



US Army Corps  
of Engineers®

Seattle District

# Notice of Environmental Assessment & Clean Water Act Public Notice

Planning Branch  
P.O. Box 3755  
Seattle, WA 98124-3755  
ATTN: Cummins (PM-PL-ER)

Public Notice Date: March 1, 2010  
Expiration Date: March 31, 2010  
Reference: PL-10-03  
Project Name: Neah Bay Breakwater Repair

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US ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT FISCAL YEAR 2010  
MAINTENANCE AND REPAIR OF OUTER BREAKWATER, NEAH BAY,  
WASHINGTON

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps) has prepared, pursuant to the National Environmental Policy Act, an environmental assessment (EA) to address the potential environmental impacts associated with proposed breakwater repair at Neah Bay, Clallam County, Washington.

## AUTHORITY

The River and Harbor Act of June 20, 1938, authorized the construction and maintenance of Neah Bay breakwater, a rubble mound breakwater is necessary to provide relief to the Makah Tribal lands from severe storms that arrive from the west via the ocean entrance of the Strait of Juan de Fuca. This structure also provides protection to the U.S. Coast Guard station at Neah Bay, Washington.

## NEED AND PURPOSE

Repairs to the structure were performed in 1949, 1959, 1980, 1998, and 2002. Earlier damages can be attributed to use of sub-par armor rock and cross-section geometry for the associated wave environment. Despite these repairs, the breakwater has continued to fail near the center reach due to poor stone interlock in the sections repaired in 1998 and 2002. The existing structure is statically stable but can become unstable when subjected to extreme wave events. Large storm waves can cause sliding/rolling of the seaside armor stone and dislodgement of leeside armor stone. The probability of failure is higher in the center reach of the structure (near the bend) because the water depths are greater, which allows for larger waves to propagate.

Sections of the breakwater have lost armor rock; therefore, repairs are needed to prevent further damage. Failure to complete repairs on the breakwater will result in continued damage to the structure. The weakened breakwater is readily overtopped by large waves and its ability to provide protection to the existing marina, tribal village, and Coast Guard station is compromised. This project proposes to repair the damaged

sections (approximately 1,500 linear feet) of the breakwater in a manner that reduces the frequency of damage to the repaired areas and increases overall stability.

### PROPOSED ACTION

Repairs will consist of re-establishing a 1.5:1 (H:V) slope with a 25-foot crest width per the 1978 design memorandum (USACE 1978) as well as increasing the size of the armor units to increase the stability of the structure. This will be accomplished by relocating some existing rock (and adding new core rock as needed) to re-establish the design slope and then capping the core material with a single layer of larger armor units. All repair work will be within the existing footprint of the breakwater.

Staging areas will be required for excess equipment and materials. No wetlands or other environmentally sensitive areas will be impacted by staging areas.

### ANTICIPATED IMPACTS

Only a temporary and slight reduction in water quality would be expected during construction of the breakwater. This is limited to increase in turbidity from construction equipment, rock placement, and small volumes of vessel discharges. However, tidal currents in the project area are great enough to quickly dissipate turbidity and render the effects insignificant.

It is expected that populations of the benthic community, specifically marine invertebrates, in the immediate vicinity of the construction may be reduced. If octopi are present in the area of repair they may become trapped under the newly placed rock. However, the benthic species are expected to recover shortly after breakwater repair activities are completed. Since new communities will establish quickly at the project site, no long-term loss of biological productivity is expected. Impacts related to the project will be minor, temporary, and localized.

The incremental effects of the proposed repairs to the existing structure are not anticipated to cause long-term adverse impacts to the local environment or associated habitats since upon completion of the repairs the breakwater structure will be returned to its previous state creating no changes to the existing baseline environment.

### EVALUATION

The Corps has made a preliminary determination that the environmental impacts of the proposal can be adequately evaluated under the National Environmental Policy Act through preparation of an environmental assessment (EA). Based on that analysis, the proposed 2010 Neah Bay Breakwater Repair project at Neah Bay, Washington is not a major Federal action significantly affecting the quality of the human environment and therefore does not require preparation of an environmental impact statement (EIS).

The project will involve a discharge of dredged or fill material into waters of the United States that has been evaluated for substantive compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The Corps has

prepared a 404(b)(1) Analysis and determined this project to be compliant with both Acts.

The Corps has requested a certification that the project provides reasonable assurance of compliance with the Water Quality Standards of Washington State. The Washington Department of Ecology and the Makah Tribal Council is reviewing this work for compliance with the applicable state and tribal water quality standards pursuant to Section 401 of the Clean Water Act. Certification for this work was received from Ecology on February 25, 2010. Certification from the Tribe is pending.

As a Federal agency, the Corps will ensure the work is consistent with the Coastal Zone Management Program to the maximum extent practicable. A Coastal Zone Management Act consistency determination has been prepared.

In accordance with Section 7(a)(2) of the Endangered Species Act, the Corps has made a determination that the proposed project will have **no effect** or is **not likely to adversely affect** listed species and/or designated critical habitat. A Biological Evaluation (BE) was sent to initiate informal consultation with the National Marine Fisheries Service and/or the U.S. Fish and Wildlife Service, regarding the impact of the project on listed species and/or designated critical habitat. Both agencies have agreed with the Corps' determinations. Concurrence letters were received from both agencies on February 16, 2010 and February 18, 2010.

The Corps has reviewed the latest published version of the National Register of Historic Places (NRHP), lists of properties deemed eligible, and other sources of information. The following is the current state of knowledge regarding the presence or absence of historic properties and the effects of the undertaking upon the properties: These efforts have indicated that the project has very little potential to affect historic properties and the breakwater itself is not eligible for listing due to the extent and nature of recent repairs. The Corps has received concurrence with a finding of "No historic properties affected" for the proposed Neah Bay Breakwater Repair project from the THPO on September 21, 2009.

The decision whether to conduct the project will be based on an evaluation of the probable impact on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among these are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

Any person who has an interest that may be affected by this disposal of fill or dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice, and must clearly set forth the following: the interest that may be affected, the manner in which the interest may be affected by this activity, and the particular reason for holding a public hearing regarding this activity.

The Corps invites submission of factual comment on the environmental impact of the proposal. Comments will also be considered in determining whether it would be in the best public interest to proceed with the proposed project. The Corps will consider all submissions received before the expiration date of this notice. The nature or scope of the proposal may be changed upon consideration of the comments received. The Corps will initiate an Environmental Impact Statement (EIS), and afford all the appropriate public participation opportunities attendant to an EIS, if significant effects on the quality of the human environment are identified and cannot be mitigated.

Submit comments to this office, Attn: Andrea Cummins, Environmental Resources Section, no later than March 31, 2010 to ensure consideration. In addition to sending comments via mail, comments may be e-mailed to [andrea.k.cummins@usace.army.mil](mailto:andrea.k.cummins@usace.army.mil).

Requests for additional information should be directed to Andrea K. Cummins, at 206-764-3641 or the above e-mail address.