



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit -Erratum-

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-6911  
ATTN: Sandra Manning, Project Manager

Public Notice Date: March 13, 2006  
Erratum Date: March 22, 2006  
Reference: 200600100  
Name: Springbrook Mitigation Bank  
WSDOT and City of Renton

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ERRATUM: This erratum identifies a request that the 404 permit issued to construct the mitigation bank would expire 7-years from the date of issuance rather than the default 3-year expiration that applies to Individual 404 permits. The request for the additional time will apply to the portion of the project associated with the construction of the pedestrian trail. The mitigation banking site will be constructed as soon as the permit is issued, but the trail construction may be delayed.

All other information shown on Public Notice No. 200600100 remains unchanged including the expiration date for comments to be received by the Washington State Department of Ecology and the U.S. Army Corps of Engineers which remains April 12, 2006.



US Army Corps  
of Engineers  
Seattle District



# Joint Public Notice

## Proposal and Application for a Wetland Mitigation Bank

US Army Corps of Engineers  
Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-6911  
Attn: Sandra Manning, Project Manager

Washington Department of Ecology  
SEA Program  
3190 - 160<sup>th</sup> Ave. SE  
Bellevue, WA 98008-5452  
Telephone (425) 649-7181  
Attn: Rebecca Ponzio, Permit Manager

Public Notice Date: March 13, 2006  
Expiration Date: April 12, 2006  
Reference No.: 200600100  
Name: Springbrook Mitigation Bank

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps), U.S. Environmental Protection Agency, and the Washington Department of Ecology (Ecology), are considering a proposal to construct and operate the Springbrook Wetland Mitigation Bank, in the City of Renton, King County, Washington.

In addition, the Corps and Ecology hereby notify interested parties of an opportunity to comment, for permitting and water quality certification purposes, on the proposal to construct and operate the proposed 131-acre Springbrook Creek Mitigation Bank. 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 drawings. An application has also been filed with the Department of Ecology for a Water Quality Certification, pursuant to the requirement of Section 401 of the Clean Water Act, to certify that the project described below and shown in the enclosed drawings will comply with Sections 301, 302, 303, 306 and 307 of the Act, and complies with applicable provisions of State water pollution control laws. Pursuant to the requirements of Section 307(c) of the Federal Coastal Zone Management Act (16 U.S.C. 1451) Ecology will be reviewing the project to determine if the project is consistent with the Washington State Coastal Zone Management Program.

APPLICANT- Washington State Dept. of Transportation  
I-405 Project Office  
600 108<sup>th</sup> Avenue NE, Suite 405  
Bellevue, Washington 98004  
Attn: Allison Ray  
Telephone: (425) 456-8610, e-mail [allison.ray@i405.wsdot.wa.gov](mailto:allison.ray@i405.wsdot.wa.gov)

AGENT - Washington State Dept. of Transportation  
600 108<sup>th</sup> Avenue NE, Suite 405  
Bellevue, Washington 98004  
ATTN: Terry Drochak  
Telephone: (425) 456-8595, e-mail [terry.drochak@i405.wsdot.wa.gov](mailto:terry.drochak@i405.wsdot.wa.gov)

LOCATION – The proposed mitigation bank would be constructed at five locations (units) located in the Lower Green River Basin, within Water Resource Inventory Area 9 (WRIA 9), along Springbrook Creek in the southwest portion of the City of Renton, King County, Washington (see figure 1). The units are located in Sections 25, 30 and 36 of Township 23N, Ranges 4E and 5E, on the Willamette Meridian at the following

latitudes and longitudes: Unit A - 47°27'28"N, 22°13'26"W; Unit B - 47°27'29"N, 22°14'10"W; Unit C - 47°27'19"N, 22°14'24"W; Unit D - 47°26'29"N, 22°14'27"W; and Unit E - 47°26'49"N, 122°14'08"W.

**PROJECT DESCRIPTION** – The Washington State Department of Transportation (WSDOT) and the City of Renton are working together to construct and operate a mitigation bank within five units by re-establishing, rehabilitating, and enhancing approximately 131 acres of wetland and riparian area located in Renton, King County, Washington. The Springbrook Mitigation Bank will connect Springbrook Creek to historic wetlands; increase wetland area, hydrologic functions, water quality functions, and habitat functions; and provide environmental education opportunities. The bank will be protected in perpetuity by a conservation easement. The attached drawings show the conceptual design for the proposed bank project (see figures 3-7).

