



US Army Corps
of Engineers
Seattle District



Joint Public Notice

Proposal for a Wetland Mitigation Bank

U.S. Army Corps of Engineers, Seattle District
Regulatory Branch
P.O. Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-6903
ATTN: Gail Terzi

Public Notice Date: March 31, 2008
Expiration Date: April 30, 2008
Reference No.: NWS-2008-192-SO
Name: Lake Washington-Sammamish
Watershed Mitigation Bank

U.S. Environmental Protection Agency
Region 10 – ETPA-083
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101
Telephone 206-553-6686
ATTN: Krista Rave-Perkins

Washington Department of Ecology
Shorelands and Environmental Assistance Program
P.O. Box 47600
Lacey, Washington 98504-7600
Telephone 425-649-7007
ATTN: Christina Merten

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps), U.S. Environmental Protection Agency (EPA), and Washington Department of Ecology (Ecology) are considering a proposal to establish the Lake Washington-Sammamish Watershed Mitigation Bank, in Redmond, Washington.

BANK SPONSOR – Habitat Banc NW, LLC
15600 NE 173rd Street
Woodinville, WA 98072
(425) 785-8428
VictorW@comcast.net

LOCATION – The proposed site for the Lake Washington-Sammamish Watershed Mitigation Bank is located immediately east of Avondale Road and north of NE Union Hill Road in the City of Redmond, Washington. The site is approximately 117 acres, and includes all or portions of parcels #0125059051, 0125059131, 0125059021, 0625069151, 0625069013, 0625069035. It is commonly referred to as the "Keller Farm". The site lies within the Bear Creek Basin of the Lake Washington-Cedar/Sammamish Watershed, Water Resource Inventory Area (WRIA) 8. The site includes reaches of Bear Creek, Evans Creek and Perrigo Creek. The project location is identified on the enclosed Vicinity Map Figure and site features are shown on the enclosed Approximate Wetland Areas Figure. We are seeking comments on the proposed location of the mitigation bank.

PROJECT DESCRIPTION – Wetland mitigation banks provide an alternative to traditional, concurrent, compensatory wetland mitigation. Mitigation banks offer an opportunity to implement compensatory mitigation at a regional scale in advance of impacts. Mitigation banks establish “credits” through restoring, creating, enhancing and, in some circumstances, preserving wetlands and other natural resources. These credits can then be sold to future permit applicants who need to offset the adverse environmental impacts of projects with wetland impacts that would occur within the banks’ designated and agency approved “service area”. The document that addresses the bank process is the Mitigation Banking Instrument (MBI). The MBI is a contract that is created in cooperation with the Mitigation Bank Review Team (MBRT), which includes the Corps, EPA, Ecology, and other federal, state and local agencies. The MBI contains the legal contract between the bank sponsor and the agencies, and the technical and procedural elements of constructing, operating, and maintaining the bank.

The specific design for the bank site has not yet been developed. The extent of existing wetlands is unknown pending a wetland delineation and Corps confirmation. The following conceptual design goals are proposed: restoring wetland hydrology, increasing native plant species richness and structural diversity in wetlands and project buffers, increasing habitat interspersion and complexity, creating a variety of wetland hydroperiods (ie., seasonal patterns of ponding depth and duration), increasing groundwater storage and groundwater connections to the onsite creeks, and improving water quality in wetlands and creeks. The mitigation bank sponsors estimate there is the potential to enhance and restore approximately 85 acres of wetland. The project proposes improving water quality, streamflow, and fish habitat on Perrigo, Bear and Evans creeks. The project may also include an easement for a multi-use trail that is being proposed by the City of Redmond through the eastern and southern areas of the bank site. We are seeking comment on the proposed goals and conceptual ideas of the project.

A more detailed description of the proposal is available in *Prospectus for Lake Washington-Sammamish Watershed Mitigation Bank, Dated January 5, 2008*. This prospectus is available for inspection at the above-listed Corps office and the Department of Ecology Headquarters and Northwest regional offices and can be downloaded at the following Internet addresses:

<http://www.ecy.wa.gov/programs/sea/wetlands/mitigation/banking/public-notice.html>
www.nws.usace.army.mil

SERVICE AREA – The service area of a mitigation bank is the geographic area over which credits may be used for compensatory mitigation. The sponsor has proposed a service area for this bank that would encompass all of WRIA 8 below an elevation of 2,500 feet, extending down to the Chittenden Locks on the Lake Washington Ship Canal. This would include the Chester Morse Reservoir near the south end of the WRIA, stretching north to the vicinity of the City of Mukilteo. We are seeking comments on the proposed service area. The proposed service area may be increased or decreased based on public comments and comments from the MBRT. A map is shown on the Proposed Service Area Figure that is enclosed.

