



US Army Corps
of Engineers
Seattle District



February 12, 2009

Eric Gleason
TRC Companies Inc.
128 Chestnut Avenue
P.O. Box 1088
Washington Grove, MD 20880-1088.

RE: Skykomish Habitat Mitigation Bank -- Changes to Service Area Text and Map in Appendix 1 of Mitigation Banking Instrument

Dear Eric:

The attached document includes the changes to Appendix 1 of the *Mitigation Banking Instrument: Skykomish Habitat Mitigation Bank* that you requested. Since the attached modifications are included in the appendix rather than the body of the MBI, they can be executed through an exchange of letters.

The IRT agrees to the revised language for Section 13 Service Area of Appendix 1 as you proposed in your letter of December 22, 2008. The language is included, verbatim, in Attachment 1. The IRT also agrees to the revised Service Area Map, Figure 14A, you submitted with your letter. The map is included here in Attachment 1. These changes take effect immediately as of the date of this letter.

With this letter, the process of amending the MBI is concluded. If you have any questions, please contact Kim Harper of the Corps at kimberley.a.harper@usace.army.mil or 206-764-3659, or Christina Merten of Ecology at chme461@ecy.wa.gov or 425-649-7007. Thank you for your patience with this process.

Sincerely,

Lauren Driscoll
MBRT Co-Chair
SEA Program
Washington Department of Ecology

Gail Terzi
MBRT Co-Chair
Seattle District
U.S. Army Corps of Engineers

Encl: Attachment 1: Modification to Appendix 1

Cc: Dave Remlinger, Skykomish Bank
Krista Rave-Perkins, EPA Region 10
Frank Scherf, Snohomish County
Kristin Swenddal, WA DNR

Attachment 1: Modifications to Appendix 1 of *Mitigation Banking Instrument: Skykomish Habitat Mitigation Bank*, dated August 9, 2006.

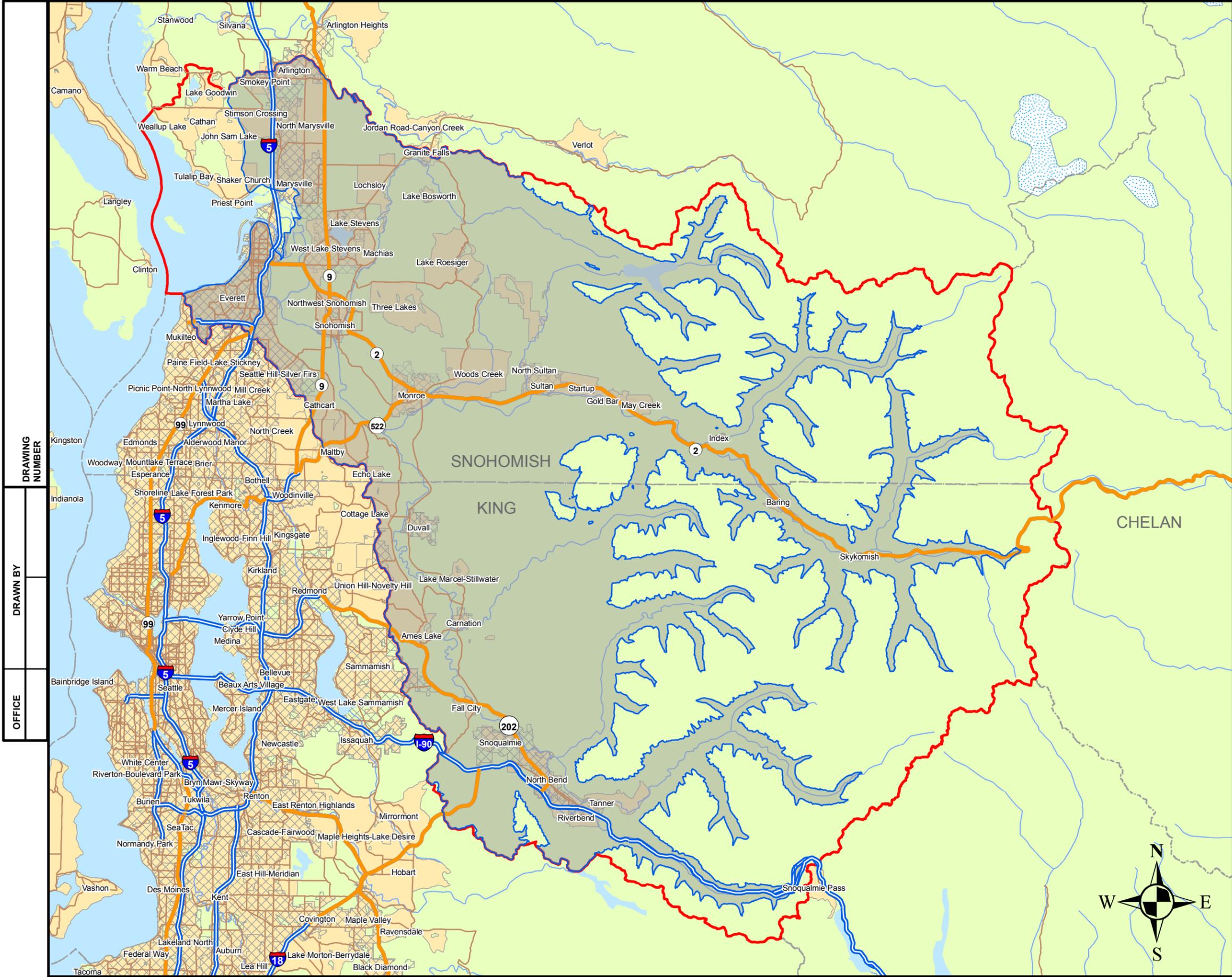
The Sponsor proposed the following changes to Appendix 1 via letter dated December 22, 2008 and the Interagency Review Team agrees to the changes, effective immediately as of the date of the attached letter.