A more detailed description of this proposal is available in *Springbrook Creek Wetland and Habitat Mitigation Bank Prospectus*, dated February 21, 2006. This prospectus is available upon request at the above-listed Corps and Ecology offices.

**SERVICE AREA** – The service area proposed for this mitigation bank would involve the following drainage basins within King County: Green River, Black River, Lake Washington, May Creek, Mill Creek, and Cedar River. Please refer to Figure 2 or the above-referenced prospectus for more detailed information on service area.

**PURPOSE** – The purpose of Springbrook Bank is to provide high-quality, consolidated, off-site compensatory mitigation for unavoidable impacts to aquatic resources caused by WSDOT construction projects and City-approved projects that are 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 sponsors will work with a multi-agency Banking Oversight Committee (BOC) to develop a mitigation banking instrument (MBI) and memorandum of agreement (MOA) in accordance with *Federal Guidance for the Establishment, Use and Operation of Mitigation Banks* and applicable state, local, and other federal requirements. The MBI will detail the legal and physical characteristics of the bank sites and describe how the bank would be established and operated. For additional information on mitigation banking in Washington State, please refer to the following website:

<http://www.ecy.wa.gov/programs/sea/wetmitig/index.html>

**ENDANGERED SPECIES** - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of an action's potential impacts to listed and proposed species. The Bald eagle (*Haliaeetus leucocephalus*) threatened, Coastal-Puget Sound bull trout (*Salvelinus confluentus*) threatened, and the Puget Sound Chinook (*Oncorhynchus tshawytscha*) threatened, occur in the proposed project area. For Chinook salmon, critical habitat has been designated in this area.

Consultation has been initiated with the US Fish and Wildlife Service and the National Marine Fisheries Service (Services). After receipt of comments from this public notice, and a decision from the Services, the U.S. Army Corps of Engineers will evaluate the potential impacts to these listed species and critical habitat.

**ESSENTIAL FISH HABITAT** - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon occurs in the project area. If the Corps determines that the proposed action may adversely affect EFH for federally-managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final

determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES - The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties: There are no recorded historic properties within the permit areas and no sites listed, or eligible for listing, on the National Register of Historic Places are known to exist within the permit area.

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.

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.

EVALUATION – Development of the bank would involve the discharge of dredged and fill material into waters of the United States, which requires Department of the Army authorization under Section 404 and Department of Ecology Water Quality Certification under Section 401 of the Federal Clean Water Act.

The Corps and Ecology are soliciting comments from interested parties, including the public; Federal, State, and local agencies and officials; Native American Nations or tribal governments; and other interested parties in order to identify project aspects that need to be addressed during the bank review and permitting processes and in the development of the Mitigation Bank Instrument. Public comments will assist in developing facts upon which to base a decision by MBOC 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.

The Corps will evaluate this proposal pursuant to the requirements of Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and other applicable Regulatory Program requirements. Ecology will review this proposal for consistency with the Washington Coastal Zone Management Program, compliance with applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act and consistency with the state's pilot rule for wetland mitigation bank certifications. The proposal may also require Shorelines Management Act Substantial Development authorization under review by the City of Renton, and Hydraulic Project Approval from the State of Washington.

For the Corps to make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. For Ecology to make a decision the work must be consistent with the approved Washington Coastal Zone Management Program, and comply with Section 401 of the Clean Water Act which requires compliance with the applicable State and Federal water quality standards.

COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice 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. In order to be accepted, 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 permit applicant's name and reference number as shown below. Both conventional mail or e-mail comments must include the permit

applicant's name and reference number, as shown below, 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. Please include the following name and reference number:

Washington State Dept. of Transportation, 200600100

Corps comments: All e-mail comments should be sent to [Sandra.L.Manning@usace.army.mil](mailto:Sandra.L.Manning@usace.army.mil). Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Sandra Manning, Post Office Box 3755, Seattle, Washington, 98124-3755.

