



US Army Corps
of Engineers
Seattle District



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) 766-6439
Attn: Ron Wilcox, 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: October 17, 2012
Expiration Date: November 16, 2012

Reference No.: NWS-2012-157
Name: Port of Willapa Harbor

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.

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: Port of Willapa Harbor
1725 Ocean Ave
Raymond, Washington 98577
Attention: Ms. Rebecca Chaffee
Telephone: (360) 942-3422

LOCATION: Bay Center Marina, Federal Navigational Channel, and the Bay Center Mariculture Docks that connect to the Palix River at Bay Center, Pacific County, Washington.

WORK: The project involves the ongoing maintenance dredging of the Bay Center Marina and Federal Entrance Channel between channel station 0+00 and 17+00, and the Bay Center Mariculture Dock area located approximately 2,300-feet south of the marina channel on the westerly bank of the Palix River. The marina and channel maintenance dredging would occur to a maximum depth of minus 11-feet Mean Lower Low Water (MLLW) including an allowable dredge depth limit of one additional foot. The Mariculture Dock maintenance dredging would occur to a maximum depth of minus 8-feet MLLW. The dredging will be accomplished with a hydraulic suction dredge utilizing a cutter head and 12-inch diameter high-density polyethylene (HDPE) discharge pipeline owned and operated by the Port of Willapa Harbor. The dredge spoils will be pumped via a pipeline and discharged to the flow lane immediately to the east of the marina within the Palix River. The same flow lane discharge location will be utilized by both dredging sites.

The total sediment accumulation in the marina and channel is estimated to be 45,000 cubic yards (CY) and 1,000 CY at the Bay Center Mariculture Dock. The first dredging cycle will take place over two seasons.

After this initial dredging, dredging will be completed approximately at year 6 over the seven-year period as indicated in the table below. A total of approximately 62,000 CY of material would be dredged over the seven-year period of maintenance dredging.

Dredging Volumes and estimates below:

<u>Year:</u>	<u>Marina/Channel:</u>	<u>Mariculture Dock:</u>	<u>Total:</u>
2012/2013	25,000 CY	1,000 CY	26,000 CY
2013/2014	20,000 CY	-----	20,000 CY
2018	15,000 CY	1,000 CY	16,000 CY

PURPOSE: Maintenance dredging for navigation and vessel moorage.

DREDGED MATERIAL MANAGEMENT PROGRAM (DMMP):

Dredged Material Testing at the Bay Center Marina and Federal Navigational Channel: 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. The DMMP guidelines specify that in cases where several small projects are dredged together by a single contractor, the project volume is summed across all projects, and testing requirements are based on the total volume of all projects. For these projects, the DMMP agencies determined that the sum total of 60,000 CY was suitable for unconfined disposal at an approved DMMP nondispersive (or dispersive) open-water disposal site, flow lane disposal and/or beneficial reuse. The sediment testing data are available at the Corps, Seattle District, Dredged Material Management Office.

Dredged Material Testing at the Bay Center Mariculture Docks: This project has been evaluated according to the guidelines specified by DMMP, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Washington State. Under DMMP guidelines, very small dredging projects in generally uncontaminated areas provide little reason to believe that unacceptable adverse effects are possible, and are, therefore, exempt from testing. The dredging volume (a total of 2,000 CY) for this project falls below that which would trigger sediment testing. The DMMP agencies determined the dredged material was suitable for unconfined disposal at an approved DMMP nondispersive (or dispersive) open-water disposal site, flow lane disposal and/or beneficial reuse.

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.

ADDITIONAL INFORMATION: Dredging has been historically completed at the Bay Center Marina and Channel every two to six years. However, the last dredging at this location was completed in 2002. The sediments have accumulated and are now limiting usage of the marina and Mariculture Dock. The maintenance dredging and disposal would occur over an eight-year period.

A Sediment Transport and Disposal Analysis has determined that existing currents in the flow lane at this location will disperse the fine grain sediments into the littoral system with no deposition in the vicinity of the discharge.

Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and scroll down the alphabetical listing of District elements, and click on "Regulatory" and then "Regulatory – Permits" for the Seattle District's Regulatory homepage. Select the prominently displayed "Public Notices" heading and a list of recently-issued public notices will appear, in chronological order of the date of issuance. Select and view the listing for this project.

MITIGATION: No mitigation is proposed for this maintenance dredging project.

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.

A preliminary determination indicates that the activity will affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is required. The Corps has initiated ESA and EFH consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit 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.

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 an 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.

ADDITIONAL EVALUATION: This proposal is the subject of a Shorelines Substantial Development Permit being processed by Pacific County.

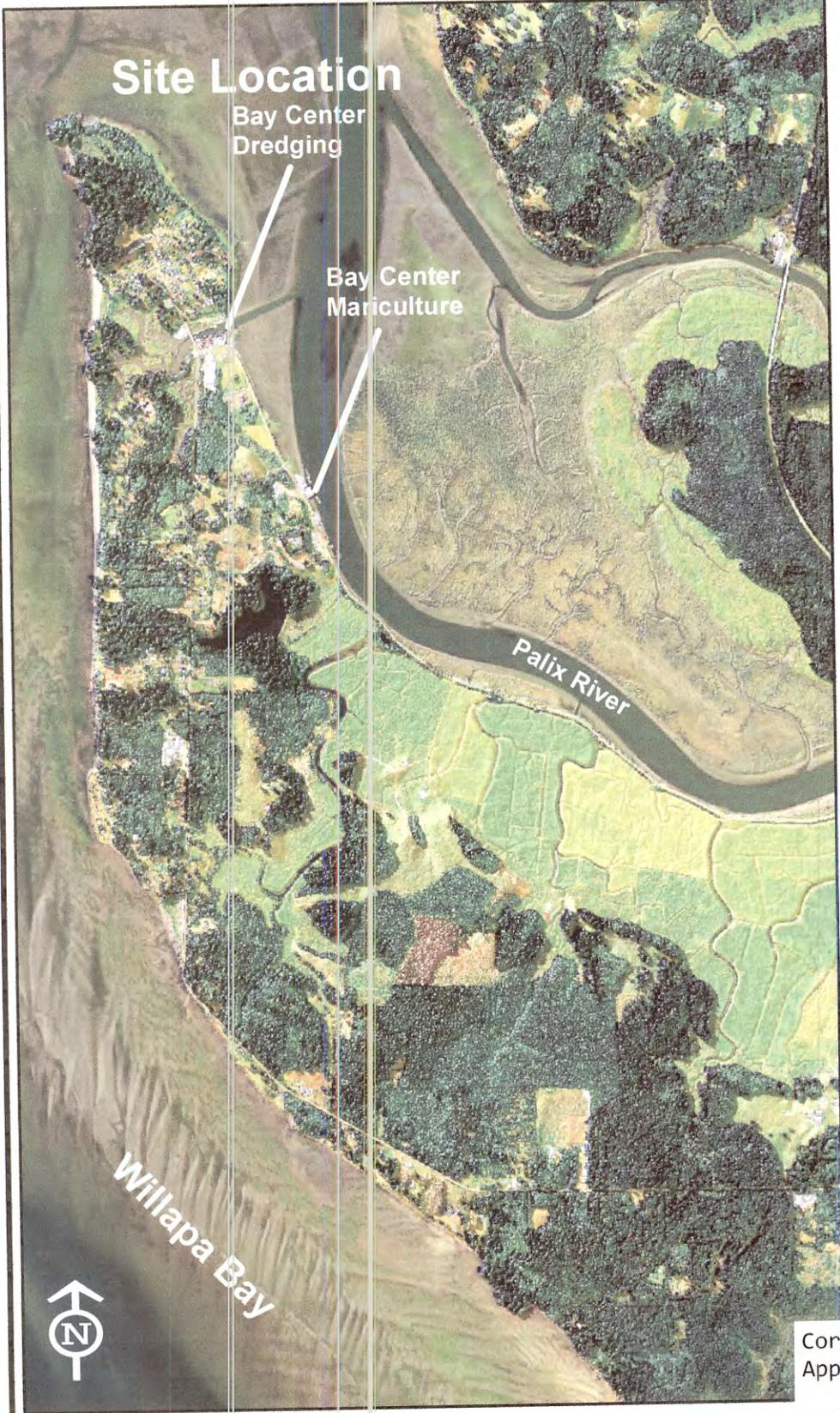
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 ronald.j.wilcox@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ron Wilcox, 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.

