



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) 764-5527
ATTN: Ms. Susan Powell,
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: February 13, 2014
Expiration Date: March 15, 2014
Reference No.: NWS-2007-1019
Name: Barbee Company

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received a revised application to perform work in waters of the United States as described below and shown on the enclosed drawings, dated August 21, 2012. The work was previously described in Public Notice Reference No. NWS-2007-1019, dated November 13, 2007. The revision, as shown on the project drawings consists of expanding the permitted dredge area by an additional 14,000 square feet; placing 10 cubic yards of rounded river rock; replacing a float and piling; and replacing two 3-pile dolphins with two piles. The revision would also extend the existing permit that is due to expire on January 8, 2019, so that it would expire on the same date as the proposed work (10 years from permit issuance).

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 (CZM) Act.

APPLICANT: Barbee Mill Company
P.O. Box 359
Renton, Washington 98057
Telephone: (425) 226-3900

AGENT: Lloyd and Associates, Inc.
Attention: Mr. Michael Lloyd
38210 Southeast 92nd Street
Snoqualmie, Washington 98065
Telephone: (425) 785-1357

LOCATION: In Lake Washington at Renton, Washington.

WORK: Expand the permitted 10,000-square-foot dredge prism by dredging up to 2,700 cubic yards of material from an additional 14,000-square-foot area. A small dredge and clamshell bucket would be used and the material would be disposed of at an approved upland location. Portions of the work may also be conducted with a long-reach excavator from the land or an excavator mounted on a fenced flat barge. Under the proposed action, additional dredging events would occur in both the existing and expanded dredge prism every 3 to 5 years for

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10 years. The project also includes the placement of 10 cubic yards of rounded river rock; the replacement of a solid wood float and three creosote-treated piles with a grated float and 2 galvanized steel piles; and the replacement of two 3-pile creosote-treated wood dolphins with 2 galvanized steel piles.

PURPOSE: To maintain navigational depth and access to a boathouse; provide improved private boat moorage; and provide enhanced shallow water habitat.

DREDGED MATERIAL MANAGEMENT PROGRAM (DMMP): The proposed dredged material was tested in 2008 according to the procedures specified by DMMP, a multi-agency program for the evaluation of dredged material. All sediments were found suitable for beneficial use. The DMMP agencies have been contacted regarding the currently proposed permit modification and will sign off on a recency extension of the February 2008 suitability determination once the dredging schedule is known. At least 4 months prior to each maintenance dredging activity, the applicant must contact the Corps Dredged Material Management Office to determine whether additional sediment characterization is required.

ADDITIONAL INFORMATION: Per the applicant, since the May Creek Delta was surveyed in 2005, approximately 16,000 cubic yards of sediment has been deposited in Lake Washington, and an estimated 20,000 to 24,000 cubic yards have been deposited since the area was last dredged in 2002. This has impacted navigational access to adjacent waterfront properties.

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 under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project.

MITIGATION: To mitigate for project impacts, the applicant is proposing to place 10 cubic yards of rounded river rock over a 500-square-foot area to create shallow water habitat for fish; replace a solid wood float and three creosote-treated piles with a grated float and 2 galvanized steel piles; and replace two 3-pile creosote-treated wood dolphins with two galvanized steel piles.

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 (EFH): 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 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.

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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. There are no recorded historic properties within 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. 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.

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.

SOURCE OF FILL MATERIAL: The applicant has not yet identified the source of the fill material. Should a permit be issued, the Corps will evaluate the fill material source prior to the start of construction.

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 Shorelines Substantial Development Permit No. 2006-NW-10026 which has been issued by the City of Renton. The 2006 permit included the proposed expanded dredge area.

NWS-2007-1019, Barbee Company

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.