(1) Section 13 is modified by replacing the existing text, in its entirety, with the following language:

“The service area for the Bank includes WRIA 7 below the 2,500-foot elevation contour (see Figure 14A) downstream to where the Snohomish River starts to mix with the salt water of Puget Sound and becomes estuarine (as defined in Cowardin 1979).

The service area is further defined as follows:

Service Area Boundary Restrictions	Intent/Justification
1. In the Snohomish River basin the service area extends down to the line identified in the <i>Salmon Overlay to the Snohomish Estuary Wetland Integration Plan</i> (SEWIP Salmon Overlay) (City of Everett and Pentec, 2001) as the line separating Ecological Management Unit 1 from Ecological Management Unit 2.	The area within Ecological Management Units 2-7 in the SEWIP plan was historically an estuarine area where most of the wetlands were tidally influenced and exposed to salinity >0.5 parts per thousand. The goal of SEWIP is to restore as much of those wetlands to their historical condition as possible. This watershed plan has been adopted by the City of Everett as part of their Shoreline Master Program.
2. Ecological Management Units 2-7 in the SEWIP plan are excluded from the service area.	The use of a comprehensive watershed plan for the area is consistent with policies and rules of the agencies on the MBRT and is preferential to use of the bank in EMUs 2-7.
3. In the northwest portion of the Snohomish River basin the service area also extends down to the border separating the Quilceda Creek Sub-basin Watershed and the Tulalip Sub-basin Watershed.	The Tulalip Sub-basin Watershed is excluded from the service area because most of it drains directly to Puget Sound rather than to the Snohomish River. The sub-basin lies mostly within the Tulalip Indian Reservation.
4. The service area excludes all brackish marshes, halotrophic wetlands, or wetlands influenced by ocean-derived salt conditions of >0.5 parts per thousand salt at any time during the year.	Due to the substantial historical loss of estuarine wetlands in the Puget Lowlands, the MBRT member agencies generally preclude using freshwater wetlands, such as those occurring at the SHMB, as compensatory mitigation for impacts to estuarine wetlands.
5. In the Everett Drainages Sub-basin the service area excludes any impacts that are large enough to require either an Individual 404 permit or Individual 401 certification.	Most of the Everett Drainages Sub-basin drains directly to Puget Sound rather than the Snohomish River. Even so, the sub-basin is included in the SHMB service area, with project size limitations, because it is very difficult to find mitigation opportunities in this highly developed urban area. Larger impact projects may be more appropriately mitigated for in sub-basins closer to Everett to minimize the potential effects of transferring functions out of the lower Snohomish River sub-basins.



Legend

-  Interstate
-  Highway
-  Service Area
-  Snohomish WRIA
-  Urban Growth Areas
-  County Boundary
-  Cities/Towns/Places

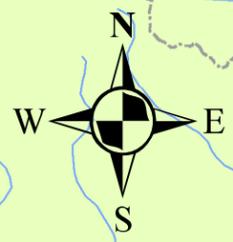
Notes:
 1. The elevation limit for the Service Area boundary is less than 2,500 feet above mean sea level as shown.
 2. The elevation data was provided by the USDA Geospatial Data Gateway at <http://datagateway.nrcs.usda.gov>.
 3. Roads and infrastructure data provided by ESRI's Street Map USA.



REFERENCE/PROJECTION:
 NAD_1983_StatePlane_Washington_North_FIPS_4601



SKYKOMISH HABITAT LLC
 MONROE, WASHINGTON



DRAWING NUMBER

DRAWN BY

OFFICE

FIGURE 14A
SERVICE AREA MAP
 SKYKOMISH HABITAT LLC
 SKYKOMISH MITIGATION BANK - PHASE I