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: [Port of Willapa Harbor; NWS-2012-157]

Encl: Figures (1-6)



Site Location

Bay Center
Dredging

Bay Center
Mariculture

Palix River

Willapa Bay



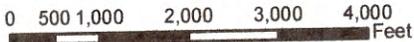
PROJECT SITE

VICINITY MAP SCALE 1:10.5 MILLION

Corps Ref#: NWS-2012-157
Applicant: Port of Willapa Harbor

ADJACENT PROPERTY OWNERS:
BAY CENTER MERCULTURE
TOKELAND FISH AND OYSTER CO. INC.

**Bay Center Marina
Vicinity Map**

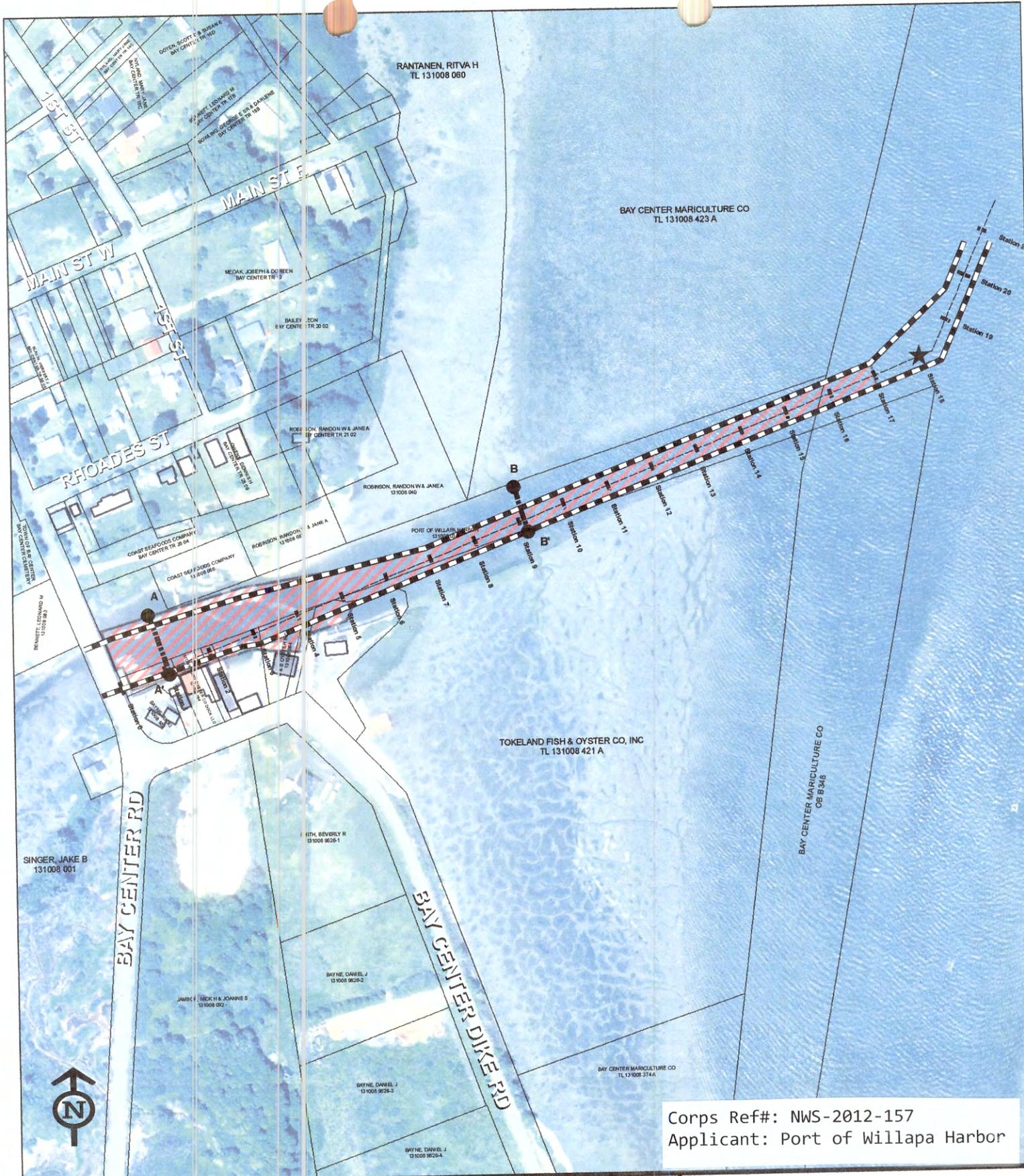


Map Scale 1:24,000

PROPOSED: BAY CENTER MAINTENANCE
DREDGING
IN: PALIX RIVER
AT: BAY CENTER

SHEET 1 OF 6

DATE: 2/17/2012



Corps Ref#: NWS-2012-157
 Applicant: Port of Willapa Harbor

PURPOSE: BAY CENTER
 MAINTENANCE DREDGING
 DATUM: MLLW
 IN: THE PALIX RIVER
 AT: BAY CENTER

Bay Center Dredging Site Map



Map Scale 1:3,000

MAP LEGEND

-  CROSS SECTION LOCATIONS
-  2011 PACIFIC COUNTY TAXLOTS
-  DREDGING FOOTPRINT

A'

