



US Army Corps
of Engineers®

Seattle District

Public Notice

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Notice Date: June 15, 2018
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US ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT FY 2019 THROUGH FY 2034
EVERETT HARBOR AND SNOHOMISH RIVER FEDERAL NAVIGATION
MAINTENANCE DREDGING AND DISPOSAL, WASHINGTON

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps) plans to continue routine dredging and disposal activities associated with maintenance of the Everett Harbor and Snohomish River Federal navigation channel. The maintenance program for FY 2019 through FY 2034 is described below, and the location of the proposed dredging and disposal sites are shown on the attached plans (Attachment A). The dredging would be performed within the designated period as necessitated by shoaling conditions within the navigation channel, and as permitted by the availability of Federal resources. The purpose of this Public Notice is to solicit comments from interested persons, groups and agencies on the Corps' proposal for disposal of dredged material into the waters of the U.S.

This Public Notice is being issued in accordance with rules and regulations published as 33 CFR 335 "Operation and Maintenance of Army Corps of Engineers Civil Works Projects Involving the Discharge of Dredged or Fill Material into Waters of the U.S. or Ocean Waters"; 33 CFR 336 "Factors to be Considered in Evaluation of Army Corps of Engineers Dredging Projects Involving the Discharge of Dredged Material into Waters of the U.S. and Ocean Waters"; 33 CFR 337 "Practice and Procedure"; and 33 CFR 338 "Other Corps Activities Involving the Discharge of Dredged Material or Fill into Waters of the U.S."

PURPOSE AND PROJECT OBJECTIVE

The purpose of the dredging project is to maintain congressionally-authorized project depths which provide safe navigation for ships while they traverse the lower Snohomish River from Puget Sound to the Port of Everett and local facilities near the City of Everett. This dredging maintains the ability of ocean-going vessels to enter and leave the Port of Everett and other nearby facilities safely. Operations at the Port of Everett are critical to the local economy and furthers waterborne commerce. Naval Station Everett is currently home base for five Naval Destroyers a USCG Search and Rescue Cutter, and a USCG coastal patrol boat.

AUTHORITY

The Everett Harbor and Snohomish River Project, of which the Snohomish River navigation channel is a component, was authorized by the Rivers and Harbors Act of June 25, 1910 (House document 1108, 60th Congress, 2nd session). Subsequent Acts of 1930, 1938, 1954, 1960, and 1968 provided modifications and additional improvements (USACE 1975).

FEDERAL MAINTENANCE DREDGING

The proposed work continues annual maintenance dredging by mechanical (clamshell) and hydraulic dredges of up to an estimated 500,000 CY from each settling basin and 200,000 CY from the navigation channel annually from the Everett Harbor and Snohomish River navigation project for a maximum annual volume is estimated at 1,200,000 CY over the fifteen year time period of FY 2019 – FY 2034. The tentatively preferred alternative calls for dredging to be conducted during the designated work window of 16 October through 14 February. All dredging would occur within the federally authorized footprint for the navigation channel, downstream settling basin, and upstream settling basin near the City of Everett, WA. Placement of the resulting material will be in the open-water Puget Sound Dredged Disposal Analysis (PSDDA) Port Gardner disposal site, a nearshore nourishment site on Jetty Island, and one upland site at Parcel O. The proposed dredged material has been tested and determined suitable for open water disposal, as found in the most recent suitability determination dated February 2018 by the regulatory agencies which have jurisdiction over dredged material disposal in open-water sites associated with Everett Harbor. Sediment testing includes both chemical and biological testing. All sediment testing data are available at the Corps Dredge Material Management Office (<http://www.nws.usace.army.mil/Missions/CivilWorks/Dredging/SuitabilityDeterminations.aspx>).

A water quality monitoring plan would be developed that is consistent with the conditions and adheres to applicable criteria issued in a water quality certification from the Washington Department of Ecology associated with the disposal of dredged material into the waters of the U.S.

