US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Ron Klump, Project Manager

Public Notice Date: December 2, 2004
Expiration Date: January 1, 2004
Reference: 200400144
Name: Donald Boespflug

Interested parties are hereby notified that all or a portion of the work as described below and shown on the enclosed drawings was performed without specific authorization under Section 404 of the Clean Water Act. U.S. Army Corps of Engineers permit regulations (33 CFR 320-330) dated November 13, 1986, allow District Engineers to make a determination of whether the activity is not contrary to the public interest.

APPLICANT - Donald Boespflug
12101 Northeast 174th Street
Battle Ground, Washington 98604
Telephone: (360) 687-9146

AGENT - Ecological Land Services, Inc.
1157 - 3rd Avenue, Suite 220
Longview, Washington 98632
ATTN: Francis Naglich
Telephone: (360) 578-1371

LOCATION - The proposed project is located in wetlands adjacent to an unnamed tributary to Salmon Creek, east of Northeast 142nd Avenue in Section 11, Township 3 North, Range 2 East, at Battle Ground, Washington.

WORK - Retain fill in 3.86 acres and place fill in an additional 0.08 of an acre of wetlands for a commercial recreational building, a parking lot, access roads, and two bioswales.

PURPOSE - The purpose of the work is to construct a commercial recreational facility for indoor motorcross.

MITIGATION - The applicant proposes to do both on and off site mitigation. Proposed on site mitigation includes restoration of 0.38 of an acre of filled wetlands and enhancement of 0.93 of an acre of existing wetlands. Prior to this project, the mitigation wetlands had been converted to pasture, the proposed mitigation would involve shrub and tree plantings to return the area to a forested wetland.

Off site mitigation would occur approximately 5 miles west southwest of the project site. Off site mitigation includes 5.6 acres of wetland creation and 5.6 acres of wetland enhancement. Both creation and enhancement areas would be planted with native trees and shrubs.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. Bald Eagle (*Haliaeetus leucocephalus*), Water Howellia (*Howellia aquatilis*), and Bradshaw's Desert Parsley (*Lomatium bradshawii*) are listed as threatened in the state

of Washington and may occur in the proposed project area. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to the Bald Eagle, Water Howellia, and Bradshaw's Desert Parsley.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act, 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). The Corps has determined that the proposed action will not adversely affect designated EFH for federally-managed fisheries in Washington waters. As such, no further EFH consultation with the NMFS is necessary.

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 area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property.

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 - 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 benefits 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.

The Corps is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. 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.

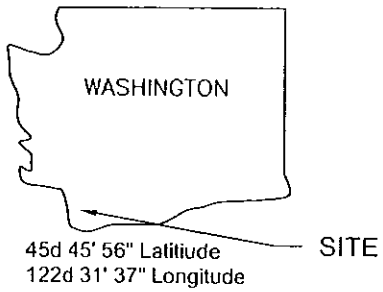
The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

ADDITIONAL EVALUATION - The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

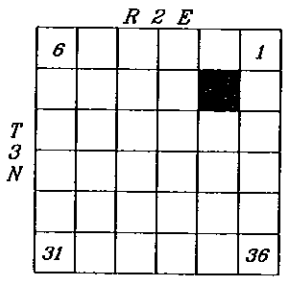
COMMENT AND REVIEW PERIOD – Conventional mail or email comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, email comments must originate from the author's email account and must include on the subject line of the email message the permit applicant's name and reference number as shown below. All email comments should be sent to Ron.Klump@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or email comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or email 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:

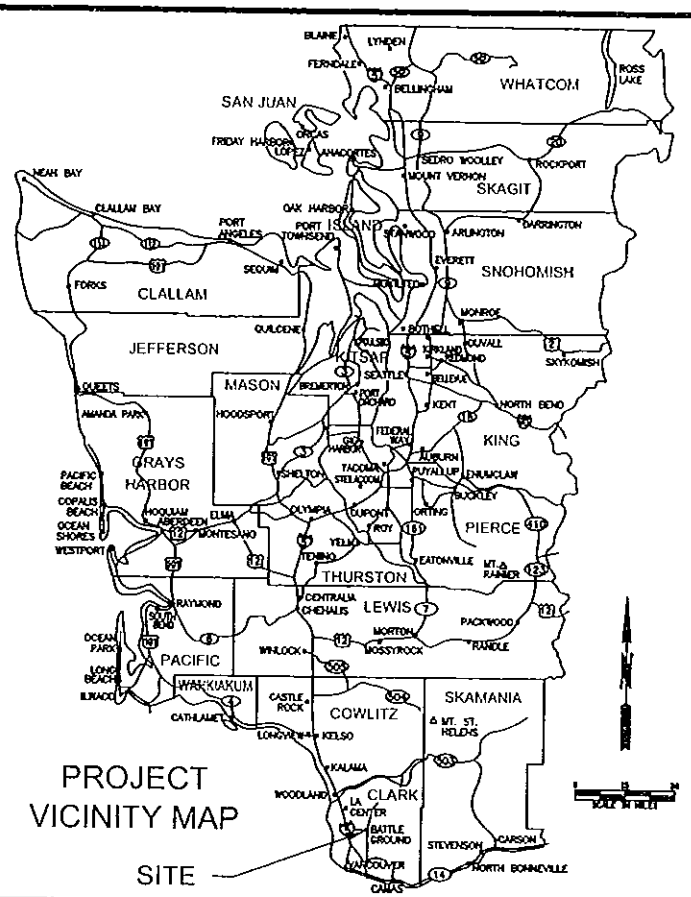
Donald Boespflug, 200400144

Encl.
Drawings: (8)

