US Army Corps
Of Engineers
Walla Walla District
201 North Third Avenue
Walla Walla, WA 99362-1876

Public Notice of Application for Permit

PROPOSED VALENCIA WETLANDS TRUST WETLAND MITIGATION BANK

PUBLIC NOTICE DATE: March 9, 2004

21-Day Notice

COMMENTS DUE DATE: March 30, 2004

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plans.

We are soliciting comments on a Wetland Mitigation Bank proposed for northern Idaho. The mitigation bank is described in detail in the December 22, 2003 Prospectus for the Wetland Mitigation Bank, which is located on our website at http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm

Mitigation banks provide for the replacement of the functions provided by wetlands and other aquatic resources, which are lost as a result of impacts authorized under Section 404 of the Clean Water Act. Section 404 regulates the discharge of dredged or fill material in the nation's waters. Using appropriate methods, the newly established functions are quantified as mitigation credits which are available for use by the bank sponsor or by other parties to compensate for adverse impacts (i.e., debits). The use of credits may only be authorized for the purposes of complying with Section 404 impacts when adverse impacts are unavoidable. In addition, credits may only be authorized when on-site compensation is either not practicable or use of a mitigation bank is environmentally preferable to on-site compensation. For additional information on mitigation banking see 60 F.R. 58605-58614, Nov. 28, 1995. This guidance is also available on our website.

Section 404 of the Clean Water Act requires a Department of the Army permit for the discharge of dredged or fill material into waters of the United States, including wetlands. This includes excavation activities that result in the discharge of dredged material and destroy or degrade waters of the United States. Applicants who apply for a permit to fill wetlands or waterways are required to avoid and minimize impacts as much as possible. Any remaining impacts must be offset with compensatory mitigation to replace lost wetland (or waterway) functions. This public notice provides the public with a chance to comment on a mitigation bank that will be developed to provide compensatory mitigation.

AUTHORITY - Section 404 of the Clean Water Act (33 USC 1344).

MITIGATION BANK SPONSOR - Valencia Wetlands Trust, Ford and Donna Willey

LOCATION – Approximately 295 acres adjacent to the confluence of Priest River and Lake Pend Oreille, east of the city of Priest River, at the old Louisiana - Pacific Timber Company site, in Sections 19 and 30, Township 56 North, Range 4 West, in Bonner County, Idaho.

PROPOSED ACTIVITY - The proposed mitigation bank is described in detail in the project prospectus located on our website. The prospectus is designed to initiate the planning and review process for the Valencia Wetlands Trust Wetland Mitigation Bank. Information provided in the prospectus serves as the basis for developing a mitigation banking instrument. The banking instrument will form a detailed agreement between the bank sponsor and the Corps on issues such as accounting procedures, long-term management, site development, monitoring, remedial actions, financial assurances, and performance standards. If you would like a copy of the prospectus and do not have Internet access, please call 509-527-7150 and we will mail you a copy.

PURPOSE - Develop a wetland mitigation bank for use by private, commercial and governmental entities to mitigate wetland impacts in portions of northeast Washington, north Idaho and northwest Montana. The mitigation bank would provide compensation prior to permitted impacts.

SPECIAL AQUATIC SITES - The site consists of approximately 1.8 acres of low quality wetland located between log decks and along the old mill pavement and access roads. In addition, there are approximately 26.4 acres of oxbows. Predominant plant species in the oxbows consist of cottonwood, cedar, hemlock, grand fir, hawthorn, willow, dogwood, spirea, cattail, sedges and rushes.

CULTURAL RESOURCES - Walla Walla District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and its current supplements and no property listed or proposed for listing in the Register is located in the project area. This is the extent of our knowledge about historic properties in the project area at this time. However, we will evaluate input by the State Historic Preservation Officer and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the project area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES - Pursuant to the Endangered Species Act, the proposed project is being reviewed for impacts to threatened or endangered species and their critical habitat. Our preliminary review indicates that there will be no effects on threatened or endangered species.

ADDITIONAL INFORMATION - For additional information from the Corps of Engineers about the mitigation bank, you may call Ms. Barbara Benge, in the Walla Walla District Regulatory Office at 509-527-7153.

COMMENT AND REVIEW PERIOD - The Corps of Engineers is soliciting comments from the public, Federal, State and Local agencies and officials, Indian Tribes and other interested parties to formulate parameters, terms and conditions for the final wetland mitigation bank. Any comments received will be considered in discussions with the applicant and other members of the Mitigation Bank Review Team to draft

the banking instrument. Comments must be submitted on or before March 30, 2004 to be considered in subsequent actions on this application. All comments should be submitted to:

U.S. Army Corps of Engineers
Walla Walla District
Regulatory Division
201 North Third Street
Walla Walla, WA 99362

All submitted comments will be made part of the public record. The Corps will consider all comments in developing the final banking instrument.

For further information about the Department of the Army permit program in Walla Walla District, please visit our web page at: http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm , or call us at 509-527-7150.

A. Bradley Daly
Chief, Regulatory Division