MAINTENANCE MATERIAL BENEFICIAL USE/DISPOSAL

The proposed work includes disposal or placement of dredged material among three sites: one Dredge Material Management Program (DMMP) open-water disposal site (Port Gardner), one nearshore aquatic placement site (Jetty Island), and one upland placement site (Parcel O).

Typically, the downstream settling basin is dredged using a mechanical dredge (clamshell). The dredged sediment is loaded onto a bottom-dump barge for disposal at the PSDDA open-water, non-dispersal, disposal site in Port Gardner, WA. Each barge transports approximately 1,500 CY of material each trip. Once arriving at the disposal site, the bottom-dump barge drops the material into its intended location. Dredged material disposal at the non-dispersive sites is designed to maintain dispersion within a 600-foot radius target zone at each site. The barges doing the disposal are towed at the minimum speed necessary to maintain control. In most instances, material is released from the bottom of the barge which is about 10 feet down in the water column. All disposal tugs are required to record and report when and where sediment is released within the target zone. The disposal sites were originally sized so that a barge being towed at an average speed of three knots can unload completely in a few minutes.

Hydraulically dredged sediments from the upstream settling basin and adjacent channel would be directly discharged and disposed of at Parcel O. Parcel O is an upland 9-acre area in the former Kimberly Clark log yard, located on the left bank of the Snohomish River at about river mile 4. The disposal site is devoid of vegetation except for upland grasses, slopes gradually downward to the north. A slurry of hydraulically dredged sediments and water from the upstream settling basin and adjacent channel would be directly discharged and disposed of at this site. The hydraulic pipeline extends from the dredge positioned in the upper settling basin, runs along the left bank river channel, over the berm, and into the site. The slurry slowly flows downgradient toward outlet weirs and as the sediment settles out, the water continues flowing through a system of weirs and returns to the river. Turbidity levels of discharged decant water are monitored and managed in accordance with the applicable conditions of the Clean Water Act (CWA) Section 401 water quality certification issued by the Washington Department of Ecology (Ecology). The material is subsequently collected and moved via truck by the City or Port for use at other regional sites in need of fill material.

Hydraulically dredged material is typically placed at Jetty Island, which began as a wood pile jetty that was installed in 1901 to protect the Port of Everett from the open-waters of Port Gardner. Since about 1903, the Corps has disposed dredged material from the navigation channel along the west side of the wood and rock jetty. All but the southern end of the jetty is now buried, and the size of the island is now maintained by a balance between periodic disposal of dredged sediments and natural erosion. Disposal at the site is done via a hydraulic pipeline that is placed across the island, along a route that limits impacts on vegetation, and avoids a high salt marsh located at the north end of the island. Sediments are discharged at the top of the existing beach and materials are allowed to naturally disperse in the nearshore zone.

ENVIRONMENTAL COMPLIANCE

The proposed maintenance activities will be reviewed in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); Section 404 of the Clean Water Act (33 U.S.C. 1344); Coastal Zone Management Act of 1972 as amended (16 U.S.C. 1451 et seq.), and the National Historic Preservation Act of 1966 as amended (54 U.S.C. 300101 et seq.).

A Draft Environmental Assessment (EA) and 404(b)(1) evaluation have been prepared for this action and are available online as “Everett Harbor and Snohomish River Maintenance Dredging and Disposal FY 2019- FY 2034”:

<http://www.nws.usace.army.mil/Missions/Environmental/Environmental-Documents/>

The Draft EA’s public comment period is concurrent with the comment period for this Public Notice. The Draft EA will be available at the Everett Public Library. Once complete, the EA will be posted and available on the Seattle District web site listed above.