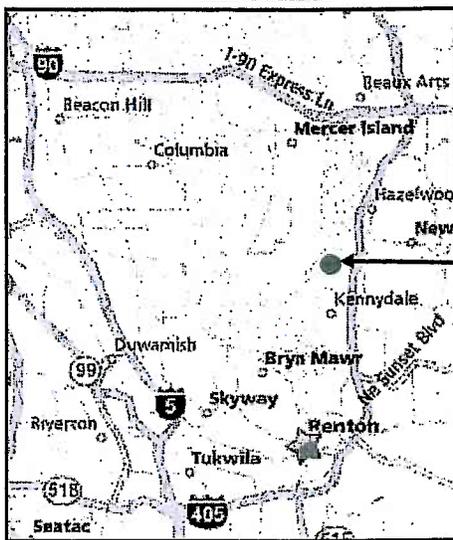
CORPS COMMENTS: All e-mail comments should be sent to susan.m.powell@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Susan Powell, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

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: 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: Barbee Company, NWS-2007-1019.

Encl: Figures (7)

VICINITY MAP



Project Area

Exit 7

Lake Washington

May Creek

Conner Development

site

N. 40 th

N. 38 th St.

③ BNSF Railroad

①

②

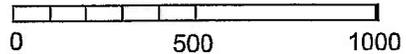
I-405

Park Avenue. N.

Meadow Avenue. N.

Lake Washington Blvd. N

Scale (ft)



PURPOSE: Maintain Navigational Access to the Boathouse

DATUM: USACE / Seattle District (NAD83)

ADJACENT PROPERTY OWNERS:

- ① Cugini Family
- ② Conner Development
- ③ Burlington Northern-Sante Fe

APPLICANT: Barbee Company
REFERENCE: NWS-2007-1019-

LOCATION ADDRESS:
3901 Lake Washington Blvd. N.
Renton, King County, WA 98055
Section Township Range: NW 32 24 05
Lat: 47N 31' 40" Long: 122W 12' 29"

