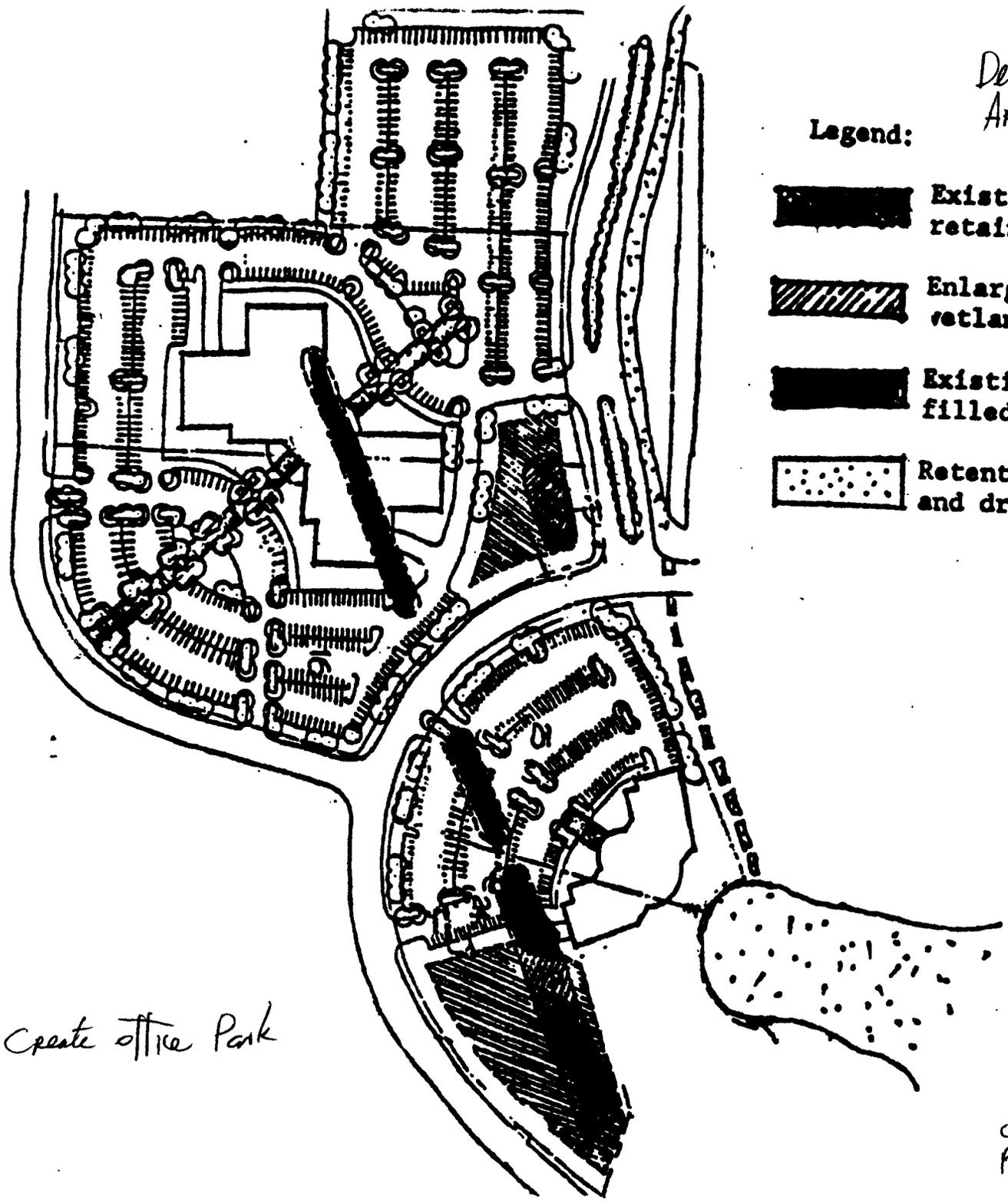
P 3 of 6
 1/19 91

Purpose: Build an office park

Details of fill Wetland Area 2

Legend:

-  Existing wetlands to be retained (0.3 acre)
-  Enlargement of existing wetlands (0.8 acre)
-  Existing Wetlands to be filled (0.5 acre)
-  Retention/mitigation pond and drainage course



Purpose: Create office Park

Proposed place fill in wetlands near Issaquah Ck at Issaquah, WA

048-2-012513
Pickering Park Associates
1.1 a 91

GENERAL NOTES

1. This planting plan is to be used with the written report "Wetland Mitigation Plan, Seattle Corporate Center" by Aesada Associates, April 18, 1988.
2. Plant substitutions, based upon availability, may be permitted only with the approval of the project biologist.
3. Planting locations (and the layout of the paved path) shown on this plan are approximate and may need to be adjusted based on field conditions.
4. All plant material and planting locations are to be approved by the project biologist prior to planting.
5. A thorough check for underground utilities should be made prior to any excavation for the plantings.
6. Time release fertilizer tablets should be used in the planting holes of all trees and shrubs.
7. Cattail, Hardstem Bulrush, and Yellow Flag Iris roots are to be placed directly into wet muddy soil as directed by the project biologist. Waterlily roots are to be encased in a handful of heavy mud and dropped into place in the water as directed by the project biologist.
8. Planting is scheduled to occur in the late spring of 1988 if practical. An appropriate planting/construction sequence would be: 1) till and raise smooth the turf and soil in all areas specified for the unmowed grass/wildflower hydroseed mix listed on the plant schedule (this will establish a fresh seed bed for the mix), 2) plant all trees, shrubs and emergent vegetation, 3) spread wood mulch around the bases of trees and shrubs as indicated in the planting detail, 4) hydroseed (using the seed mix on this plan) all areas specified on the planting plan for the unmowed grass/wildflower mix. Note that hydroseeding will occur after the planting of trees and shrubs, and that a certain amount of slurry overspray onto the mulch at the bases of the woody plants is tolerable.
9. All plant material shall be watered at planting and as needed during the first year after planting to ensure the survival of the plantings.
10. The landscape contractor shall provide a full, one-year guarantee on all plant material.