The USACE determined that the proposed maintenance dredging and dredged material placement at nearshore and upland sites may affect, but is not likely to adversely affect any ESA-listed species or designated critical habitat and prepared documentation of this determination (USACE 2016). The USFWS agreed with this determination and the USACE received a letter of concurrence May 24, 2017. NMFS agreed that the proposed action is not likely to adversely affect most ESA-listed species or designated critical habitat; however, NMFS concluded that

Puget Sound Chinook salmon and their critical habitat and Puget Sound steelhead and their critical habitat are likely to be adversely affected in Everett Harbor and the Snohomish River, and the USACE received a biological opinion January 26, 2018 (NMFS 2018). The USACE determined the proposed dredged material placement at the Port Gardner open-water disposal site is not likely to adversely affect any ESA-listed species or designated habitat and prepared documentation of this determination (USACE 2015). The USFWS provided a letter of concurrence July 28, 2015 (USFWS 2015) and NMFS provided a biological opinion for adverse effects to yelloweye rockfish and bocaccio in the Puget Sound/Georgia Basin December 17, 2015 (NMFS 2015). NMFS required the Corps to implement Reasonable and Prudent Measures (RPMs) in the biological opinion by following terms and conditions to minimize the level of “take” associated with the proposed action for these species. The Corps has incorporated the RPMs into the Mitigation for Adverse Environmental Effects section of the draft EA for disposal of dredged material. The USACE will comply with the reasonable and prudent measures of the biological opinions to avoid and minimize adverse impacts to ESA-listed species during maintenance dredging and dredged material placement. These include to minimize incidental take from dredging and in-water sediment disposal, minimize the exposure of listed fish to contaminants and reduced DO, and to implement monitoring and reporting to confirm that the take exemption for the proposed action is not exceeded.

The Corps is seeking a Clean Water Act Section 401 water quality certification (WQC) from the Washington Department of Ecology. In conducting activities involving the discharge of dredged material into waters of the United States, the Corps will comply with applicable provisions issued in the WQC associated with the discharge of dredged material into the waters of the United States, to minimize turbidity and other water quality impacts. The Corps has determined that the proposed work is consistent to the maximum extent practicable with the enforceable policies of the approved Washington Coastal Management Program. State concurrence with this determination has been requested as of April 10, 2018. The USACE initiated consultation with the Washington State Historic Preservation Office (SHPO) and affected Tribes for this project by letter on March 27, 2018. Based on the results of literature and records review, the absence of known or recorded cultural resources within the area of potential effect (APE), and consultation with the SHPO and the Tribe, the USACE anticipates submitting a finding of no historic properties. On March 29, 2018, the SHPO responded by letter concurring with the USACE APE. No response has been received from the Tribes. On April 20, 2018 the USACE sent a letter to the Washington SHPO documenting the USACE’s determination of No Historic Properties Affected. The Washington SHPO responded by letter dated April 23, 2018 concurring with the USACE’s determination.

PUBLIC INTEREST EVALUATION

The decision to proceed with this disposal of dredged material will be preceded by a determination of whether the proposed activity would be in the public interest. All factors which may be relevant to the proposal’s public interest will be considered; among those are navigation and the Federal standard for dredged material disposal; water quality; coastal zone consistency; wetlands; endangered species; historic resources; scenic and recreation values; fish and wildlife; marine sanctuaries; applicable state/regional/local land use classifications, determinations, and/or policies; conservation; economics; shoreline erosion and accretion; safety; and considerations of property ownership.

As a foundation for its public interest determination the Corps will consider, on an equal basis, all alternatives that are both reasonable and practicable, i.e., available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The Corps will select the alternative that represents the least costly alternative, constituting the discharge of dredged or fill material into waters of the United States in the least costly manner and at the least costly and most practicable location, that is consistent with sound engineering practices, and that meets the environmental standards established by the Clean Water Act Section 404(b)(1) evaluation process.

COMMENT AND REVIEW PERIOD

The Corps is 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 consider and evaluate the effects of this activity. To make this decision, comments are used to assess impacts on ESA listed species, historic properties, water quality, general environmental effects, and other public interest factors listed above. The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. 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. Submitted comments should include on the subject line the public notice number. The comment must include the commentator's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office no later than the expiration date of this public notice to ensure consideration.

