



US Army Corps  
of Engineers  
Seattle District



**US Army Corps of Engineers**  
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ATTN: Michael LaDouceur

**WA Department of Ecology**  
SEA Program  
Post Office Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 628-3445  
ATTN: Kate Thompson

**Public Notice Date: January 26, 2024**  
**Expiration Date: February 26, 2024**

**Reference No.: NWS-2023-123**  
**Name: Harris Homestead Mitigation  
Bank Preserve**

# Joint Public Notice

## Proposal for a Wetland Mitigation Bank

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Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and Washington Department of Ecology (Ecology) are considering a proposal to establish the Harris Homestead Mitigation Bank Preserve (Bank) near Cheney, Spokane County, Washington.

### BANK SPONSOR CONTACT:

Habitat Banc NW, LLC  
ATTN: Zach Woodward  
PO Box 354  
Kirkland, WA 98083  
Telephone: (425) 205-0279  
Email: [Zachary.Woodward@habitatbank.com](mailto:Zachary.Woodward@habitatbank.com)

**LOCATION:** The proposed 394-acre Bank site is located southwest of Cheney, Washington, in portions of Sections 26, 27, 34, and 35 of Township 23 North, Range 40 East of the Willamette Meridian, south of Interstate 90 and north of State Route 904 (Latitude 47.4568°, Longitude -117.7362°). The site is located in Water Resource Inventory Area (WRIA) 34—Palouse River Watershed. The Bank site consists of two parcels (03266.9062 and 03266.9035), and is bounded to the north, west, and east by forest, agricultural land, and low-density residential parcels; and to the south by State Route (SR) 904 (see attached **Figures 1 and 2**). The Bank Sponsor has indicated that additional parcels may be included in the Bank Boundary (see attached **Figure 10**).

**MITIGATION BANKING:** Mitigation banks provide an alternative to traditional permittee-responsible compensatory mitigation. Mitigation banks offer an opportunity to implement compensatory mitigation at a regional scale in advance of impacts. Mitigation banks establish “credits” through restoring, creating, enhancing and/or preserving wetlands and other aquatic resources. These credits can then be sold to future permit applicants who need to offset the adverse environmental impacts of projects with wetland and aquatic resource impacts that would occur within the bank’s designated and agency approved “service area”. The Mitigation Bank Instrument (MBI) is the document that defines the Bank. It is a legal document that is created in cooperation between the Bank Sponsor and the Interagency Review Team (IRT). The IRT includes the Corps and Ecology as Co-Chairs, and may also include the Environmental Protection Agency, and other Federal, Tribal, State, and local agencies. The MBI contains the legal

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language between the Bank Sponsor and the agencies, and the technical and procedural elements of constructing, operating, and maintaining the Bank. The first stage of developing a MBI is reviewing the Prospectus of the mitigation bank proposal.

**PROJECT DESCRIPTION:** The purpose of this public notice is to receive public comment on the Prospectus for this proposed mitigation bank entitled *Harris Homestead Mitigation Bank Preserve*, dated November 29, 2023.

In the Prospectus, the listed conceptual goals of the Bank are to restore, enhance and establish wetlands, and enhance uplands on the site that were impacted by historic agricultural and land management practices. The Bank site is approximately 394 acres. The site contains 58.33 acres of wetlands that include 30.23 acres of depressional wetlands, 26.6 acres of riverine wetlands, and 1.5 acres of seasonal depressional vernal pools. Hog Canyon Creek, an intermittent stream, flows through the southeastern portion of the site and supports the existing riverine wetland complex (see attached **Figure 3**).

