



US Army Corps
of Engineers
Seattle District



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (206) 764-6883
Attn: Darren Habel, Project Manager

WA Department of Ecology
SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6068
Attn: SEA Program,
Federal Permit Coordinator

Public Notice Date: December 3, 2012
Expiration Date: January 2, 2013

Reference No.: NWS-2012-793
Name: Olympia Yacht Club

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings dated June 14, 2011.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: Olympia Yacht Club
201 Simmons Avenue
Olympia, Washington 98501
Attention: Walt Schefter
Telephone: (360) 357-6767

AGENT: Skillings Connolly, Inc.
5016 Lacey Boulevard
Lacey, Washington 98503
Attention: Patrick Skillings
Telephone: (360) 491-3399

LOCATION: In Budd Inlet, Olympia, Washington.

WORK: The proposed project is to dredge up to 16,300 cubic yards (CY) of sediment. The work will be accomplished using a clamshell dredge. The dredged material will be disposed of at both an approved upland disposal facility and at the Anderson Ketron Island open-water disposal site.

PURPOSE: The purpose of the dredging is for safe navigation for recreational boat moorage.

Dredged Material Testing: The proposed dredged material has been tested according to the procedures specified by DMMP, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Washington State. The DMMP evaluations may include both chemical and biological testing of sediments. For

this project, the DMMP agencies determined that 9,400 cubic yards were suitable for unconfined disposal at the DMMP nondispersive open-water disposal site between Anderson and Ketron Island, Nisqually Reach, Puget Sound. The remaining 6,900 cubic yards were found unsuitable for open-water disposal. After mechanical removal, this material will be loaded onto trucks and transported to an upland disposal area, approved by the Washington State Department of Ecology and the Thurston County Department of Health. Post-dredge sediment sampling and testing will be required and based on the results, a contingency plan consisting of covering problem areas with 6 to 12 inches of clean sand may be implemented. The sediment testing data are available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

Dredging Plan: A dredging plan, sufficient to adequately separate contaminated material from sediments suitable for open-water disposal, will be prepared by the applicant and submitted to the regulatory agencies for review prior to dredging. A pre-dredging conference will be held to review quality control plans and procedures for material separation.

Disposal Site Use Conditions: The following standard site-use conditions will be specified by the Corps and the Washington Department of Natural Resources as part of the Federal/State permitting processes: (1) disposal operations must not interfere with Indian treaty fishing at the disposal site, including gill nets and other fishing gear; (2) the permittee must coordinate any nighttime disposal with the Corps, Seattle District, Regulatory Branch Project Manager; and (3) approval must be received from the District Engineer prior to conducting nighttime disposal. Other appropriate special conditions may be added as a result of comments received during the public review period for this public notice.

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 (USFWS) 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). The proposed action would impact EFH in the project area.

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. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The Corps has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The Corps invites responses to this public notice from Native American Tribes 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 project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate. Historic properties are recorded near the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property.

EVALUATION – CORPS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, 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, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

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 impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION – ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

This proposal is the subject of Shorelines Substantial Development Permit being processed by Thurston County.

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 permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's 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 this office, no later than the expiration date of this public notice to ensure consideration.

CORPS COMMENTS: All e-mail comments should be sent to darren.habel@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Darren Habel; P.O. Box 3755; Seattle, Washington 98124-3755.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: SEA program – Federal Permit Coordinator; P.O. Box 47600; Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

