



US Army Corps
of Engineers
Seattle District

Joint Public Notice Of In-lieu Fee Program Addendum



US Army Corps of Engineers
Regulatory Branch
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Attention: Gail Terzi

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Shorelands and Environmental
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Attention: Patricia Johnson

Public Notice Date: February 1, 2016
Expiration Date: March 2, 2016

Reference No.: NWS-2011-491
Name: Hood Canal Coordinating
Council In Lieu Fee Mitigation Program
(Irene Pond Mitigation Site)

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington State Department of Ecology (Ecology) are soliciting comments and information necessary to evaluate any impacts on the public interest from the proposed inclusion of the Irene Pond Wetland Buffer Enhancement and Wetland Preservation Project (Irene Pond Mitigation Plan) as an In-lieu Fee (ILF) mitigation receiving site that has been selected for funding through the Hood Canal Coordinating Council In Lieu Fee Mitigation Program (HCCC ILF). Hood Canal Coordinating Council (HCCC) is the program sponsor, and the HCCC ILF Program Instrument was authorized on July 6, 2012.

HCCC is proposing to modify their ILF Program Instrument, by adding the Irene Pond Mitigation Plan. The Mitigation Plan has been developed in accordance with 33 CFR Parts 325 and 332.2, and it describes project elements, performance measures, and maintenance and monitoring plans for implementation and long-term management of the Irene Pond enhancement and preservation project.

ILF PROGRAM SPONSOR CONTACT: Hood Canal Coordinating Council ILF
Patty Michak, Mitigation Program Manager
17791 Fjord Drive Northeast, Suite 122
Poulsbo, Washington 98370-8481
(360) 930-8634
pmichak@hccc.wa.gov

LOCATION: The proposed ILF Mitigation Project site (Irene Pond) is located at 360 Old Belfair Highway, near Belfair, in unincorporated Mason County, Washington; latitude 47.458939° North, longitude -122.826736° West; in WRIA 15 (see attached Figure 1. Vicinity Map). The project site is 17 acres in total and is composed of two parcels (Mason County Parcel Nos. 12329-11-00040 and 12391-11-00000). The site includes a portion of Irene Creek which is a tributary to the Union River which outlets to Hood Canal.

WORK: The 17 acre Irene Pond site contains a diversity of habitat types including a Category I wetland with open water and forested, scrub-shrub, and emergent vegetation communities; forested riparian upland and buffer areas; and Irene Creek flows across the site (see attached Figure 2). Irene Creek is a tributary to the Union River, and it is reported to support coastal cutthroat trout and coho salmon. Although the majority of the site is undisturbed, an uninhabitable house, a collapsed outbuilding/garage, debris, and a dirt access driveway are located in the northwestern portion of the site, along with some infestations of non-native invasive plants (see attached Figure 3).

As described in the *In Lieu Fee Mitigation Plan, Irene Pond Wetland Buffer Enhancement and Wetland Preservation* dated December 15, 2015, the project proposes to:

- Enhance 0.74 of an acre of wetland buffer habitat by removing the structures and debris; grading the home site and driveway; removing and controlling noxious weed species in the vicinity of the structures; and restoring and planting this buffer area (see Figure 4);
- Preserve 11.9 acres of Category I wetland habitat; and
- Preserve 5.1 acres of upland and riparian habitat (including the buffer enhancement area) (see Figure 5).

The proposed project location was chosen based on identified priority preservation and restoration objectives within the WRIA 15 watershed. The Irene Pond site provides ecological resources that are documented as being highly valued, and the site is at risk for residential development and timber harvest. Implementation of the Irene Pond Mitigation Plan would preserve these resources in perpetuity. In addition, the Irene Pond project would complement nearby conservation areas associated with Irene Creek and the Union River to improve and protect fish and wildlife habitat, water quality and hydrologic functions, and aquatic resources in the Union River watershed.

PURPOSE: The purpose of the Irene Pond HCCC ILF receiving site is to provide compensatory mitigation for adverse aquatic ecosystem impacts associated with activities authorized by the Corps, Ecology and other regulatory entities that occur within the service area of the receiving site. Specifically, the goal of Irene Pond project is to mitigate for environmental impacts of the Washington State Department of Transportation's (WSDOT) SR 3 Belfair Area Widening and Safety Improvements (BAWSI) project. Mitigation credits were sold to WSDOT on May 14, 2014. The Irene Pond mitigation project will generate credits for freshwater wetland habitat that will fulfill the mitigation obligation of the BAWSI credit sale, and will provide a surplus of wetland credits within the WRIA 15 Service Area. Use of ILF credits as future compensatory mitigation would depend on case-by-case approval by the involved regulatory agencies after determining that the use of ILF credits would be consistent with all applicable rules and policies of the agencies.

