US Army Corps of Engineers
Seattle District

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Joint Public Notice

Proposal for a Wetland Mitigation Bank

U.S. Army Corps of Engineers, Seattle District
Regulatory Branch
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ATTN: Kate Thompson

Public Notice Date: May 5, 2009
Expiration Date: June 4, 2009
Reference No.: NWS-2009-448

Name: Long Beach Wetland Mitigation Bank

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) are considering a proposal to establish the Long Beach Wetland Mitigation Bank (LBMB), in Pacific County, Washington.

BANK SPONSOR – Long Beach Mitigation Bank, LLC
ATTN: Mr. Francis Naglich
1157 3rd Avenue, Suite 220
Longview, WA 98632
(360) 578-1371

LOCATION – The LBMB is proposed to be located on the Long Beach Peninsula in Pacific County, Washington. The proposed bank site lies between Ocean Beach Highway (SR 103) and Cranberry Lane and is approximately two miles north of the town of Long Beach, one mile west of the Pacific Ocean, and two miles east of Willapa Bay. It is located in Section 28, Township 11 North, Range 11 West of the Willamette Meridian. The project location is shown on the attached Figure 1.

The proposed bank site totals 72.95 acres in size and is owned by Long Beach Mitigation Bank, LLC. The site includes the majority of two parcels (parcel numbers 74049908000 and 74049901000) as shown in Figure 2. These parcels total 82 acres in size but 9.05 acres along the perimeter of the parcels is not included in the proposed bank.

MITIGATION BANKING – 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. "Credits" are established at mitigation banks by

restoring, creating, enhancing and/or preserving wetlands and other natural resources. These credits can then be sold to permit applicants who need to offset the adverse environmental effects of projects with unavoidable wetland impacts that would occur within the banks' designated "service area". The document that addresses the bank process is the Mitigation Banking Instrument (MBI). The MBI is a contract that is created by the bank sponsor in cooperation with the Interagency Review Team (IRT), which includes federal, state and local agencies. The MBI contains the legal contract between the bank sponsor and IRT agencies, and the technical and procedural elements of constructing, operating, and maintaining the bank. Prior to development of the MBI, a prospectus is submitted to the IRT agencies to determine the general feasibility of the bank. This public notice is requesting comments on the prospectus.

PROJECT DESCRIPTION – The wetland on the proposed bank site is in a relatively natural state and does not need extensive restoration. It rates as a Category I wetland using the Washington State Wetland Rating System for Western Washington. The wetland includes forested, scrub-shrub, emergent, and aquatic bed vegetation classes. It rates high for wildlife habitat, water quality improvement, and hydrologic (e.g., flood retention, peak flow reduction) functions. There is opportunity to enhance 7.2 acres of the site in an existing area of wetland/upland mosaic by removing non-native invasive plants, planting native vegetation and cleaning up garbage that has been illegally dumped there. The remaining 65.7 acres of the site are existing high quality wetland that will be preserved. The majority of mitigation credit for this bank would be generated by preserving wetlands. See Figure 3 for a map of existing conditions in the onsite wetlands.

This site is part of an historical interdunal wetland system. This can be seen in the aerial photo of the site showing the north-south trending ridges and swales (troughs between the dunes) (Figure 3). Once located on the shore adjacent to the ocean, the site now lies considerably inland due to the accretion of sediment over time.

Coastal dunes form as the result of the interaction between sand, wind, water and plants. The Long Beach Peninsula formed over a long period of time as sand from the Columbia River washed northward with the prevailing currents and was deposited. As new sand was deposited westward, the peninsula widened, and the older dunes gradually became more removed from the ocean waves and more protected from the wind. The sand shifted less, vegetation formed, and the older ridges and swales were thus stabilized. The proposed bank site is in an area that has been stable for many years as evidenced by the presence of forested vegetation.

