

MEMORANDUM FOR: RECORD

April 23, 2004

SUBJECT: SUITABILITY DETERMINATION **RECENCY EXTENSION** OF PROPOSED MAINTENANCE DREDGED MATERIAL FROM THE GLACIER NORTHWEST SEATTLE CEMENT TERMINAL, DUWAMISH WATERWAY, SEATTLE, WASHINGTON (**Public Notice #200400167**) EVALUATED UNDER SECTION 404 OF THE CLEAN WATER ACT FOR OPEN-WATER DISPOSAL AT THE ELLIOTT BAY DMMP SITE.

1. **Background.** The proposed dredged material at the Glacier Northwest Cement Terminal berth maintenance-dredging site underwent DMMP characterization through April 2003. The results of that characterization are documented in an April 9, 2003 suitability determination memorandum (SDM), in which one out of three dredged material management units (DMMUs) were found to be suitable for unconfined open-water disposal at the Elliott Bay disposal site. The proposed dredging site was ranked high for initial testing purposes, which means that the data have a two-year recency guideline that subsequently expires this month (April 2004).

The April 2003 SDM also described contamination beneath the unsuitable DMMUs that increased with depth, and found that the project could not be dredged to the proposed depth without violating Washington State antidegradation standards. To address these antidegradation issues, the applicant proposed a plan combining dredging, capping and monitoring. That plan was approved in a letter dated January 9, 2004.

Permitting for this project is expected to be complete in time to dredge and cap during the 2004-2005 dredging season. To meet this schedule, the applicant requests that the DMMP suitability for unconfined open-water disposal for DMMU 1 be extended for 10 months, through February 2005.

2. **Analysis.** In a 2002 Clarification Paper, the DMMP outlined an approach for considering recency extensions for projects that could not be dredged during the standard recency window due to permitting requirements. That approach considers 1) previous characterization data; 2) any new data from the dredge site or vicinity; and 3) site use and character.

The dredge site is in a tidally influenced portion of the Duwamish River, in an active industrial and shipping area. The site is bordered on the downstream side by a shipyard with documented TBT contamination. DMMU 1 (the Dredged Material Management Unit found suitable in the SDM) is on the upstream end of the dredge prism, and previous data did not suggest that it is impacted by the shipyard contamination. Sedimentation is ongoing in the area though at a relatively low rate, as evidenced by the infrequent maintenance requirements (the last dredging event was in 1993). No new data has been gathered in the project area though EPA plans further testing for its Superfund investigation. There have been no known spill events or changed conditions in the project area.

Based on the above review, the DMMP determined that there is little risk in granting the requested recency extension.

3. **Suitability.** This summary reflects a consensus determination of the agencies that comprise the regional Dredged Material Management Program (DMMP) for the State of Washington. The agencies include the US Army Corps of Engineers, the US Environmental Protection Agency and the Washington State Departments of Ecology and Natural Resources.

The DMMP agencies concurred that an extension of the recency date of the suitable DMMU through February 2005 is acceptable. Thus, **3,250 cubic yards, from DMMU 1, remain suitable** for open water disposal. Open water disposal may be at the Elliott Bay non-dispersive site. This sediment was not proposed for beneficial uses and was not evaluated for in-water placement other than at a DMMP disposal site. This recency extension is contingent upon no perturbations or unanticipated impacts occurring that would affect the quality of the sediments between the dated of this memorandum and the dredging dates.

This suitability determination extension does not constitute final agency approval of the project. A dredging plan for the project must be completed as part of the final project approval process. A final decision will be made after full consideration of agency input, and after an alternatives analysis is done under Section 404(b)(1) of the Clean Water Act. If a Section 404 permit is issued for this project, a specific dredging plan must be developed and submitted prior to dredging to the Enforcement Section of the Regulatory Branch of the Seattle District Corps of Engineers. This plan must include technology and methodology that is technically adequate to separate suitable from unsuitable or uncharacterized material.

Reference:

Warner, L.C. 2002. DMMP Clarification Paper: Recency Guidelines - Program Considerations. Prepared by Lauran Cole Warner (US Army Corps of Engineers) for the DMMP agencies, SMARM 2002.

Concur:

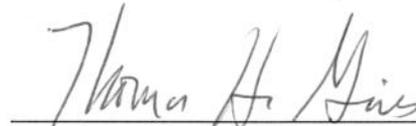
4/29/04
Date


Luran Cole Warner, Seattle District Corps of Engineers

4/29/04
Date


Erika Hoffman, Environmental Protection Agency

5/6/04
Date


Tom Gries, Washington Department of Ecology

5/10/2004
Date


Peter Leon, Washington Department of Natural Resources

Copies furnished:

Loree' Randall, Ecology
Helen Pressley, Ecology
Cinde Donoghue, Ecology
Tom Gries, Ecology
Erika Hoffman, EPA
Ravi Sanga, EPA
Peter Leon, DNR
Suzanne Skadowski, Corps
Kym Takasaki, Corps
Pete Stoltz, Glacier Northwest
Glen St. Amant, Muckleshoot Tribe
DMMO file