ADDITIONAL INFORMATION: The In Lieu Fee Mitigation Plan entitled *Irene Pond Wetland Buffer Enhancement and Wetland Preservation* dated December 15, 2015, is available for review at the above-listed Corps and Ecology offices, and at the Hood Canal Coordinating Council Office, 17791 Fjord Drive Northeast, Suite 122, Poulsbo, Washington 98370. The Mitigation Plan can be downloaded at the following internet address:

<http://www.ecy.wa.gov/mitigation/ilf/PublicNotices.html>

AUTHORITY: Issuance of a Public Notice regarding proposed ILF receiving sites is required pursuant to: "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule," (Federal Mitigation Rule) as published in the April 10, 2008, Federal Register, Vol. 73, No. 70, Pages 19594-19705 (33 CFR Parts 325 and 332).

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 pursuant to Section 7 of the 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 Corps 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 all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat

(EFH). 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.

CULTURAL RESOURCES: A historic properties investigation will be conducted within the proposed ILF receiving site area and will be coordinated with the Washington Department of Archaeology and Historic Preservation (DAHP). The Corps will review the latest published version of the National Register of Historic Places, lists of properties determined eligible for the historic register, 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 ILF receiving site area.

EVALUATION: The Corps and Ecology are soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate this proposed ILF receiving site. This proposal is to modify the HCCC ILF Program to add the Irene Pond Mitigation Plan; it is not an application for work in waters of the U.S. In evaluating this proposal, the Corps and Ecology will consider any comments received. 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.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the Mitigation Plan. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this proposed ILF receiving site 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 addendum to the HCCC ILF Program Instrument. 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 ILF Program name and reference number as shown below. Either conventional mail or e-mail comments must include the ILF Program name and reference number, as shown below, and the commentator's name, address, and phone number. All comments, whether conventional mail or e-mail, must reach the Corps and Ecology no later than the expiration date of this public notice to ensure consideration.

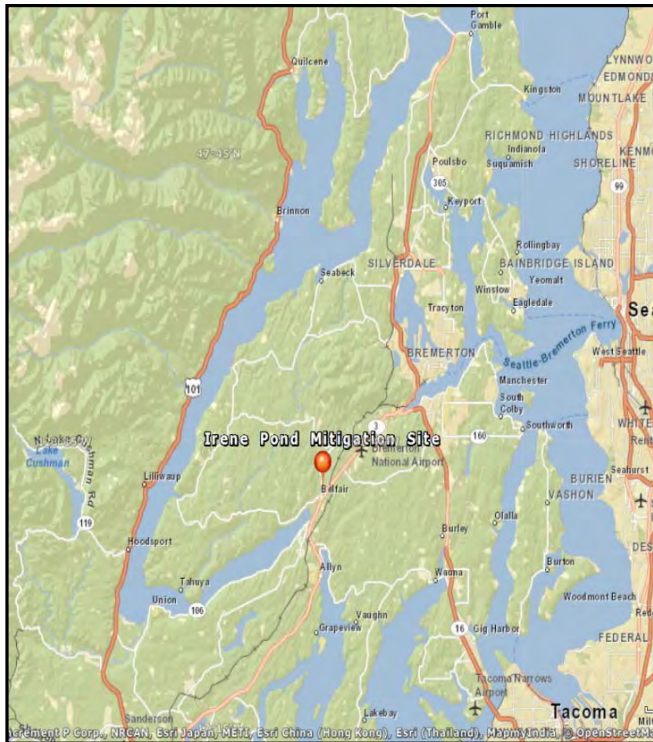
CORPS COMMENTS: All e-mail comments should be sent to gail.m.terzi@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Gail Terzi, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act, including any personally identifiable information such as names, phone numbers, and addresses.

ECOLOGY COMMENTS: All e-mail comments should be sent to pjoh461@ecy.wa.gov. Conventional mail comments should be sent to: Washington State Department of Ecology, Attention: Ms. Patricia Johnson, P.O. Box 47600, Olympia, Washington 98504-7600.