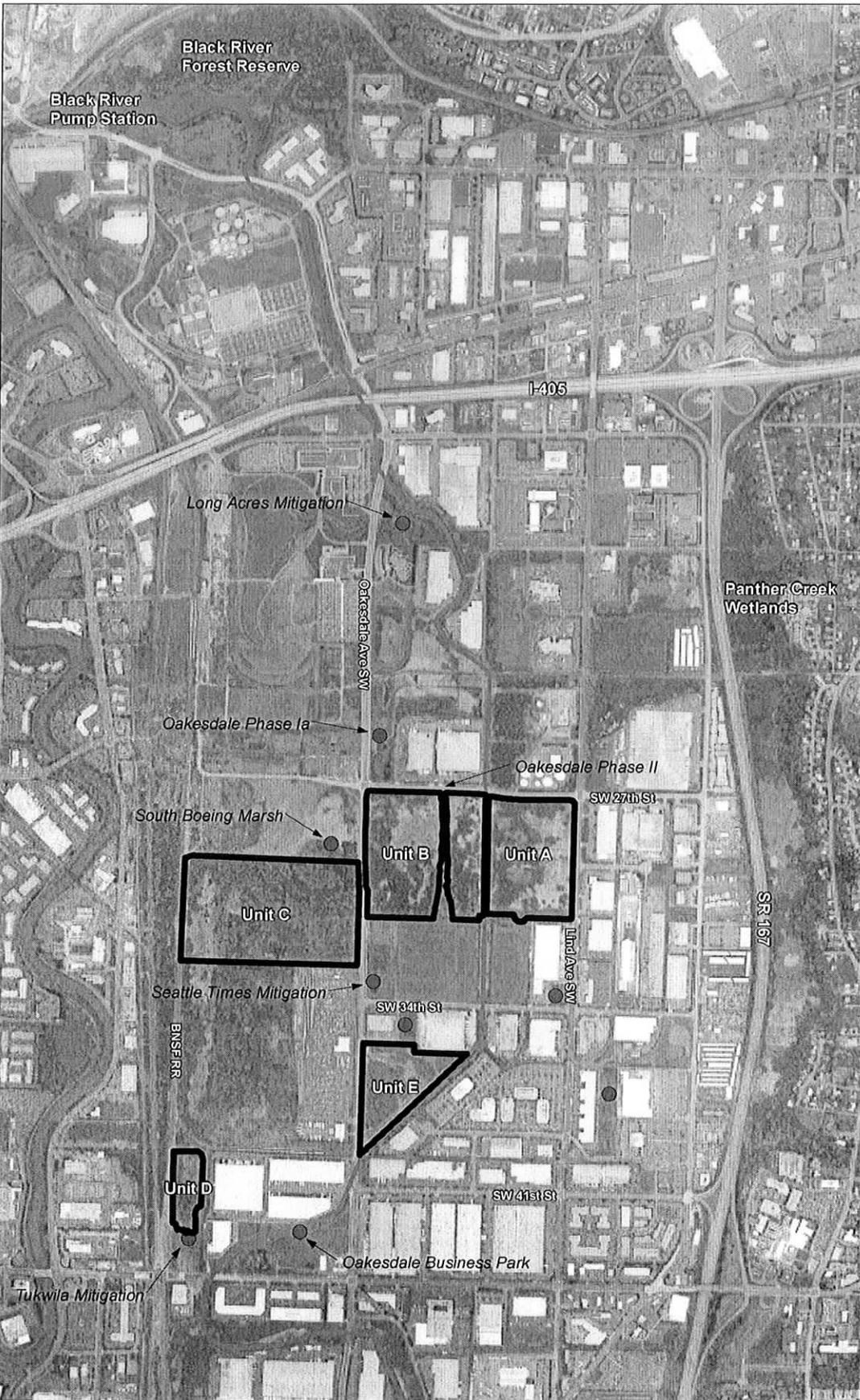
Ecology Comments: Any person desiring to present views on the project pertaining to: (1) request for water quality certification under Section 401 of the Clean Water Act and/or 2) consistency with the Washington State Coastal Zone Management Program, or to provide comments on the bank's processing or operation, may do so by submitting written comments to the following address: Department of Ecology, Attn: Rebecca Ponzio, 3190 160<sup>th</sup> Avenue Southeast, Bellevue, Washington, 98008-5452, or e-mail to [rpon461@ecy.wa.gov](mailto:rpon461@ecy.wa.gov).

Encl: Figures (8)

**Legend**

-  Unit
-  Springbrook Creek
-  Other Wetland Mitigation Sites

Sources: City of Renton, 2003; WSDOT, 2005; \\SEAW405405gis\project\map\_docs\IEEI\Springbrook\Prospectus\Figures 12-2005\Figure 1 Project Vicinity.mxd | Last Updated: 2-15-06