NWS-2012-793, Olympia Yacht Club

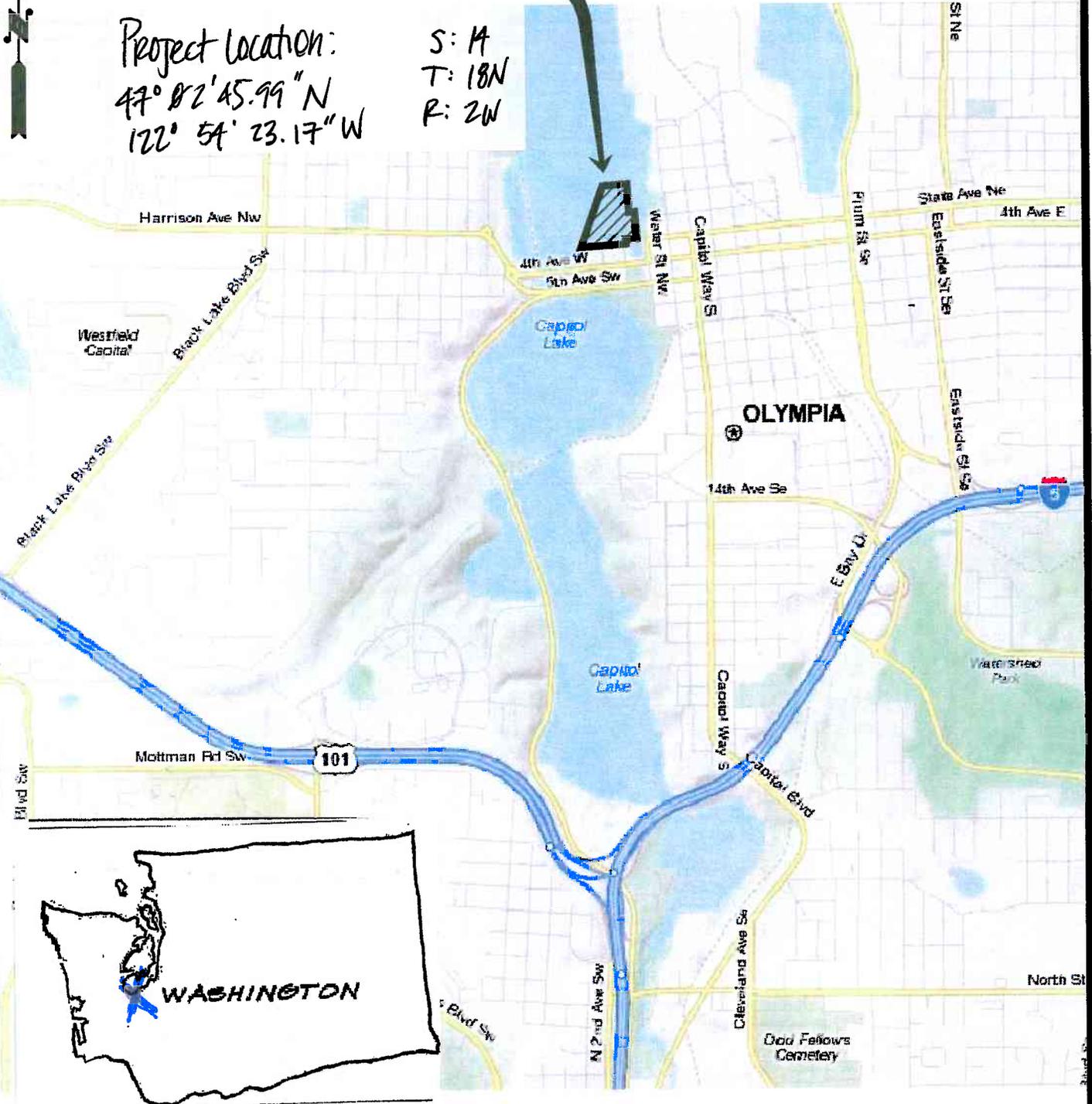
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Olympia Yacht Club, NWS-2012-793.

Encl: Figures (6)

