



MF: Phase I 401 Permit

STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

CERTIFIED MAIL

RECEIVED

March 13, 1997

MAR 19 1997

Mr. Ed Ivey, City Manager
City of Longview
PO Box 128
Longview, WA 98632

EXECUTIVE OFFICE
CITY OF LONGVIEW

RE: Water Quality Certification
Corps Public Notice 96-4-00177
Wetland Fill for Development of Light Industrial Park

Dear Mr. Ivey:

The above-referenced public notice for proposed work in waters of the state has been reviewed in accordance with all pertinent rules and regulations. On behalf of the State of Washington, we certify that the work proposed in the public notice complies with applicable provisions of Sections 301, 302, 303, 306 and 307 of the Clean Water Act, as amended, and other appropriate requirements of State law. This letter also serves as the State response to the Corps of Engineers.

This certification is subject to the conditions contained in the enclosed Order and may be appealed by following the procedures described in the Order. If you have any questions concerning the content of the Order, please contact Rick Vining at (360) 407-6944.

Sincerely,

Dave Bradley
Dave Bradley, Supervisor
Environmental Review and Sediment Section

- cc: Corps of Engineers -- Muffy Walker
- SWRO -- Perry Lund
- WQ Section -- Linda Matlock
- EPA -- Richard Clark
- Agent -- Richard Carothers Associates



**In the Matter of Granting a
Water Quality Certification
to: City of Longview
in accordance with 33 U.S.C. 1341
[FWPCA § 401], RCW 90.48.260
and WAC 173-201A**

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ORDER No. 96-4-00177
Fill in 2.56 acres of wetland
to provide suitable land base
to accomodate development
of light industry complex.

TO: Mr. Ed Ivey
City of Longview

On December 9, 1996, a request for water quality certification from the State of Washington was submitted for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401). The request for certification was made available for public review and comment by inclusion in Corps Public Notice No. 96-4-00177. No comments were received in response to the public notice.

The proposed project involves the placement of fill into 2.56 acres of wetland ditches for the purpose of developing land for light industrial uses within an 125-acre parcel (the Mint Farm Industrial Park) located at Longview, Washington. As mitigation for loss of on-site wetland ditches, a 3.8-acre wetland will be created near the western boundary of the 125-acre parcel with ties to the existing stormwater drainage system to provide needed hydrology. Vegetated buffer zones will be established and maintained around the created wetland and other wetlands retained on the 125-acre site and adjacent to the wetland ditches to be retained.

Permits/Approvals:

1. SEPA - EIS by City of Longview.
2. Shoreline permit - not applicable.
3. HPA permit - not applicable.

In exercising its authority under 33 U.S.C. 1341 and RCW 90.48.260, Ecology has investigated this application pursuant to the following:

1. Conformance with applicable water quality-based, technology-based, and toxic or pretreatment effluent limitations as provided under 33 U.S.C. Sections 1311, 1312, 1313, 1316, and 1317 (FWPCA Sections 301, 302, 303, 306, and 307).
2. Conformance with the state water quality standards as provided for in Chapter 173-201A WAC authorized by 33 U.S.C. 1313 and by Chapter 90.48 RCW, and with other appropriate requirements of state law.
3. Conformance with the provision of using all known, available and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.

In view of the foregoing and in accordance with 33 U.S.C. 1341, 90.48.260 RCW and Chapter 173-201A WAC, certification is granted to the City of Longview subject to the following conditions:

1. Project Construction

- a) All excess fill material and construction debris shall be properly disposed of at an approved upland site so that it cannot enter any adjacent wetlands or cause water quality degradation to surface waters of the state.
- b) Proper erosion control measures shall be in place prior to construction to prevent soil from being carried into surface waters or wetlands by stormwater runoff. Measures shall include, but are not limited to, placing fabric fences and hay bales between construction areas and all surface waters or wetlands. All erosion control structures shall be inspected and maintained regularly to ensure they are in proper working order.
- c) Certification of this project is contingent upon compliance with all applicable and appropriate BMPs for management of stormwater as specified in, but not limited to local ordinances or regulations; building permits; or enforceable stormwater management plans. In addition, the project shall be consistent with the technical guidelines contained in the latest version of Ecology's Stormwater Management Manual.
- d) The construction to be done at the Mint Farm Industrial Park may require coverage under Ecology's "General Permit for Stormwater Discharges", a state administered requirement of the Federal Clean Water Act. Coverage is required if construction will disturb five acres or more of total land area and stormwater from the construction site will be discharged to a surface water of the state (including wetlands) or to a stormwater sewer system. Disturbance refers to clearing, grading, excavation, or any other activity that alters the surface soils. Please contact Linda Matlock at Ecology Headquarters for specific details on this requirement, telephone (360) 407-6437.

2. Mitigation

- a) The creation/enhancement of designated wetlands on the 125-acre parcel shall be done in conformance with the goals, objectives, performance standards and monitoring requirements specified in the Mitigation Plan prepared by Watershed Dynamics and Richard Carothers Associates, *Wetland Assessment, Compensatory Mitigation Plan, and Performance Monitoring Program - The Mint Farm Industrial Park*, dated February 27, 1997.

- b) The "as-built" and yearly monitoring reports specified in the Plan shall be submitted to the Department of Ecology detailing the progress of the wetland creation and enhancement efforts, c/o Rick Vining, PO Box 47703, Olympia, WA 98504-7703

3. General Conditions

- a) This certification does not exempt and is provisional upon compliance with other statutes and codes administered by federal, state, and local agencies.
- b) This certification will cease to be valid if the project is constructed and/or operated in a manner not consistent with the project description contained in the Public Notice for certification.
- c) This certification will cease to be valid and the applicant must reapply with an updated application if five years elapse between the date of the issuance of this certification and the beginning of construction and/or discharge for which the federal license or permit is being sought.
- d) This certification will cease to be valid and the applicant must reapply with an updated application if the information contained in the Public Notice is voided by subsequent submittals to the federal agency.
- e) Copies of this Order shall be kept on the job site and readily available for reference by Corps of Engineers personnel, the construction superintendent, construction managers and foremen, and state and local government inspectors.
- f) Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if it appears necessary to further protect the public interest.

Any person who fails to comply with any provision of this Order shall be liable for a penalty of up to ten thousand dollars per violation for each day of continuing noncompliance.

Any person aggrieved by this Order may obtain review thereof by appeal. The applicant can appeal up to thirty (30) days after receipt of this Order, and all others can appeal up to 30 days from the postmarked date of this Order. The appeal must be sent to the Washington Pollution Control Hearings Board, PO Box 40903, Olympia WA 98504-0903. Concurrently, a copy of the appeal must be sent to the Department of Ecology, Enforcement Section, PO Box

Order# 96-4-00177
March 13, 1997
Page 4

47600, Olympia WA 98504-7600. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

DATED March 14, 1997 at Lacey, Washington

for Merrilee Latta
Dave Bradley, Supervisor
Environmental Review and Sediment Section
Department of Ecology
State of Washington

1947



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

MF: Phase I
404 Fill Permit
Amendment

FEB 23 1998



Regulatory Branch

City of Longview
Post Office Box 128
Longview, Washington 98632-7080

Reference: 96-4-00177
Longview, City of

Gentlemen:

In your consultant's letter dated December 4, 1997, you requested I revise your existing permit for the Mint Farms Industrial Park in Longview, Washington. The modifications consist of increasing the amount of wetland impacts to 2.68 acres, increasing the mitigation to 4.28 acres, and relocating the mitigation further to the north. These changes are as described in the revised *Wetland Assessment, Compensatory Mitigation Plan, and Performance Monitoring Program, The Mint Farm Industrial Park* dated November 12, 1997, and the accompanying full scale drawings dated December 2, 1997. I have reviewed your request and have determined that the modifications are consistent with our previous decisions and are therefore approved. Special Condition c. is therefore revised as shown below.

- c. The revised *Wetland Assessment, Compensatory Mitigation Plan, and Performance Monitoring Program, The Mint Farm Industrial Park* dated 12 November 1997 and the accompanying full scale drawings dated 2 December 1997 will be implemented. All required reports will be submitted to the Regulatory Branch, Seattle District, Corps of Engineers. The "record drawing" report will be submitted within 13 months of issuance of the revised permit. The Corps' written acceptance of this report will establish Year 0 for the monitoring reports. Monitoring reports will be due by 1 May and 1 October of the monitoring years, Years 1, 2, 3, 4, 6, 8, and 10 (see Table on page 37 of the above referenced mitigation plan).

Enclosed are the revised permit drawings dated February 17, 1998, which replace the previously authorized drawings. All other terms and conditions contained in the original permit remain in full force and effect. You should also

*Mr. Hepp: 1/24/74
Now fill permit*

contact the Washington State Department of Ecology regarding any necessary modifications to your Water Quality Certification.

If you have any questions, please contact Ms. Muffy Walker, telephone (206) 764-6915.