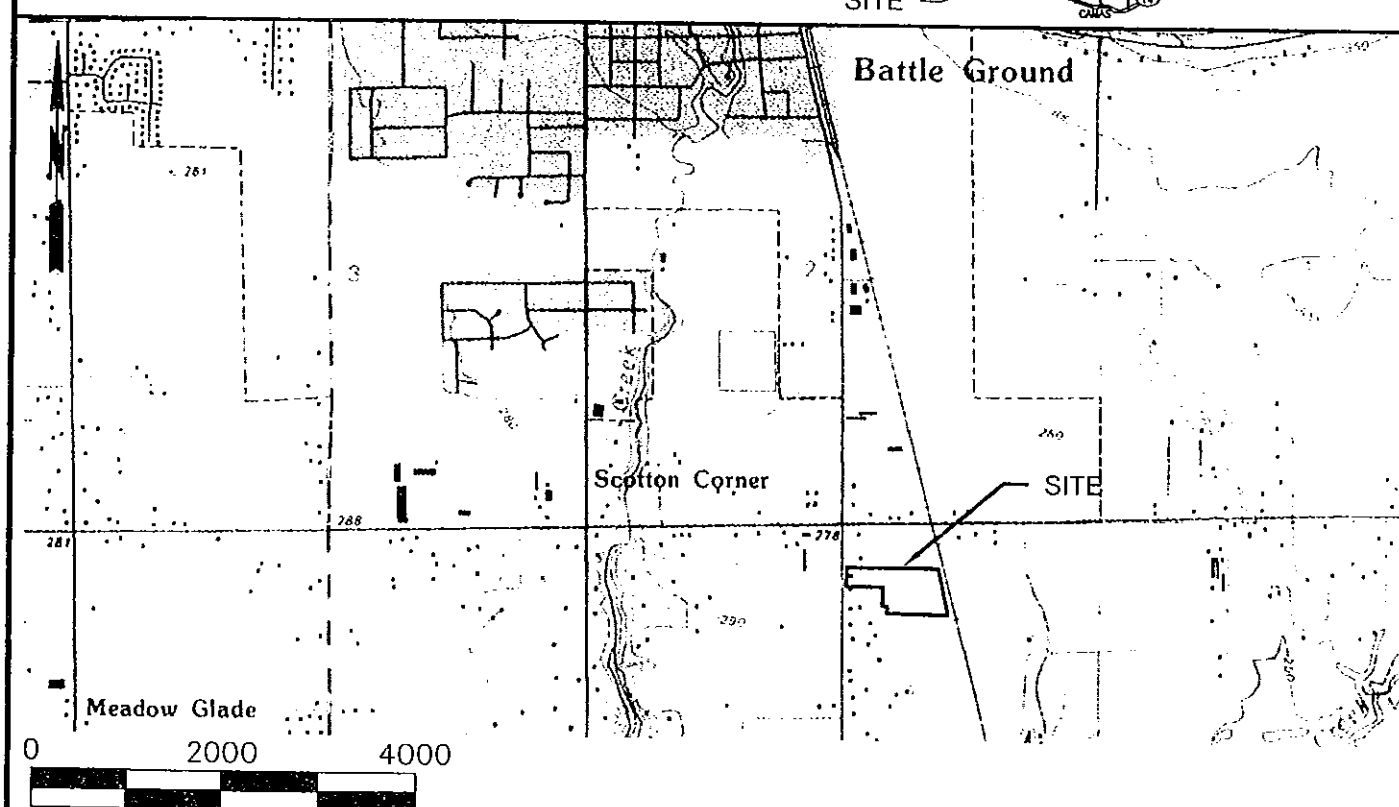


LOCATION MAP





PROJECT VICINITY MAP



NOTE: USGS topographic quadrangle map reproduced using MAPTECH, Inc. software Terrain Navigator.