The Bank Sponsor has proposed to achieve the conceptual goals by completing the following activities (see attached **Figure 5**):

- Re-establish wetland hydrology by disabling drainage ditches, livestock watering ponds, and man-made ponds used for hunting waterfowl
- Establish vernal pools in areas with suitable characteristics for establishment
- Establish additional depressional wetlands where existing wetlands have been impacted by land management practices
- Rehabilitate existing wetlands by disabling drainage ditches and reconnecting Hog Canyon Creek to its floodplain
- Enhance existing wetlands, adjacent uplands, and priority habitats (aspen stands, shrub-steppe, and riparian) by discontinuing agricultural practices, installing native plantings, and removing invasive species
- Increase channel complexity within Hog Canyon Creek by excavating stream alcoves, redirecting flow from spring areas, and adding habitat features such as boulders and large woody material.
- Restore stream flow to a more natural elevation through culvert removal and installing a log/rock check structure
- Restore riparian vegetation along Hog Canyon Creek (including newly created stream alcoves) which is lacking in riparian cover and complexity

The Prospectus estimates there is the potential to re-establish, establish, rehabilitate, and enhance approximately 92 acres of wetlands (See attached **Figure 5**).

**PROSPECTUS AVAILABILITY:** The Prospectus is available for review at the above-listed Corps and Ecology offices and can be downloaded at the following internet addresses:

<https://ecology.wa.gov/Water-Shorelines/Wetlands/Mitigation/Wetland-mitigation-banking/Public-notices>

<http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PublicNotices.aspx>

**SERVICE AREA:** The service area of a mitigation bank is the geographic area over which its credits may be used for compensatory mitigation. The Sponsor has proposed a service area for this Bank that would encompass all or portions of 12 WRIAs (34–Palouse, 36–Esquatzel, 41–Lower Crab, 42–Grand Coulee,

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43–Upper Crab, 44–Moses Coulee, 50–Foster, 53–Lower Lake Roosevelt, 54–Lower Spokane, 55–Little Spokane, 56–Hangman, and 57–Middle Spokane) and would include all or portions of 11 Counties (Spokane, Lincoln, Douglas, Grant, Franklin, Adams, Whitman, Okanogan, Ferry, Stevens, and Pend Oreille) (See attached **Figure 9**). We are seeking comments on the proposed service area. The proposed service area may be increased or decreased based on public and IRT comments.

**PURPOSE:** The purpose of a mitigation bank 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 bank's service area. 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 Sponsor will work with the IRT to develop the MBI in accordance with the Federal Mitigation Rule, 33 CFR Parts 325 and 332 and 40 CFR Part 230, *Compensatory Mitigation for Losses of Aquatic Resources*; and the State Rule, Chapter 173-700 WAC, *Wetland Mitigation Banks*; as well as other applicable State, local, and Federal requirements. For additional information on wetland mitigation banking within Washington State, please refer to the following websites:

<https://ecology.wa.gov/Water-Shorelines/Wetlands/Mitigation/Wetland-mitigation-banking>

<http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/Mitigation.aspx>

If you are interested in receiving updates from the Washington State Department of Ecology concerning wetland mitigation banking in the state, please join their e-mail list at:

[https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic\\_id=WAECY\\_160](https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_160)

**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:** An historic properties investigation will be conducted within the proposed Bank site area and will be coordinated with the Washington Department of Archaeology and Historic Preservation. 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 Corps 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 regarding, historic properties and sites of religious and cultural significance at or near the proposed Bank site area. This public notice initiates consultation under Section 106 of the

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National Historic Preservation Act (36 CFR 800.4[a][3]) with any Tribe that has information or concerns with historic properties in the area of the proposed Bank site.

**EVALUATION:** The Corps and Ecology are soliciting comments from the public; Native American Nations or Tribal governments; Federal, State, and local agencies and officials; 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 the IRT to determine whether or not to authorize the proposed 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 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 mitigation bank name and reference number as shown below. Either conventional mail or e-mail comments must include the mitigation bank 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 [michael.a.ladouceur@usace.army.mil](mailto:michael.a.ladouceur@usace.army.mil). Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Michael LaDouceur, 4735 East Marginal Way South, Bldg 1202, Seattle, Washington 98134-2388. 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 [kate.thompson@ecy.wa.gov](mailto:kate.thompson@ecy.wa.gov). Conventional mail comments should be sent to: Washington State Department of Ecology, Attention: Kate Thompson, P.O. Box 47600, Olympia, Washington 98504-7600.