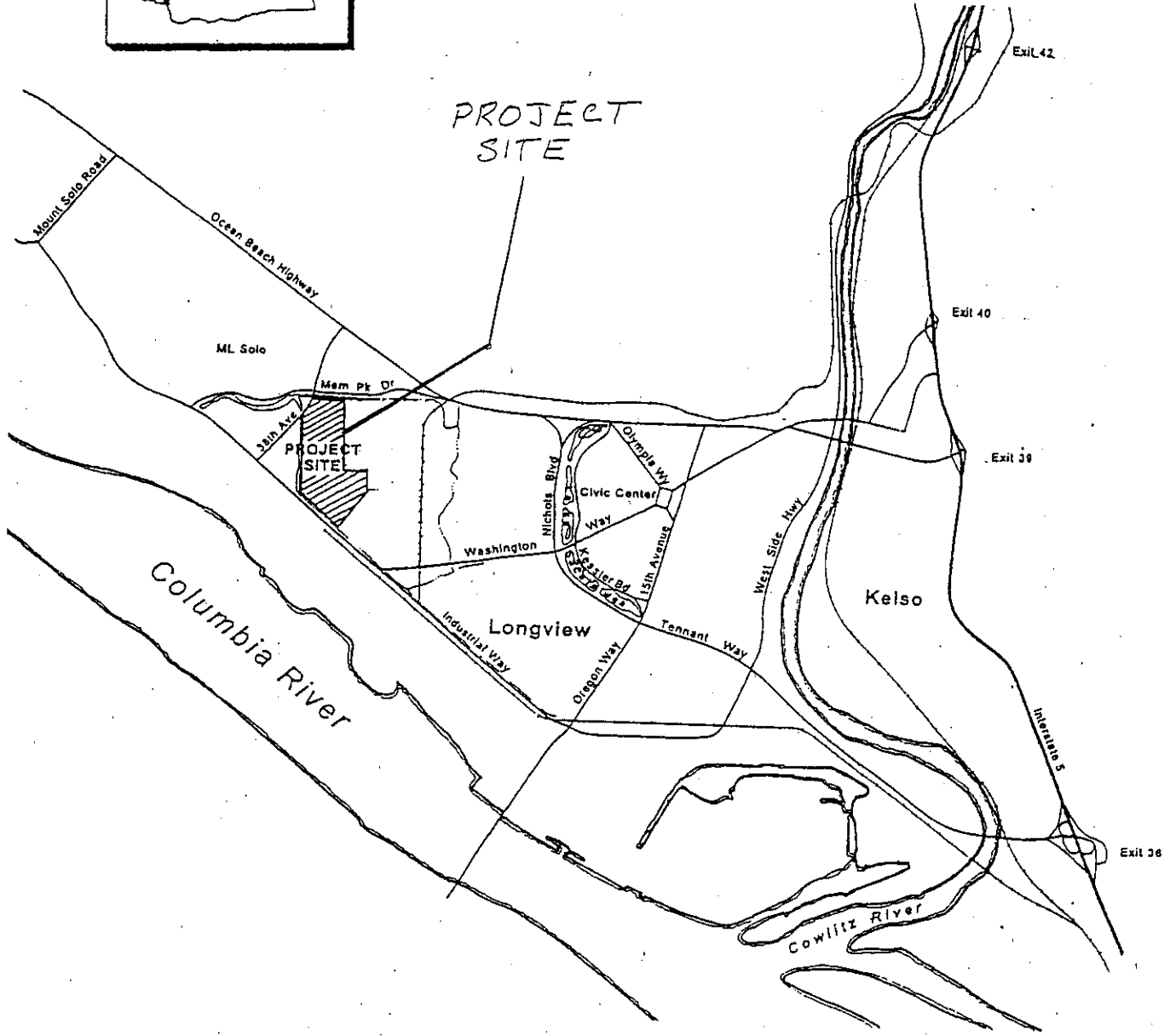
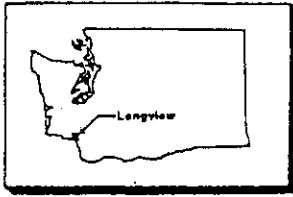
Sincerely,

for Jim Greas
Robert H. Martin
Chief, Application Review Section

Enclosures

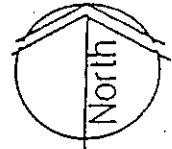
Copy Furnished:

Mr. David Hepp
Richard Carothers Associates
814 East Pike Street
Seattle, Washington 98122



Latitude: 49° 8' 30"
Longitude: 122° 59' 00"

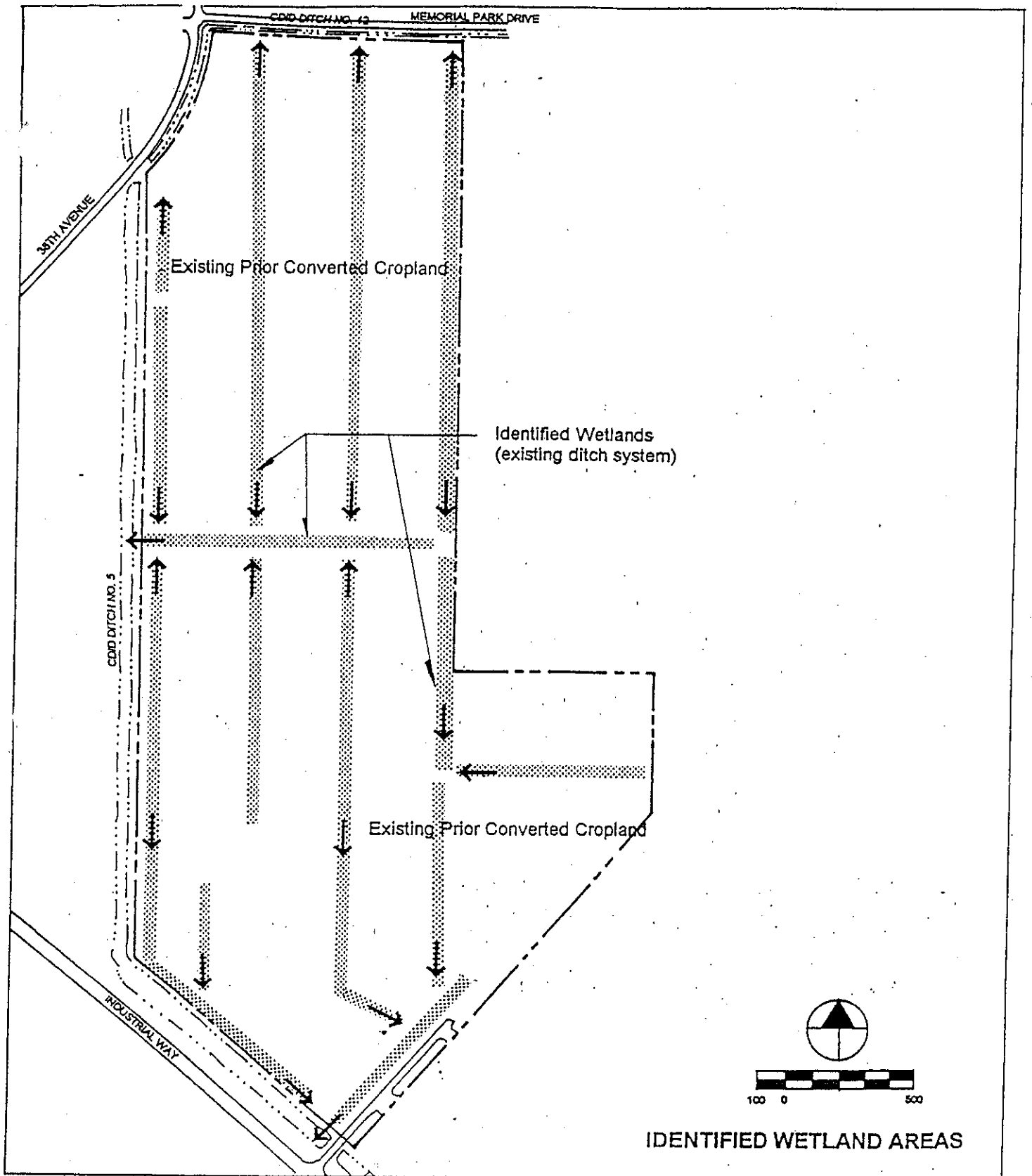
Kelso 7.5' quad, Sections 30 and 31, Township 8N, Range 2W



Propose: Develop land for industrial uses with regional transportation access

96-4-00177
Place fill in 2.68 acres of wetlands
IN: Longview
COUNTY: Cowlitz STATE: Wa
APPLICATION BY: Longview, City of

Sheet: 1 of 6 REV DATE: 4/5/97
2/17/98



IDENTIFIED WETLAND AREAS

Propose: Develop land for industrial uses with regional transportation access

96-4-00177
 Place fill in 2.68 acres of wetlands
 IN: Longview
 COUNTY: Cowlitz STATE: Wa
 APPLICATION BY: Longview, City of

Sheet: 2 of 6 REV DATE: 4/5/97
 2.1.2102

Existing Wetland Ditches

Ditch I.D. #	Area (SF)	Proposed Action		
		Preserve	Fill	Modify*
1a	3,000			3,000
1b	10,000		10,000	
1c	16,600		15,000	1,600
2a	16,100		16,100	
2b	10,800		10,800	
3a	18,200		18,200	
3b	20,200		15,400	4,800
4a	27,750	27,750		
4b	13,800	13,800		
4c	10,950	7,275	1,275	2,400
5a	9,000		9,000	
5b	6,525	4,275	2,250	
6	7,100	6,300	800	
7	4,500		4,500	
8	8,200	6,700	1,500	
9	12,000	12,000		

Total proposed fill= 104,825 2.41 Ac.

Total modified= 11,800 SF 0.27 Ac.

Total adversely effected area= 116,625 2.68 Ac.

* Modified for stormwater treatment / storage and for wetland mitigation areas.

CULVERTED CROSSINGS

Ditch #6 Selective Fills, see SHEET 5





PROPOSED PROJECT DESIGN AND WETLAND IMPACTS

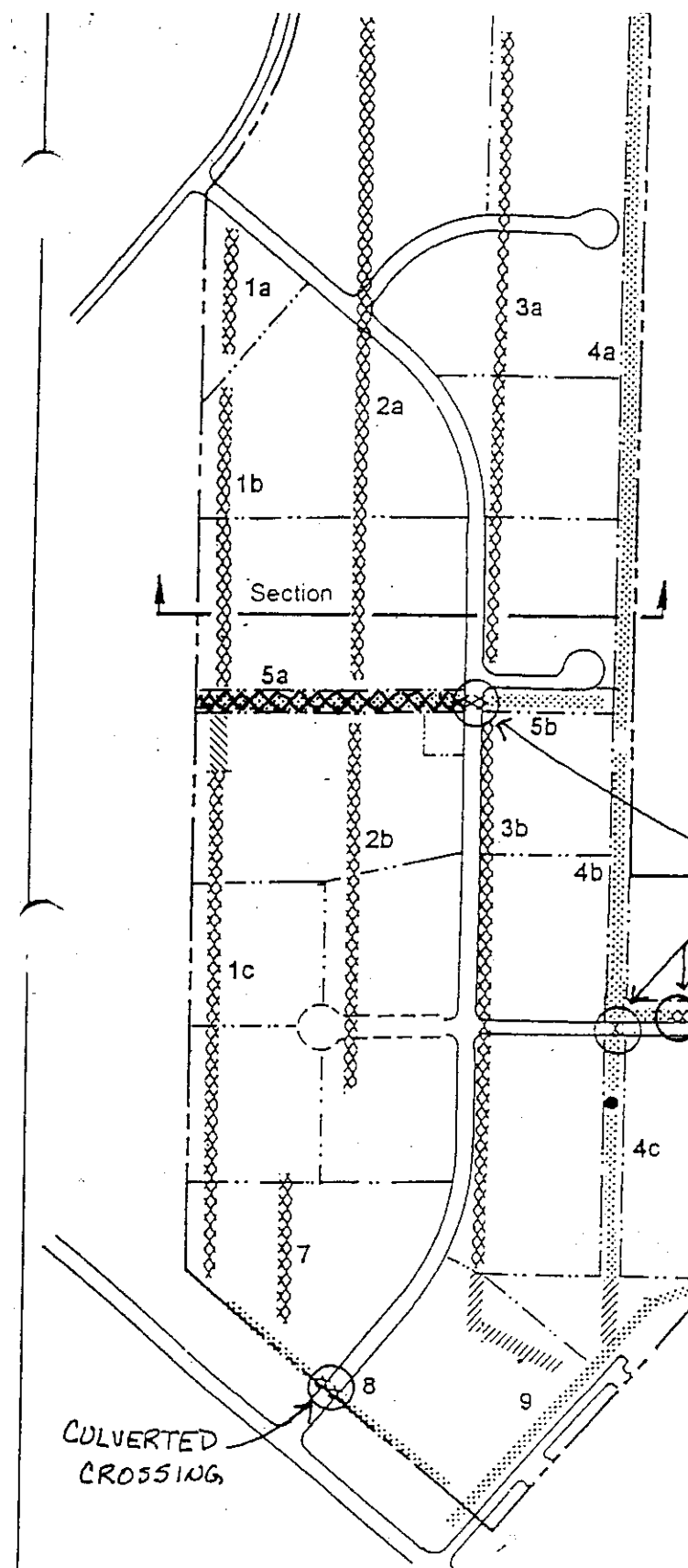
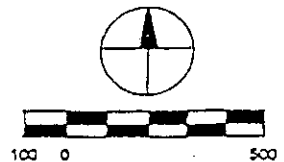
Areas calculated by 100 scale takeoffs, ditches 4 & 5 average 15 feet wide at top of bank, all others average 10 feet or less.