PROPOSED: Dredging
WATERBODY: Lake Washington

VICINITY MAP

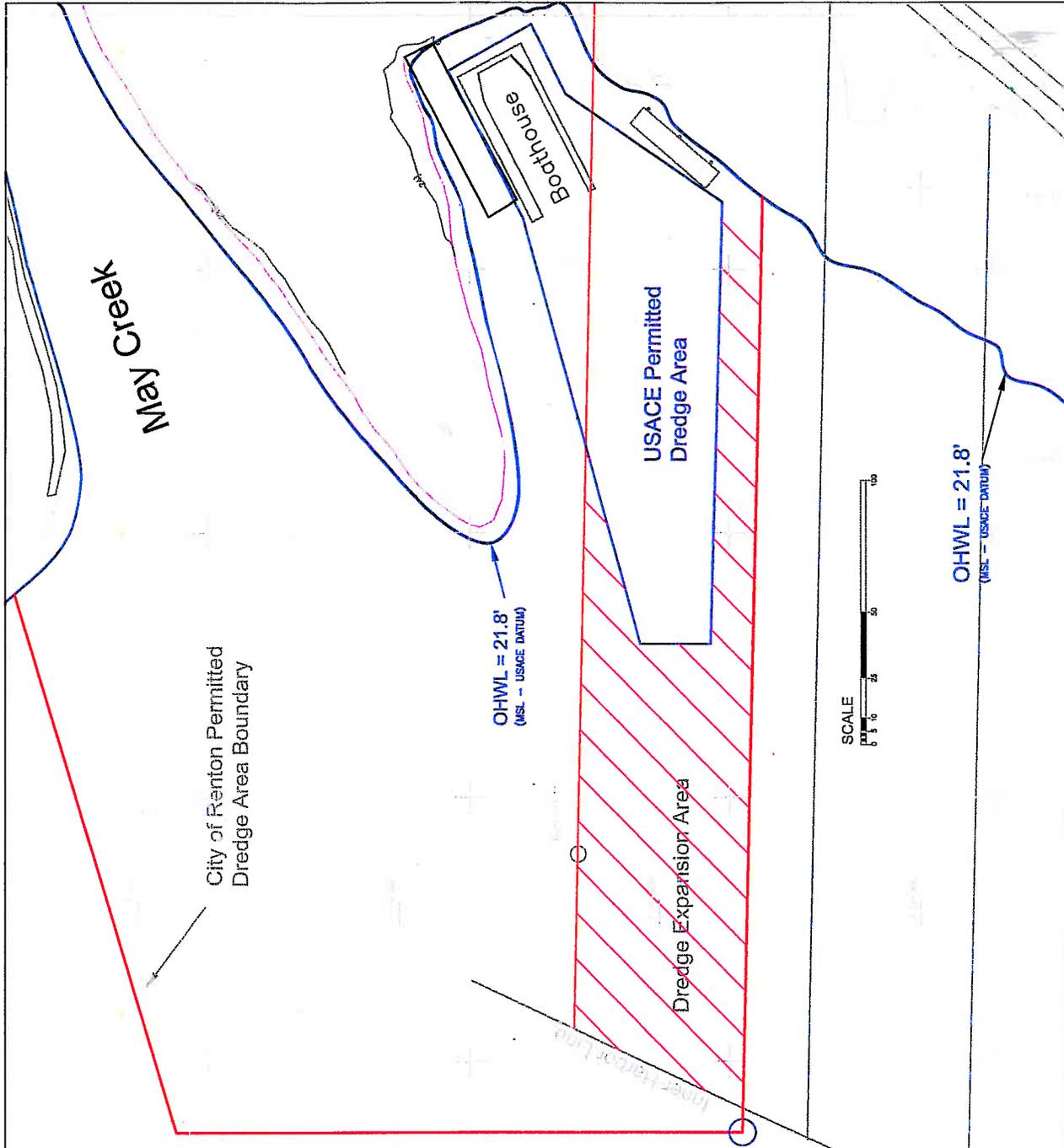
SHEET 1 of 7

8-21-12

L&A

Sheet 1 - Notes:

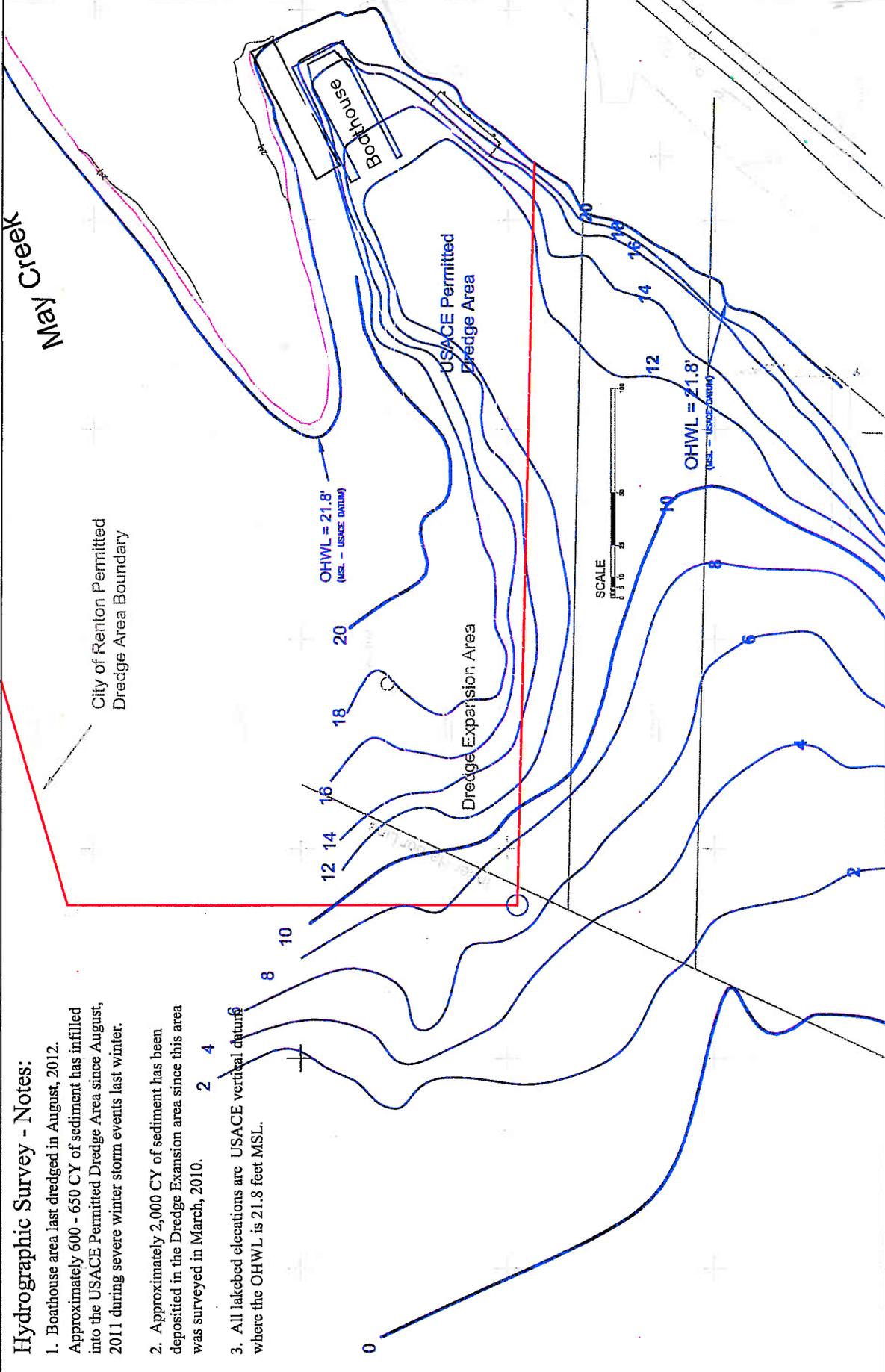
1. Proposed expansion of the permitted maintenance dredge area is approximately 14,000 sf to provide for continued navigational access to Boathouse. Expansion to the west will follow property line out to Inner Harbor Line for distance of approximately 222'.
2. Expansion area is within the permitted dredge boundary approved by the City of Renton under a 10 year permit granted in 2006 (Lake Washington/May Creek Dredging Permit - LUA-05-138).
3. Aquatic lands to Inner Harbor Line owned by project proponents. Property lines are shown in red. Expansion of the permitted dredge area will not encroach on publically owned aquatic lands.
4. Approval of the expanded dredge area does not supersede approvals that may be required by the City of Renton, State of Washington (HPA, Shorlines, Water Quality, etc.), or other federal permitting authority).
5. All permit conditions specified in USACE Permit NWS-2007-1019-NO will apply to the project as amended.
6. Basemap and supplemental materials provided by OTAK and Touma Engineers, respectively.



Expansion of Permitted Dredge Area
 Reference: NWS-2007-1019-NO
 Applicant: Barbee Company

Site Map - Dredge Area Expansion
 Supplemental Sheet 2 of 7

M. Lloyd 8/21/2012



Hydrographic Survey - Notes:

1. Boathouse area last dredged in August, 2012. Approximately 600 - 650 CY of sediment has infilled into the USACE Permitted Dredge Area since August, 2011 during severe winter storm events last winter.
2. Approximately 2,000 CY of sediment has been deposited in the Dredge Expansion area since this area was surveyed in March, 2010.
3. All lakebed elevations are USACE vertical datum where the OHWL is 21.8 feet MSL.