PURPOSE:
Construction of an indoor motor cross facility.
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

FIGURE 1
VICINITY MAP

REFERENCE: 2004-00-144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground, WA
DATE: 11/19/2004

SHEET 1 of 8

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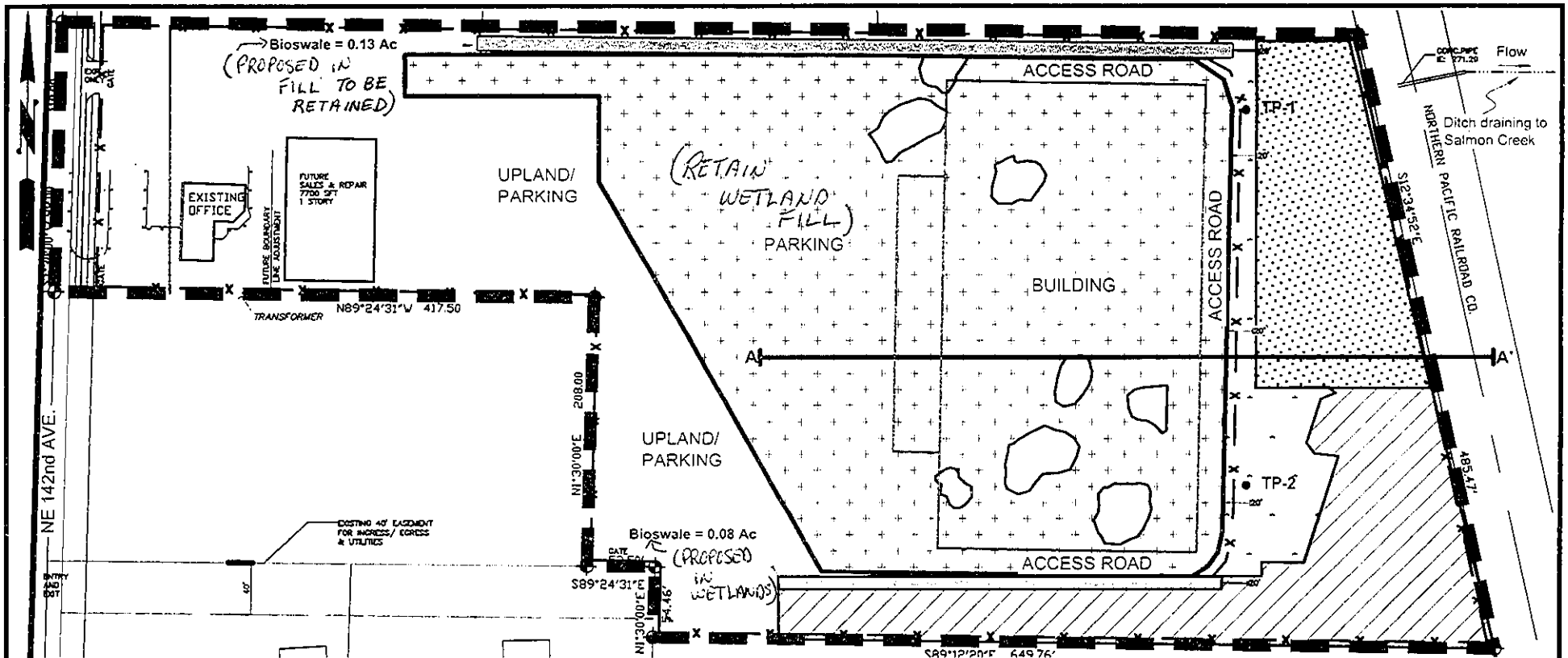


LEGEND:

- RETAIN. WETLAND FILL = 3.73 AC
- TOTAL UPLAND ISOLATES = 0.22 AC
- GRADING IN WETLANDS FOR BIOFILTRATION SWALE = 0.21 AC (TOTAL)
- EXISTING EXCAVATED DETENTION AREA WITHIN WETLAND = 0.63 AC
- WETLAND RESTORATION AREA = 0.38 AC (FILL TO BE REMOVED)
- ENHANCED WETLAND AREA = 0.93 AC
- —x— FENCE
- TP-3 ● TEST PLOTS
- PROPERTY BOUNDARY