Graphic scale exaggerated for clarity.

Ditches generally continuous or interlinked by culverts.

LEGEND

-  Preserve Ditch
-  Modify Ditch
-  Fill Ditch
-  Remove Culvert



Purpose: Develop land for industrial uses with regional transportation access

96-4-00177

Place fill in 2.68 acres of wetlands

IN: Longview

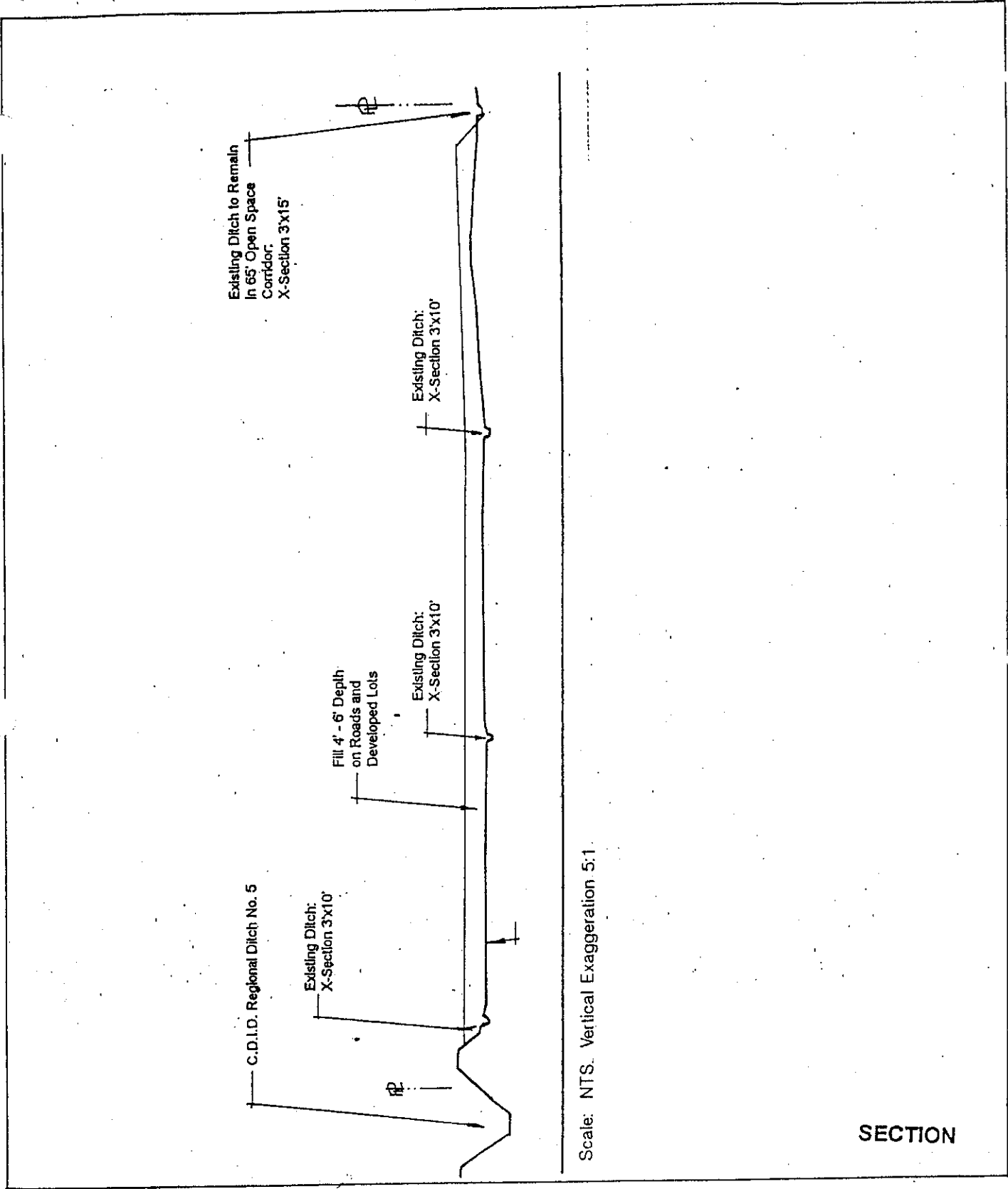
COUNTY: Cowlitz STATE: Wa

APPLICATION BY: Longview, City of

Sheet: 3 of 6

REV DATE: 4/5/97

2/17/98



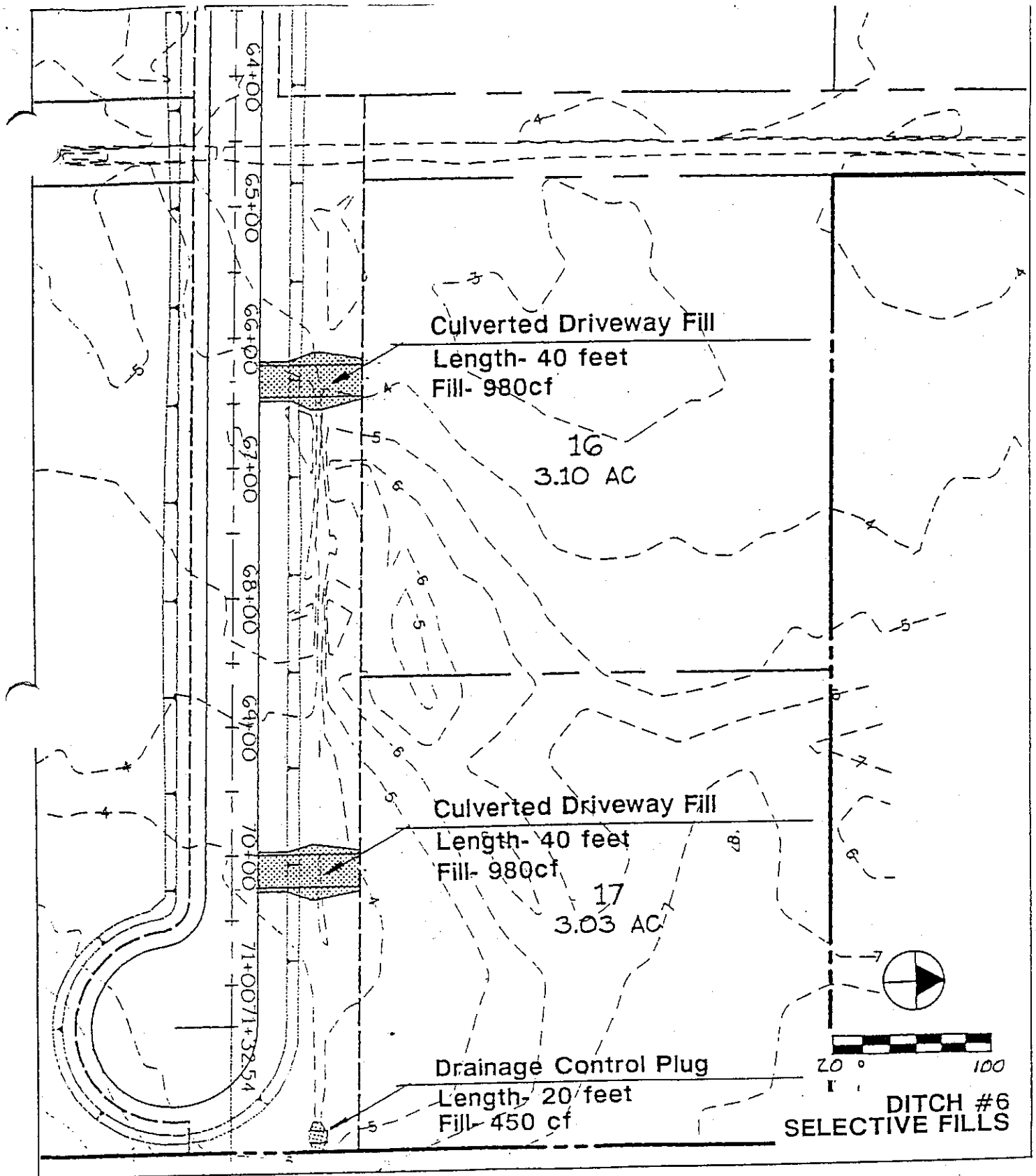
Scale: NTS. Vertical Exaggeration 5:1.