The District Engineer invites responses to this Public Notice from Federal, State and local agencies, historical and archeological societies, Indian Tribes and other parties likely to have knowledge of or concerns with historic properties in the area.

PUBLIC HEARING

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

COMMENTS TO THE CORPS OF ENGINEERS

Replies to this Public Notice should be mailed to reach the District Engineer, ATTN: PMP-18-18, PO Box 3755, Seattle, Washington 98124-3755, not later than July 15, 2018 to assure consideration. Requests for additional information should be directed to Mr. John Pell, Project Manager, (206) 764-3413 or via email at John.L.Pell@usace.army.mil, or Ms. Kaitlin Whitlock, Environmental Coordinator, (206) 764-3576 or via email at Kaitlin.E.Whitlock@usace.army.mil.

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Attachment A

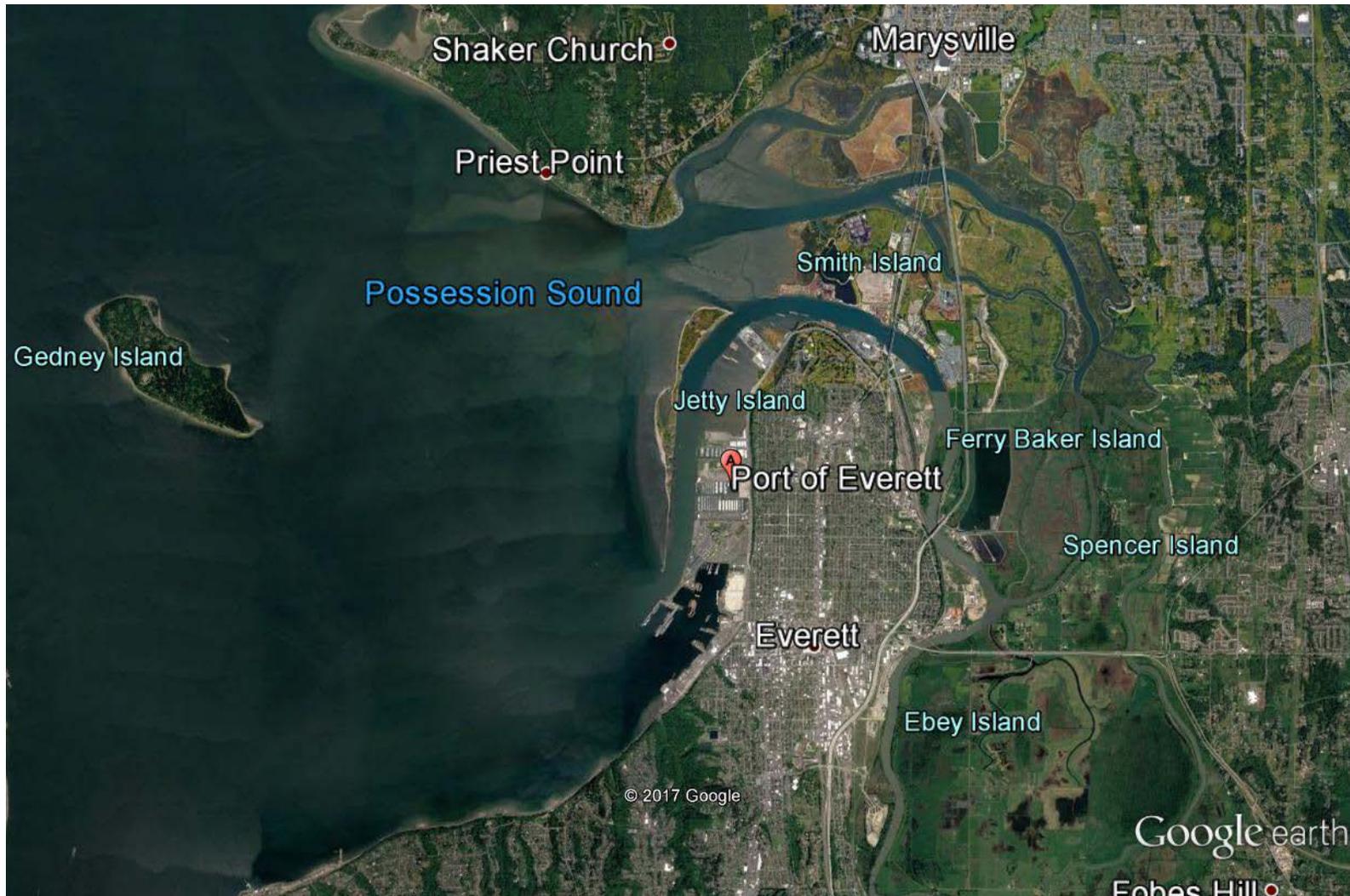


Figure 1. Vicinity map of the Port of Everett and other landmarks such as the City of Everett, Possession Sound, and Priest Point around the Snohomish River navigation channel.