The site was formerly used for timber production and is zoned by Pacific County as Agricultural. The property was selectively logged within the last 20 years. Native vegetation dominates the site. There are no structures, driveways, roads, or recreational trails onsite. The property is bordered on the north, east, and south by vacant wetland areas, with the exception of one single-family residence to the south. A small residential area consisting of approximately fifteen homes is located on the northern portion of the western property line.

A more detailed description of the proposal is included in *Final Prospectus for the Long Beach Wetland Mitigation Bank,* dated February 19, 2009. This prospectus is available for inspection at the above-listed Corps office and the Department of Ecology Headquarters and can be downloaded at the following Internet addresses:

www.nws.usace.army.mil (click on Regulatory in list on the left and then choose Public Notices)
www.ecy.wa.gov/programs/sea/wetlands/mitigation/banking/public-notices.html

SERVICE AREA – The service area of a mitigation bank is the geographic area over which credits may be used for compensatory mitigation. The proposed service area for the LBMB is the entire Long Beach peninsula with the exception of areas that drain to the Columbia River. Impact projects on the Long Beach Peninsula that

either have no outlet or that drain to Willapa Bay or the Pacific Ocean are eligible for consideration to mitigate at this bank.

Figure 1 depicts the proposed service area for the LBMB. The proposed service area may be increased or decreased based on public comments and comments from the IRT.

Location of an impact project within the service area of a bank does not mean applicants receive automatic approval from permitting agencies to mitigate at the bank. All projects are reviewed on a case-by-case basis for suitability of the proposed mitigation by each agency that regulates wetland impacts.

PURPOSE – The purpose of the LBMB is to provide compensatory mitigation for aquatic resource impacts occurring on the Long Beach Peninsula. The bank will be used primarily to compensate for impacts to interdunal wetlands.

ADDITIONAL INFORMATION – The bank sponsor will work with the IRT to develop the Mitigation Bank Instrument in accordance with 33 CFR Part 325 and 332 *Compensatory Mitigation for Losses of Aquatic Resources; Final Rule*, dated April 10, 2008, and applicable state, local, and other federal requirements.

Based on a preliminary evaluation of this proposal by the Corps, construction of the LBMB will likely not require Department of the Army authorization under Section 404 of the Clean Water Act. This is because no discharge of dredged and fill material into waters of the United States is proposed.

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

www.ecy.wa.gov/programs/sea/wetlands/mitigation/banking/index.html

ENDANGERED SPECIES – The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT – The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed action, permitted, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). The Corps has determined that EFH for Pacific salmon, coastal pelagic fish and groundfish occurs in the action area. Upon receiving comments in response to this public notice, the Corps will evaluate the potential impact of the proposed action on EFH for federally-managed fisheries in Washington waters. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by, and coordination with, the NMFS.