SECTION

pose: Develop land for industrial uses with regional transportation access

96-4-00177
 Place fill in 2.68 acres of wetlands
 IN: Longview
 COUNTY: Cowlitz STATE: Wa
 APPLICATION BY: Longview, City of

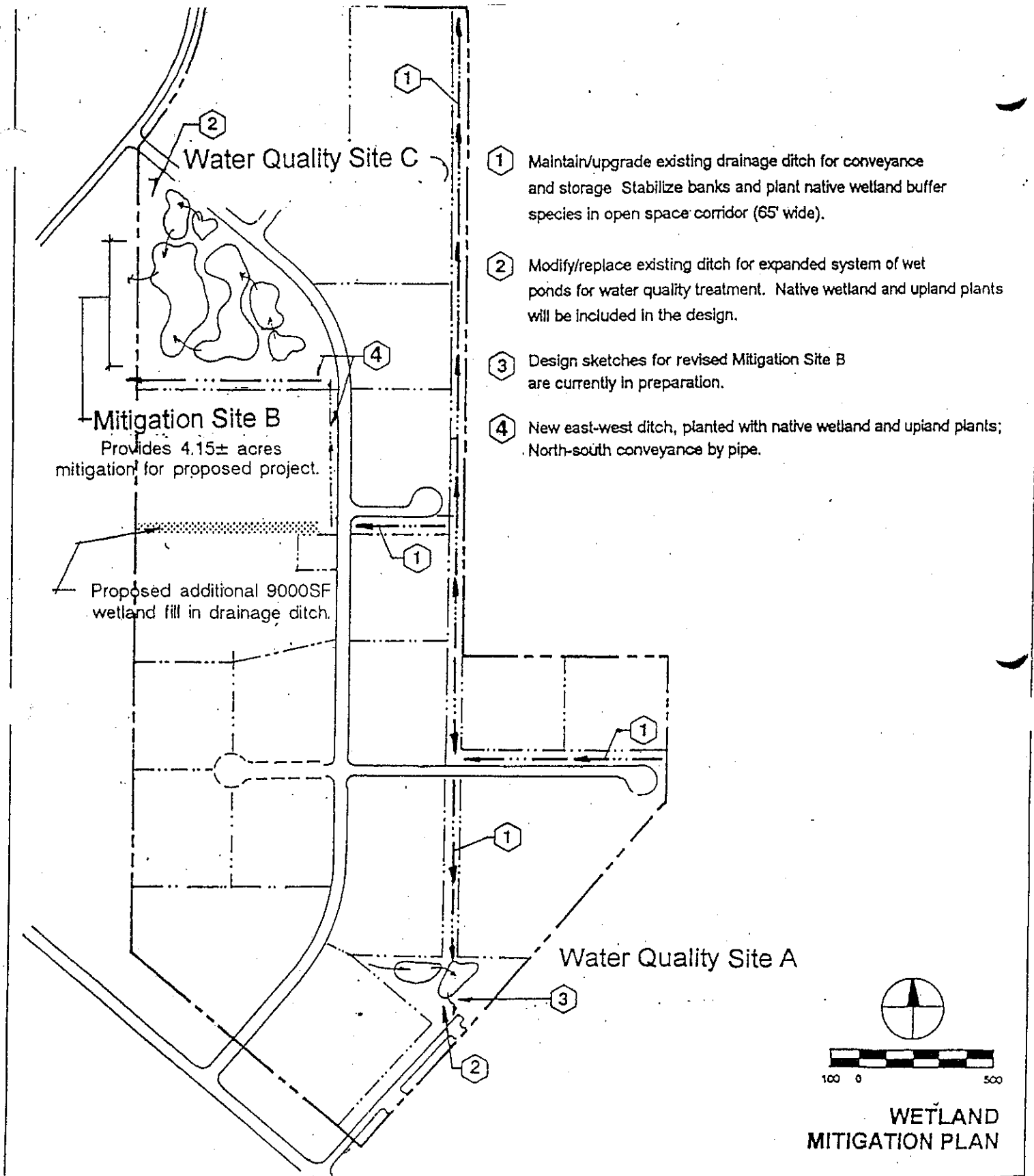
Sheet: 4 of 6 REV DATE: 4/5/97



Purpose: Develop land for industrial uses with regional transportation access

96-4-00177
Place fill in 2.68 acres of wetlands
IN: Longview
COUNTY: Cowlitz STATE: Wa
APPLICATION BY: Longview, City of

Sheet: 5 of 6 REV DATE: 4/5/97
2/17/98



- ① Maintain/upgrade existing drainage ditch for conveyance and storage. Stabilize banks and plant native wetland buffer species in open space corridor (65' wide).
- ② Modify/replace existing ditch for expanded system of wet ponds for water quality treatment. Native wetland and upland plants will be included in the design.
- ③ Design sketches for revised Mitigation Site B are currently in preparation.
- ④ New east-west ditch, planted with native wetland and upland plants; North-south conveyance by pipe.

Mitigation Site B
Provides 4.15± acres mitigation for proposed project.

Proposed additional 9000SF wetland fill in drainage ditch.

Water Quality Site A



WETLAND MITIGATION PLAN

Purpose: Develop land for industrial uses with regional transportation access

96-4-00177
Place fill in 2.68 acres of wetlands
IN: Longview
COUNTY: Cowlitz STATE: Wa
APPLICATION BY: Longview, City of



DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-2255

REPLY TO
ATTENTION OF

APR 29 1997

Regulatory Branch

MF: Phase I
404 Fill Permit

City of Longview
Post Office Box 128
Longview, Washington 98632

Reference: 96-4-00177
Longview, City of

Gentlemen:

Enclosed is a Department of the Army permit which authorizes performance of the work described in your referenced application.

You are cautioned that any change in the location or plans of the work will require submittal of a revised plan to this office for approval prior to accomplishment. Deviation from approved plans may result in imposition of criminal or civil penalties.

Your attention is drawn to General Condition 1 of the permit which specifies the expiration date for completion of the work. You are requested to notify this office of the date the work is completed.

Sincerely,

Thomas F. Mueller
Chief, Regulatory Branch

Enclosure



This notice of authorization must be conspicuously displayed at the site of work.

United States Army Corps of Engineers

APR 29 1997

19

Handwritten: I 10019:7M
10019:7M
10019:7M

PLACE FILL MATERIAL INTO 2.47 ACRES OF WETLAND DITCHES (DEVELOP LAND FOR INDUSTRIAL USES WITH REGIONAL TRANSPORTATION ACCESS) TO THE COLUMBIA RIVER

A permit to

Handwritten: 10019:7M
10019:7M

APR 29 1997

has been issued to CITY OF LONGVIEW on 19

Address of Permittee POST OFFICE BOX 128, LONGVIEW, WASHINGTON 98632

Permit Number

96-4-00177

Signature of Donald T. Wynn
DONALD T. WYNN
District Commander
COLONEL, CORPS OF ENGINEERS

Handwritten: This was posted 4/29/97

DEPARTMENT OF THE ARMY PERMIT

Permittee: Longview, City of

Permit No: 96-4-00177

Issuing Office: Seattle District

City of Longview
ATTN: Mr. Ed Ivey
Post Office Box 128
Longview, Washington 98632

Note: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Place fill material into 2.47 acres of wetland ditches in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (develop land for industrial uses with regional transportation access).

Project Location: In wetland ditches adjacent to the Columbia River at Longview, Washington.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on APR 29 2000. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in accordance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification to this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Longview, City of

7. After a detailed and careful review of all the conditions contained in this permit, the permittee acknowledges that, although said conditions were required by the Corps, nonetheless the permittee agreed to those conditions voluntarily to facilitate issuance of the permit; the permittee will comply fully with all the terms of all the permit conditions.

Special Conditions:

a. You must provide a copy of the permit transmittal letter, the permit form, and drawings to all contractors performing any of the authorized work.

b. You must comply with the provisions of the attached Water Quality Certification. You must, however, obtain a valid Hydraulic Project Approval prior to beginning construction.

c. The Wetland Assessment, Compensatory Mitigation Plan, and Performance Monitoring Program, The Mint Farm Industrial Park dated 27 February 1997 and the accompanying full scale drawings dated 31 January 1997 will be implemented. All required reports will be submitted to the Corps' Seattle District, Regulatory Branch. The "record drawing" report will be submitted within 13 months of issuance of the permit. The Corps' written acceptance of the report will establish Year 0 for the monitoring reports. Monitoring reports will be due by 1 May and 1 October of the monitoring years, Years 1, 2, 3, 4, 6, 8, and 10 (see Table on page 37 of the above referenced mitigation plan).

d. The wetland area created and preserved as mitigation for work authorized by this permit, shall not be made the subject of a future individual or general Department of the Army permit application for fill or other development, except for the purposes of enhancing or restoring the mitigation associated with this project. In addition, a description of the mitigation area identified in the final mitigation plan as approved, and any subsequent permit mitigation area revisions, will be recorded with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records to or interest in real property. Proof of this documentation must be provided to the Corps' Seattle District, Regulatory Branch, within 60 days of permit issuance.

Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbor Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

Longview, City of

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Longview, City of

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

X Edwards R. Jue
CITY OF LONGVIEW

April 24, 1997 X
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

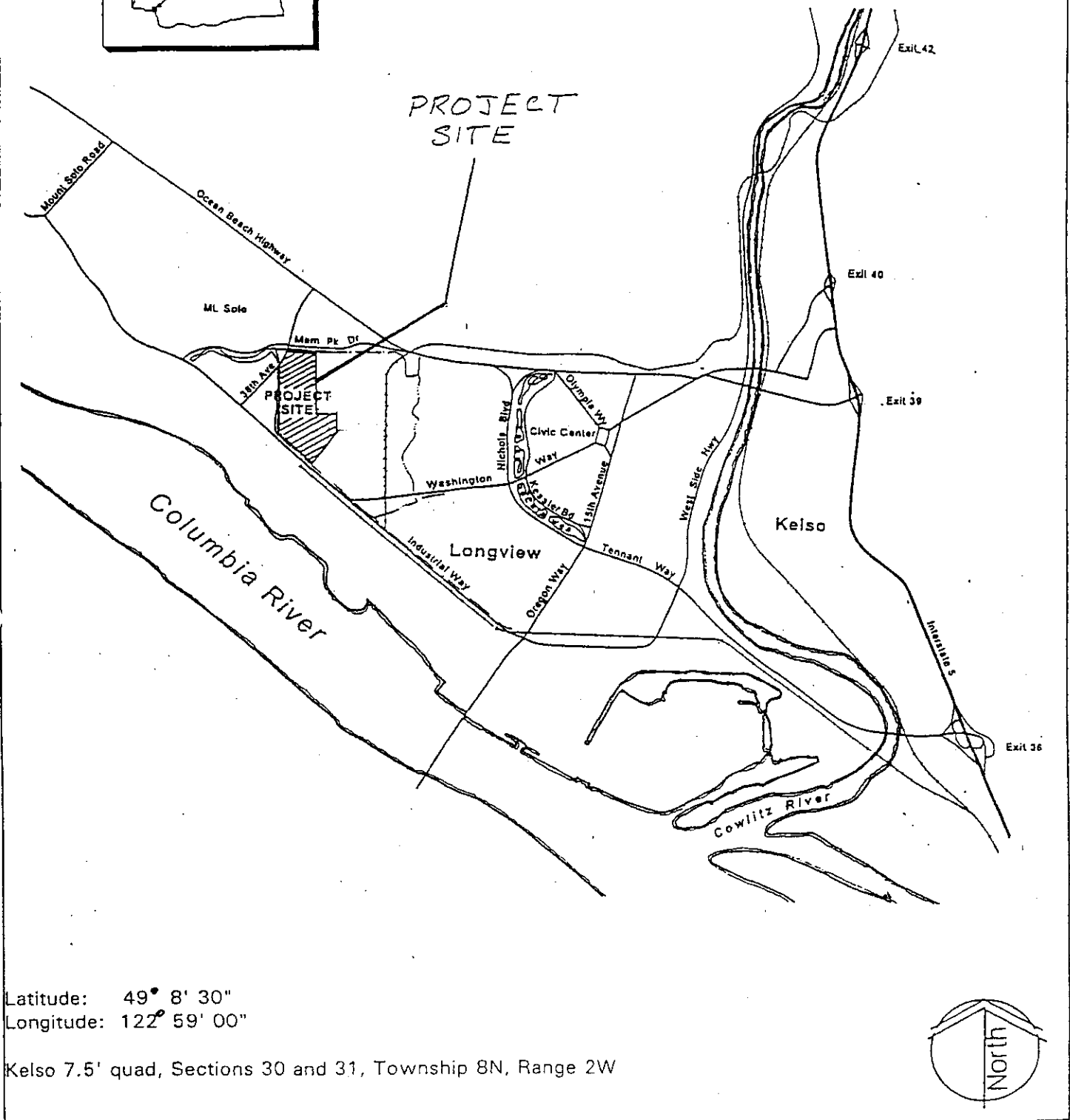
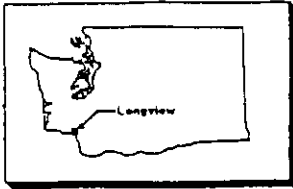
for Tom L. Mueller
DONALD T. WYNN
Colonel, Corps of Engineers
District Engineer