PLANT SCHEDULE

COMMON NAME	SCIENTIFIC NAME	CODE	Q.	ROOT	SIZE	NOTES
TREES						
Douglas Fir	<i>PSEUDOTSUGA MERRILLII</i>	F	10	B/B	6-8'ht	Full, well branched
Quaking Aspen	<i>PICEA CRISTATA</i>	Q	10	cont.	1.5'cal	10'ht min
Snowdrift Crab	<i>MAHOGANY 'SNOWDRIFT'</i>	CR	10	B/B or cont.	1.5'cal	6-8'ht min, full
W. Red Cedar	<i>TAXUS PLICATA</i>	C	11	B/B	6-8'ht	full, well branched
SHRUBS						
Rectwig Dogwood	<i>CORNUS RECTA</i>	RT	157	5 gal	4-5'ht	3 stems min
Rugosa Rose	<i>ROSA RUBRA</i>	R	301	5 gal	3-3'ht	2 stems min
Serviceberry	<i>AMALANCHOIDEA ALNIFOLIA</i>	A	7	B/B or cont.	8-10'ht	full
Snowberry	<i>SIBYRINOPHYLLIS ALBA</i>	S	77	5 gal	3-4'ht	2 stems min
Vine Maple	<i>ACEQ. QUINQUEFIDA</i>	V	47	B/B	8-10'ht	clump, 3 stems min
W. Red Currant	<i>RIBES LACINIOSUM</i>	CR	61	5 gal	3-4'ht	2 stems min
Yellowtwig Dogwood	<i>CORNUS STYRACIA 'Flaviramea'</i>	YT	68	5 gal	4-5'ht	3 stems min
EMERGENTS						
Cattails	<i>TYPHA LATIFOLIA</i>	--	7300	bareroot	--	see note below *
Hardstem Bulrush	<i>SCIRPUS ATROVIRENS</i>	B	1900	bareroot	--	"
Scirpus	<i>SCIRPUS spp.</i>	SE	--	site transpl	--	(2500 sq ft cover)
White Waterlily	<i>NELUMBO LUTEA</i>	--	1090	bareroot	--	see note below *
Yellow Flag Iris	<i>IRIS PSEUDOPALUSTRIS</i>	YF	320	bareroot	--	"
HYDROSEED MIX (62,000 sq. ft. total, see note below **)						
Chewings Fescue	<i>FESTUCA ELONGATA COARCTATA</i>	--	--	--	--	5% by weight
Red Fescue	<i>FESTUCA RUBRA</i>	--	--	--	--	15%
Colonial Bentgrass	<i>BECTOPHYLLIS TENAX</i>	--	--	--	--	10%
Perennial Rye	<i>LOLIA PERENNIS</i>	--	--	--	--	5%
Annual Rye	<i>LOLIA MONOCULUM</i>	--	--	--	--	5%
White Clover	<i>TRIFOLIUM REPENS</i>	--	--	--	--	1%
Tall Fescue	<i>FESTUCA LUTESCENS</i>	--	--	--	--	1%
Timothy	<i>PHLEO PRAENSE</i>	--	--	--	--	1%
Craye Daisy	<i>CHRYSALEPIDIS LEUCOPHYLLA</i>	--	--	--	--	1%
California Poppy	<i>ESCHOLIA CALIFORNICA</i>	--	--	--	--	1%

* Cattails, Hardstem Bulrush, Waterlilies and Yellow Flag Iris roots are available from Kester's Nursery, Oso Wisconsin, phone: 1-800-358-8815.
 ** For hydroseed mix, use 5 lb seed mix + 7 lb. 10-20-20 fertilizer + 50 lb. wood cellulose fiber per 1000 square foot seeded area.
 Abbreviations: B/B = balled & burlapped, cont. = container, ht = height, cal = caliper, min = minimum, gal = gallon container, sq. ft. = square feet, transpl = transplant, Q = quantity

July 9 91

OYB-4-012513
PICKERING PARK

Give name to the
Pickering Park into
Sorry it's small
sands

RECEIVED
APR 15 1989
HABITAT MGMT.



**US Army Corps
of Engineers**
Seattle District

Regulatory Branch
Post Office Box C-3755
Seattle, Washington 98124-2255
Telephone (206) 764-3495
ATTN: John Kennedy, Project Manager

Public Notice of Application for Permit

Public Notice Date: 6 January 1989
Expiration Date: 6 February 1989
Reference: OYB-4-012513
Name: Pickering Park Associates

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 prints.

APPLICANT - Pickering Park Associates
Cumberland Northwest, Incorporated
10900 Northeast 4th Street, Suite 1330
Bellevue, Washington 98004
ATTN: Mr. Thomas Willett
Telephone (206) 455-9800

LOCATION - The wetlands are isolated and lie near Issaquah Creek at Issaquah, Washington.

WORK - Place fill material in three wetlands with a total area of 3.3 acres (2.5, 0.7, and 0.1 acres, respectively), and perform mitigation.

PURPOSE (PER APPLICANT) - Construct a 138-acre business park. See page 8 of the drawings for additional details.

ENDANGERED SPECIES - Preliminary determinations indicate that the activity will not affect endangered species, or their critical habitat, designated as endangered or threatened (Endangered Species Act of 1973). Formal consultation under Section 7 of the Act is not required.

CULTURAL RESOURCES - Presently unknown archeological, scientific, prehistorical or historical data may be lost or destroyed by work to be accomplished under the requested permit. The work is not located on a property registered in the National Register of Historic Places. This public notice has been provided to the appropriate State Historical Preservation Officer.

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.

OYB-4-012513

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 benefit 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.

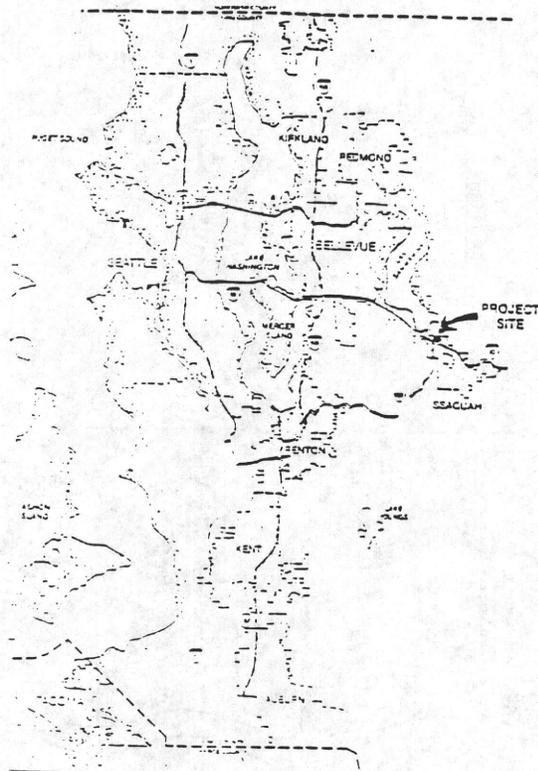
ADDITIONAL EVALUATION - This proposal is the subject of Shorelines Substantial Development Permit No. SM88-04 processed by the City of Issaquah.

The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

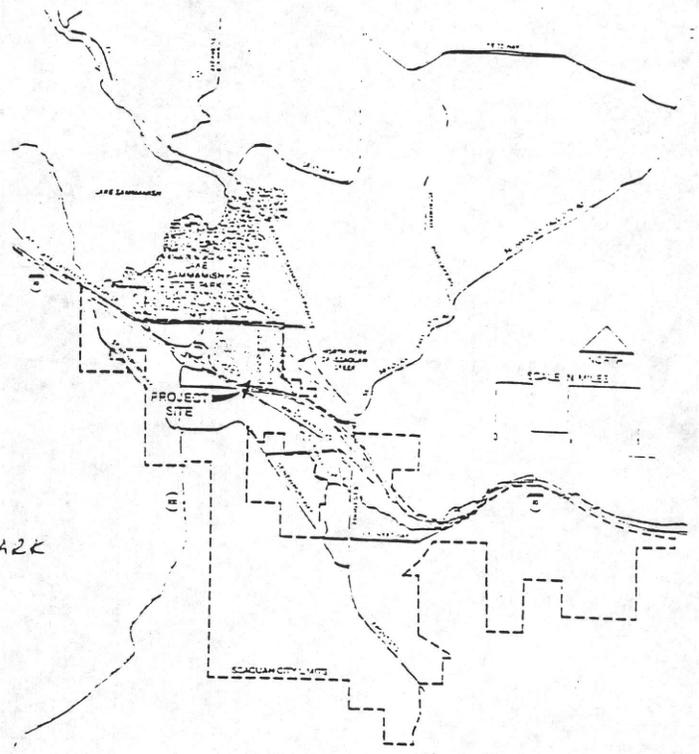
COMMENT AND REVIEW PERIOD - Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments should reach this office, Attn: Regulatory Branch, not later than the expiration date of this public notice to ensure consideration and refer to the following name and file number:

Pickering Park Associates
OYB-4-012513

Encl
Prints (8)



Proposed: FILL IN 3 ISOLATED
WETLANDS (3.3ACRES)
NEAR ISSAQUAH CREEK
IN
AT ISSAQUAH, WASHINGT
COUNTY OF KING STATE WA
APPLICATION BY PICKERING PARK
PURPOSE CONSTRUCT OFFICE PARK



0434 012513

**SEATTLE
CORPORATE
CENTER**
SCALE 1"=220'



WETLANDS EXHIBIT

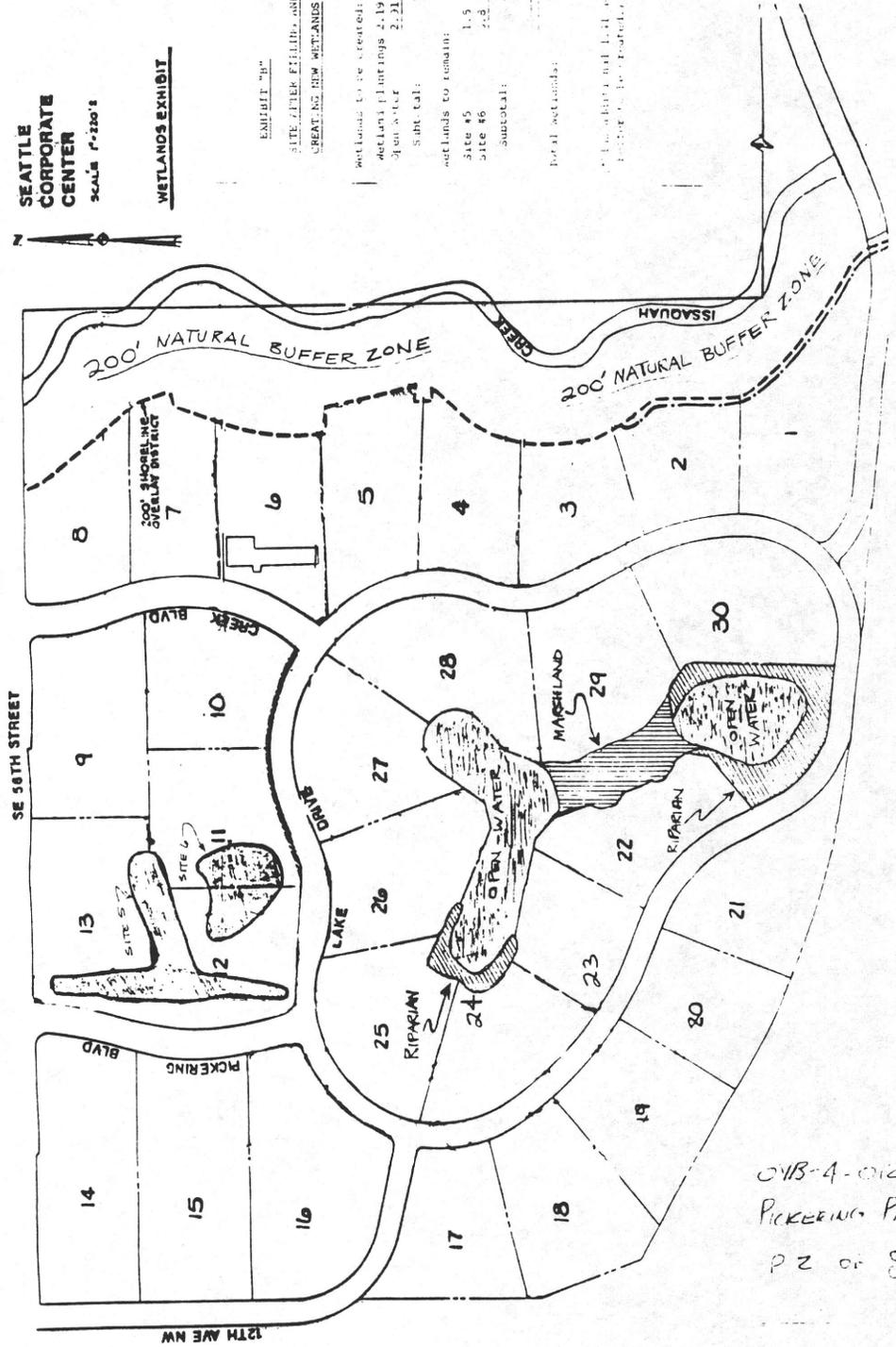
EXHIBIT "B"
**SITE AFTER FILLING AND
 CREATING NEW WETLANDS**

Wetlands to be created:
 Wetland Plantings 2.19
 Open Water 2.21
 Subtotal: 5.1 acres

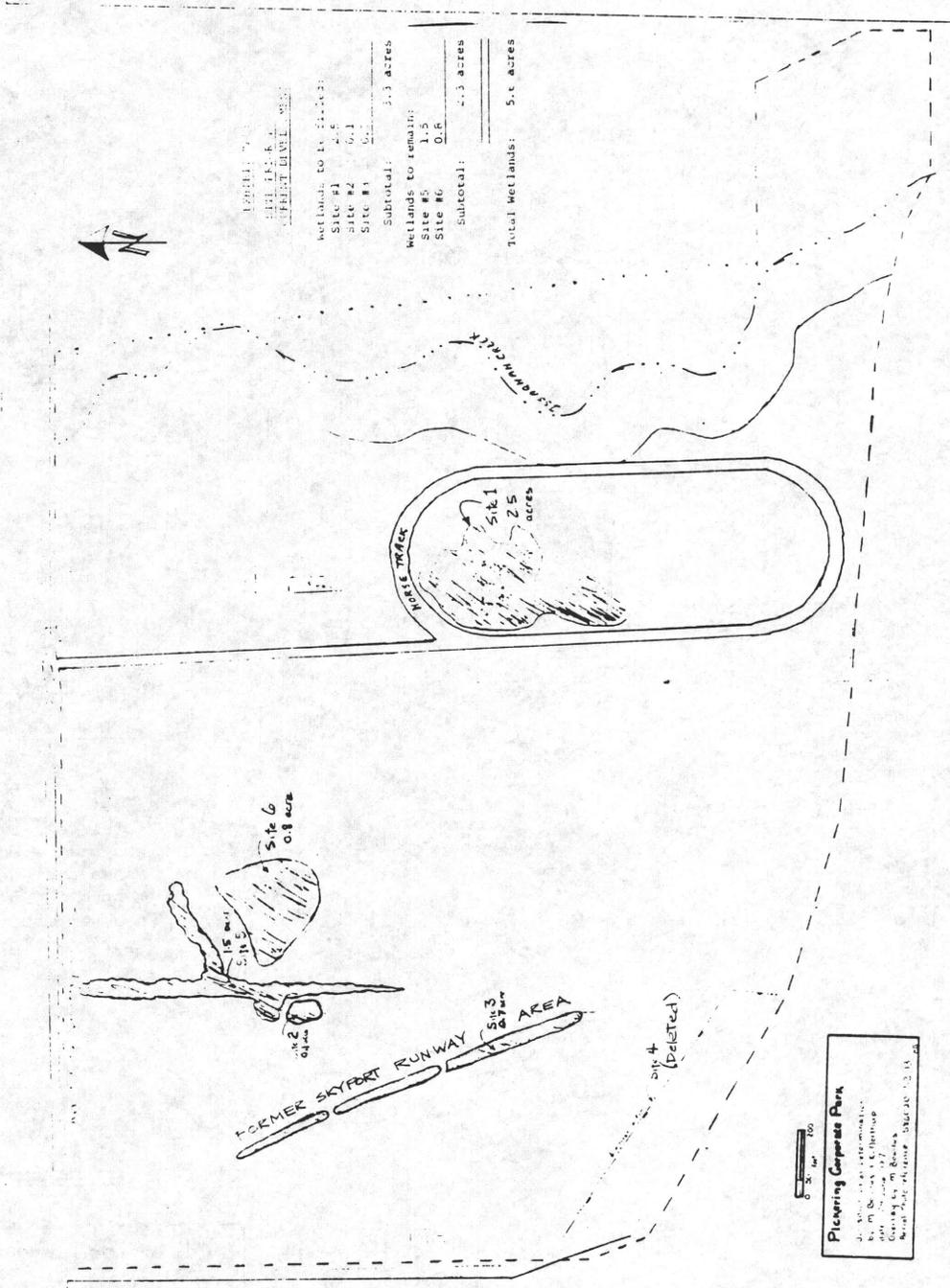
Wetlands to remain:
 Site 45 1.5
 Site 46 2.3
 Subtotal: 3.8 acres