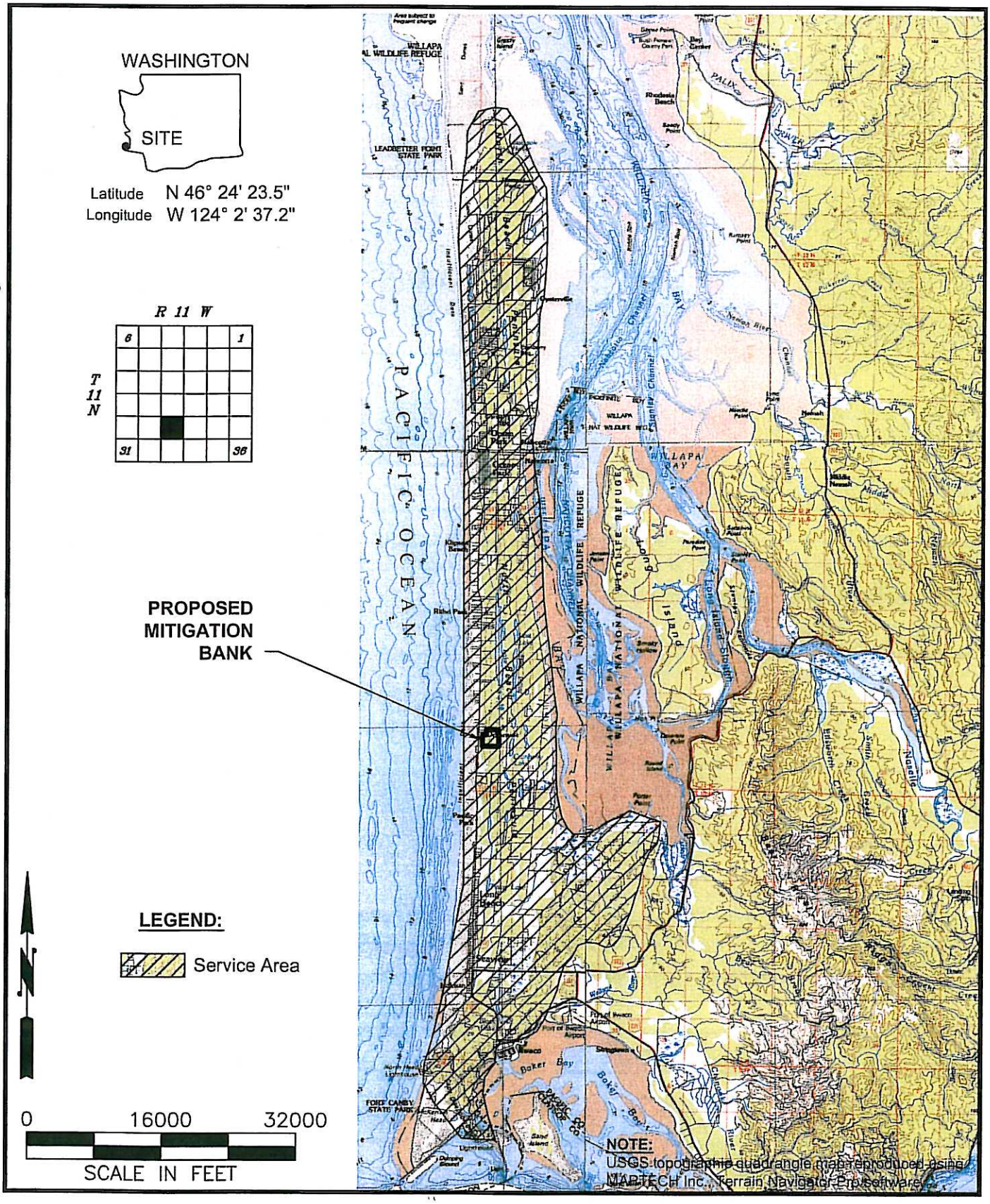
CULTURAL RESOURCES: There are no known cultural resources on the proposed mitigation bank site. Minimal ground-disturbing activity is anticipated for this project for installation of plants. The District Engineer will review the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information.

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 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 IRT 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-2009-448. All e-mail comments should be sent to gail.m.terzi@usace.army.mil at the Corps and/or kath461@ecy.wa.gov at Ecology. Conventional mail comments should be sent to either of the addresses at the top of this public notice. Both conventional mail or e-mail comments must include "Long Beach Wetland Mitigation Bank, NWS-2009-448" 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.



ECOLOGICAL LAND SERVICES, INC.
1157 3rd Ave., Suite 220 Longview, WA 98632
(360) 578-1371 Fax: (360) 414-9305

DATE: 1/12/09
DWN: CB
REQ. BY: LS
PRJ. MGR: FN
CHK:
APPR:
PROJ.#: 1645.01

Figure 1
VICINITY MAP AND SERVICE AREA MAP
Proposal for Long Beach Wetland Mitigation Bank
LBMB, LLC
Pacific County, Washington
Section 28, Township 11N, Range 11W, W.M.

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NOTE: 2006 aerial photo provided by Google Earth ™.

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Figure 2
PROPOSED MITIGATION BANK SITE PLAN
Proposal for Long Beach Wetland Mitigation Bank
LBMB, LLC
Pacific County, Washington
Section 28, Township 11N, Range 11W, W.M.