29 April 1997
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

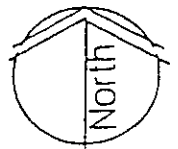
(TRANSFEREE)

(DATE)



Latitude: 49° 8' 30"
 Longitude: 122° 59' 00"

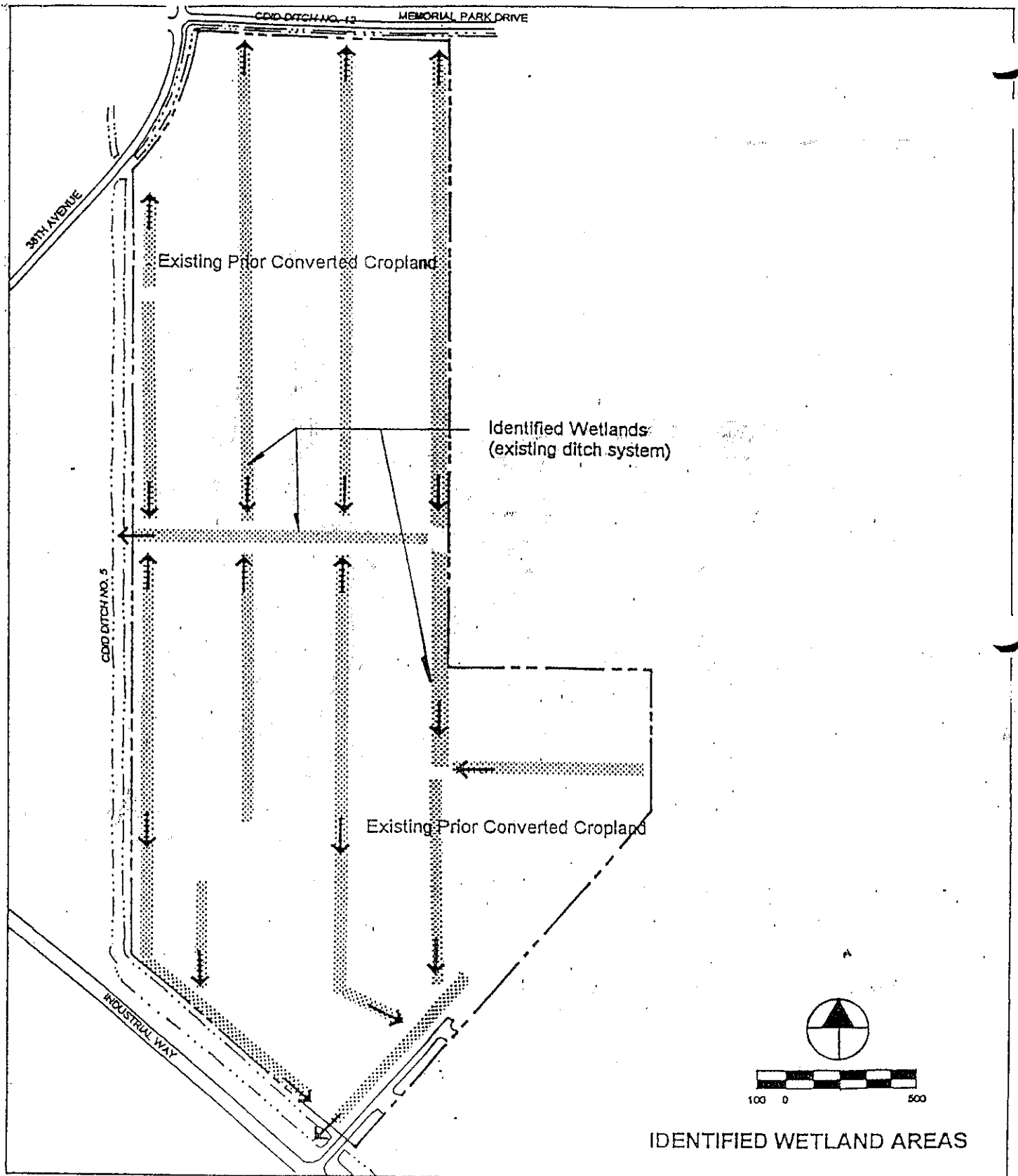
Kelso 7.5' quad, Sections 30 and 31, Township 8N, Range 2W



Use: Develop land for industrial uses with regional transportation access

96-4-00177
 Place fill in 2.47 acres of wetlands
 IN: Longview
 COUNTY: Cowlitz STATE: Wa
 APPLICATION BY: Longview, City of

Sheet: 1 of 6 REV DATE: 4/5/97



Purpose: Develop land for industrial uses with regional transportation access

96-4-00177
 Place fill in 2.47 acres of wetlands
 IN: Longview
 COUNTY: Cowlitz STATE: Wa
 APPLICATION BY: Longview, City of

Existing Wetland Ditches

Ditch I.D. #	Area (SF)	Proposed Action		
		Preserve	Fill	Modify*
1a	3,000			3,000
1b	10,000		10,000	
1c	16,600		15,000	1,600
2a	16,100		16,100	
2b	10,800		10,800	
3a	18,200		18,200	
3b	20,200		15,400	4,800
4a	27,750	27,750		
4b	13,800	13,800		
4c	10,950	7,275	1,275	2,400
5a	9,000	9,000		
5b	6,525	4,275	2,250	
6	7,100	6,300	800	
7	4,500		4,500	
8	8,200	6,700	1,500	
9	12,000	12,000		

Total proposed fill= 95,825 SF 2.20 Ac.

Total modified= 11,800 SF 0.27 Ac.

Total adversely effected area= 107,625 SF 2.47 Ac.

* Modified for stormwater treatment / storage and for wetland mitigation areas.

CULVERTED CROSSINGS

Ditch #6 Selective Fills, see SHEET 5

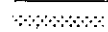
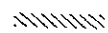
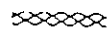

PROPOSED PROJECT DESIGN AND WETLAND IMPACTS

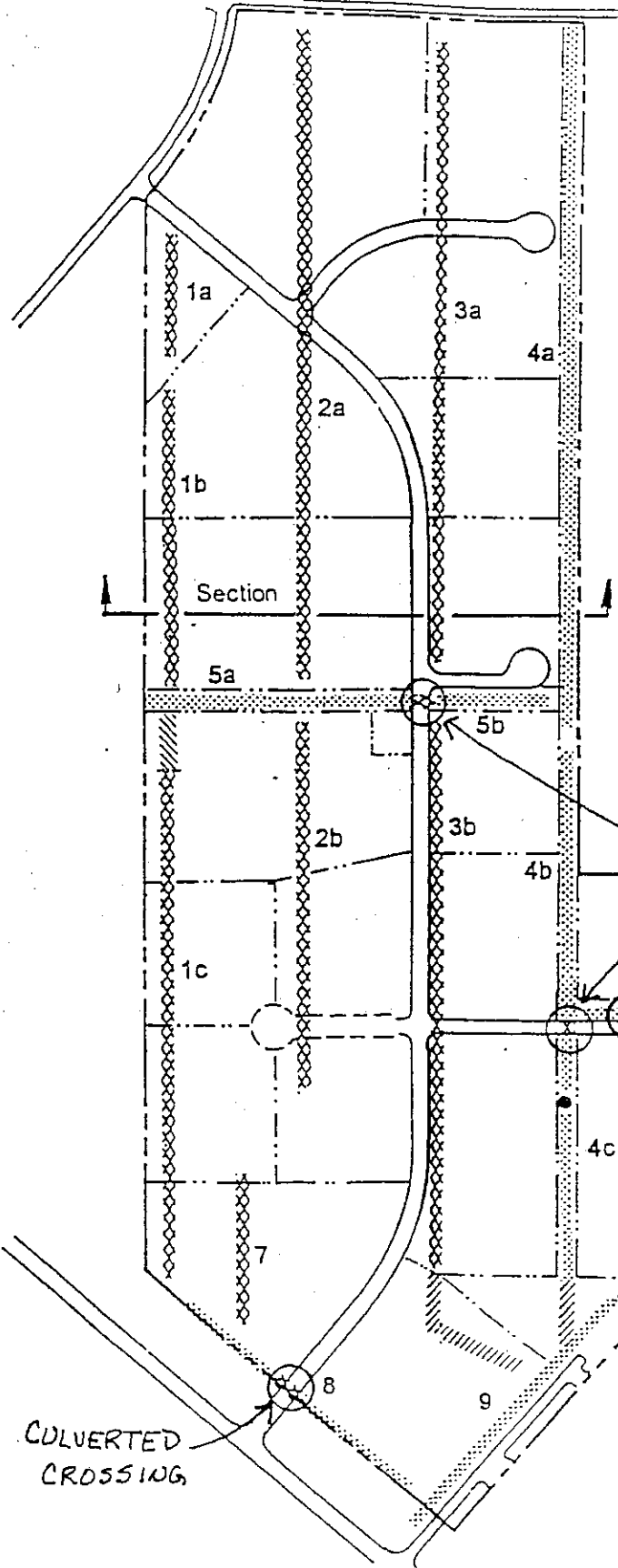
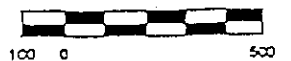
Areas calculated by 100 scale takeoffs, ditches 4 & 5 average 15 feet wide at top of bank, all others average 10 feet or less.