**PURPOSE:** Wetland Mitigation

**SPRINGBROOK**

**REFERENCE #:**

**200600100**

**APPLICANT:** WSDOT

**PROPOSED/RETAIN:**

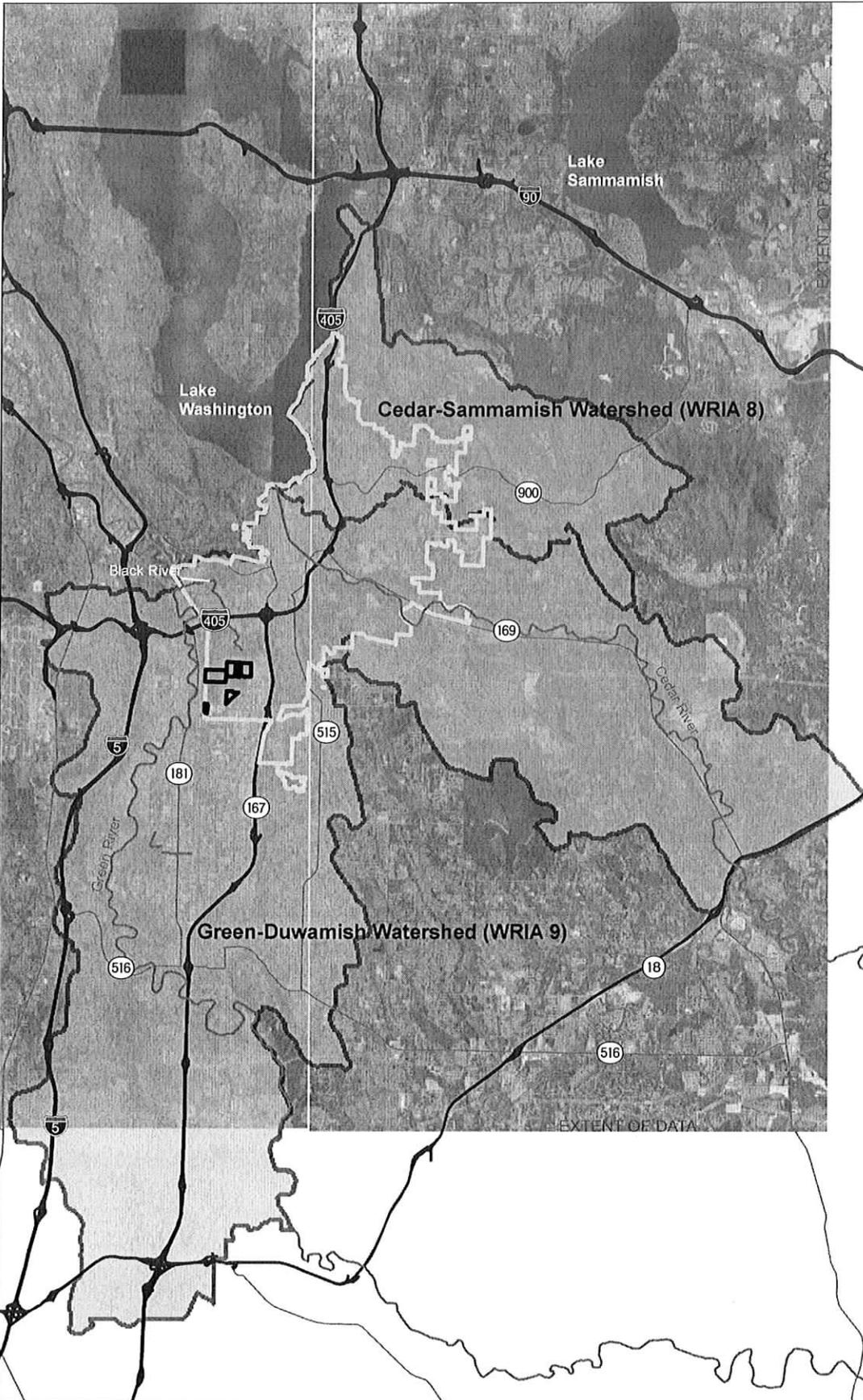
**IN:**  
**NEAR:** Renton  
**COUNTY:** King **STATE:** WA  
**DATE:** 2/15/2006



**HORIZONTAL DATUM:** PROJECT  
**VERTICAL DATUM:** NAD 83

**FIGURE 1. PROJECT VICINITY**

Source: City of Renton, 2003; WSDOT, 2005 | \NSEAM\405\405gis\project\map\_docs\IEE\Springbrook\Prospectus\Figures 12-2005\Figure 3 Service Area.mxd | Last Updated: 2-15-06



**Legend**

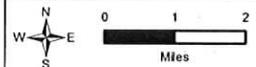
-  WRIA Boundary
-  Service Area
-  Springbrook Bank
-  City of Renton
-  River
-  Freeway
-  Arterial