PURPOSE – The purpose of the Lake Washington-Sammamish Watershed Mitigation Bank is to provide, for sale to the general public, high-quality, consolidated, off-site compensatory mitigation for a variety of future adverse aquatic ecosystem impacts associated with activities authorized by the Corps, Ecology and other regulatory entities that occur within the service area of the bank. The use of bank credits as future compensatory mitigation would depend on case-by-case approval by the involved regulatory agencies after determining that the use of bank credits would be consistent with all applicable rules and policies of the agencies.

ADDITIONAL INFORMATION – The bank sponsor will work with a multi-agency MBRT to develop the MBI in accordance with *Federal Guidance for the Establishment, Use and Operation of Mitigation Banks* and the *State Draft Rule WAC 173-700 Wetland Mitigation Banks*, as well as other applicable state, local, and federal

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requirements. For additional information on wetland mitigation banking within Washington State, please refer to the following website:

<http://www.ecy.wa.gov/programs/sea/wetlands/mitigation/banking/index.html>

If you are interested in receiving updates from the Washington State Department of Ecology concerning wetland mitigation banking in the state, please join our e-mail list at:

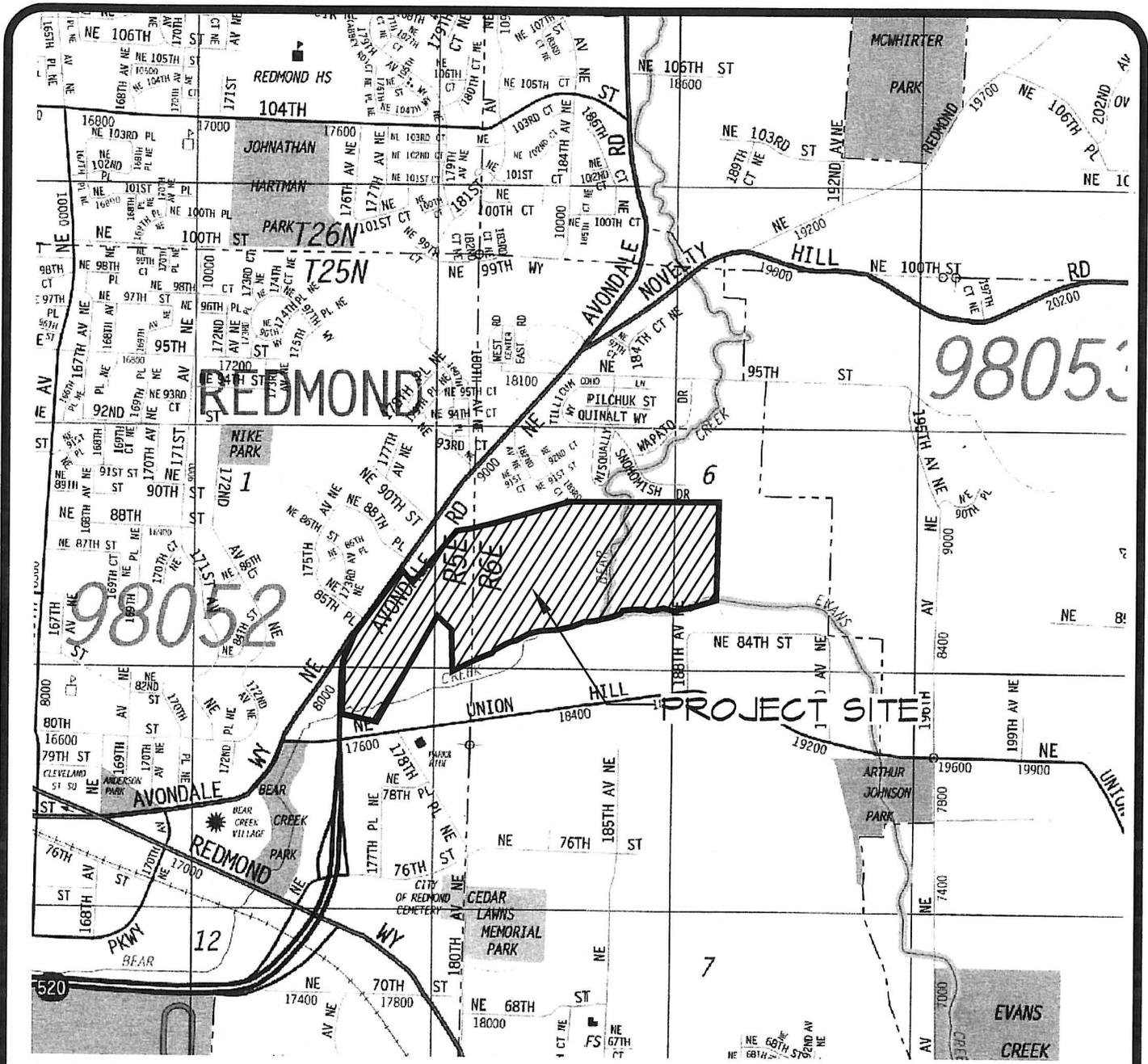
<http://listserv.wa.gov/archives/wetland-mitigation-banking.html>

CULTURAL RESOURCES: The District Commander will review the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The property has been in agricultural use.