**MITIGATION BANK NAME AND REFERENCE NUMBER:** To ensure proper consideration of all comments, responders must include the following mitigation bank name and reference number in the text of their comments:

**Harris Homestead Mitigation Bank Preserve; NWS-2023-123**

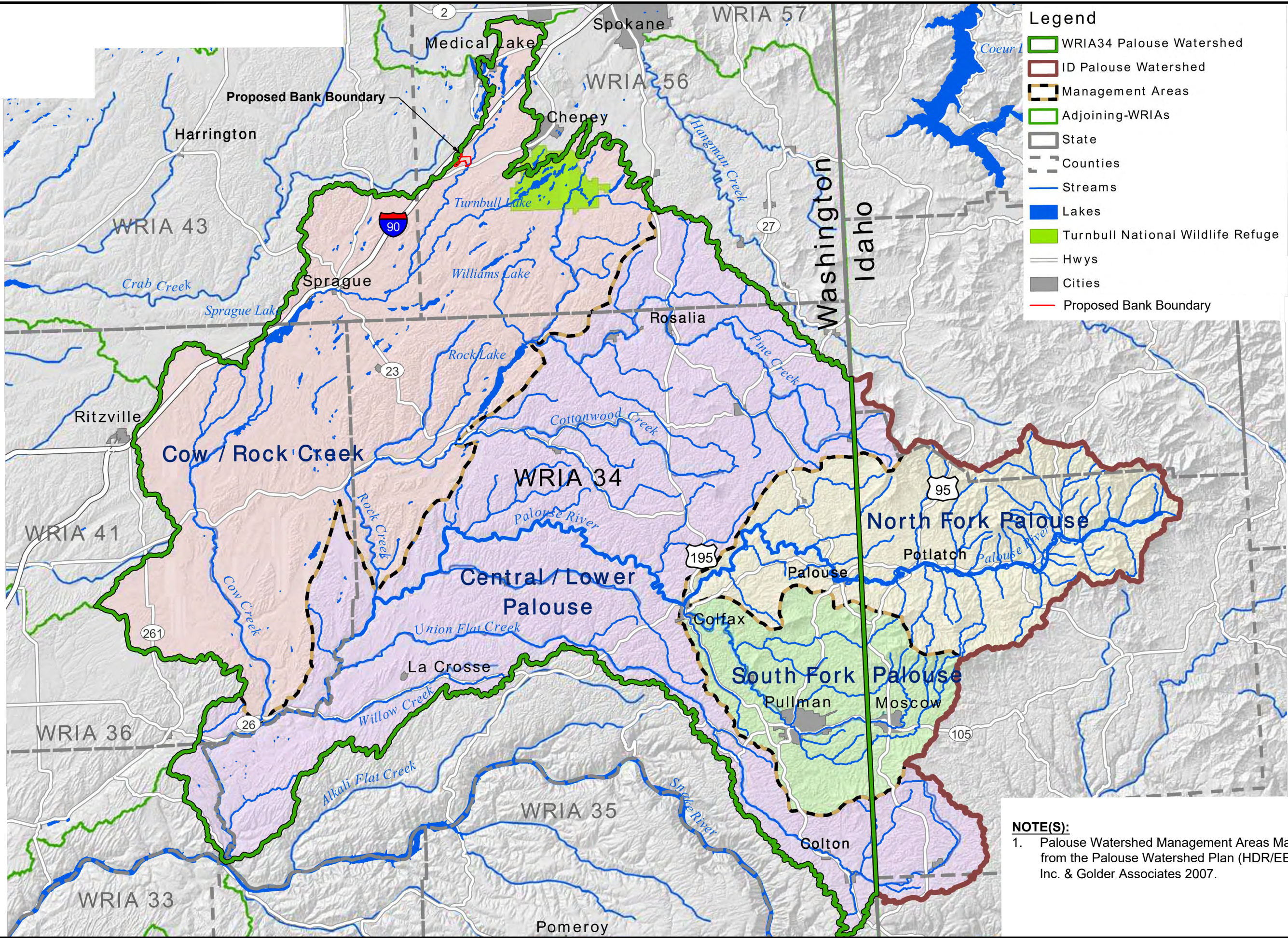
Figures (6 Pages)