A



NOT TO SCALE

Corps Ref#: NWS-2012-157
Applicant: Port of Willapa Harbor

MAP LEGEND

- EXISTING GROUND LINE
- - - PROPOSED GROUND LINE

SHEET 3 OF 6

DATE: 2/17/12

Bay Center Marina
Cross Section A -A'
 PORT OF WILLAPA HARBOR

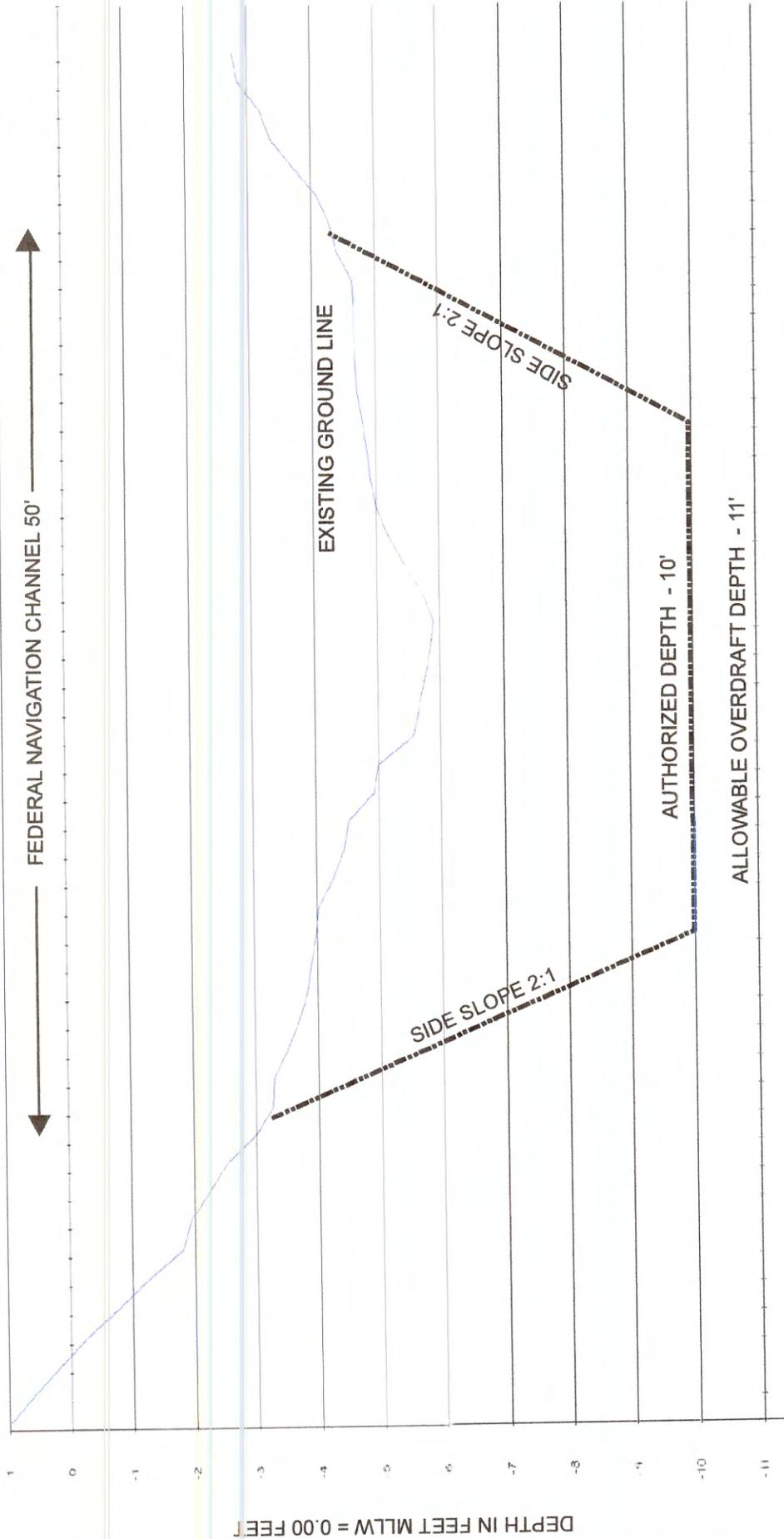
PURPOSE: BAY CENTER MAINTENANCE DREDGING