A historic properties investigation will be conducted within the proposed bank site area and will be coordinated with the Washington Department of Archaeology and Historic Preservation (DAHP). 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.

EVALUATION – The Corps and Ecology are soliciting comments from interested parties, including the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to identify project aspects that need to be addressed during the bank review process and in the development of the MBI. Public comments will assist in developing facts upon which to base a decision by MBRT member agencies as to whether or not to authorize the proposed mitigation bank. For accuracy and completeness of the record, all comments should be submitted in writing with sufficient detail to furnish a clear understanding of the reasons for that support or opposition.

COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this proposal 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. 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 reference number NWS-2008-192-SO. All e-mail comments should be sent to gail.m.terzi@usace.army.mil at the Corps, rave-perkins.krista@epa.gov at EPA, and/or chme461@ecy.wa.gov at Ecology. Conventional mail comments should be sent to one of the addresses at the top of this public notice. Both conventional mail or e-mail comments must include the "Lake Washington-Sammamish Watershed Mitigation Bank, NWS-2008-192-SO" and the commenter'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.



SOURCE: THE THOMAS GUIDE 2005; METROPOLITAN PUGET SOUND.



TALASAEA
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 15020 Bear Creek Road Northeast
 Woodinville, Washington 98077
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FIGURE #2
 VICINITY MAP
 LAKE WASHINGTON - SAMMAMISH
 WATERSHED MITIGATION BANK SITE
 REDMOND, WASHINGTON

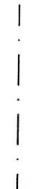
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|-----------------|-------------|-----------------|
| DESIGN JW | DRAWN AC | PROJECT 960B |
| SCALE NTS | | |
| DATE 5-24-07 | | |
| REVISED | | |

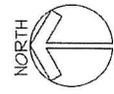




TOTAL APPROXIMATE WETLAND AREA
35 ACRES

PLAN LEGEND

-  PROBABLE WETLAND
-  APPROXIMATE LOCATION OF WETLAND
-  CENTERLINE OF STREAM
-  CENTERLINE OF DITCH



NOTES

1. SURVEY PROVIDED BY CORE DESIGN.
2. SOURCE DRAWING WAS MODIFIED BY TALASAEA CONSULTANTS FOR VISUAL ENHANCEMENT.



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FIGURE #3
APPROXIMATE WETLAND AREAS
LAKE WASHINGTON - SAMMAMISH
WATERSHED MITIGATION BANK SITE
REDMOND, WASHINGTON

| | | |
|---------|-------|----------|
| DESIGN | DRAWN | PROJECT |
| JM | JL | 9160B |
| SCALE | | |
| N15 | | |
| DATE | | |
| 5-24-07 | | |
| REVISED | | |
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INFORMATIONAL FLIER FEBRUARY 2008

LAKE WASHINGTON-SAMMAMISH WATERSHED WETLAND MITIGATION BANK

Habitat Bank, NW, LLC, has submitted a prospectus to the State Department of Ecology (DOE), the US Army Corps of Engineers (COE) and the US Environmental Protection Agency (EPA) to create a wetland mitigation bank per federal and state mitigation banking rules on approximately 117 acres of land located east of Avondale Road just north of Union Hill Road (commonly known as the "Keller Farm"). This land was identified for a wetland mitigation bank as part of the Aegis Development Guide Amendment approved by the City Council in late 2007.

The enclosed Joint Public Notice gives an overview of the wetland mitigation bank proposal. The City will be represented on the Mitigation Bank Review Team (MBRT) as the Mitigation Banking Instrument is established. Appropriate City permits will be required for the permitting and construction of the mitigation bank.

The location of a federally and state approved wetland mitigation bank within the City does not alter Redmond's policies and approach to wetland protection and mitigation. Standard wetland mitigation sequencing must still be followed and substantiated. A wetland mitigation bank is not an automatic pass to destroy local, neighborhood wetlands.

You are encouraged to participate in Ecology's, the COE's and the EPA's public process by submitting comments as directed at the end of the enclosed Joint Public Notice. Cathy Beam, AICP, Principal Environmental Planner, will be the City's representative on the Mitigation Banking Review Team. Her contact information is 425-556-2429 or cbeam@redmond.gov.