Total Wetlands: 8.9 Acres

Wetland and 1.41 acres of land
 to be preserved.



01B-4-0128
 PICKERING PA
 P 2 of 8



WETLANDS TO BE PRESERVED: 5.5 acres
 WETLANDS TO REMAIN: 3.0 acres
 TOTAL WETLANDS: 8.5 acres

WETLANDS TO BE PRESERVED	WETLANDS TO REMAIN
Site #1 2.5	Site #5 1.5
Site #2 0.4	Site #6 0.6
Site #3 0.2	
Subtotal: 3.1 acres	

Pickering Corporate Park
 M & S Environmental Services, Inc.
 10000 Lakeshore Blvd.
 Suite 200
 Detroit, MI 48205-3000

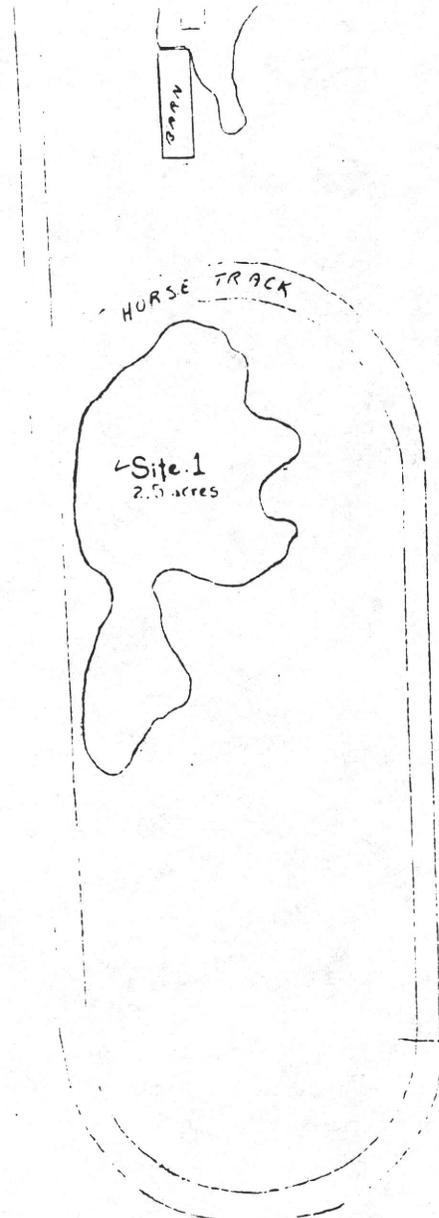
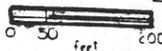


EXHIBIT "C"

COE Wetlands Site #1.

Area 2.5 acres. This isolated wetland is found in a depression in the interior of what was the horse race track on the property. The wetland was dominated by water foxtail, spike rush, and pineapple weed. The soils in the area were mapped as Sultan silt loam (a non-hydric soil) however, soils pits indicated the presence of hydric soils. During the wet months of the year, the area ponded water for periods of time, due to impervious layers 3-4 feet below the surface. The wetland is dry during most of the spring and summer months.

(Notes by Raedeke & Assoc. Scientific Consulting.)



015-4-012513
 PICKERING PARK
 P4 OF 8

Pickering Corporate Park
 Jurisdictional Determination
 by: M. Bowlus & K. Northrup
 date: 24 June 1987
 Overlay by: M. Bowlus
 Aerial Photo reference: 586020-53-13

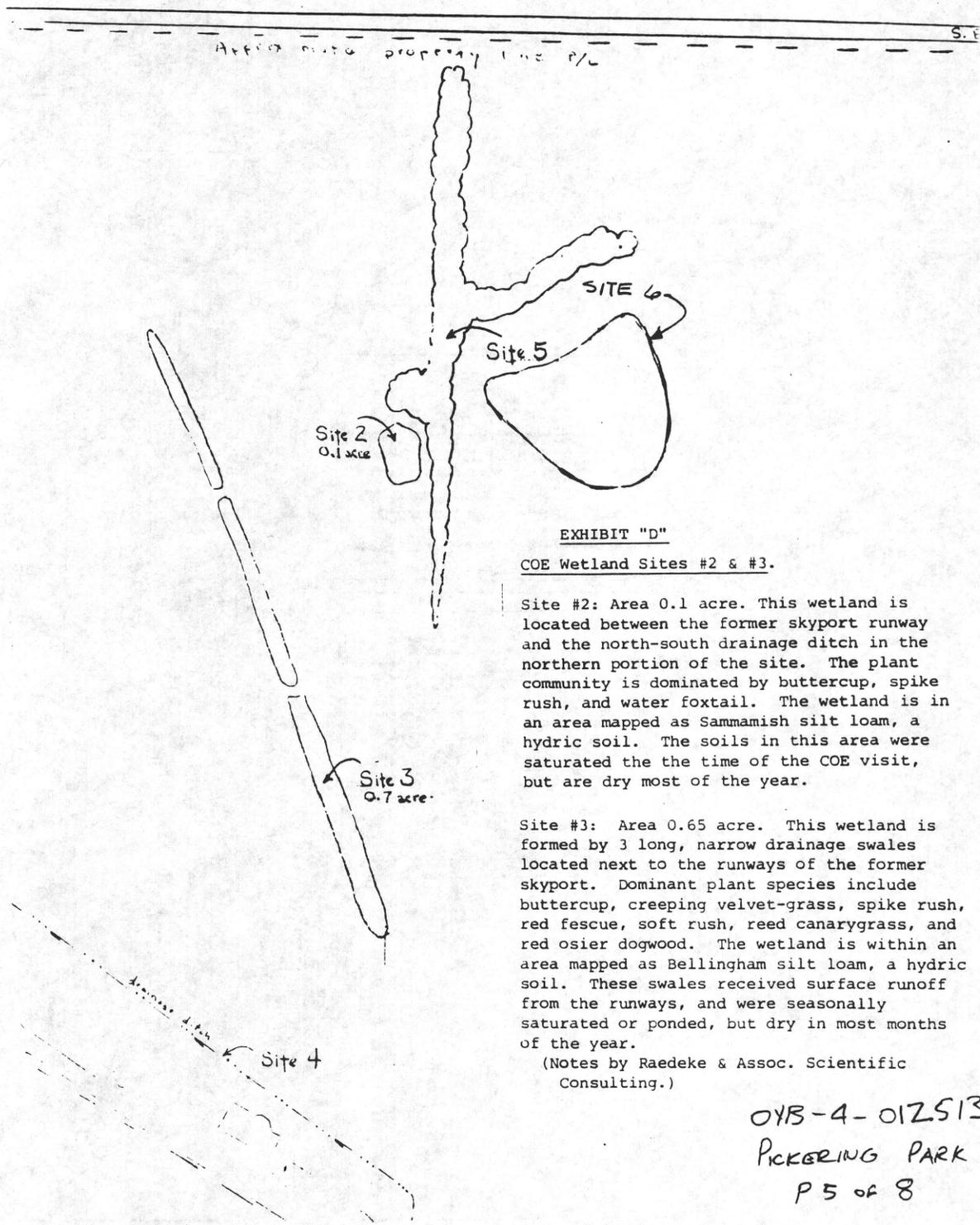


EXHIBIT "D"