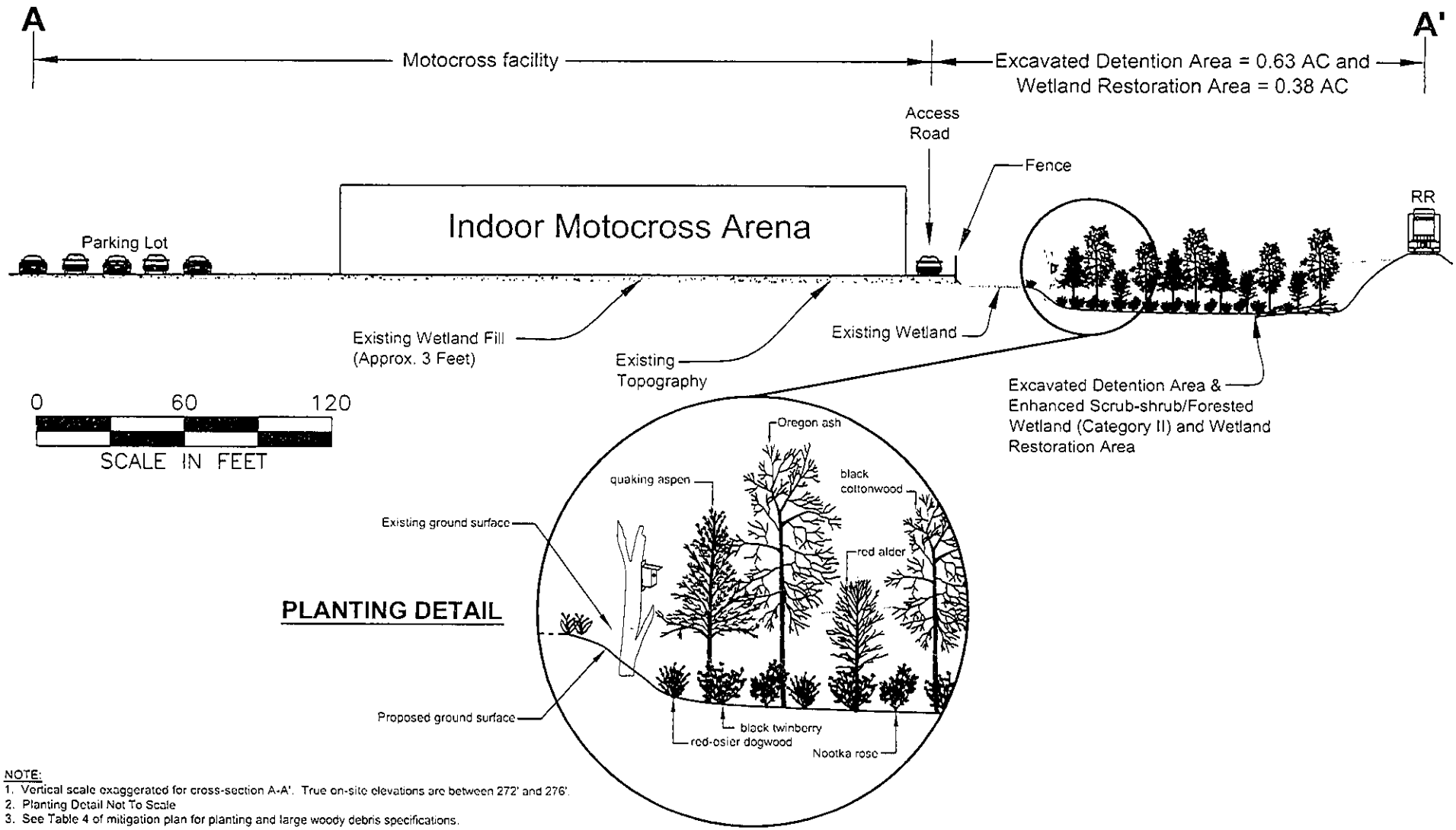
0 120 240
SCALE IN FEET

NOTES:
1. See Table 4 of Mitigation Plan for planting and large woody debris specifications for on-site mitigation.
2. Total wetland area on-site = 5.88 AC
3. Test plots 3 and 4 were taken off site to the north.

PURPOSE:
Construction of an indoor motorcross facility.
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

FIGURE 2
SITE MAP & ON-SITE MITIGATION AREA PLAN VIEW

REFERENCE: 2004-00 144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground, WA
DATE: 11/19/2004