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**Legend**

- WRIA34 Palouse Watershed
- ID Palouse Watershed
- Management Areas
- Adjoining-WRIAs
- State
- Counties
- Streams
- Lakes
- Turnbull National Wildlife Refuge
- Hwys
- Cities
- Proposed Bank Boundary

**NOTE(S):**  
1. Palouse Watershed Management Areas Map from the Palouse Watershed Plan (HDR/EES, Inc. & Golder Associates 2007).

Figure 2

**PALOUSE WATERSHED MANAGEMENT AREAS**

Harris Homestead Mitigation Bank Preserve Prospectus

Habitat Banc NW

Spokane County, Washington

Section 26, 27, 34, & 35, Township 23N, Range 40E, W.M.

DATE: 9/22/23  
DWN: JKJ  
REQ. BY: KB  
PRJ. MGR: FN  
CHK: FN/KB  
PROJECT NO: 1209-18

1157 3rd Ave., Suite 220A  
Longview, WA 98632  
Phone: (360) 578-1371  
Fax: (360) 414-9305  
www.eco-land.com

**Ecological Land Services**

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SCALE IN MILES



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WETLAND SUMMARY TABLE WITHIN BANK BOUNDARY		
WETLAND NO.	WETLAND TYPE	APPROX. ACRES
1	DEPRESSIONAL	15.6
2	DEPRESSIONAL	0.1
3	DEPRESSIONAL	2.4
4	DEPRESSIONAL	3.6
5	DEPRESSIONAL	0.6
6	DEPRESSIONAL	1.5
7	DEPRESSIONAL	0.4
8	DEPRESSIONAL	1.2
9	DEPRESSIONAL	0.9
10	DEPRESSIONAL	2.9
11	DEPRESSIONAL	0.2
12	DEPRESSIONAL	0.3
13	RIVERINE	26.6
14	VERNAL	0.3
15	DEPRESSIONAL	0.2
16	DEPRESSIONAL	0.3
17	VERNAL	0.1
18	VERNAL	0.7
19	VERNAL	0.4
20	DEPRESSIONAL	0.03
TOTAL:		58.33