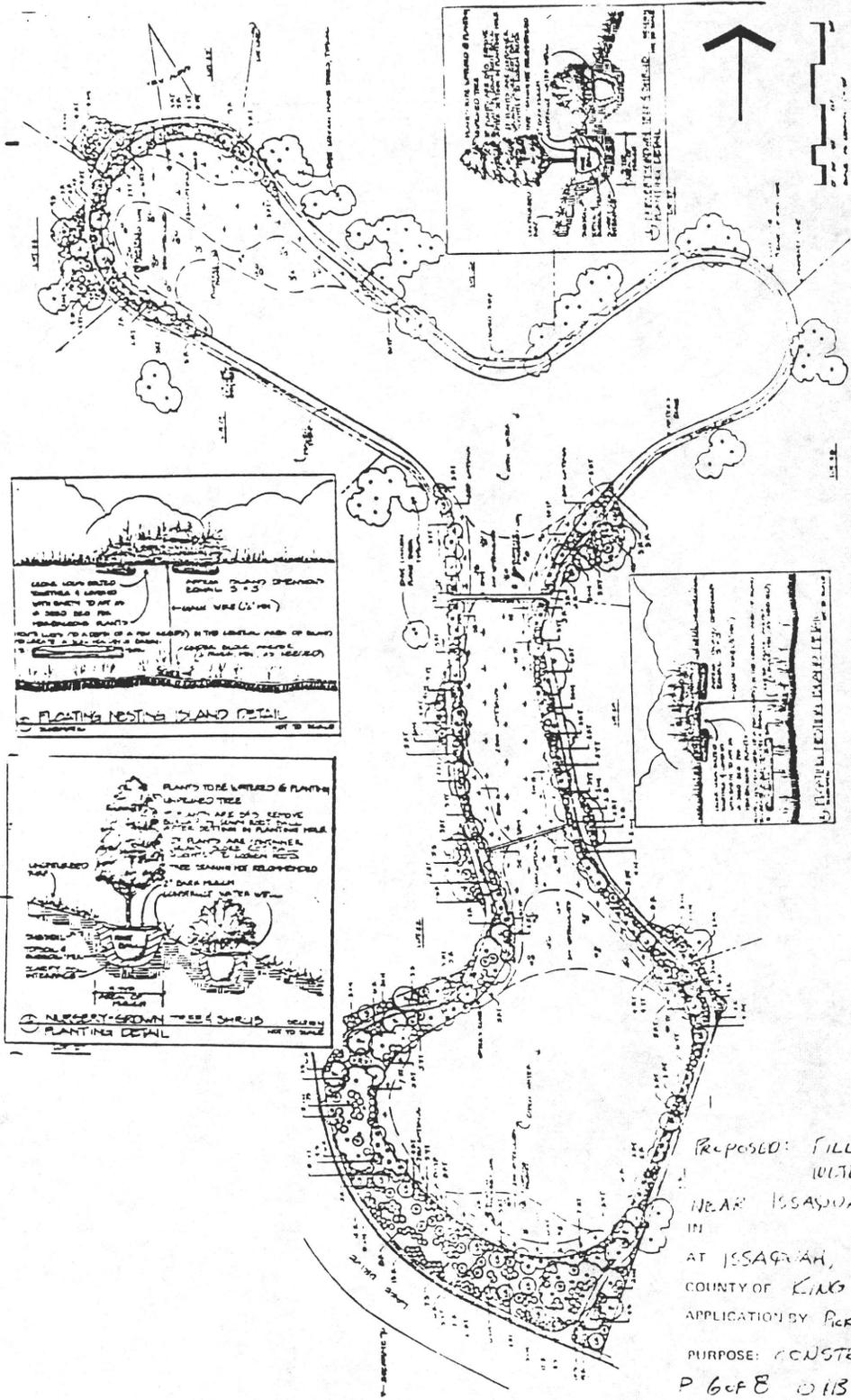
COE Wetland Sites #2 & #3.

Site #2: Area 0.1 acre. This wetland is located between the former skyport runway and the north-south drainage ditch in the northern portion of the site. The plant community is dominated by buttercup, spike rush, and water foxtail. The wetland is in an area mapped as Sammamish silt loam, a hydric soil. The soils in this area were saturated the the time of the COE visit, but are dry most of the year.

Site #3: Area 0.65 acre. This wetland is formed by 3 long, narrow drainage swales located next to the runways of the former skyport. Dominant plant species include buttercup, creeping velvet-grass, spike rush, red fescue, soft rush, reed canarygrass, and red osier dogwood. The wetland is within an area mapped as Bellingham silt loam, a hydric soil. These swales received surface runoff from the runways, and were seasonally saturated or ponded, but dry in most months of the year.

(Notes by Raedeke & Assoc. Scientific Consulting.)

OYB-4-012513
 PICKERING PARK
 P 5 of 8



mitigation plan

see following pages for vegetation codes and additional notes on this mitigation plan

PROPOSED: FILL IN 3 (THREE) ISLANDS (1.3 A.C.) NEAR ISSAGWAH CREEK IN AT ISSAGWAH, WASHINGTON COUNTY OF KING STATE WA APPLICATION BY PICKERING PARK PURPOSE: CONSENT OFFICE PAID P 6 of 8 013-4-02513

GENERAL NOTES

1. This planting plan is to be used with the written report "Wetland Mitigation Plan, Seattle Corporate Center" by Haskins Associates, April 15, 1988.
2. Plant substitutions, based upon availability, may be permitted only with the approval of the project biologist.
3. Planting locations (and the layout of the paved path) shown on this plan are approximate and may need to be adjusted based on field conditions.
4. All plant material and planting locations are to be approved by the project biologist prior to planting.
5. A thorough check for underground utilities should be made prior to any excavation for the plantings.
6. Time release fertilizer tablets should be used in the planting holes of all trees and shrubs.
7. Cattail, Hardstem Bulrush, and Yellow Flag Iris roots are to be placed directly into wet muddy soil as directed by the project biologist. Waterlily roots are to be encased in a handful of heavy mud and dropped into place in the water as directed by the project biologist.
8. Planting is scheduled to occur in the late Spring of 1988 if practical. An appropriate planting/construction sequence would be: 1) till and rake smooth the turf and soil in all areas specified for the unmowed grass/wildflower hydroseeded mix listed on the plant schedule (this will establish a fresh seed bed for the mix). 2) plant all trees, shrubs and emergent vegetation. 3) spread wood mulch around the bases of trees and shrubs as indicated in the planting detail. 4) hydroseed (using the seed mix on this plan) all areas specified on the planting plan for the unmowed grass/wildflower mix. Note that hydroseeding will occur after the planting of trees and shrubs, and that a certain amount of slurry overspray onto the mulch at the bases of the woody plants is tolerable.
9. All plant material shall be watered at planting and as needed during the first year after planting to ensure the survival of the plantings.
10. The landscape contractor shall provide a full, one-year guarantee on all plant material.