OLYMPIA YACHT CLUB

Project location:
 $47^{\circ} 02' 45.99'' N$
 $122^{\circ} 54' 23.17'' W$

S: 14
 T: 18N
 R: 2W



NWS-2012-793

SHEET 1 of 6



OLYMPIA YACHT CLUB
 VICINITY MAP

JOB NO.
 10070
 DATE
 6/11/2011



SCALE IN FEET
0 30 60 120

S SKILLINGS
CONNOLLY

NWS-2012-793

OLYMPIA YACHT CLUB
MARINA

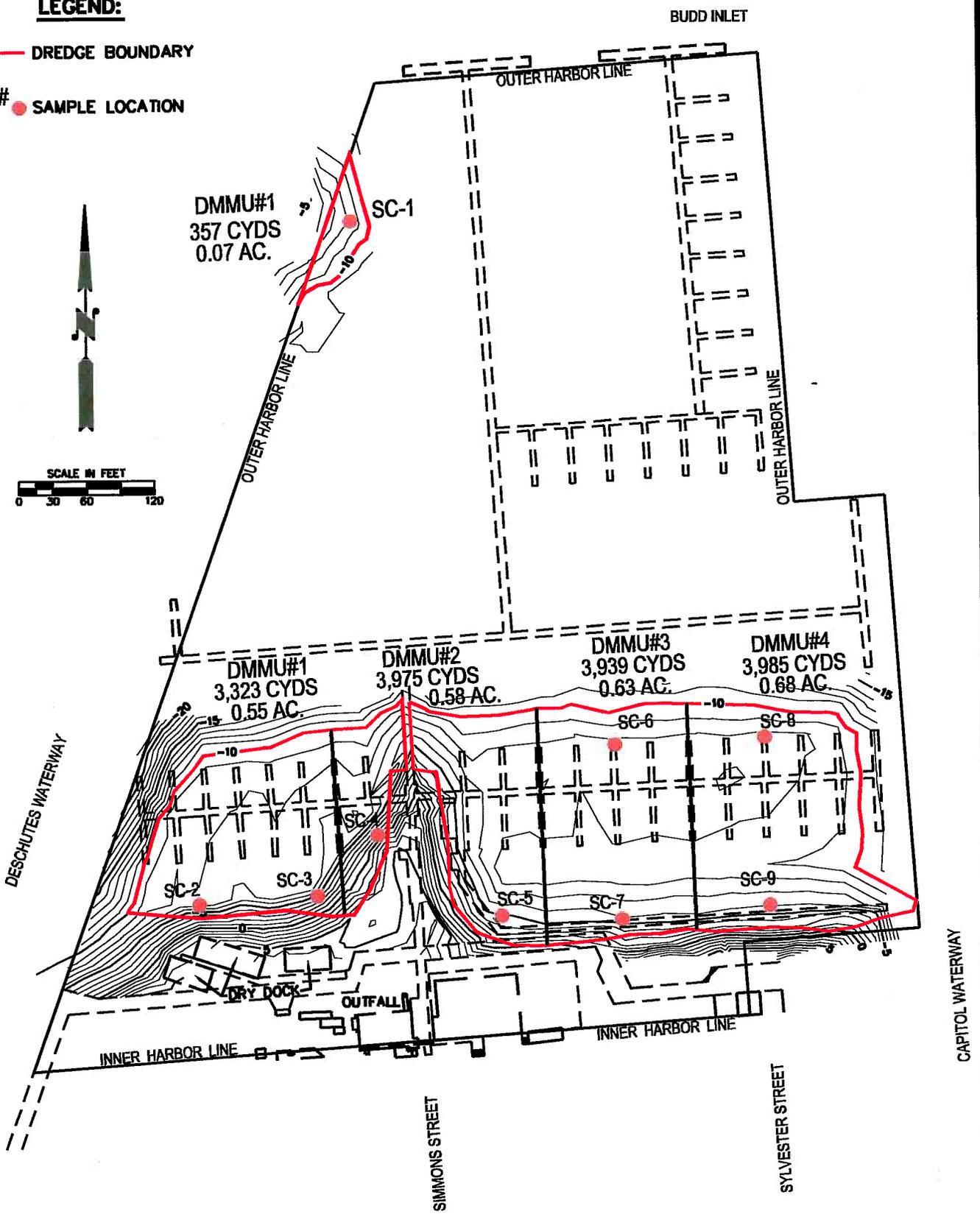
SHEET
2 of 6

JOB NO.
10070
DATE
6/14/2011

LEGEND:

— DREDGE BOUNDARY

SC-# ● SAMPLE LOCATION



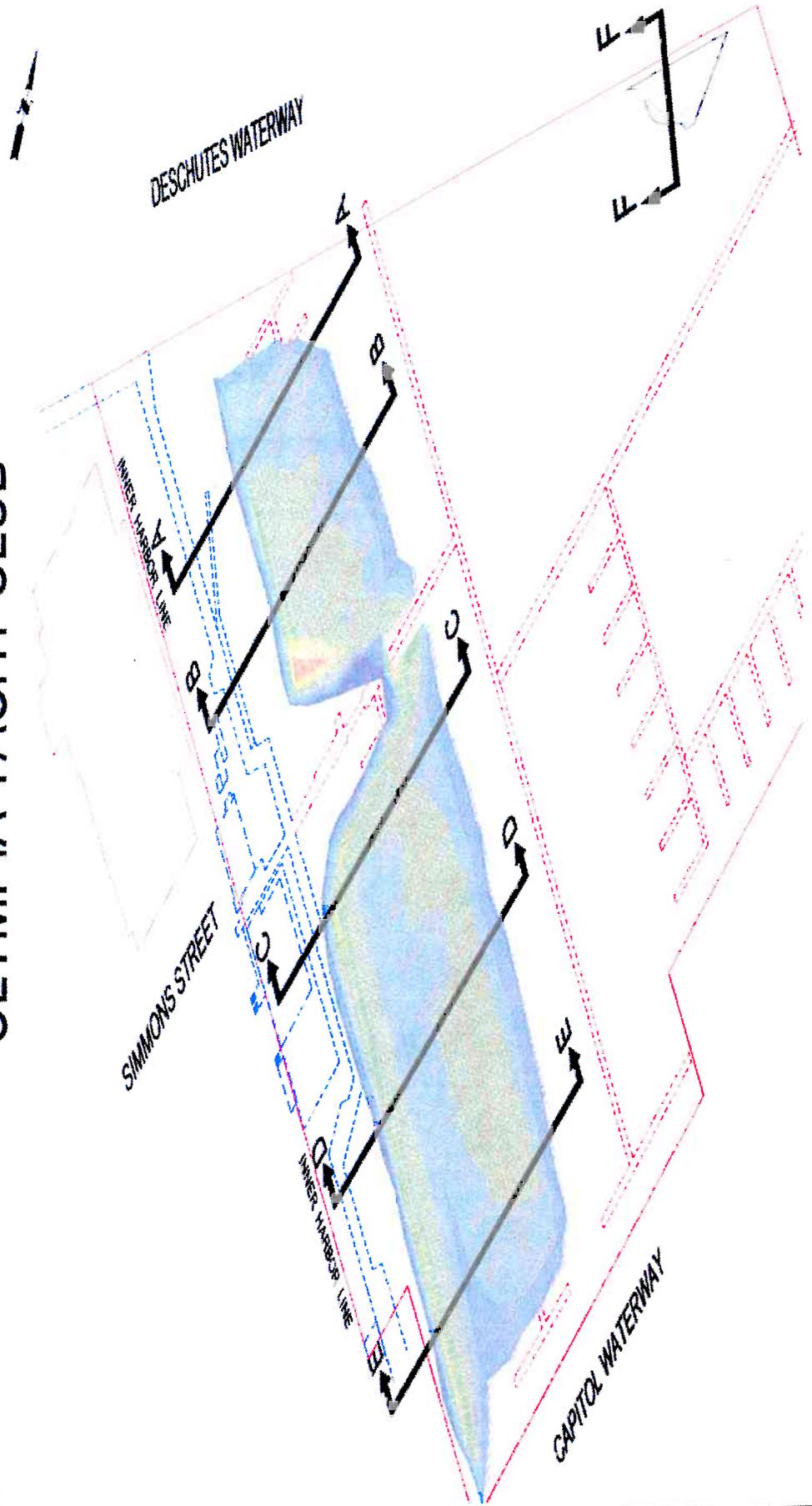
NWS 2012-793

DMMU MAP
OLYMPIA YACHT CLUB

SHEET
3 of 6

JOB NO.	10070
DATE	6/14/2011

OLYMPIA YACHT CLUB



BATHYMETRIC SURVEY

**SKILLINGS
CONNOLLY**
501 E. Liberty Boulevard DE, Lacey, WA 98503
PH: (360) 851-1387 FAX: (360) 851-1387

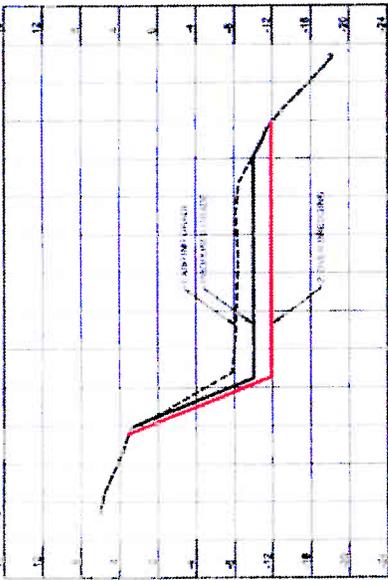
Date: 6/14/2011