Graphic scale exaggerated for clarity.

Ditches generally continuous or interlinked by culverts.

LEGEND

-  Preserve Ditch
-  Modify Ditch
-  Fill Ditch
-  Remove Culvert



Use: Develop land for industrial uses with regional transportation access

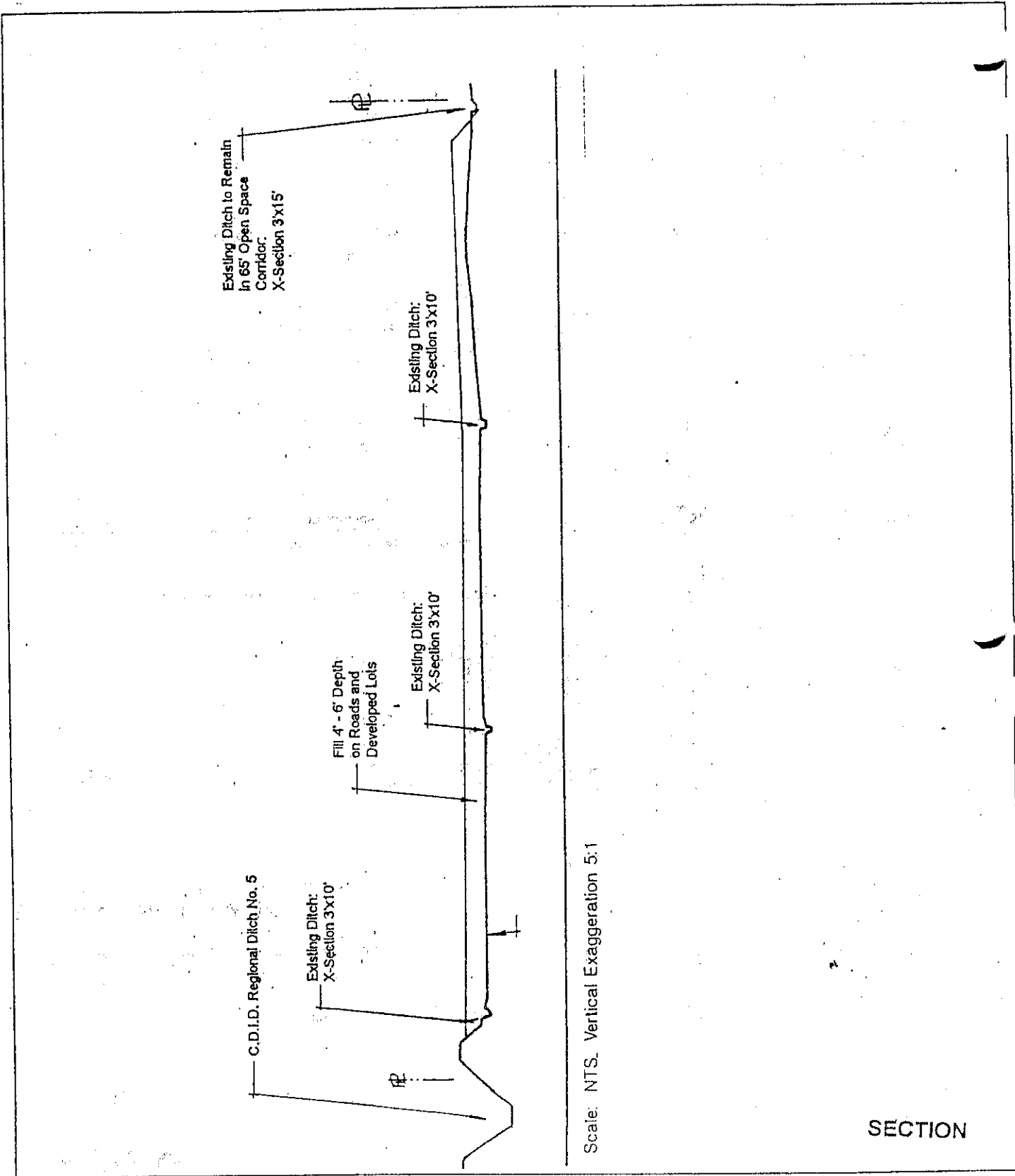
96-4-00177

Place fill in 2.47 acres of wetlands
IN: Longview

COUNTY: Cowlitz STATE: Wa

APPLICATION BY: Longview, City of

Sheet: 3 of 6 REV DATE: 4/5/97

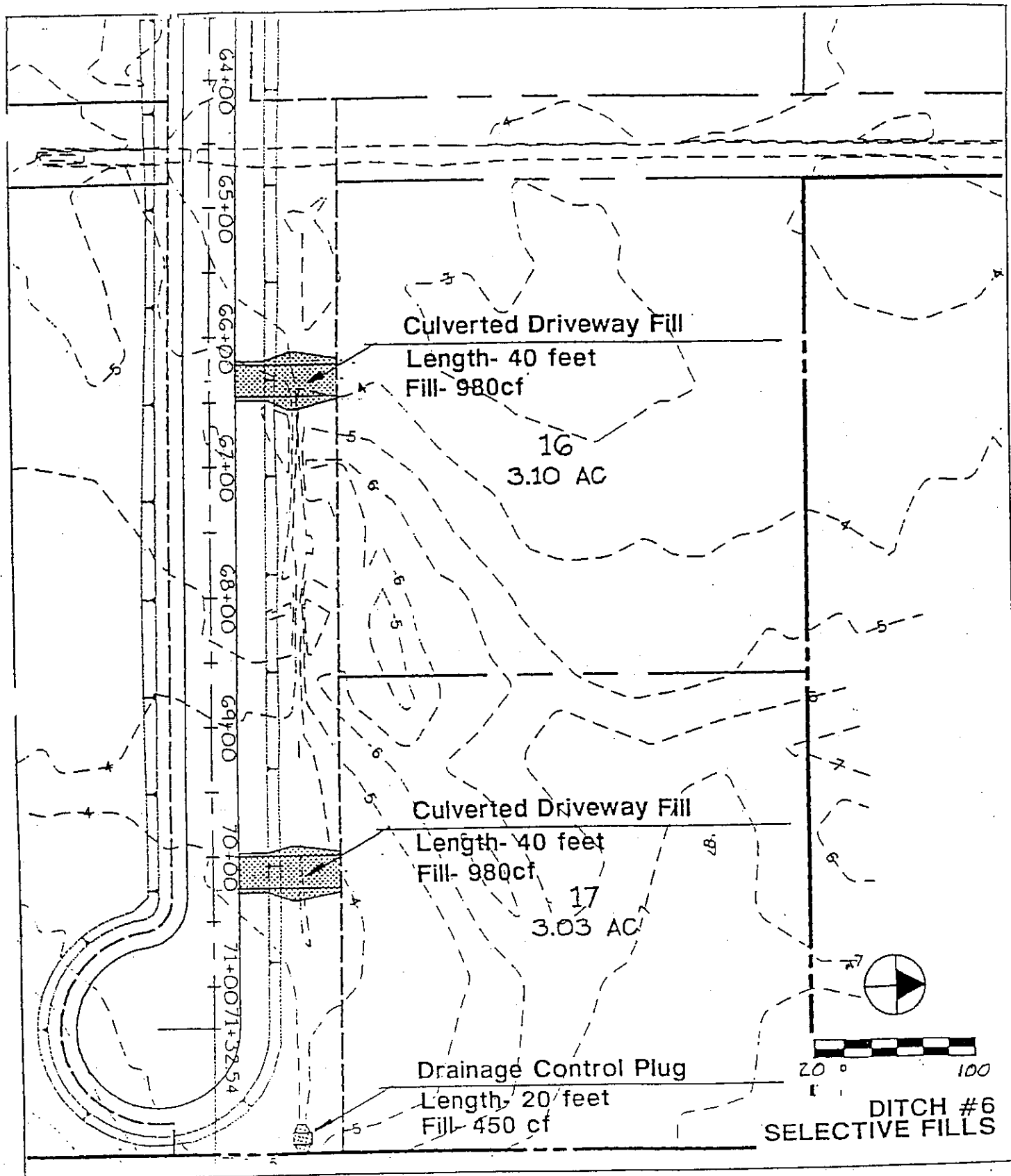


Scale: NTS. Vertical Exaggeration 5:1

SECTION

Purpose: Develop land for industrial uses with regional transportation access

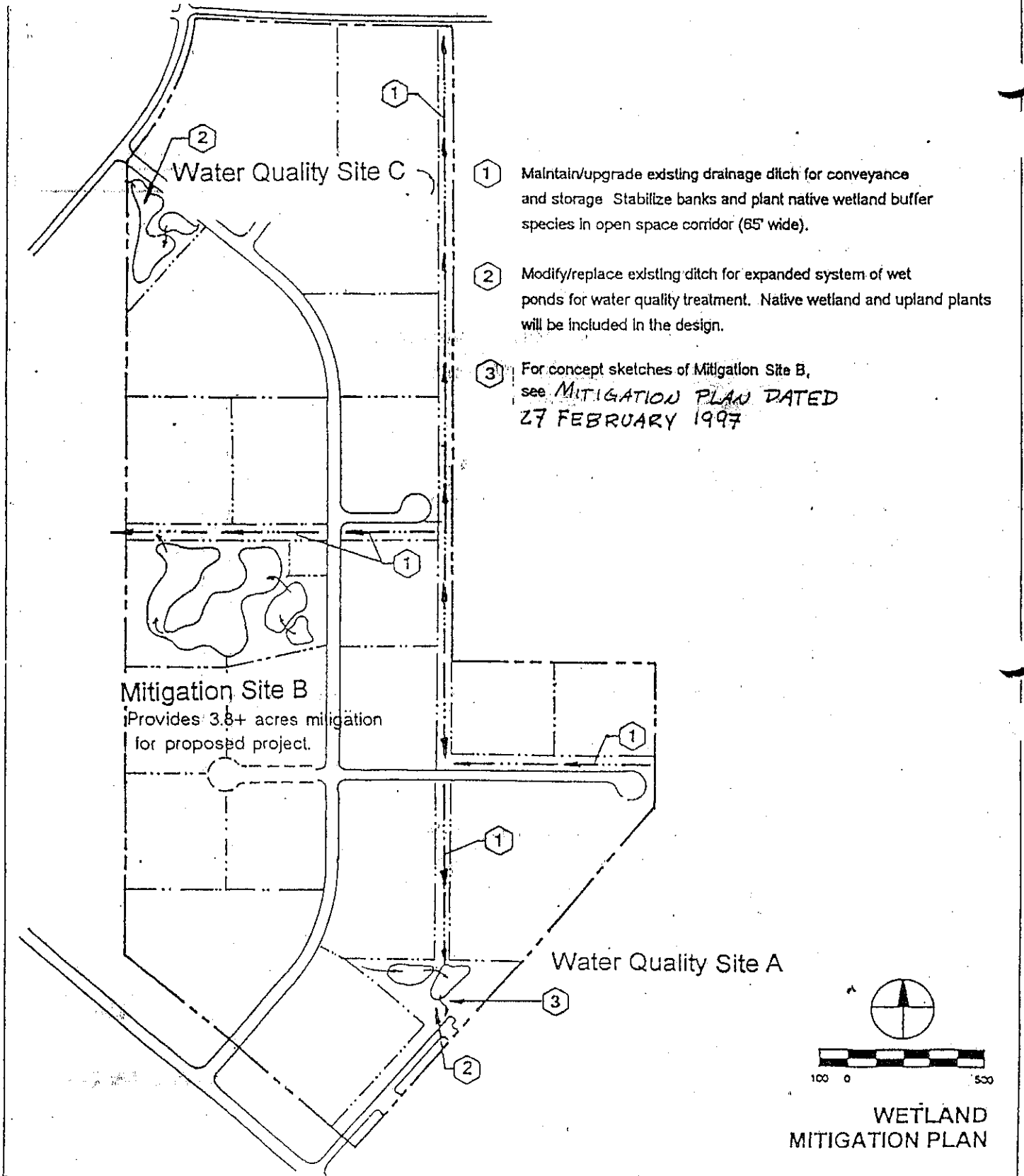
96-4-00177
 Place fill in 2.47 acres of wetlands
 IN: Longview
 COUNTY: Cowlitz STATE: Wa
 APPLICATION BY: Longview, City of