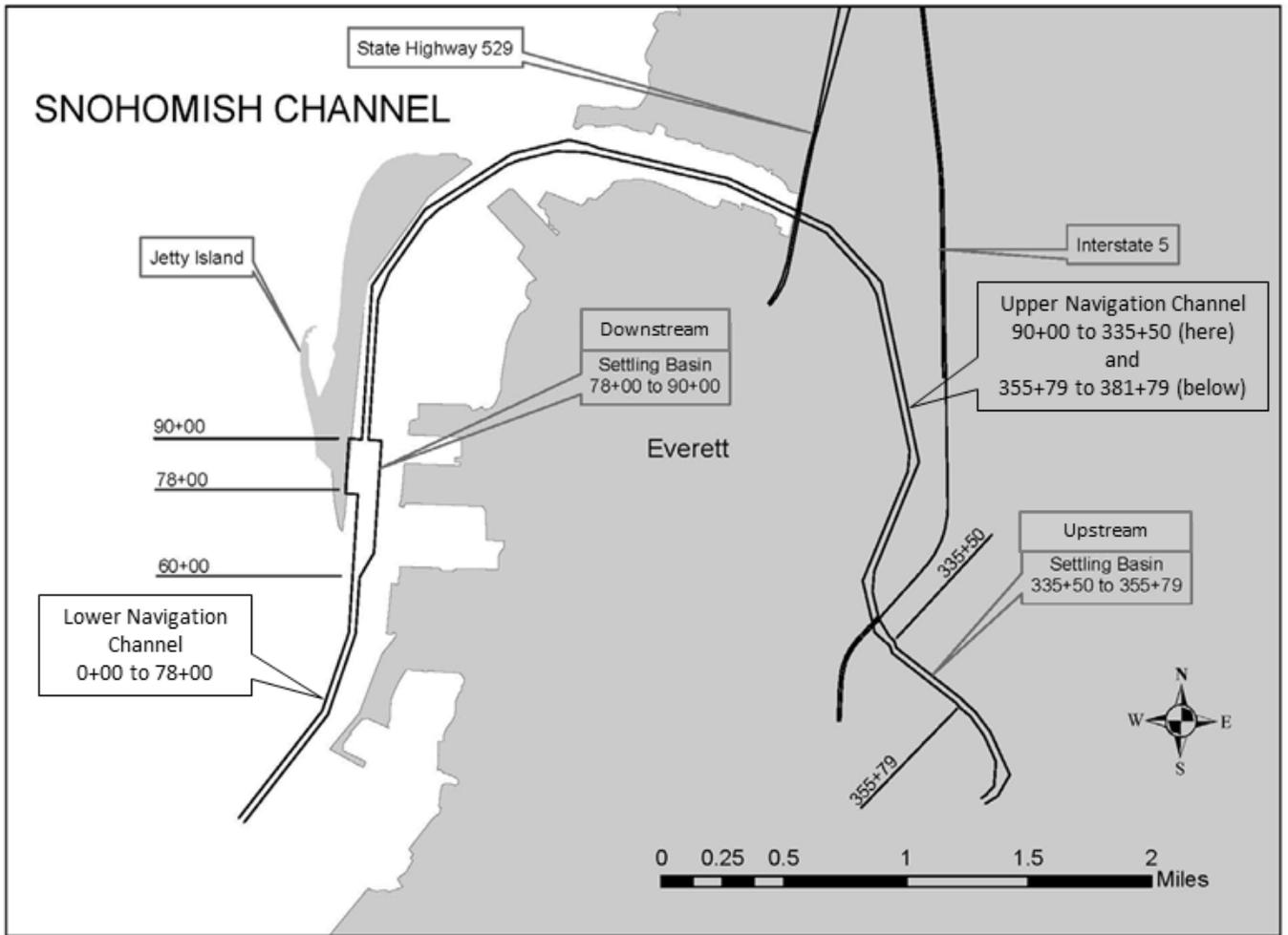


Figure 2. Snohomish River Navigation Channel with stationing.

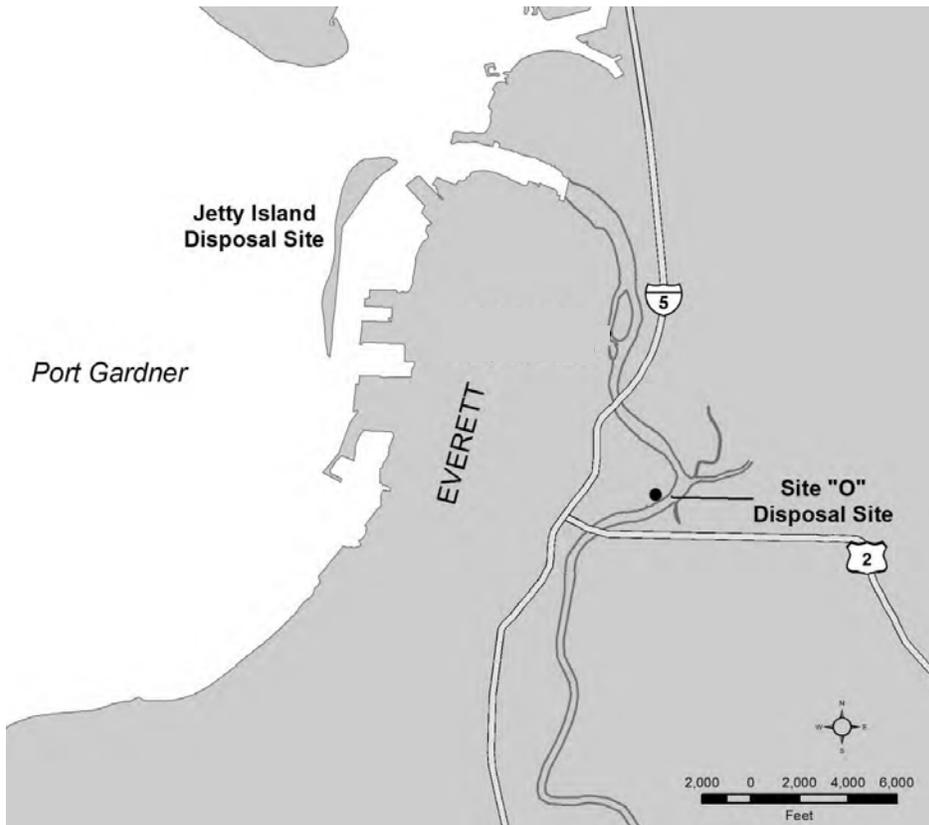


Figure 3. Everett Harbor and Snohomish River beneficial use disposal site locations at Parcel O (also called Site O) and Jetty Island disposal sites. The Jetty Island disposal site is generally the southern half of the island.