**PURPOSE:** Wetland Mitigation  
**PHOTO DATE:** 2002 (King County)

**Figure 2**  
**Service Area**

**SPRINGBROOK**  
**REFERENCE #:**  
**200600100**  
**APPLICANT:** WSDOT

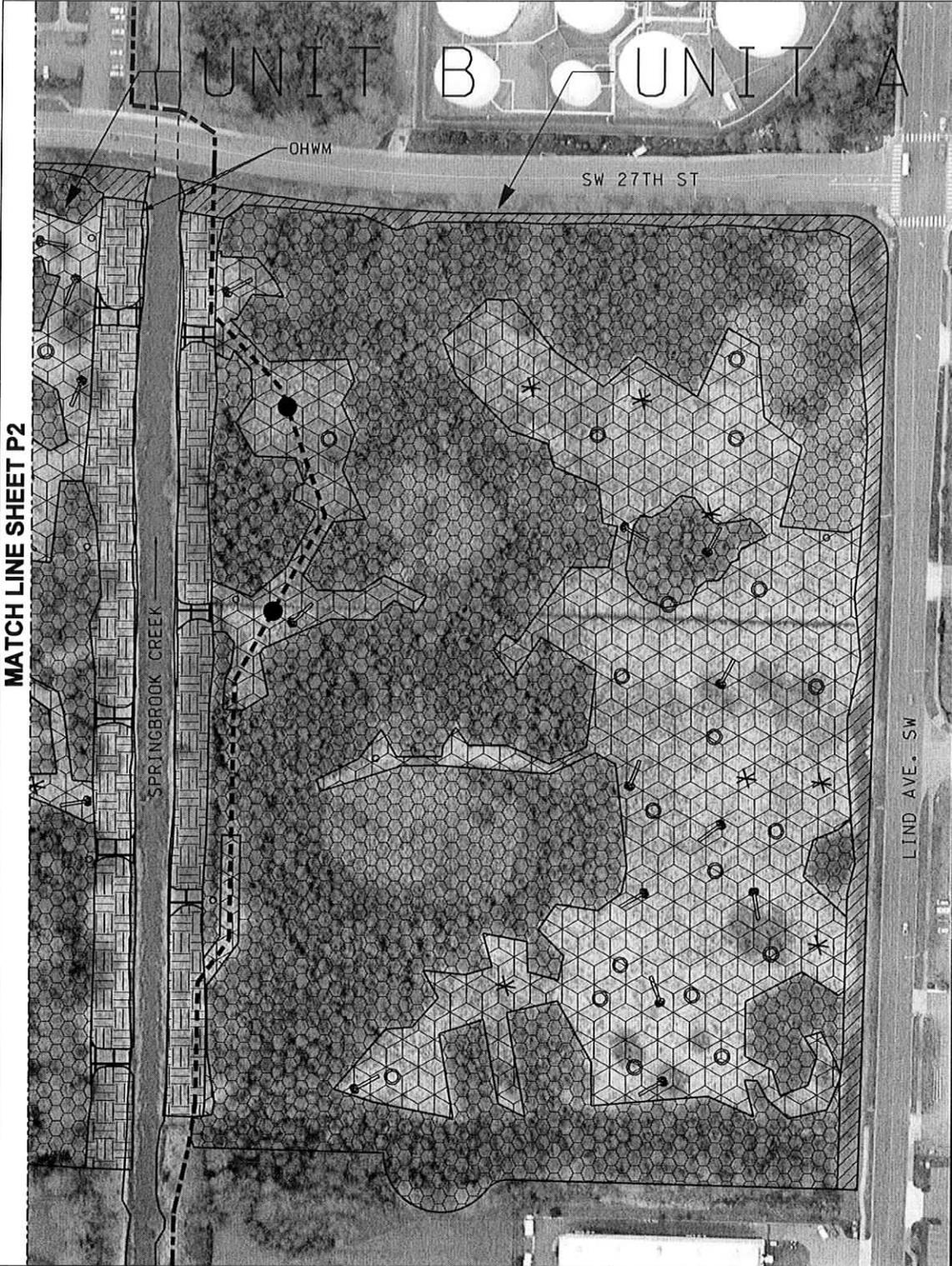
**PROPOSED/RETAIN:**  
**IN:**  
**NEAR:** Renton  
**COUNTY:** King **STATE:** WA  
**DATE:** 2/15/2006



**HORIZONTAL DATUM:** PROJECT  
**VERTICAL DATUM:** NAD 83

Source: WSDOT, 2004, KING COUNTY, 2004 | Last updated: 8:48:59 AM 3/3/2006 | P:\Engineering\01\Drawings\exhibits\Springbrook Prospectus Fig-11.dgn | christi