Purpose: Develop land for industrial uses with regional transportation access

96-4-00177
Place fill in 2.47 acres of wetlands
IN: Longview
COUNTY: Cowlitz STATE: Wa
APPLICATION BY: Longview, City of

Sheet: 5 of 6 REV DATE: 4/5/97



Purpose: Develop land for industrial uses with regional transportation access

96-4-00177
 Place fill in 2.47 acres of wetlands
 IN: Longview
 COUNTY: Cowlitz STATE: Wa
 APPLICATION BY: Longview, City of

MFIP Phase II
404 Fill Permit



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

Regulatory Branch

FEB -6 2001

City of Longview
Post Office Box 128
Longview, Washington 98632

Reference: 1998-4-00832
Longview, City of

Gentlemen and Ladies:

Enclosed is a Department of the Army permit which authorizes performance of the work described in your referenced application.

You are cautioned that any change in the location or plans of the work will require submittal of a revised plan to this office for approval prior to accomplishment. Deviation from approved plans may result in imposition of criminal or civil penalties.

Your attention is drawn to General Condition 1 of the permit which specifies the expiration date for completion of the work. You are requested to notify this office of the date the work is completed.

Sincerely,

Thomas F. Mueller
Thomas F. Mueller
Chief, Regulatory Branch

Enclosure

11. 11/19 11/19
11/19 11/19 11/19

DEPARTMENT OF THE ARMY PERMIT

Permittee: Longview, City of

Permit No: 1998 4-00832

Issuing Office: Seattle District

City of Longview
Post Office Box 128
Longview, Washington 98632

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Fill and grade 25.35 acres of wetlands and drainage swales for the construction of the second phase of what is now a two-phase industrial/business park and perform mitigation in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit. (Provide land ready for industrial development within the city of Longview).

Project Location: In wetlands and drainage swales adjacent to the Columbia River within the city of Longview, Washington.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on FEB. 6, 2006. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in accordance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification to this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

7. After a detailed and careful review of all the conditions contained in this permit, the permittee acknowledges that, although said conditions were required by the Corps, nonetheless the permittee agreed to those conditions voluntarily to facilitate issuance of the permit; the permittee will comply fully with all the terms of all the permit conditions.

Special Conditions:

- a. You must provide a copy of the permit transmittal letter, the permit form, and drawings to all contractors performing any of the authorized work.
- b. The City of Longview, as the applicant and developer of this project, agrees to be solely responsible for complying with all terms and conditions of this permit, regardless of future ownership changes of all or parts of the proposed industrial/business park. This includes, but is not limited to, implementation of the revised 16 June 2000 project plans, the revised 15 September 2000 Mitigation Plan, the revised 20 February 2000 Biological Evaluation (BE) and the Supplemental EIS dated 1 May and 14 June 2000.
- c. Implementation of the 15 September 2000 revised Mitigation Plan, including the preparation and submittal of the required mitigation monitoring reports shall be the sole responsibility of the City of Longview. All reports must be submitted to Seattle District, Regulatory Branch.
- d. The City of Longview shall construct all mitigation in three successive construction seasons following permit issuance.
- e. A status report on the mitigation construction, including as-built drawings, shall be submitted by the City of Longview to the Regulatory Branch, Corps of Engineers, 13 months from the date of permit issuance. Subsequent status reports are required every six months for a period of 10 years.
- f. The placement of fill material into wetlands for the development of specific parcels of land for future tenants/purchasers shall only occur as tenants/purchasers are obtained. The advanced filling of wetlands for unspecified site development is not allowed under the terms of this permit. For this reason, the permit shall be valid for a period of 5 years from the date of issuance.
- g. The mitigation site, including the 22.5 acres of enhanced wetlands and the 29.2 acres of wetlands to be restored as mitigation for work authorized by this permit shall not be made the subject of a future individual or general Department of the Army permit application for fill or other development, except for the purposes of enhancing or restoring the mitigation associated with this project. In addition, a description of the mitigation site identified on sheet 13 of the 16 June 2000 revised project drawings, the 15 September 2000 revised Mitigation Plan, as approved, and any subsequent permit mitigation area revisions, shall be recorded with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records to or interest in real property. Proof of this documentation must be provided to the Corps of Engineers, Seattle District within 60 days of issuance of this permit.
- h. Landscaping requirements for individual lots for Phase II shall be raised to 15 percent of the site area (e.g., no more than 85 percent impervious surface).
- i. A professional archaeologist shall be on-site to monitor for the presence of archaeological resources during all ground disturbing construction within the Phase 2 development including the wetland mitigation area. The archaeological monitoring plan prepared by BOAS, Inc. dated January 2001 must be implemented in its entirety.

j. A summary report of the findings of the archaeological monitoring or status report must be submitted to the Corps of Engineers, Seattle District, Regulatory Branch (Corps) within 13 months of permit issuance.

k. If human remains or archaeological resources are encountered during construction, all ground disturbing activities shall cease in the immediate area and the permittee shall immediately (within one business day of discovery) notify the Corps. The permittee shall perform any work required by the Corps in accordance with Section 106 of the National Historic Preservation Act and Corps regulations.

Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbor Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

Longview, City of

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

X Edwin R. [Signature]
City of Longview

X 2-6-01
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

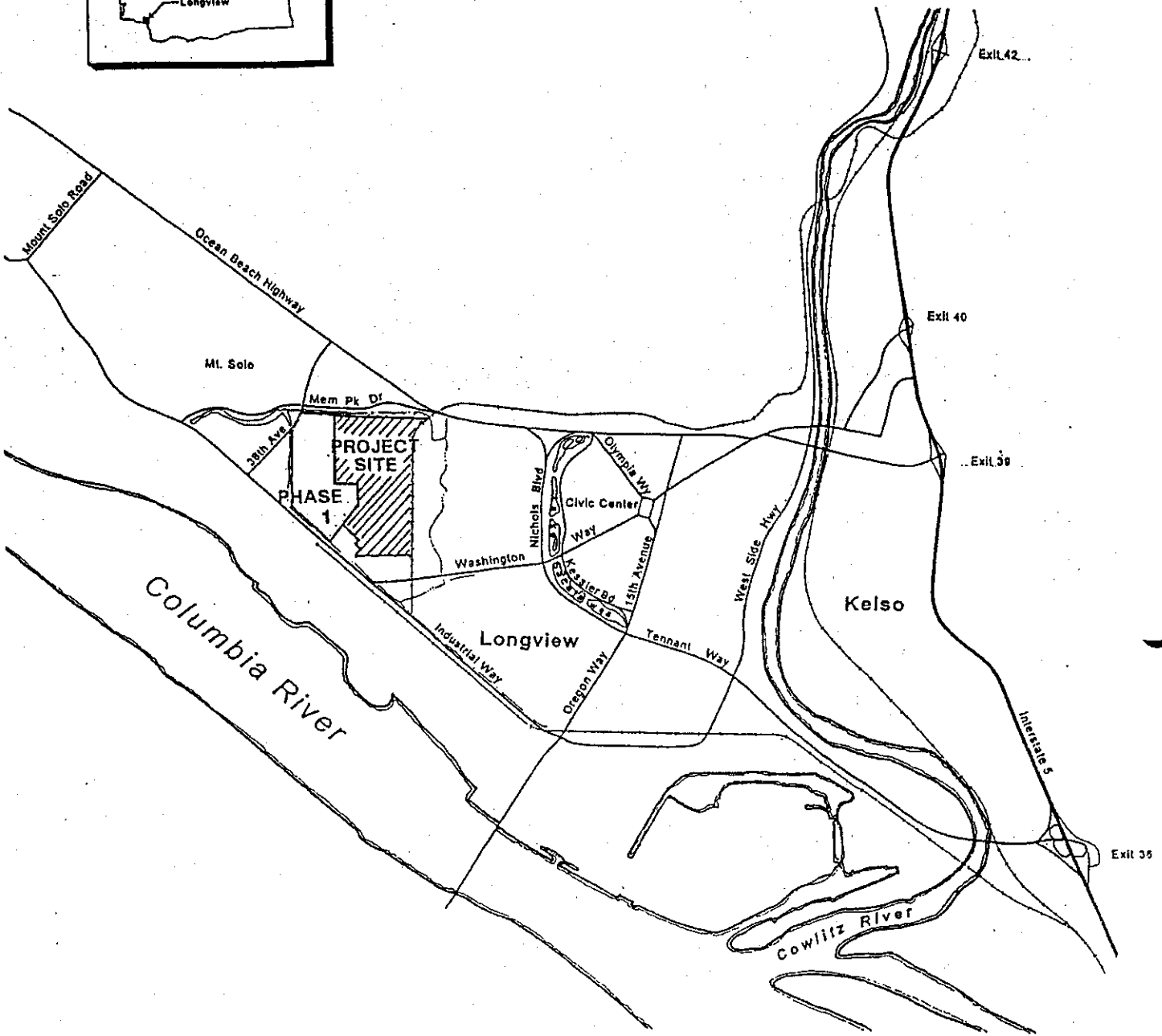
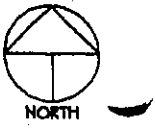
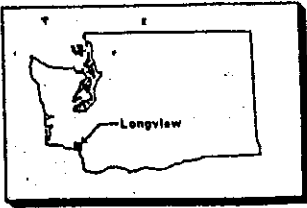
for Tom F. Mueller
RALPH H. GRAVES
Colonel, Corps of Engineers
District Engineer