PLANT SCHEDULE

COMMON NAME	SCIENTIFIC NAME	CODE	Q.	ROOT	SIZE	NOTES
TREES						
Douglas Fir	<i>PSEUDOTSUGA MUCRONATA</i>	F	10	B/B	6'-8" ht	Full, well branched
Quaking Aspen	<i>PICEA CERNA</i>	G	90	cont.	1.5" cal	10" ht min
Snowdrift Crab	<i>FRAXINUS 'SNOWDRIFT'</i>	CR	15	B/B or cont.	1.5" cal	6'-8" ht min, full
W. Red Cedar	<i>THUJA PLICATA</i>	C	11	B/B	6'-8" ht	full, well branched
SHRUBS						
Sectwing Dogwood	<i>CORNUS SERICEA</i>	ST	157	5 gal	4'-5" ht	3 stems min
Burdock Rose	<i>ROSA BRUNDA</i>	R	201	5 gal	2'-3" ht	2 stems min
Servicberry	<i>AMALANCHOCA ALABASTRA</i>	A	7	B/B or cont.	8'-10" ht	full
Snowberry	<i>SPARGANGLIUM ANGUSTIFOLIUM</i>	S	77	5 gal	3'-4" ht	2 stems min
Yule Maple	<i>ACER NEGUNDO</i>	V	47	B/B	6'-10" ht	clump, 3 stems min
W. Red Current	<i>RIBES SACCOLARIUM</i>	CU	61	5 gal	3'-4" ht	2 stems min
Yellowtwig Dogwood	<i>CORNUS AMOMIA 'FLAVIRAMA'</i>	TT	68	5 gal	4'-5" ht	3 stems min
EMERGENTS						
Cattails	<i>TYFHA LATIFOLIA</i>	--	7300	bareroot	--	see note below *
Hardstem Bulrush	<i>SPARGANGLIUM ANGUSTIFOLIUM</i>	B	1950	bareroot	--	"
Sedges	<i>CAREX</i> spp.	SS	--	site transpl	--	(2500 sq ft cover)
White Waterlily	<i>NELUMBO LUTEA</i>	--	1050	bareroot	--	see note below *
Yellow Flag Iris	<i>IRIS PSEUDOACUTATA</i>	IF	320	bareroot	--	"
HYDROSEED MIX (62,000 sq. ft. total, see note below **)						
Crowfoot Fescue	<i>FESTUCA RUBRA CANADENSIS</i>	--	--	--	--	55% by weight
Red Fescue	<i>FESTUCA RUBRA</i>	--	--	--	--	15%
Colonial Bentgrass	<i>BECTOPHILA FLORIDA</i>	--	--	--	--	10%
Perennial Rye	<i>LOLIA PERENNIS</i>	--	--	--	--	5%
Annual Rye	<i>LOLIA MONOCULUM</i>	--	--	--	--	5%
White Clover	<i>TRIFOLIUM PRATENSE</i>	--	--	--	--	10%
Tall Fescue	<i>FESTUCA STENOCHLOA</i>	--	--	--	--	10%
Timothy	<i>PHLEO PRAENSE</i>	--	--	--	--	2%
Crow Daisy	<i>HELIOPSIS SCABERRIMA</i>	--	--	--	--	1%
California Poppy	<i>ESCHOLZIA CALIFORNICA</i>	--	--	--	--	1%

* Cattails, Hardstem Bulrush, Waterlilies and Yellow Flag Iris roots are available from Kester's Nursery, Oshkosh Wisconsin, phone: 1-800-558-8813.
 ** For hydroseeded mix, use 5 lb seed mix + 7 lb. 10-20-20 fertilizer + 50 lb. wood cellulose fiber per 1000 square foot seeded area.
 Abbreviations: B/B = balled & burlapped, cont. = container, ht = height, cal = caliper, min = minimum, gal = gallon container, sq. ft. = square feet, transpl = transplant, Q = quantity

SUMMARY OF WETLAND PROPOSAL

Overview: This proposal requests approval to fill 3 shallow isolated wetland areas totalling 3.3 acres, to preserve 2 other D.O.E. identified wetlands totalling 2.3 acres, and to construct 5.1 acres of new deepwater and year-round marsh wetlands on the site. The site consists of 138 acres total, of which 38 acres are being dedicated for City parkland or preserved as open greenspace. The project will ultimately support approximately 20 three story office buildings in a "college campus" type setting with pedestrian and bicycle trails, riparian corridors, and open spaces. The overall project has received Master Site Plan and Preliminary Plat approvals and is currently under construction.

Existing Wetlands: The three wetland areas totalling 3.3 acres to be filled were manmade and are briefly described as follows (see also the attached sketches): Area 1, approximately 2.5 acres, retains shallow ponded water in the rainy season, and is dry over half the year. Area 2 is a shallow depression of less than 1/10th of an acre near the former skyport runway, which supports some wetland vegetation, and like area 1 is dry over half the year. Area 3 consists of 3 long, narrow, 6 to 10 inch deep drainage swales scraped out to drain water off the former skyport runway. Like areas 1 and 2, it retained surface water runoff during the rainy months and is dry during the summer months. All areas supported low lying wetland vegetation during wet months and provided limited feeding or resting areas for birds and wildlife during parts of the year. All areas have been consistently kept mowed by farm machinery, had no buffer from surrounding airplane, farming, and horse training activities, and were grazed by livestock since their creation.

New Wetlands: The 5.1 acres of wetlands to be created (2.91 acres of deep open water, 2.19 acres of marsh and emergent plantings) plus 1.41 acres of additional upland buffer, have been designed by the recognized wetland biology firm of Raedeke and Associates to function as an integrated wetland community. It will provide a consolidated habitat including open water, marshland with high, dense, year round nesting vegetation, a variety of food bearing plant species, floating nesting islands and resting logs, and additional upland buffer to further screen the wetlands from surrounding activities. The created wetland area (not including buffer) is to be 5.1 acres, which when compared to the 3.3 acres of non-contiguous wetlands to be filled, results in a net increase of 1.8 acres.

Prior Permits: This proposal is the basis of a signed Agreement with the Washington State Department of Wildlife, has received the approval of the Issaquah Development Commission and the Issaquah River and Streams Board, and has received a State of Washington Substantial Shorelines Development Permit.

PICKERING PARK
OYB-4-012513
P 8 OF 8



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia Washington 98504 • (206) 753-2800

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

January 6, 1989

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Notice is hereby given that a request is being filed with the Department of Ecology for certification that a proposed discharge resulting from the project described in the Corps of Engineers Public Notice No. 04B-4-012513, will comply with the applicable provisions of State and Federal Water Pollution Laws.

Notice is also given that a request is being filed with the Department of Ecology for concurrence that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views pertaining to the project on either or both (1) water pollution or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments to the Department of Ecology, Inter-Agency Operations Section, Mail Stop PV-11, Olympia, Washington 98504.

Please note, state regulation requires a minimum of 20 days of public notice. The comment period will begin January 6, 1989 (date of publication) and run until final comments are received from reviewing state agencies and the local government(s).