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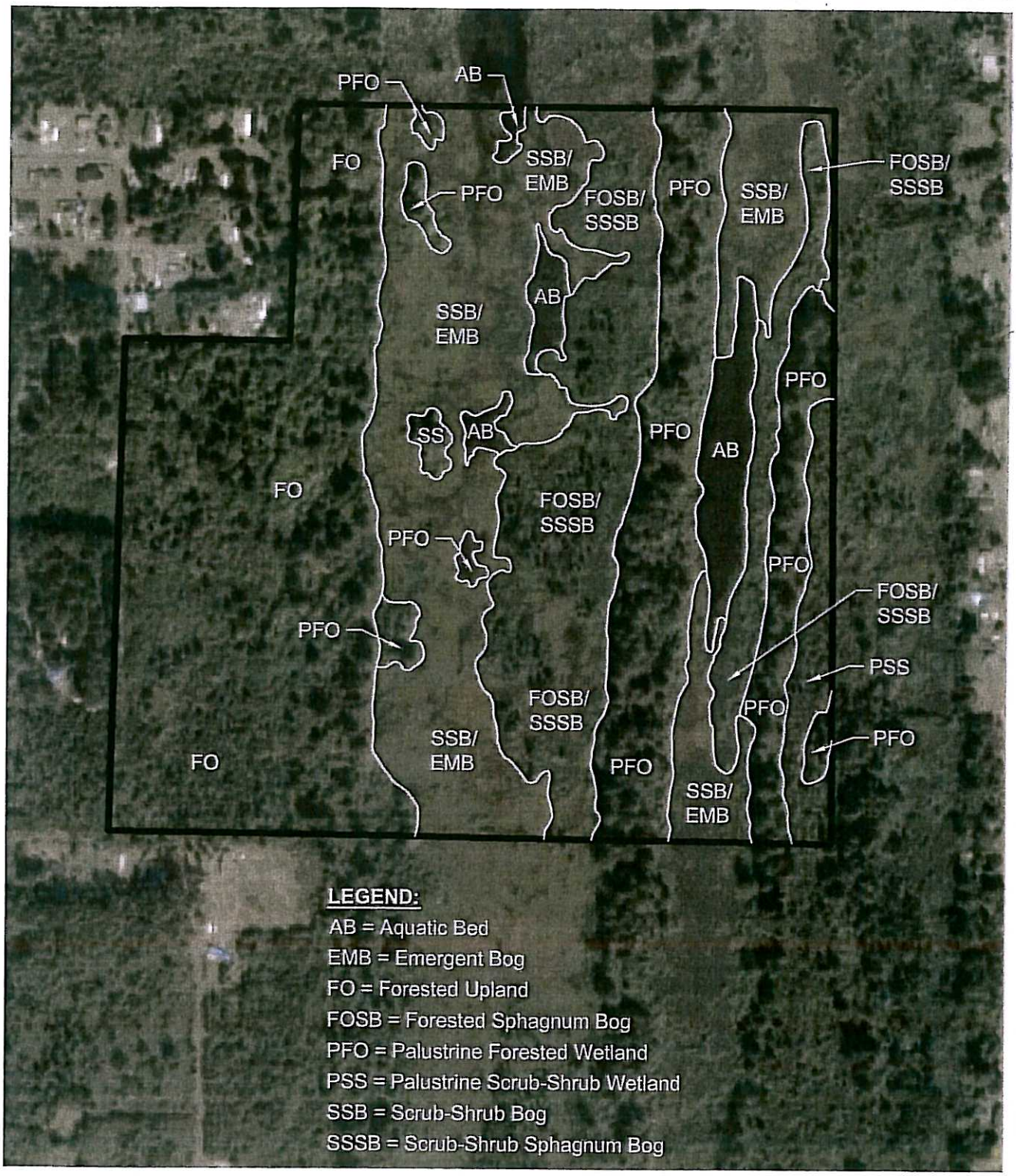

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Figure 3
COWARDIN VEGETATIVE CLASSES
Proposal for Long Beach Wetland Mitigation Bank
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