2-6-01
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFeree)

(DATE)



PROPOSAL IS PHASE TWO OF THE MINTFARM INDUSTRIAL PARK
 LOCATED AT INDUSTRIAL WAY AND PRUDENTIAL BLVD,
 APPROX. 2 MILES WEST OF OREGON WAY
 SITE IS WITHIN CITY OF LONGVIEW
 LAT. 46 08' 15" LONG. 122 58' 45"
 SITE DRAINED BY PUMPED DISCHARGE, DRAINAGE DISTRICT #1
 PHASE 1 WAS AUTHORIZED BY DEPT. OF THE ARMY PERMIT NO. 1996-4-00177

VICINITY PLAN

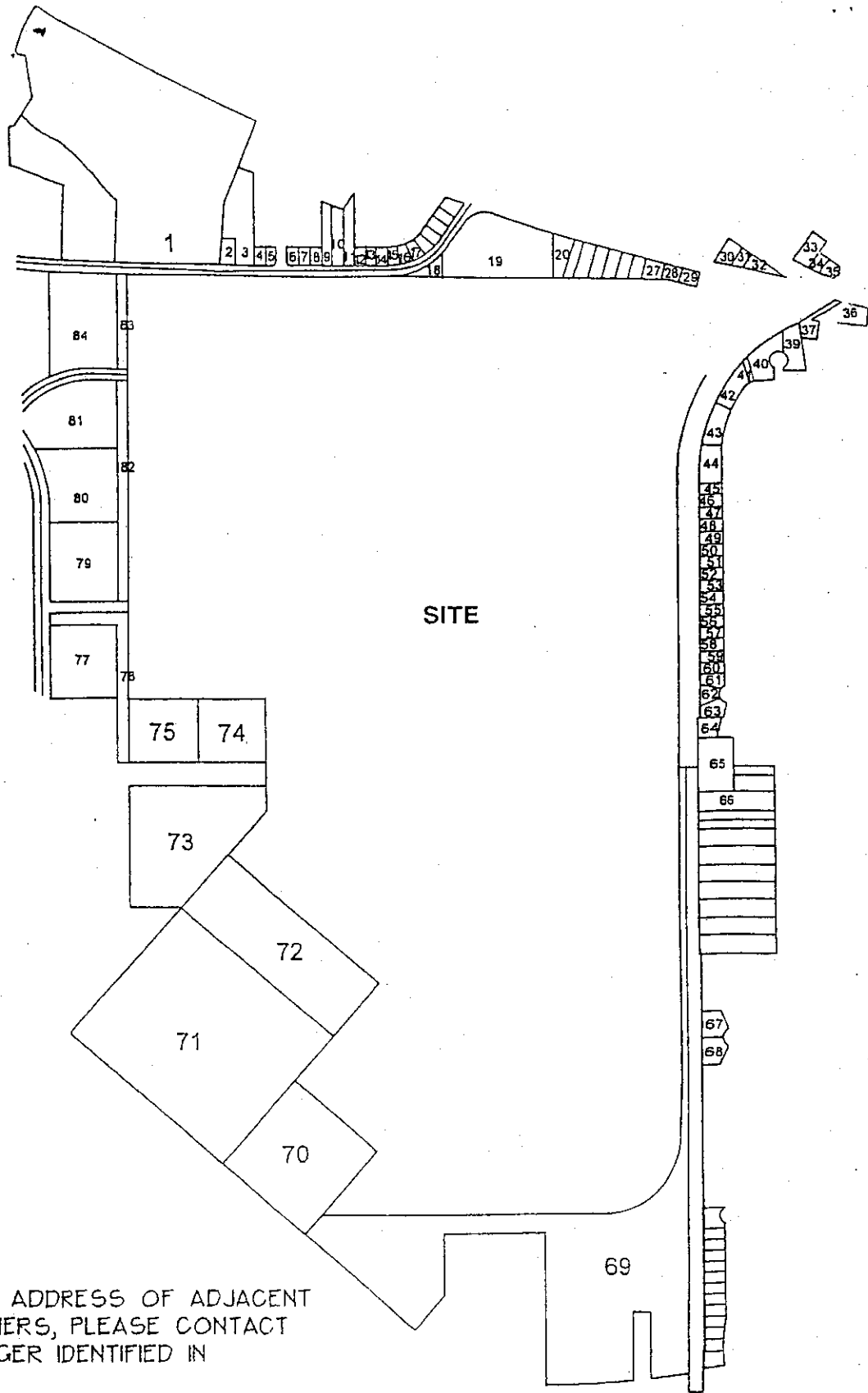
APPLICATION #98-4-008 2

PURPOSE: To provide land ready for industrial
 development within the City of Longview
 DATUM: N.G.M.D. of 1929=O.O.

PROPOSED FILL IN: Wetlands adjacent to
 Columbia River

AD.I. PROPERTY OWNERS: See Sheet 2 of 15

AT: City of Longview
 COUNTY: Cowlitz, WA
 APPLICATION BY: City of Longview



NOTE:
 FOR NAME AND ADDRESS OF ADJACENT
 PROPERTY OWNERS, PLEASE CONTACT
 PROJECT MANAGER IDENTIFIED IN
 PUBLIC NOTICE.

ADJACENT PROPERTY OWNERS

APPLICATION #98-4-00832

PROPOSE: To provide land ready for industrial
 development within the City of Longview
 DATUM: N.G.M.D. of 1929=O.O'

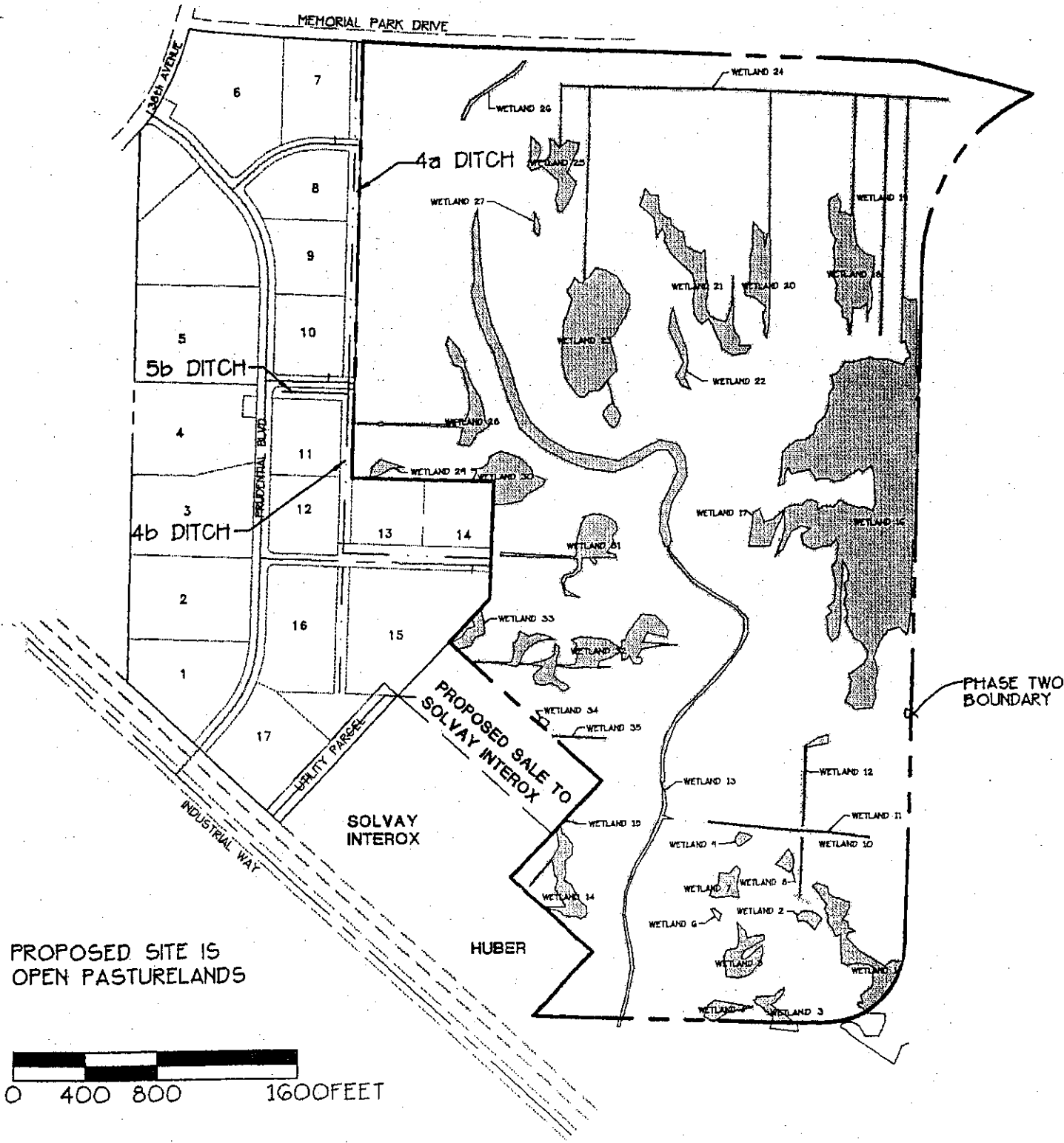
PROPOSED FILL IN: Wetlands adjacent to
 Columbia River

ADJ. PROPERTY OWNERS: See note above

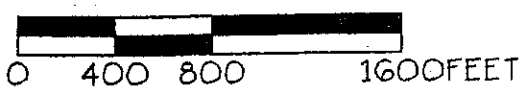
AT: City of Longview
 COUNTY: Cowlitz, WA
 APPLICATION BY: City of Longview

DATE: August 30, 1999 Reissued: June 2, 2000

SHEET 2 OF 15



PROPOSED SITE IS
OPEN PASTURELANDS



EXISTING WETLANDS

PURPOSE: To provide land ready for industrial development within the City of Longview
 DATUM: N.G.V.D. of 1929=O.O.
 ADJ. PROPERTY OWNERS: See Sheet 2 of 15

APPLICATION #98-4-008 ?

PROPOSED FILL IN: Wetlands adjacent to Columbia River
 AT: City of Longview
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