IN: PALIX RIVER

AT: BAY CENTER

DATUM: MLLW

B' B



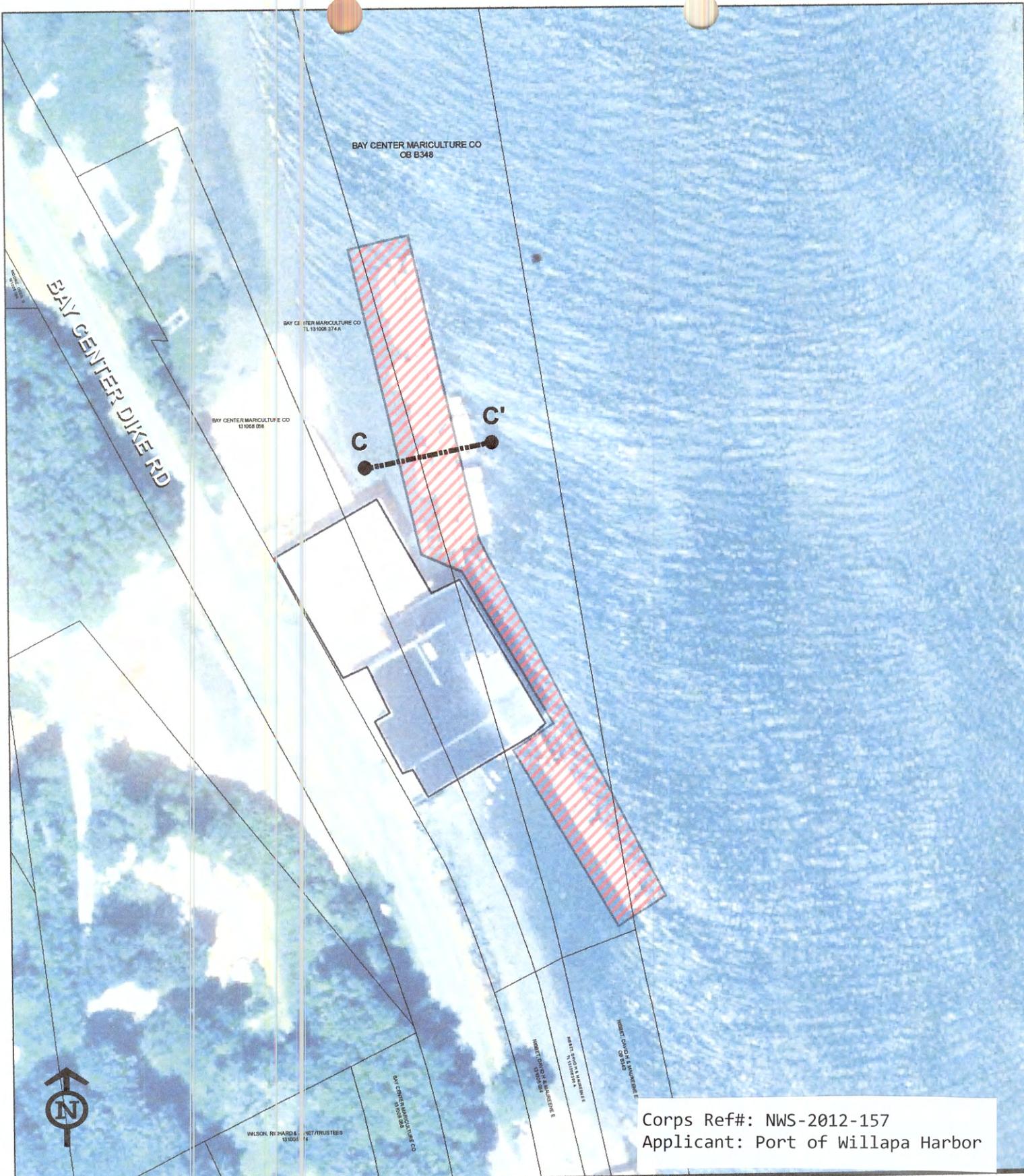
Corps Ref#: NWS-2012-157
Applicant: Port of Willapa Harbor
NOT TO SCALE

PURPOSE: BAY CENTER MAINTENANCE DREDGING
IN: PALIX RIVER
AT: BAY CENTER
DATUM: MLLW

Bay Center Marina Cross Section B-B'