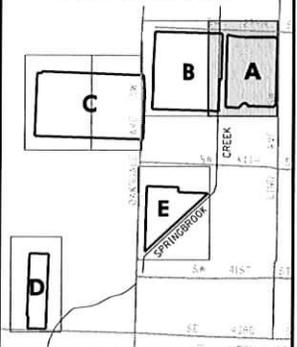
MATCH LINE SHEET P2



UNIT A & B LEGEND

- REED CANARYGRASS REMOVAL, HYDROLOGIC ALTERATION AND WETLAND PLANTING
- REED CANARYGRASS REMOVAL AND UPLAND PLANTING
- HYDROLOGIC ALTERATIONS
- INVASIVE REMOVAL AND UPLAND PLANTING
- GRADING, HYDROLOGIC ALTERATION, AND WETLAND PLANTING
- PROPOSED TRAIL
- EXISTING TRAIL
- VERTICAL SNAG
- LOG
- PLANTING HUMMOCK
- BRUSH PILE
- BENCHES

KEYMAP



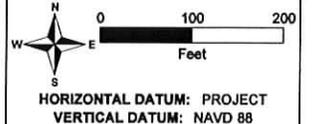
PURPOSE: Wetland Mitigation

Figure 3 – Unit A Mitigation Treatments

SPRINGBROOK  
REFERENCE #:  
**200600100**  
APPLICANT: WSDOT

PROPOSED/RETAIN:

IN: Streams and Wetlands  
NEAR/AT: Renton  
COUNTY: King STATE: WA  
DATE: 02/15/06



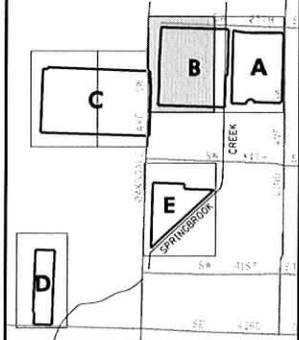
Source: WSDOT, 2004; KING COUNTY, 2004 | Last updated: 8:49:20 AM 3/3/2006 | PW:\Engineering\010\drawings\exhibits\Springbrook Prospectus Fig-12.dgn | chriass



**UNIT B LEGEND**

-  REED CANARYGRASS REMOVAL, HYDROLOGIC ALTERATION AND WETLAND PLANTING
-  HYDROLOGIC ALTERATIONS
-  INVASIVE REMOVAL AND UPLAND PLANTING
-  VERTICAL SNAG
-  LOG
-  PLANTING HUMMOCK
-  BRUSH PILE

**KEYMAP**



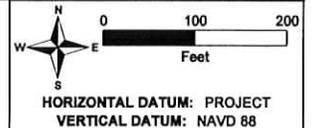
**PURPOSE:** Wetland Mitigation

**Figure 4 – Unit B  
Mitigation Treatments**

**SPRINGBROOK**  
REFERENCE #:  
**200600100**  
APPLICANT: WSDOT

**PROPOSED/RETAIN:**

IN: Streams and Wetlands  
NEAR/AT: Renton  
COUNTY: King  
DATE: 02/15/06  
STATE: WA



Source: WSDOT; 2004, KING COUNTY; 2004 | Last updated: 8:49:41 AM 3/3/2006 | PW:Engineering\010drawing\exhibits\Springbrook Prospectus Fig-13.dgn | chris

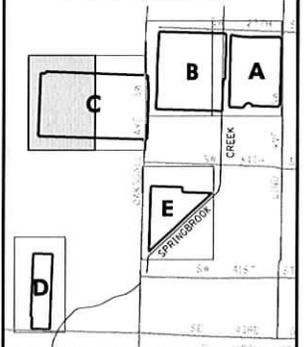


MATCH LINE SHEET P4

**UNIT C LEGEND**

-  REED CANARYGRASS REMOVAL AND UPLAND PLANTING
-  INVASIVE REMOVAL AND UPLAND PLANTING
-  GRADING, HYDROLOGIC ALTERATION, AND WETLAND PLANTING
-  INVASIVE REMOVAL AND WETLAND PLANTING
-  INVASIVE REMOVAL AND CONIFER UNDERPLANTING
-  REED CANARYGRASS REMOVAL AND WETLAND PLANTING
-  RAILROAD TRACK
-  EXISTING CONVEYANCE DITCH
-  CITY LIMITS
-  VERTICAL SNAG
-  LOG
-  BRUSH PILE
-  DITCH PLUG