SHEET 4 of 6

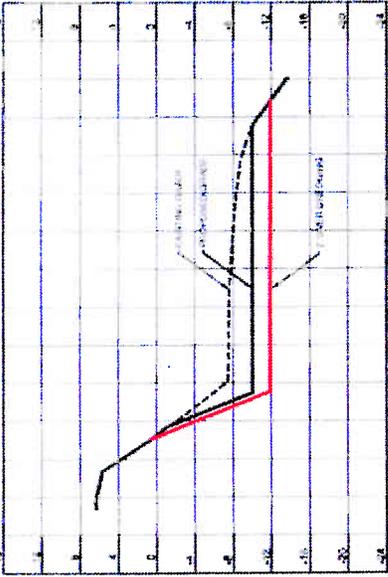
NWS-2012-7973

OLYMPIA YACHT CLUB

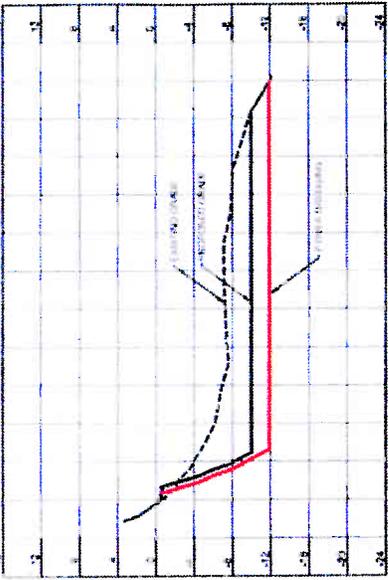
SECTION A-A PROFILE



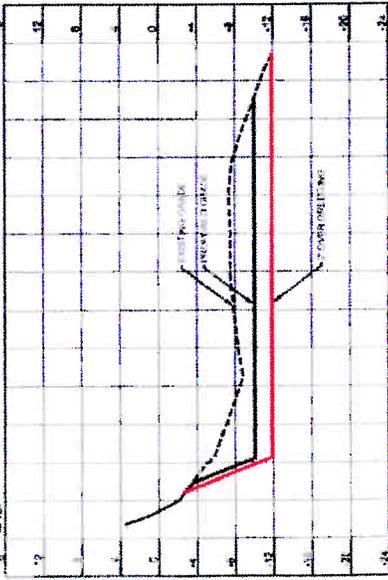
SECTION B-B PROFILE



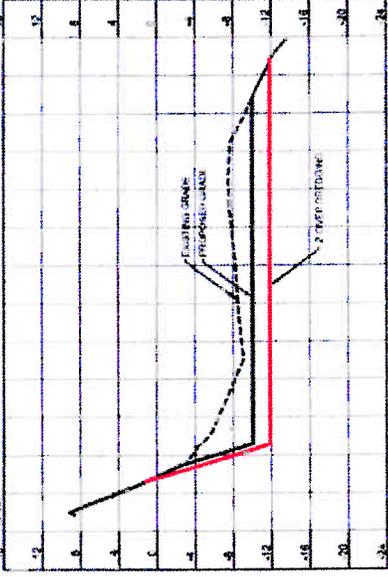
SECTION C-C PROFILE



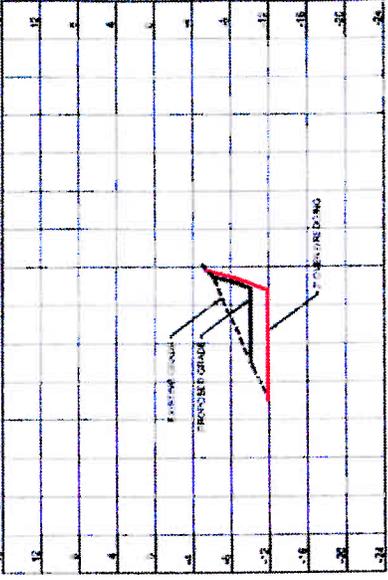
SECTION D-D PROFILE



SECTION E-E PROFILE



SECTION F-F PROFILE