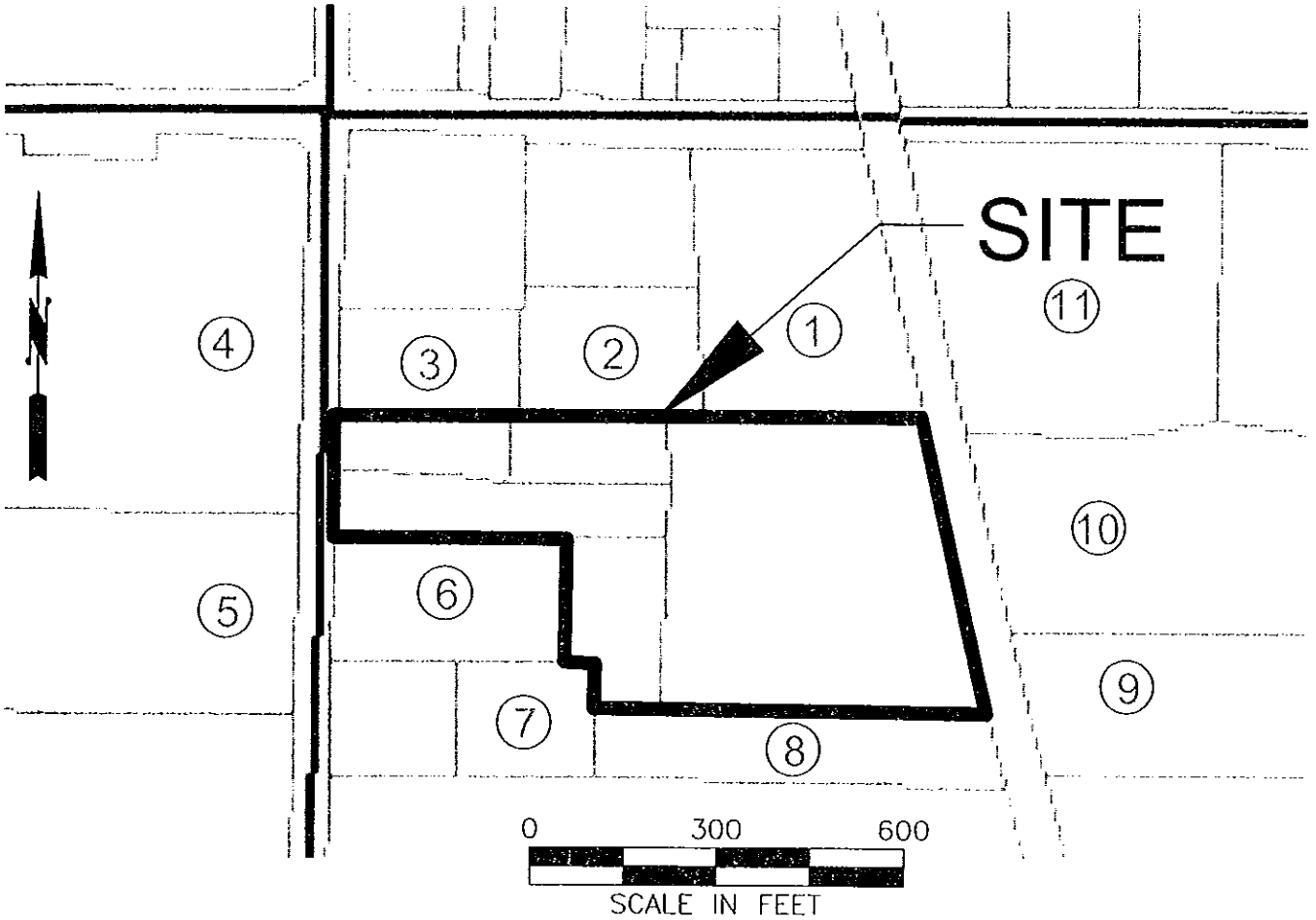


NOTE:
1. Vertical scale exaggerated for cross-section A-A'. True on-site elevations are between 272' and 276'.
2. Planting Detail Not To Scale
3. See Table 4 of mitigation plan for planting and large woody debris specifications.

PURPOSE:
Construction of an indoor motor cross facility.
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

FIGURE 3
CROSS-SECTION A-A'

REFERENCE: 2004-00 144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground, WA
DATE: 11/19/2004



ADJACENT PROPERTY OWNERS LEGEND:

1. Vancouver Humane Society - 2121 St. Francis St., Vancouver, WA 98660
2. Richard Emil Rhoades, ETUX - 19510 NE 234th St., Battle Ground, WA 98604
3. Jerry and Alice Daniels - 19705 NE 142nd Ave., Battle Ground, WA 98604
4. Eugene and Mary Maul - 139 NE 199th St., Battle Ground, WA 98604
5. Thomas H. Atwell - 19506 NE 142nd St., Battle Ground, WA 98604
6. Douglas E. Hughes - 19515 NE 142nd St., Battle Ground, WA 98604
7. David and Joyce Tapani - 19505 NE 142nd St., Battle Ground, WA 98604
8. David and Joyce Tapani - 13509 NE 253rd Circle, Battle Ground, WA 98604
9. Byerly-Bloomquist, LLC - 14901 NE 199th St., Battle Ground, WA 98604
10. Robert W. Bloomquist, Trust - 14901 NE 199th St., Battle Ground, WA 98604
11. William D. Skillings, ETAL - 14707 NE 199th St., Battle Ground, WA 98604

NOTE: On-line Map provided by Clark County, WA at gis.clark.wa.gov/ccgis/mol/property.cfm

PURPOSE:
Construction of an indoor motor cross facility.
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

Figure 4
ADJACENT PROPERTY OWNERS MAP

REFERENCE: 2004-00 144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground, WA
DATE: 11/19/2004