**KEYMAP**



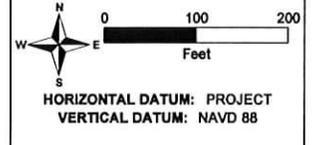
**PURPOSE:** Wetland Mitigation

**Figure 5 – Unit C  
Mitigation Treatments**

**SPRINGBROOK**  
REFERENCE #:  
**200600100**  
APPLICANT: WSDOT

**PROPOSED/RETAIN:**

IN: Streams and Wetlands  
NEAR/AT: Renton  
COUNTY: King      STATE: WA  
DATE: 02/15/06



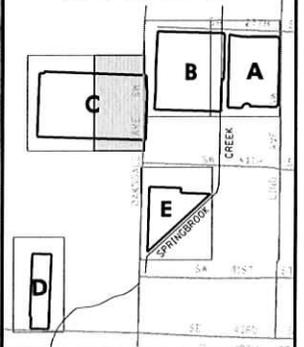
MATCH LINE SHEET P3



**UNIT C LEGEND**

-  GRADING, HYDROLOGIC ALTERATION, AND WETLAND PLANTING
-  INVASIVE REMOVAL AND WETLAND PLANTING
-  HYDROLOGIC ALTERATION AND CONIFER UNDERPLANTING
-  INVASIVE REMOVAL AND CONIFER UNDERPLANTING
-  EXISTING CONVEYANCE DITCH
-  VERTICAL SNAG
-  LOG
-  BRUSH PILE
-  DITCH PLUG

**KEYMAP**



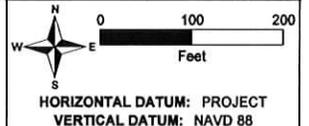
**PURPOSE:** Wetland Mitigation

**Figure 6 – Unit C  
Mitigation Treatments**

**SPRINGBROOK**  
REFERENCE #:  
**200600100**  
APPLICANT: WSDOT

**PROPOSED/RETAIN:**

IN: Streams and Wetlands  
NEAR/AT: Renton  
COUNTY: King STATE: WA  
DATE: 02/15/06

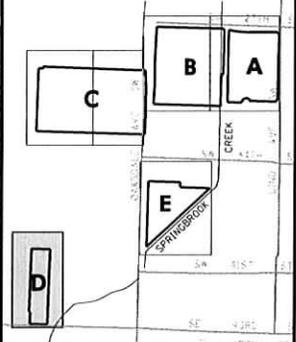




**UNIT D LEGEND**

-  HYDROLOGIC ALTERATIONS
-  INVASIVE REMOVAL AND CONIFER UNDERPLANTING
-  GRADING AND WETLAND PLANTING
-  RAILROAD TRACK
-  EXISTING CONVEYANCE DITCH
-  CITY LIMITS
-  EXISTING TRAIL
-  BRUSH PILE