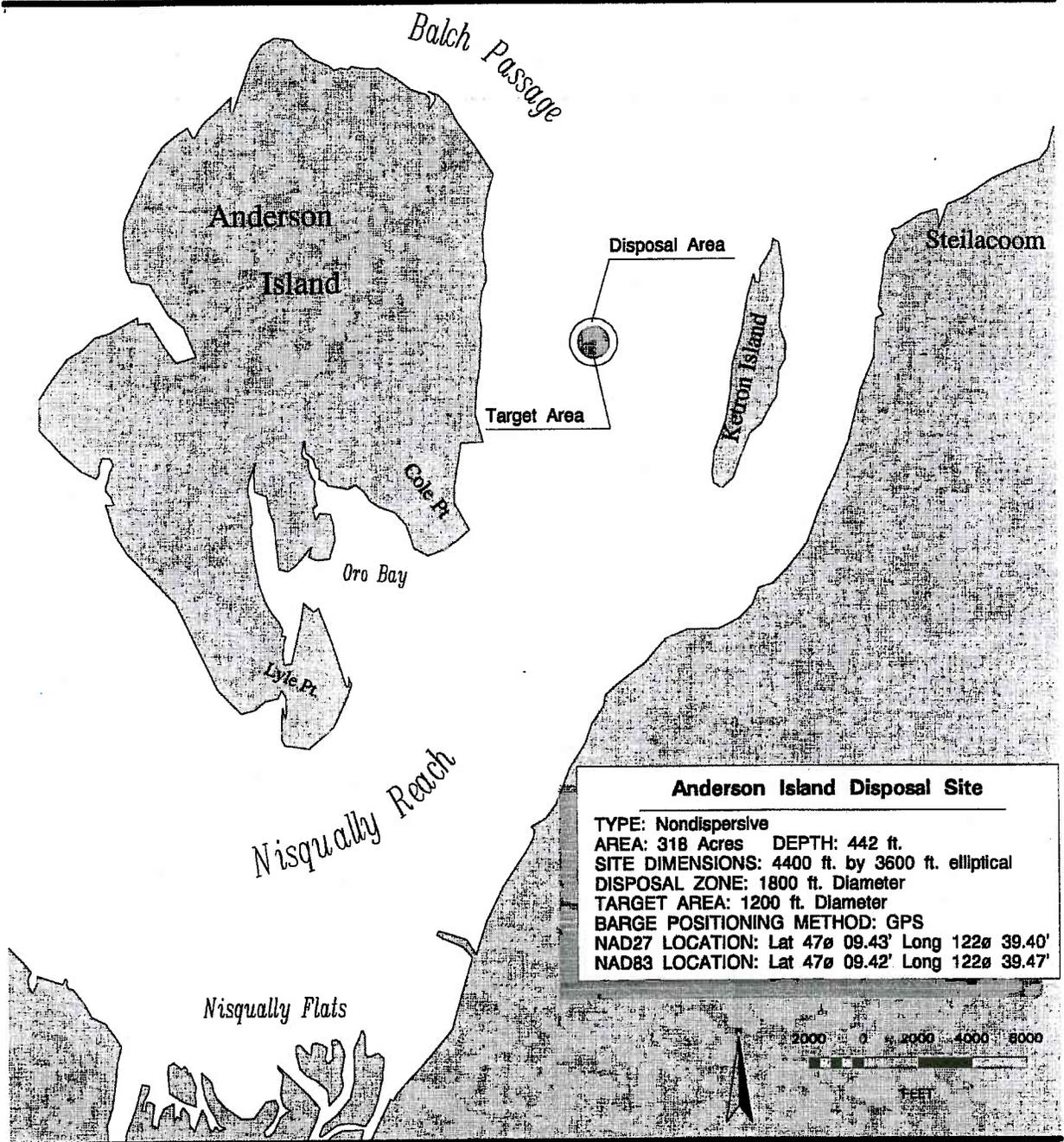
**SKILLINGS
CONNOLLY**
70-8 Lacey Boulevard SE, Lacey, WA 98503-8503
252-487-3777 (800) 454-1548 Fax (252) 451-0887

DREDGE CROSS SECTIONS

NWS-2012-7993

SHEET 5 of 6

Date: 6/14/2011



NWS-1012-793

IN Budd Inlet, Puget Sound
 AT OLYMPIA
 COUNTY OF THURSTON STATE WA
 APPLICATION BY OLYMPIA YACHT CLUB
 SHEET 6 OF 6 DATE 6/14/2011