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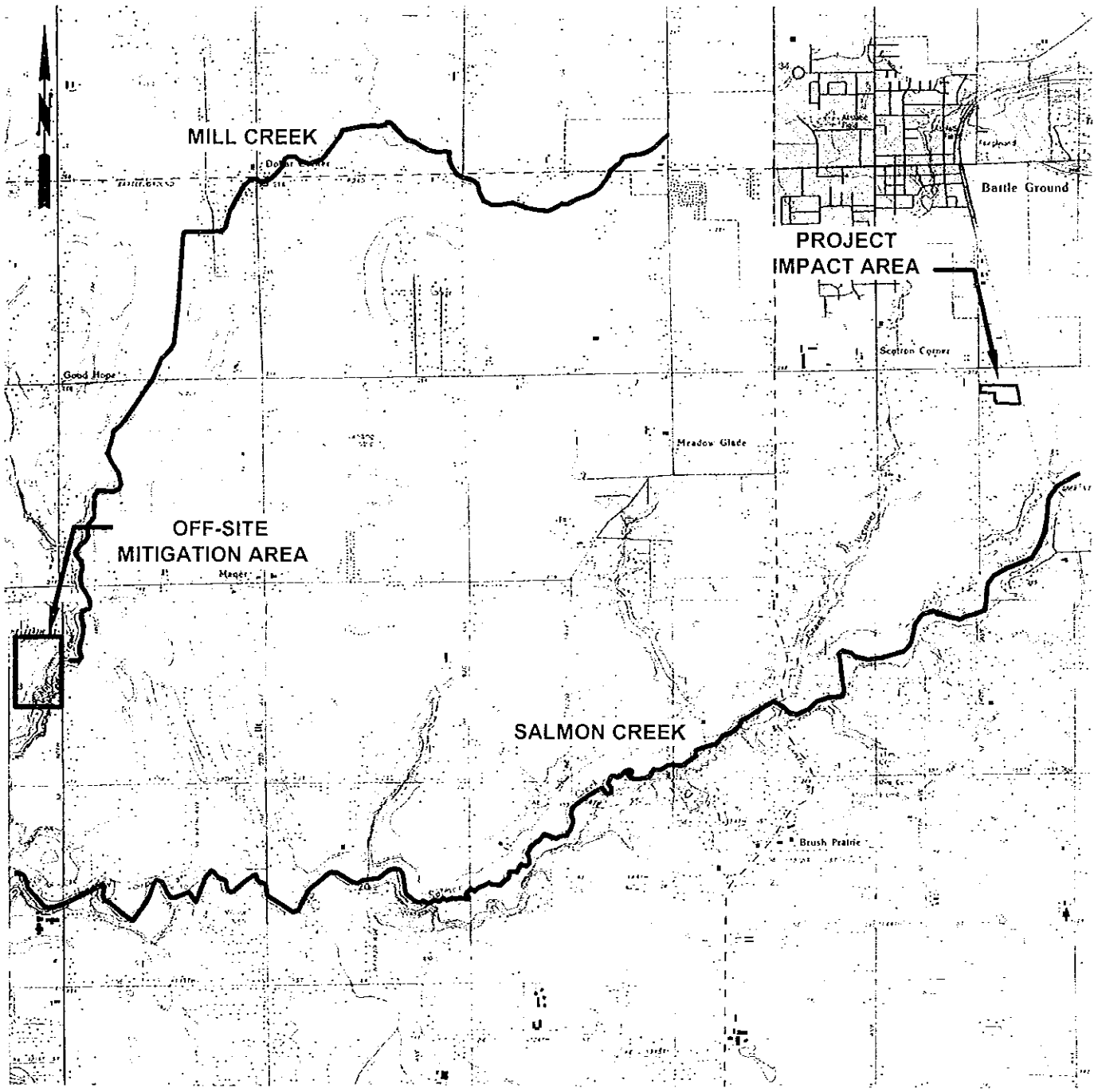

0 4000 8000

SCALE IN FEET

NOTE:

1. Salmon Creek and Mill Creek join approximately 1-mile southwest of the off-site mitigation area.
2. Project impact area located within Section 11, Township 3N, Range 2E, W.M.
3. Off-site mitigation area located within Section 13, Township 3N, Range 1E, W.M.

PURPOSE:
Construction of an indoor motor cross facility.
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

FIGURE 5
BATTLE GROUND AND ORCHARDS QUADRANGLE

REFERENCE: 2004-00 144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground, WA
DATE: 11/19/2004

SHEET 5 of 8

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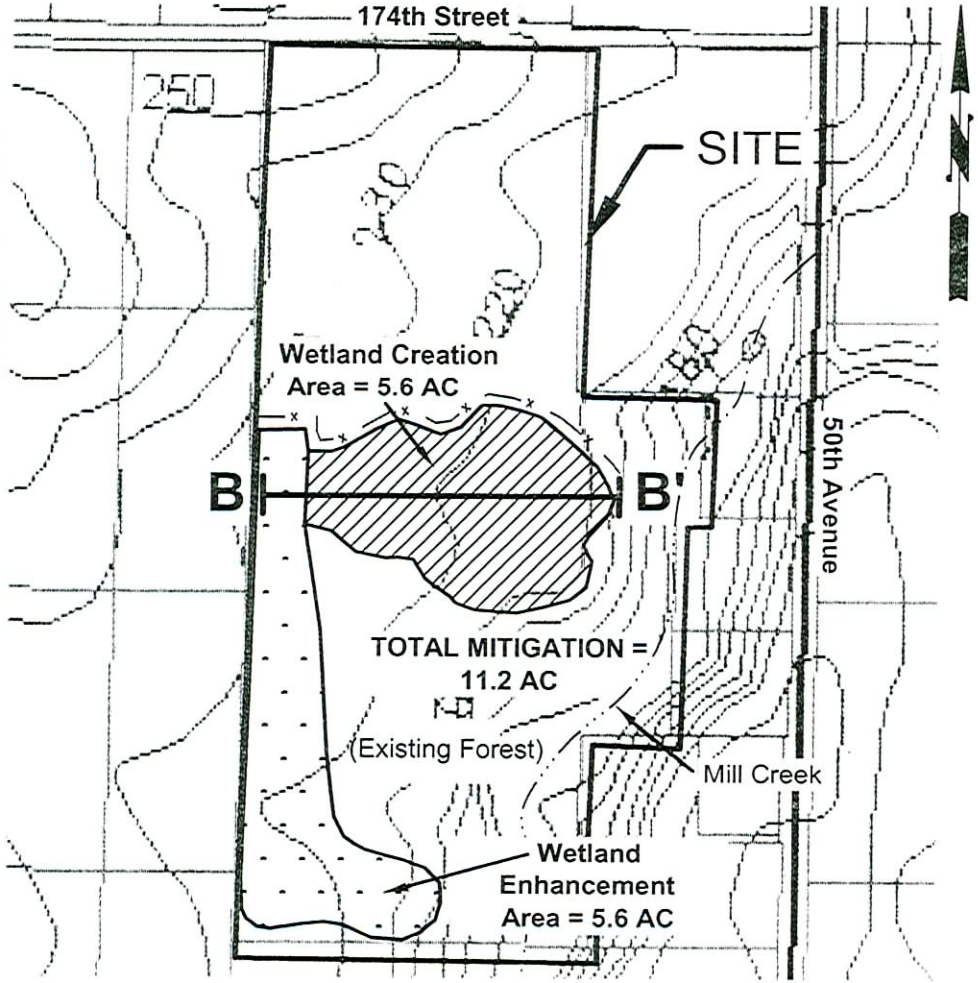