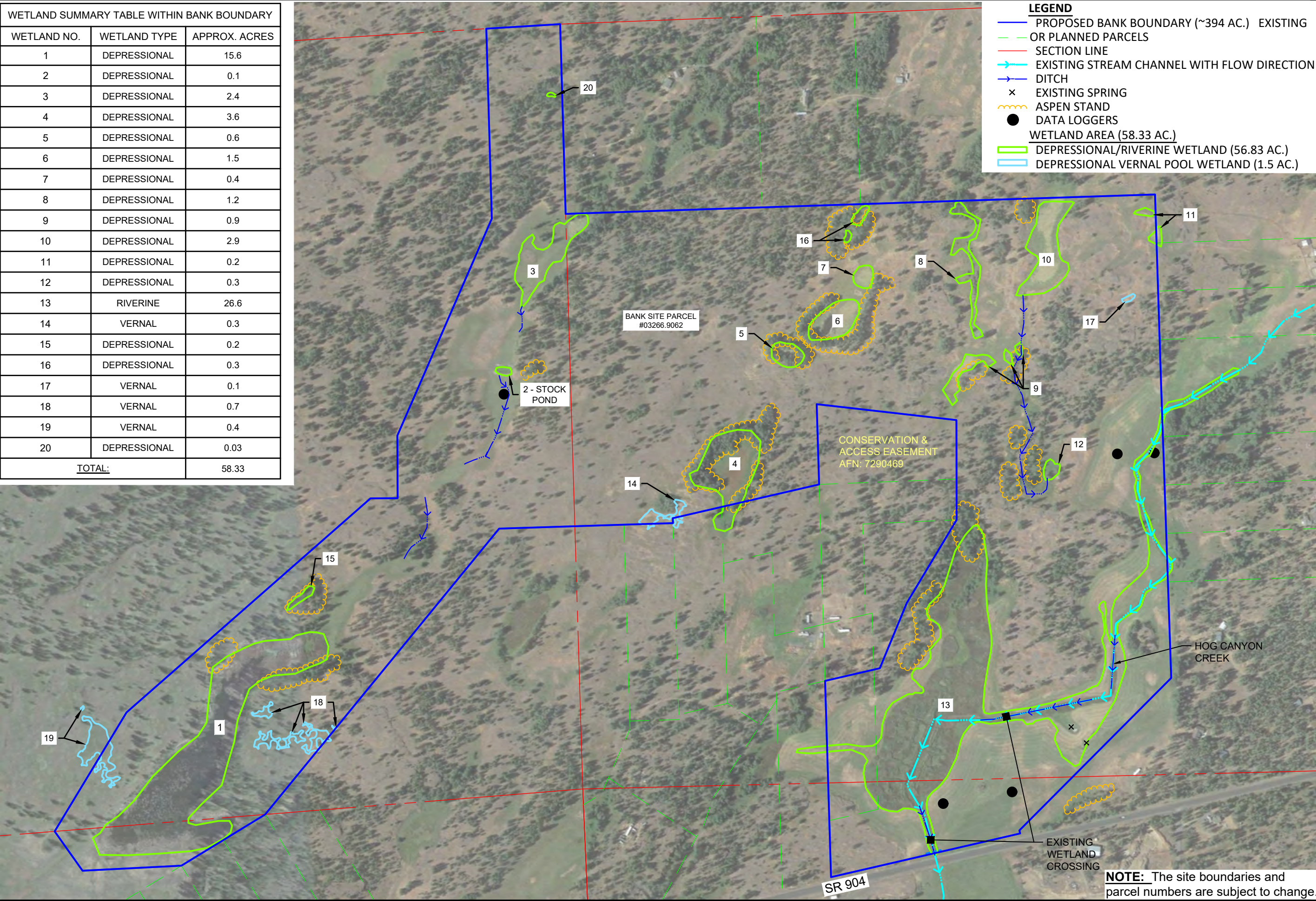


Figure 3

EXISTING CONDITIONS

Harris Homestead Mitigation Bank Preserve Prospectus

Habitat Banc NW

Spokane County, Washington

Sections 26, 27, 34, & 35, Township 23N, Range 40E, W.M.