IN LIEU FEE PROGRAM NAME AND REFERENCE NUMBER: To ensure proper consideration of all comments, responders must include the following in lieu fee program name and reference number in the text of their comments: Hood Canal Coordinating Council In Lieu Fee Mitigation Program (Irene Pond Mitigation Site); NWS-2011-491.

Figures (5)

Vicinity Map



Reference: NWS-2011-491

Application by: Hood Canal Coordinating Council (HCCC)

Project Description: HCCC In-Lieu Fee Program wetland mitigation receiving site, Irene Pond

County: Mason **Parcel #s:** 12329-11-00040 and 12391-11-00000 **State:** Washington

Location: 360 Old Belfair Highway, Belfair

Latitude/Longitude: 47.458939 North; -122.826736 West

Date: December 15, 2015

Figure 1

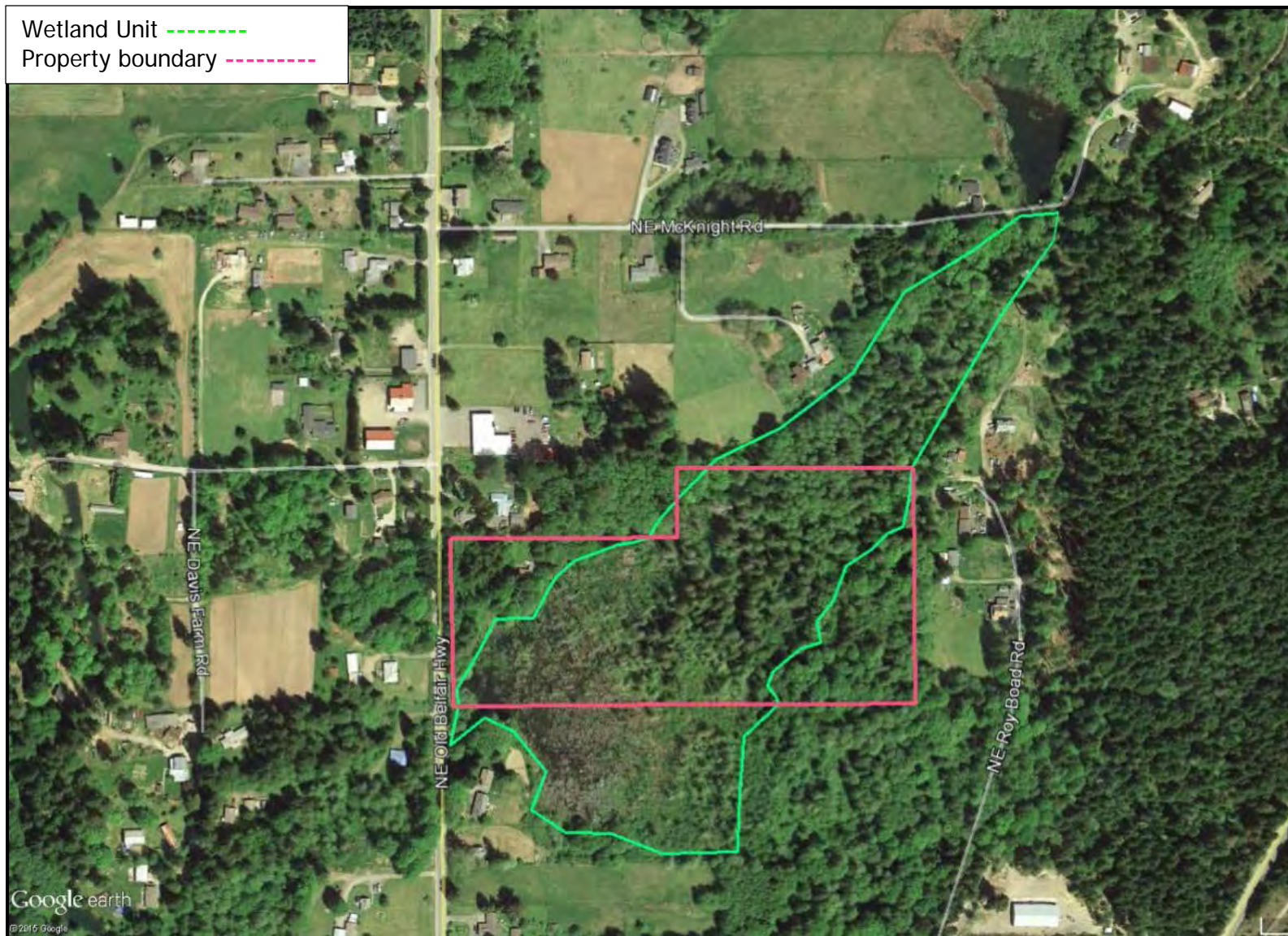
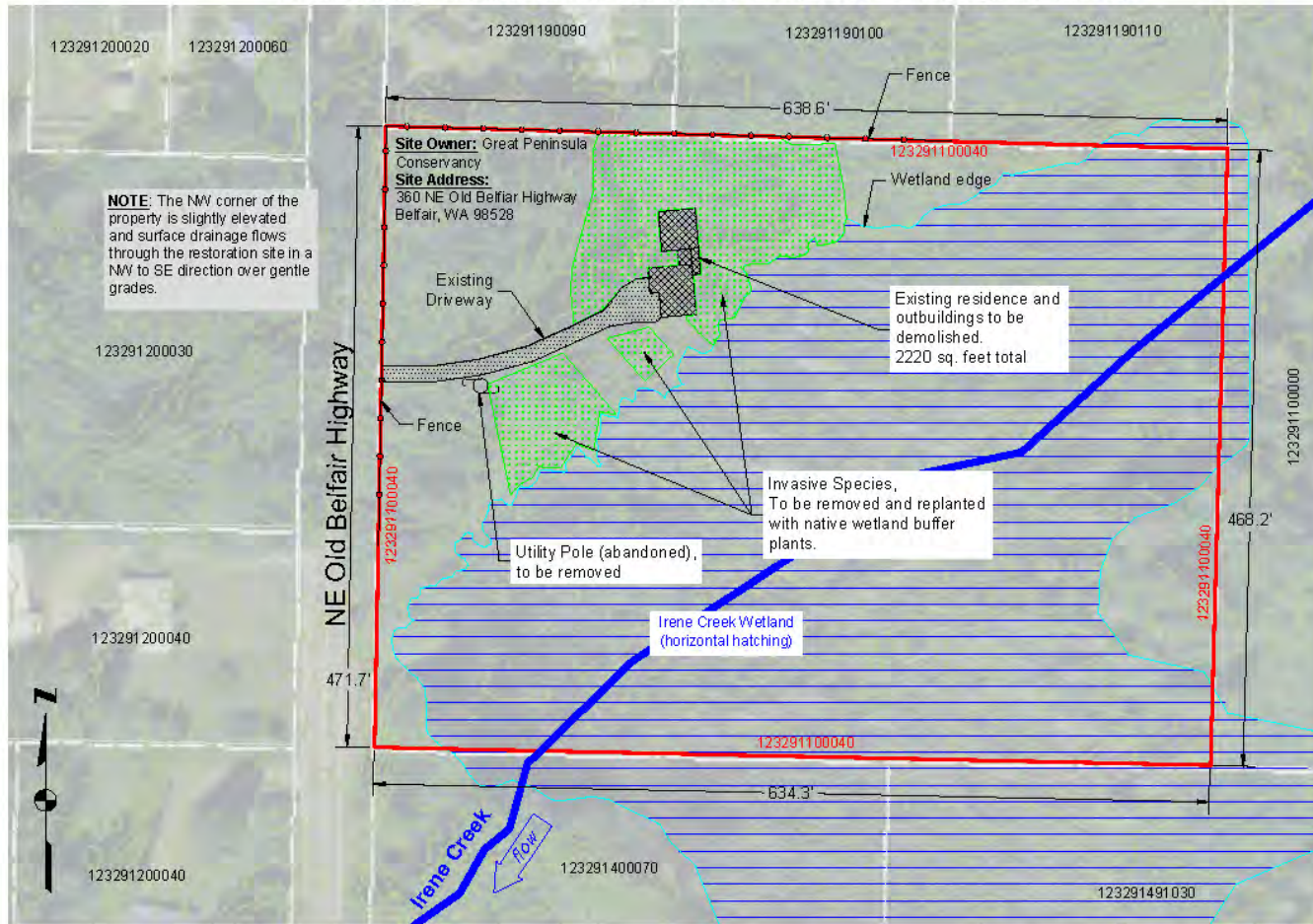


Figure 2. Irene Pond Site and Wetland Boundary, Hood Canal Coordinating Council In Lieu Fee Mitigation Program NWS-2011-491