PLANTING LEGEND:

SPECIES	*SPACING*	*TOTAL #*
TREES		
Western red cedar	10 Feet	650
Oregon ash	10 Feet	500
quaking aspen	10 Feet	500
red alder	10 Feet	650
SHRUBS		
Sitka willow	6 Feet	2500
red-osier dogwood	6 Feet	2000
black twinberry	6 Feet	975
salmonberry	6 Feet	975
	Total # of Plants =	**8,750**
LARGE WOODY DEBRIS		
horizontal logs		20
vertical snags (with bird boxes)		10

0 400 800
HORIZONTAL SCALE IN FEET

LEGEND:

—— x —— Fence
— · · · — Mill Creek

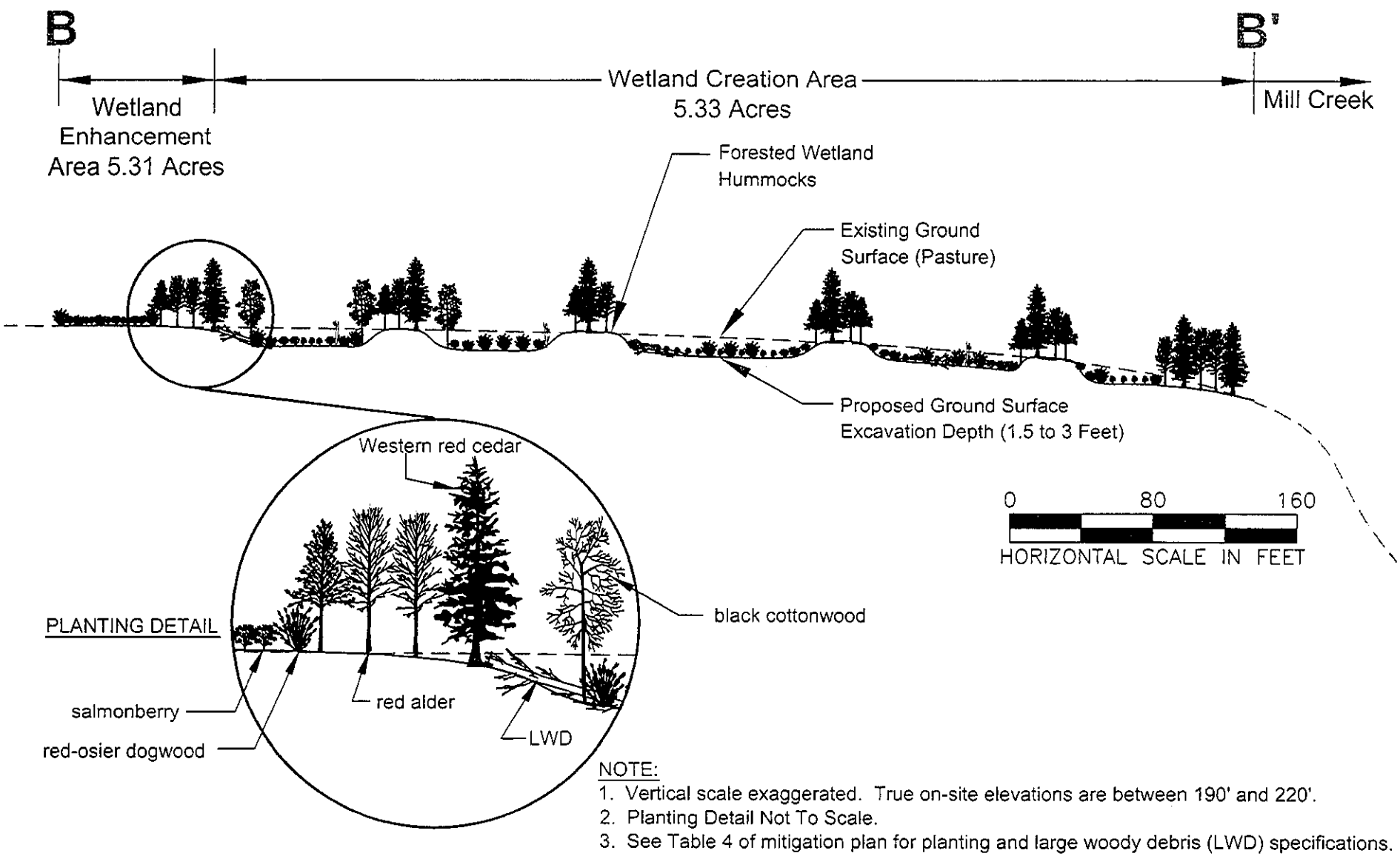
NOTE:

1. Base map topography from Clark County GIS www.gis.clark.wa.gov/ccgis/mol/property.cfm
2. Project impact area located within Section 11, Township 3N, Range 2E, W.M.
3. Off-site mitigation area located within Section 13, Township 3N, Range 1E, W.M.

PURPOSE:
Construction of an indoor motor cross facility
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

FIGURE 6
OFF-SITE MITIGATION AREA PLAN VIEW

REFERENCE: 2004-00 144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground
DATE: 11/19/2004



NOTE:
1. Vertical scale exaggerated. True on-site elevations are between 190' and 220'.
2. Planting Detail Not To Scale.
3. See Table 4 of mitigation plan for planting and large woody debris (LWD) specifications.

PURPOSE:
Construction of an indoor motor cross facility
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

FIGURE 7
CROSS-SECTION B-B'

REFERENCE: 2004-00 144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground
DATE: 11/19/2004

Sep 08, 2004 3:22pm

Table 4. Plant, woody debris, and bird box specifications for the on-site mitigation area.

Species	Spacing (feet)	Minimum Size	Quantity
TREE STRATUM			
Red alder (*Alnus rubra*, FAC)	10	18-36 inch bareroot	75
Oregon ash (*Fraxinus latifolia*, FACW)	10	18-36 inch bareroot	75
Black cottonwood (*Populus balsamifera* spp. *trichocarpa*, FAC)	10	18-36 inch bareroot	75
Quaking aspen (*Populus tremuloides*, FAC+)	10	18-36 inch bareroot	75
SHRUB STRATUM			
Red-osier dogwood (*Cornus sericea*, FACW)	6	18-36 inch bareroot	275
Black twinberry (*Lonicera involucrata*, FAC+)	6	18-36 inch bareroot	275
Nootka rose (*Rosa nutkana*, FAC)	6	18-36 inch bareroot	275
		Total Plants =	**1,125**
LARGE WOODY DEBRIS			
Horizontal Logs	--	≥10-inches dbh for ≥10 feet length	3
Vertical Snags	--	>10-inches dbh and <20 feet tall after installation	1
		Total LWD =	**4**
BIRD BOXES	--	Small, cedar	**4**

Table 5. Plant, woody debris, and bird box specifications for the off-site mitigation area.

Species	Spacing (feet)	Minimum Size	Quantity
TREE STRATUM			
Red alder (*Alnus rubra*, FAC)	10	18-36 inch bareroot	650
Oregon ash (*Fraxinus latifolia*, FACW)	10	18-36 inch bareroot	500
Quaking aspen (*Populus tremuloides*, FAC+)	10	18-36 inch bareroot	500
Western redcedar (*Thuja plicata*, FAC)	10	18-36 inch bareroot	650
SHRUB STRATUM			
Red-osier dogwood (*Cornus sericea*, FACW)	6	18-36 inch bareroot	2,000
Black twinberry (*Lonicera involucrata*, FAC+)	6	18-36 inch bareroot	975
Salmonberry (*Rubus spectabilis*, FAC+)	6	18-36 inch bareroot	975
Sitka willow (*Salix sitchensis*, FACW)	6	3 foot cutting	2,500
		Total Plants =	**8,750**
LARGE WOODY DEBRIS			
Horizontal Logs	--	>10-inches dbh for at least 10 feet length	20
Vertical Snags	--	≥10-inches dbh and <20 feet tall after installation	10
		Total LWD =	**30**
BIRD BOXES	--	Small, cedar	32

PURPOSE:
Construction of an indoor motor cross facility.
DATUM: NGVD 1929
ADJACENT PROPERTY OWNERS:
(See Figure 4, Sheet 4)

Figure 8
TABLE 4 AND TABLE 5

REFERENCE: 2004-00-144
APPLICANT: Donald Boespflug
COUNTY: Clark
WATERBODY: Salmon Cr. Watershed
NEAR: Battle Ground, WA
DATE: 11/19/2004

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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

Date: December 2, 2004

Notice is herby 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. 200400144 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.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws 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