DATE: 9/22/23

DWN: JKJ

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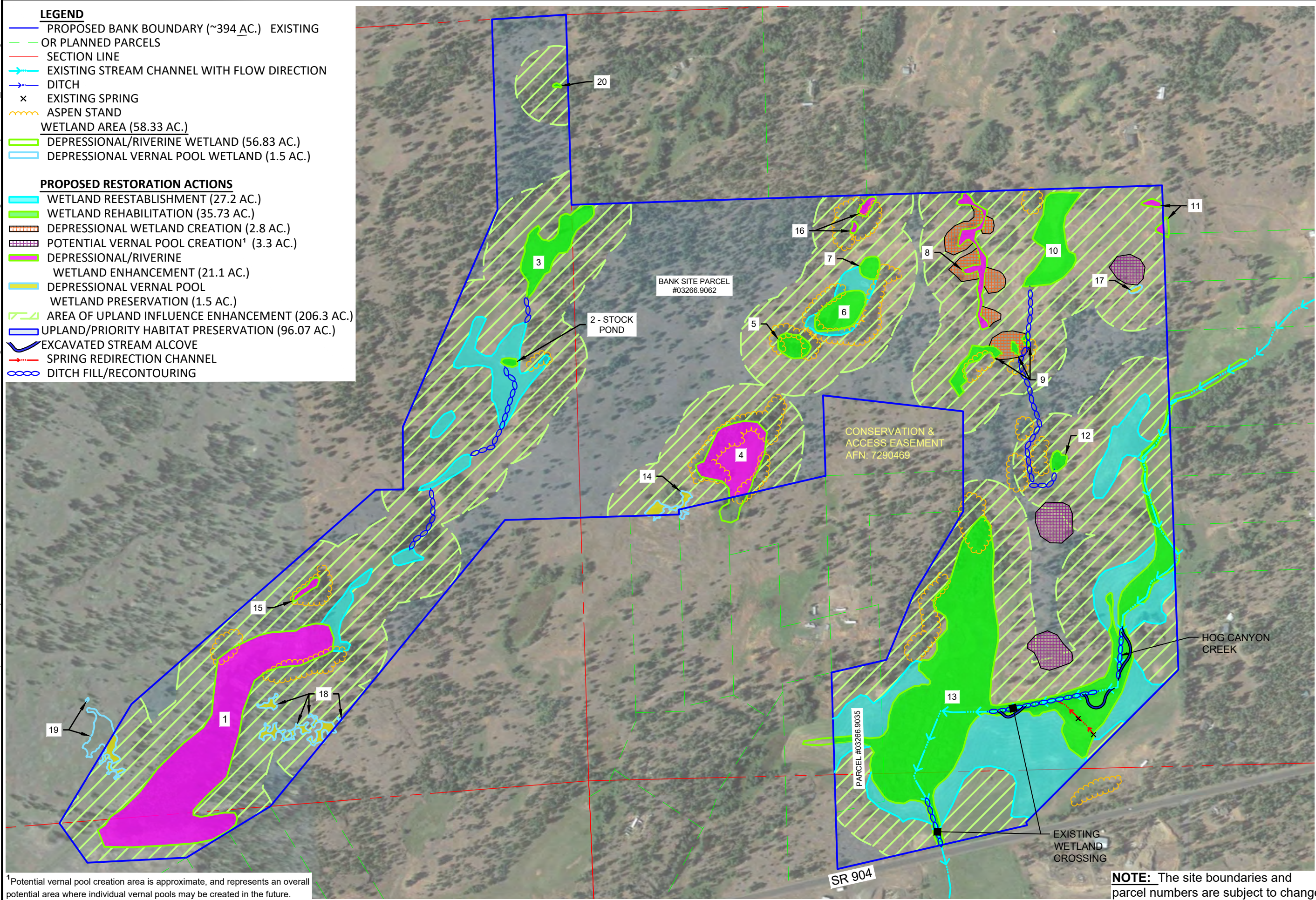
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W E S N