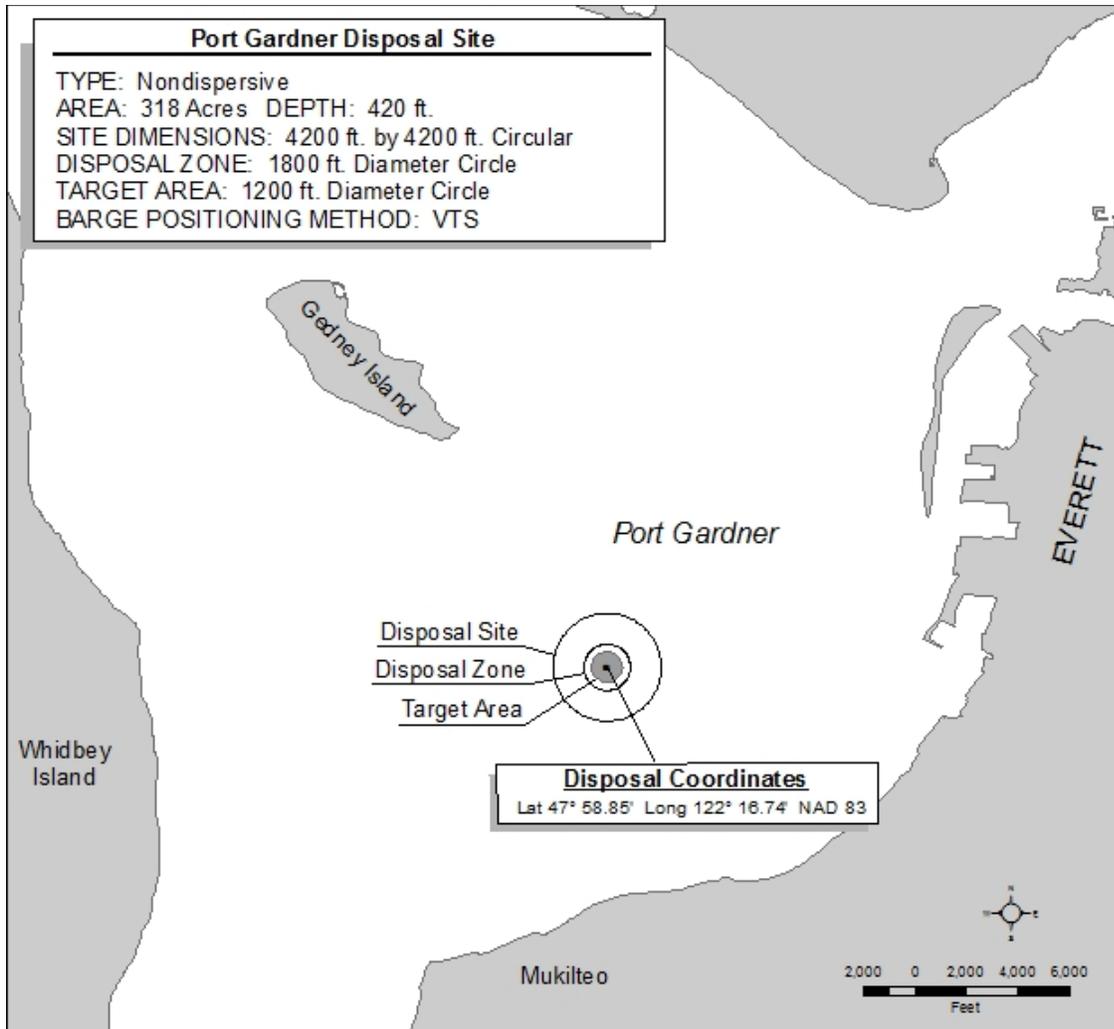


Figure 4. Port Gardner PSDDA (Puget Sound Dredged Disposal Analysis) Program Disposal Site.