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504-8711 • (206) 459-6000

June 6, 1989

District Engineer
Department of the Army
Seattle District, Corps of Engineers
P. O. Box C-3755
Seattle, Washington 98124

Attention: Warren Baxter, Chief
Regulatory Functions Branch

Re: Public Notice No. OYB-4-012513
Pickering Park Associates

Dear Sir:

Your public notice for a Department of the Army, Corps of Engineers permit for proposed work in navigable waters has been reviewed.

On behalf of the State of Washington, we have no objection to the issuance of the Corps of Engineers permit under Section 404 of the Clean Water Act.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, this project is in the coastal zone and appears to be consistent with the approved Washington State Coastal Zone Management Program.

Please note this letter does not exempt the applicant from compliance with other requirements of federal, state, and local agencies.

Sincerely,

A handwritten signature in black ink, appearing to read "M. F. Palko".

M. F. Palko
Supervisor
Environmental Review

MFP:mds



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

Mail Stop PV-11 • Olympia, Washington 98504-8711 • (206) 459-6000

June 6, 1989

Mr. Thomas Willett
Pickering Park Associates
10900 Northeast Fourth Street, Suite 1330
Bellevue, WA 98004

Re: Water Quality Certification
Public Notice No. OYB-4-012513

Dear Mr. Willett:

The public notice for this proposed Corps of Engineers permit has been reviewed in accordance with all pertinent rules and regulations.

This agency certifies these activities comply with applicable provisions of sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act as amended. This certification is subject to compliance with terms and conditions stipulated in the Mitigation Plan "Agreement Providing for the Creation and Maintenance of an Improved Wetland Habitat in Mitigation for the Filling of Certain Wet Meadow Areas," Pickering Park Associates and Department of Wildlife, July 29, 1988, and the following provisions:

1. Native vegetation shall be used in the mitigation revegetation effort, provided such use of native plants is consistent with the mitigation plan approved by the Department of Wildlife and provided such stock is reasonably available.
2. Monitoring requirements of the mitigation site shall include more detailed methods, such as photo plots and establishment of permanent quadrants.
3. Additional performance standards to be applied to the mitigation effort are as follows:
 - a. Revegetation shall be attained to a level of 80% survival of shrubs and trees and 80% cover of desirable understory species (as called for in the mitigation plan).
 - b. Plant survival shall be ensured for five years after planting to be considered successful mitigation.

Mr. Thomas Willett
June 6, 1989
Page 2

4. Michelle Stevens of the Washington Department of Ecology's Wetland Section (459-6765) shall be contacted concerning any additions, deletions or changes to the mitigation plan and subsequent monitoring effort.

Please note this certification does not exempt, and is provisional upon, compliance with other statutes and codes administered by federal, state, and local agencies.

Sincerely,



H. F. Palko
Supervisor
Environmental Review

MFP:mds

cc: COE
Ecology, ER/PM
EPA, Seattle

JOSEPH R. BLUM
Director



STATE OF WASHINGTON
DEPARTMENT OF FISHERIES

115 General Administration Building • Olympia, Washington 98504 • (206) 753-6600 • (SCAN) 234-6600

January 13, 1989

Department of Ecology
ATTENTION: Rick Vining
St. Martin's Campus
Olympia, Washington 98504

SUBJECT: Pickering Park Association, No. B4-012513, WRIA 08

Dear Mr. Vining:

The Washington Department of Fisheries (WDF) has reviewed the above-referenced Public Notice and offers the following comment(s):

NO OBJECTION. However, the Washington Department of Wildlife should be contacted prior to a state response.

If you have any questions concerning this response, please contact me at (206) 753-2082.

Sincerely,

A handwritten signature in cursive script that reads "Millard S. Deusen".

Millard S. Deusen
Habitat Management Division

MSD:bb

CURT SWITCH
Director



STATE OF WASHINGTON

DEPARTMENT OF WILDLIFE

600 North Capitol Way GI-11 • Olympia, Washington 98504-0091 • (206) 753-5700

DATE: 1/19/89

TO: Rick Vining

FROM: *Curt Switch* Regulatory Services, Habitat Management Division

SUBJ: Response to Corps of Engineers Public Notice No: B-12513
Pickering Park Asso.

The following comments to the referenced public notice are submitted by this agency in accordance with the authority granted us by the U.S. Fish and Wildlife Coordination Act.

- (1) No objection unless we obtain additional information that indicates a greater impact to the fish and wildlife resources than we were able to identify. Applicant will be subject to the provisions of a Hydraulic Project Approval from the Department of Wildlife or the Department of Fisheries.
- (2) We request a hold on this permit for additional investigation.
- (3) We object to the project as proposed and decline to issue any related permits. Our concerns are described in the attachment or below.
- (4) We object to the project as proposed, but will release our objection provided the conditions described in the attachment or below are made a part of the permit.
- (5) Other: We ask that the proposed mitigation be required as a condition of the permit, monitored for no less than five years, and maintained for the life of the project.

16.1

LAW OFFICES OF
HILLIS, CLARK, MARTIN & PETERSON

A PROFESSIONAL SERVICE CORPORATION
500 GALLAND BUILDING
1221 SECOND AVENUE
SEATTLE, WASHINGTON 98101-2925
(206) 623-1745
TELECOPIER (206) 623-7789
TELEX 4947650

GLENN J. AMSTER
JOEL N. BODANSKY
LAURIE LOOTENS CHYZ
MARK S. CLARK
SALLY H. CLARKE
T. RYAN DURKAN
GARY M. FALLON
ROBERT B. FIKSO
RICHARD E. GIFFORD
JEROME L. HILLIS
GREGORY E. KELLER
GEORGE A. KRESOVICH
SARAH E. MACK

DEBORAH S. MALANE
GEORGE W. MARTIN JR.
MARK C. McPHERSON
ANNE F. NILES
LOUIS D. PETERSON
RICHARD M. PETERSON
THOMAS F. PETERSON
STEVEN R. ROVIG
MICHAEL F. SCHLUMACHER
MICHAEL R. SCOTT
MATTHEW P. SMITH
THERESA R. WAGNER
RICHARD R. WILSON

July 25, 1988

Mr. Gene Tillett
Department of Wildlife
600 North Capitol Way
Olympia, Washington 98504

Re: Mitigation Agreement -- Pickering
Corporate Park; Issaquah, Washington

Dear Mr. Tillett:

I have enclosed the original of the above-referenced document for signature by Mr. Smith. This agreement incorporates the changes that I discussed with Dave Mudd and with Dave Horn, the Assistant Attorney General reviewing this matter. I would appreciate it if you would forward the signed agreement to Tom Willett in the enclosed envelope. He will see that the agreement is signed by Mr. Sligh on behalf of Cumberland Northwest, Inc. and Pickering Park Associates and will have it recorded. He will also attach Exhibits 1, 2, and 3 to the agreement. Copies of those exhibits have previously been furnished to Ted Muller.

Very truly yours,

George A. Kresovich

GAK/ceq
Enclosure

cc: (w/encl.) Thomas Willett
(w/encl.) David Horn, Esq.

070738.D108

After Recording
Return to:

HILLIS, CLARK,
MARTIN & PETERSON, P.S.
500 Galland Building
1221 Second Avenue
Seattle, Washington 98101-2925

Attention: George A. Kresovich

AGREEMENT PROVIDING FOR THE CREATION AND MAINTENANCE OF
AN IMPROVED WETLAND HABITAT IN MITIGATION FOR THE
FILLING OF CERTAIN WET MEADOW AREAS

THIS AGREEMENT, dated this ____ day of July, 1988, is made between CUMBERLAND NORTHWEST, INC., a Washington corporation; PICKERING PARK ASSOCIATES, a Washington limited partnership (collectively referred to as "Cumberland") and the Washington State Department of Wildlife (the "Department").