Hood Canal Coordinating Council In-Lieu-Fee Mitigation Program
 Irene Creek Wetland Buffer Restoration Site Plan - Existing Conditions



Map by: Mason CD, 10/2014

Scale: 1" = 100'

0' 50' 100' 200'

Figure 3. Irene Pond Site Existing Conditions, Hood Canal Coordinating Council In Lieu Fee Mitigation Program NWS-2011-491

Hood Canal Coordinating Council In-Lieu-Fee Mitigation Program
 Irene Creek Wetland Buffer Restoration Site Plan - Proposed Conditions Detail

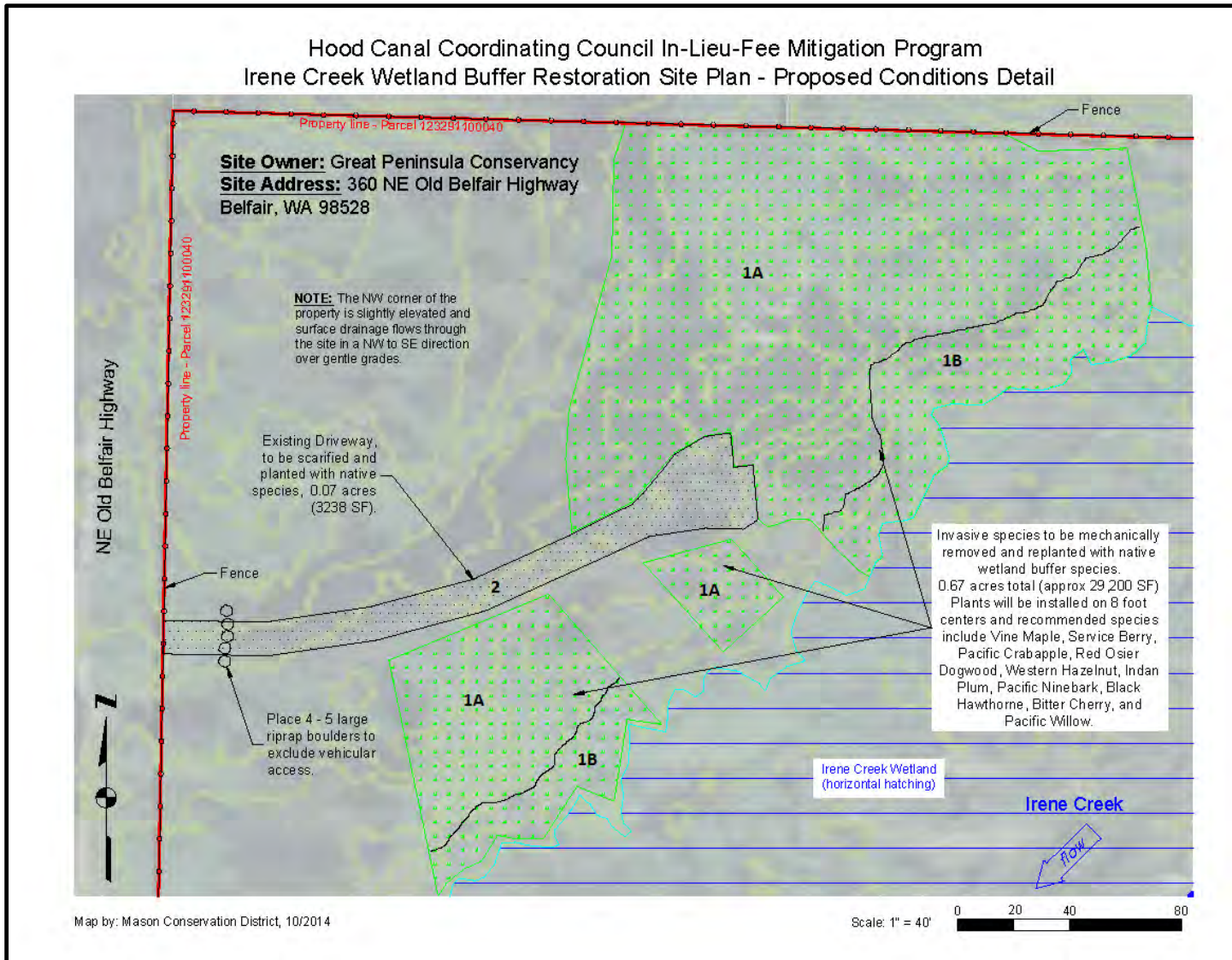


Figure 4. Irene Pond Site Proposed Conditions, Hood Canal Coordinating Council In Lieu Fee Mitigation Program NWS-2011-491