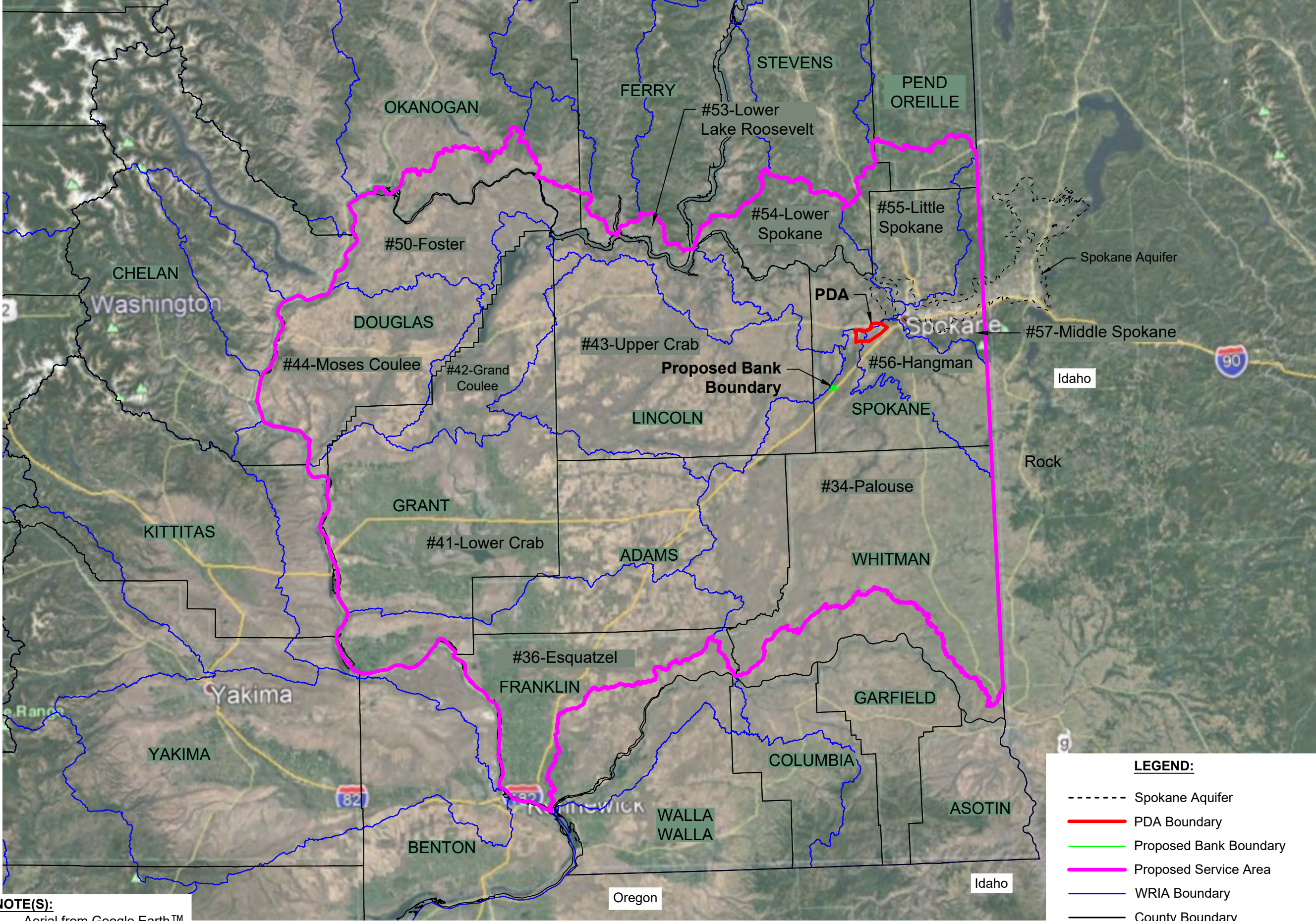


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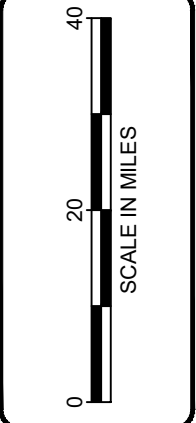
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**NOTE(S):**  
1. Aerial from Google Earth™.

**LEGEND:**

- Spokane Aquifer
- PDA Boundary
- Proposed Bank Boundary
- Proposed Service Area
- WRIA Boundary
- County Boundary



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**Figure 9**  
**SERVICE AREA**  
Harris Homestead Mitigation Bank Preserve Prospectus  
Habitat Banc NW  
Spokane County, Washington  
Section 26, 27, 34, & 35, Township 23N, Range 40E, W.M.



**FIGURE 10**  
**POTENTIAL PARCEL ADDITIONS TO THE MITIGATION BANK**