RECITALS

1. Cumberland owns certain real property (the "Property") located within the City of Issaquah. The legal description of that Property is set forth in Exhibit 1, attached to and incorporated in this Agreement by this reference.
2. Cumberland has received site plan approval from the City of Issaquah to develop the Property as an office/business park.
3. There are three isolated wet meadows, designated as Sites 1, 2, and 3, located on the Property that have been determined to be subject to the jurisdiction of the United States Army Corps of Engineers under Section 404 of the Clean Water Act. The total aggregate area of these isolated wet meadows was approximately 3.3 acres. The location of these three wet meadow sites are shown on Exhibit 2, attached to and incorporated in this Agreement by this reference.
4. Cumberland will be applying to the Corps of Engineers for a permit authorizing the filling of these wet meadow areas. Although these wet meadow areas are neither functionally nor hydrologically associated with Issaquah Creek, and although the value of these wet meadow areas as habitat is limited, Cumberland is willing to provide substantial mitigation in return for permission to fill these wet meadow areas.
5. As mitigation for the filling of these wet meadow areas, Cumberland has proposed to design, build, and maintain

its stormwater detention facility on the Property in such a manner as to serve not only as a stormwater detention facility but also so as to provide a diverse and complex ecosystem that would provide much greater habitat value than presently exists in the scattered wet meadow areas. This wetland habitat area, including open water, would be approximately 5.1 acres in size. This wetland habitat is described in detail in the "Wetland Mitigation Plan, Seattle Corporate Center" dated April 11, 1988, prepared by Raedeke Associates which has been attached as Exhibit 3 to this Agreement and which is incorporated in this Agreement as Exhibit 3. The location, extent, design and features of the proposed wetland mitigation areas have been developed in cooperation with the Departments of Wildlife and Fisheries and are set forth on the "Seattle Corporate Center Wetland Planting Plan" dated April 11, 1988, attached to and incorporated in this Agreement by this reference as Exhibit 4.

6. The Department has a responsibility to preserve, protect, perpetuate and manage the fish and wildlife resources of the State of Washington. Through this Agreement, the Department will also implement its responsibility under the State Hydraulic Code, RCW 75.20.100 and the Fish and Wildlife Coordination Act, 16 U.S.C. §61, et seq., which Act requires the Department to report to various agencies regarding appropriate measures for mitigating the adverse impacts of developments on the fish and wildlife resources of the State of Washington.

7. Cumberland and the Department wish to provide for the continued existence and maintenance of the wetland mitigation areas, identified in Exhibit 4, in a manner which would be binding upon the successors and assigns of Cumberland.

NOW, THEREFORE, the parties agree as follows:

1. Construction of Wetland Mitigation Areas. Cumberland shall construct its stormwater detention facility in such a manner as to enhance the wetland habitat value and the diversity of its ecosystem according to the plans and specifications attached as Exhibit 4 to this Agreement.

2. Continued Existence and Maintenance of Wetland Areas. Upon receiving a permit from the Corps of Engineers pursuant to Section 404 of the Clean Water Act, authorizing the filling of the wet meadow areas on the Property which are identified in Exhibit 2 to this Agreement, and upon the completion of the filling of those wet meadow areas, Cumberland shall complete construction of all mitigation areas and shall be obligated to maintain, in perpetuity, its stormwater detention facility as a diverse wetland mitigation area in substantially the same condition as described in the plans and specifications attached as Exhibit 4 to this Agreement. The wetland mitigation area will be maintained by Cumberland in such a manner that it

functions and provides those benefits generally associated with natural wetlands.

3. Mitigation of Impacts. The Department acknowledges that the construction of the habitat enhancement features within the wetland mitigation areas identified in Exhibit 4 to this Agreement constitutes appropriate and adequate mitigation for the filling of the wet meadow areas identified on Exhibit 2 to this Agreement.

4. Use Restrictions. Cumberland shall ensure that the wetland mitigation areas delineated in Exhibit 4 to this Agreement shall be subject to the following use restrictions:

4.1 The area shall be used as fish and wildlife habitat and for related passive recreation.

4.2 There shall be no future filling or development of the wetland mitigation areas, except as allowed by the Department.

4.3 Cumberland shall protect and maintain the planted vegetation and the other habitat enhancement features within the wetland mitigation areas as specified in Exhibit 4 to this Agreement in perpetuity in the manner deemed necessary and appropriate by the Department; provided, however, that this shall not obligate Cumberland to do anything more than to maintain those areas and habitat enhancement features within the wetland mitigation areas that are identified in Exhibit 4. This maintenance shall include the replanting of vegetation in areas where plantings have failed to survive.

4.4 Cumberland shall remove all litter, trash, and other manmade debris and keep the wetland mitigation areas free of all such debris in the future.

5. Date for Completion of Construction of Wetland Mitigation Features. Cumberland shall complete the construction of all features designed to enhance the ecological diversity and habitat value of its stormwater detention facility, as set forth in Exhibit 4 to this Agreement, within 180 days following the completion of filling of the wet meadow areas identified on Exhibit 2 to this Agreement pursuant to a permit granted under Section 404 of the Clean Water Act. Cumberland shall provide a compliance report immediately following completion of construction and agrees to allow the Department to monitor the created wetlands to ensure the performance of the habitat enhancement features within the mitigation areas.

6. Maintenance of Wildlife and Fish Habitat Enhancement Features Along With the Stormwater Drainage Detention Facility. Cumberland shall have the right to take whatever actions are necessary to maintain the wetland mitigation areas as a functioning stormwater detention facility that complies with the requirements of the City of Issaquah. Cumberland shall further have the right to take whatever actions are necessary to ensure that the stormwater detention facility is maintained in a safe condition and that it does not pose or become a hazard or nuisance to occupants of the Property. Any maintenance activities undertaken by Cumberland that would result in substantial permanent alteration of any of the design features of the wetland mitigation area as described in Exhibit 4 to this Agreement shall take place only after Cumberland has provided the Department with notice at least thirty (30) days prior to the start of such maintenance activities. In addition to such notice, Cumberland shall provide the Department with a restoration plan, for its review and approval. The Department may make whatever changes to the restoration plan that are necessary to ensure that the wetland mitigation areas will continue to exist and function in substantially the same manner as provided for in Exhibit 4 to this Agreement. In the event that there is any damage to any part of the wetland mitigation areas as a result of the normal maintenance activities necessary to allow continuing function of the stormwater detention facility, Cumberland shall restore any areas so damaged within thirty (30) days following the completion of those maintenance activities or, in the event that such restoration cannot be completed within thirty (30) days, as soon thereafter as possible.

7. Ownership and Authority. Cumberland warrants that title to the Property is held jointly by Cumberland Northwest, Inc. and Pickering Park Associates, as tenants in common, and Cumberland further warrants that these entities have the authority to enter into this Agreement.

8. Agreement Binding on Successors and Assigns. This Agreement is a covenant running with the land and is binding on the successors and assigns of Cumberland. A copy of this Agreement shall be filed with the King County Department of Records and Elections.

9. Breach and Remedies. In the event of a breach of this Agreement, the Department shall have the right to seek whatever legal or equitable relief is appropriate. The parties recognize that in the event of a breach of this agreement by Cumberland, specific performance of the agreement may be the only effective remedy available to the Department; and, in such case, Cumberland consents to be bound by such equitable relief as a court may order.