**KEYMAP**



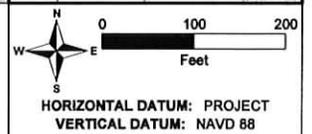
**PURPOSE:** Wetland Mitigation

**Figure 7 – Unit D  
Mitigation Treatments**

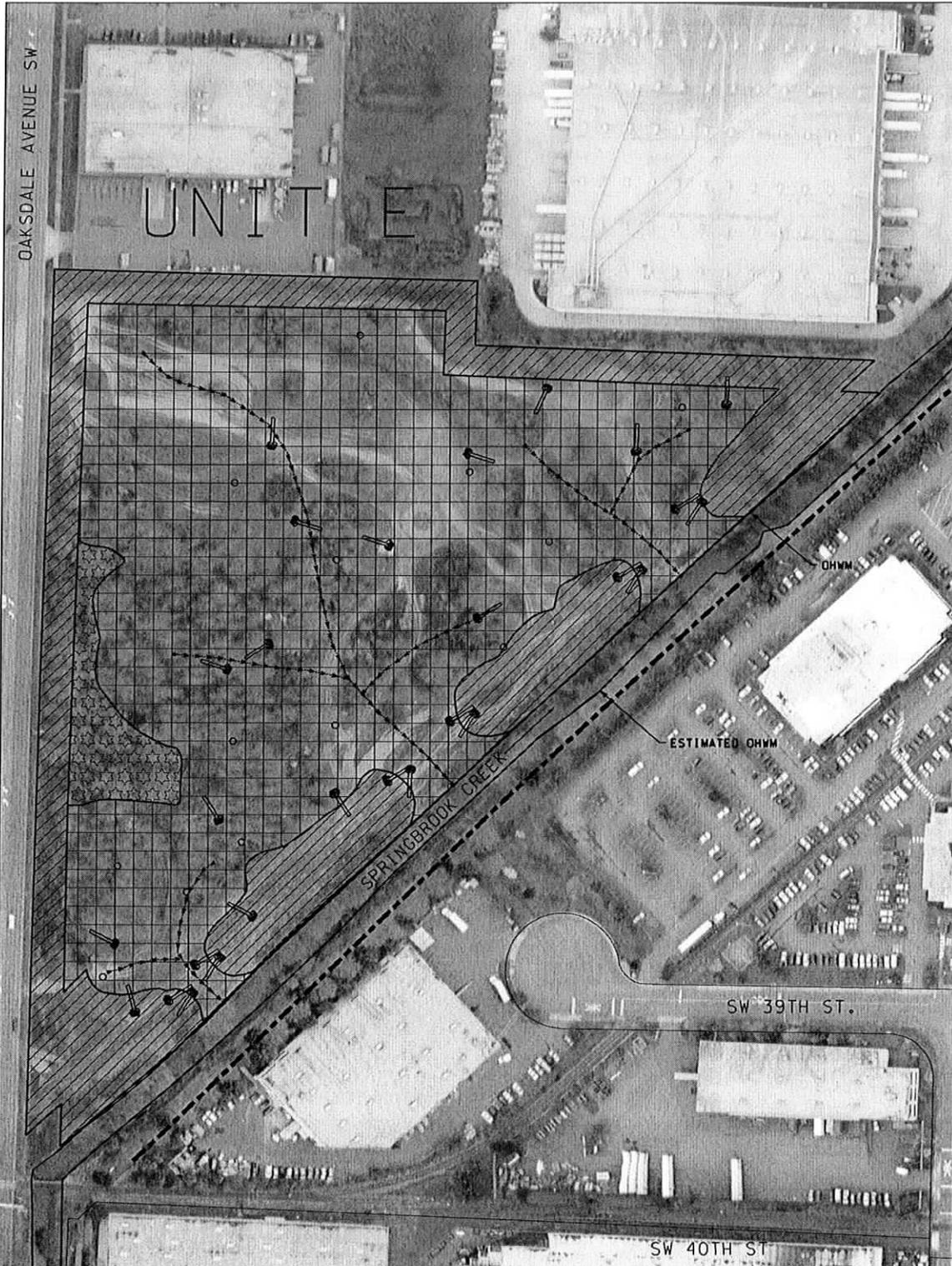
**SPRINGBROOK**  
REFERENCE #:  
**200600100**  
APPLICANT: WSDOT

**PROPOSED/RETAIN:**

IN: Streams and Wetlands  
NEAR/AT: Renton  
COUNTY: King      STATE: WA  
DATE: 02/15/06

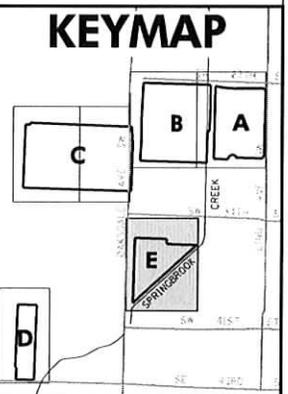


Source: WSDOT, 2004, KING COUNTY, 2004 | Last updated: 8:50:46 AM 3/3/2008 | chris | P:\E\Engineering\010\Drawings\exhibits\Springbrook Prospectus Fig-16.dgn



### UNIT E LEGEND

-  INVASIVE REMOVAL AND UPLAND PLANTING
-  GRADING, HYDROLOGIC ALTERATION, AND WETLAND PLANTING
-  INVASIVE REMOVAL AND CONIFER UNDERPLANTING
-  PROPOSED DRAINAGE PATH
-  EXISTING TRAIL
-  VERTICAL SNAG
-  LOG



**PURPOSE:** Wetland Mitigation

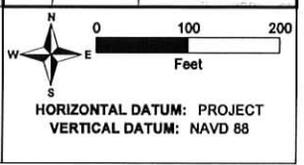
**Figure 8 – Unit E Mitigation Treatments**

**SPRINGBROOK**  
**REFERENCE #:**  
**200600100**  
**APPLICANT:** WSDOT

**PROPOSED/RETAIN:**

**IN:** Streams and Wetlands  
**NEAR/AT:** Renton  
**COUNTY:** King  
**DATE:** 02/15/08

**STATE:** WA





STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600  
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

Date: March 13, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200600100 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify 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 on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600