PORT OF WILLAPA HARBOR

MAP LEGEND
— EXISTING GROUND LINE
- - - PROPOSED GROUND LINE



PURPOSE: BAY CENTER
 MAINTENANCE DREDGING
 DATUM: MLLW
 IN: THE PALIX RIVER
 AT: BAY CENTER

Bay Center Mariculture Site Map



Map Scale 1:1,000

MAP LEGEND

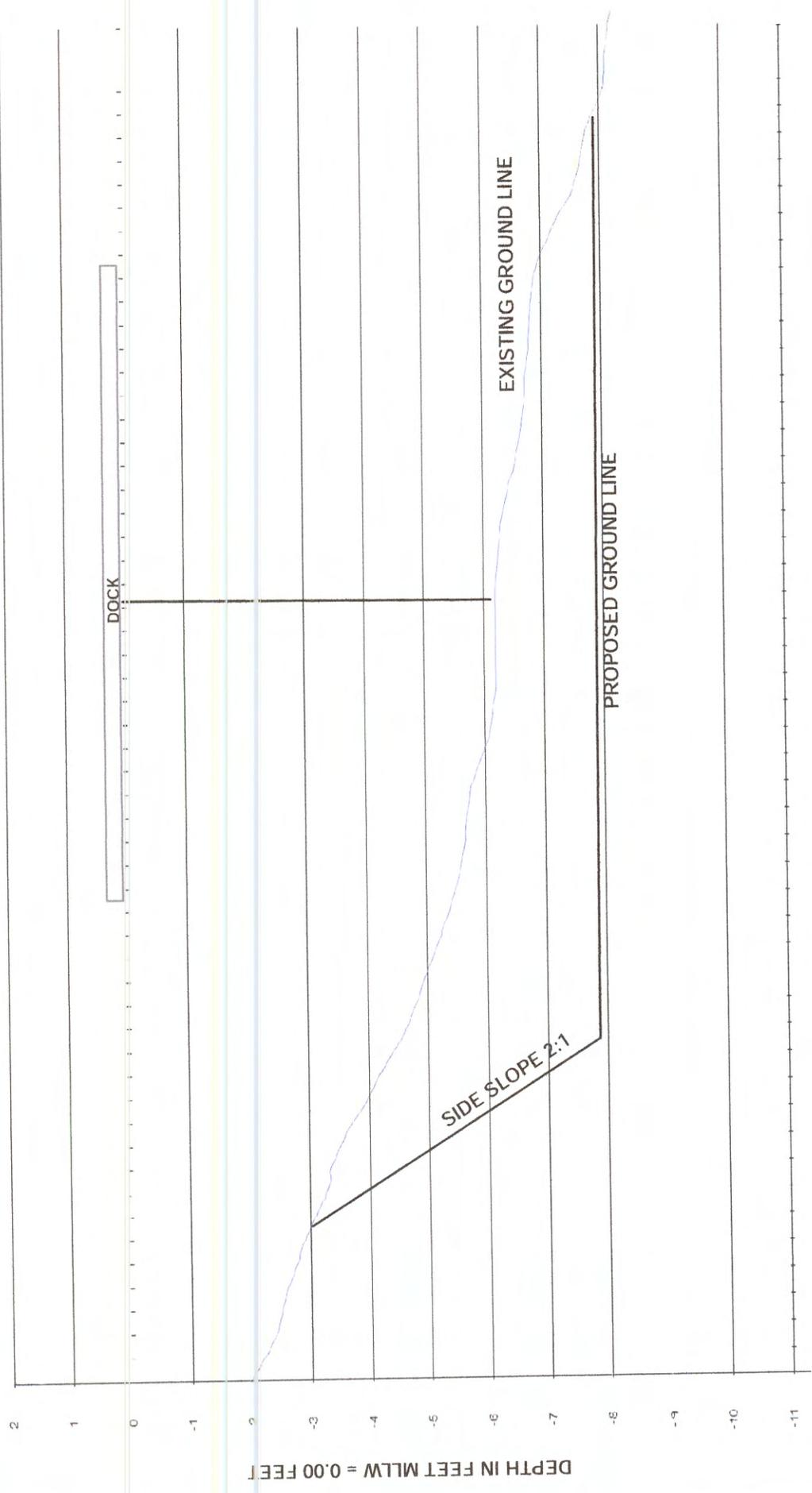
- CROSS SECTION LOCATIONS
- 2011 PACIFIC COUNTY TAXLOTS
- DREDGING FOOTPRINT

SHEET 5 OF 6

DATE: 2/17/12

C'

C



NOT TO SCALE

Corps Ref#: NWS-2012-157
Applicant: Port of Willapa Harbor

MAP LEGEND

- EXISTING GROUND LINE
- - - - - PROPOSED GROUND LINE

Bay Center Mariculture
Cross Section C -C'
PORT OF WILLAPA HARBOR

PURPOSE: BAY CENTER MAINTENANCE DREDGING
IN: PALIX RIVER
AT: BAY CENTER
DATUM: MLLW

DATE: 2/17/12

SHEET 6 OF 6