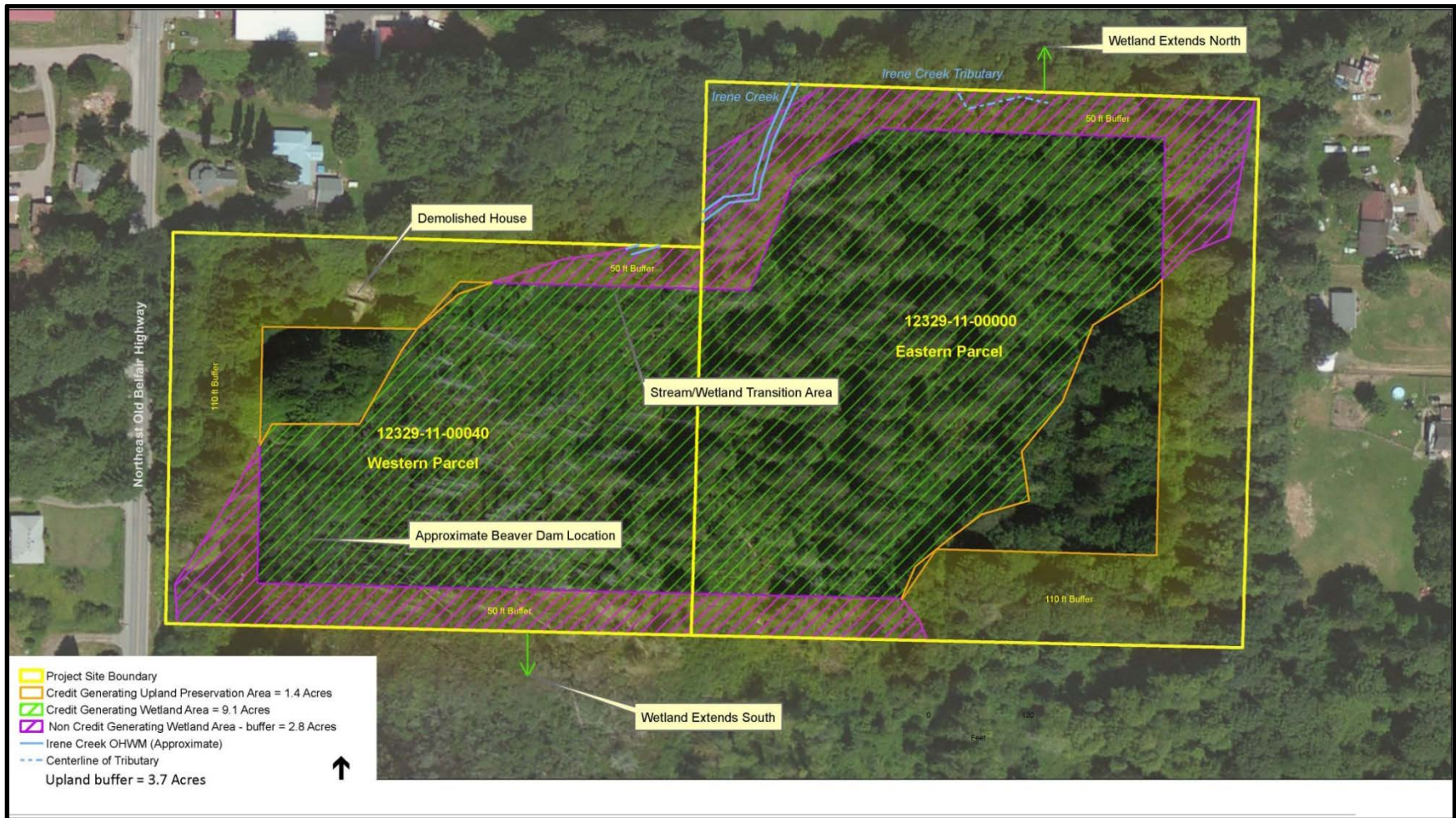


Figure 5. Irene Pond Site Credit Generating Areas, Hood Canal Coordinating Council In Lieu Fee Mitigation Program NWS-2011-491