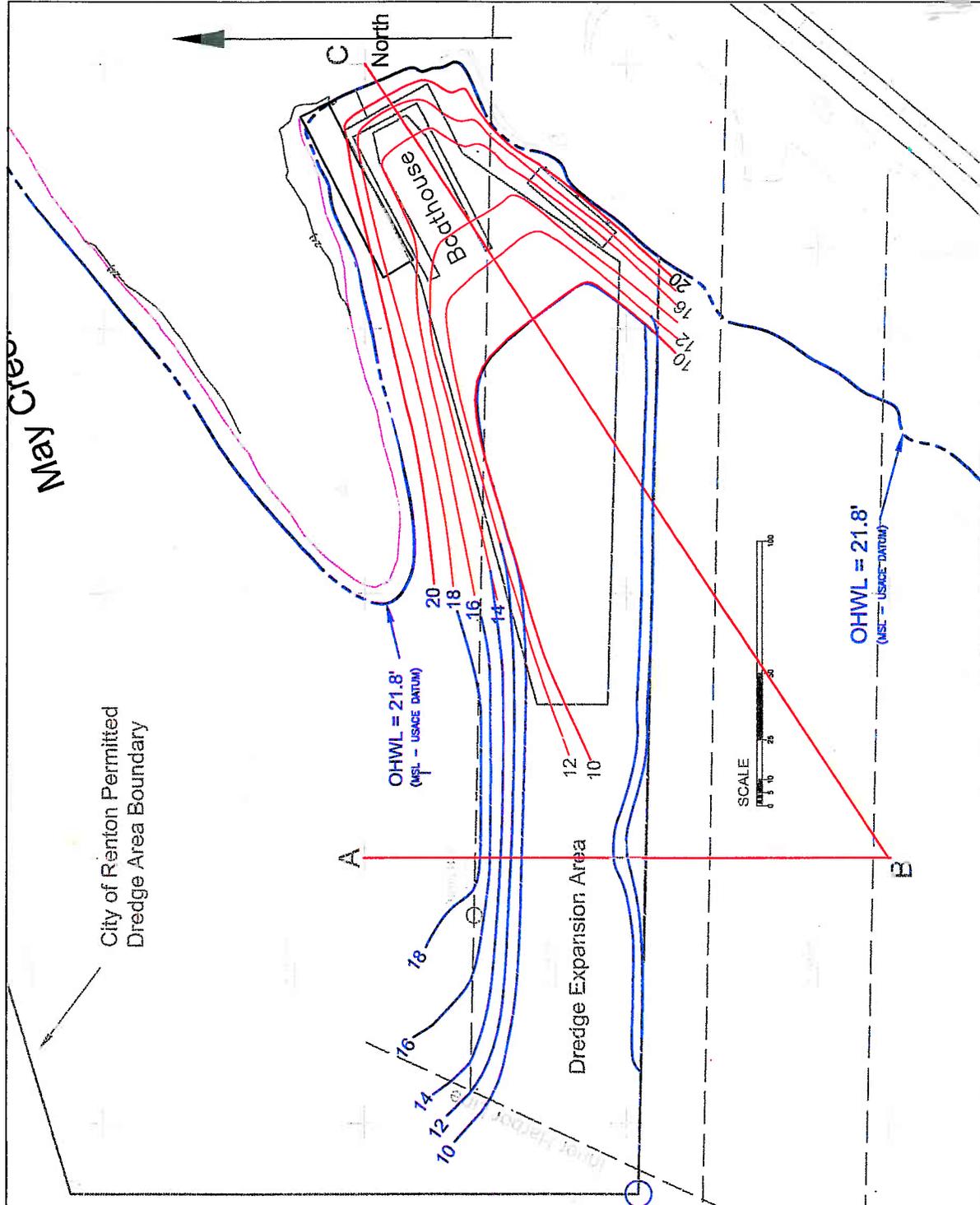
Expansion of Permitted Dredge Area
 Reference: NWS-2007-1019-NO
 Applicant: Barbee Company

Current Hydrographic Contours
 Supplemental Sheet 3 of 7

M. Lloyd 8/21/2012

Sheet 3 - Notes:

1. Contours shown in red are from the permitted dredge area of permit NWS-2007-1019-NO
2. Elevation contours shown in blue comprise the anticipated dredge profile of the expansion area.
3. All elevations are shown in USACE vertical datum where the OHWL = 21.8' MSL
4. The City of Renton permitted dredge area is outlined in red. The major depositional area of the May Creek Delta will not be dredged.
5. See Sheet 6 for Cross-Sections A-B, and B-C
6. Basemap and supplemental materials provided by OTAK and Touma Engineers, respectively.



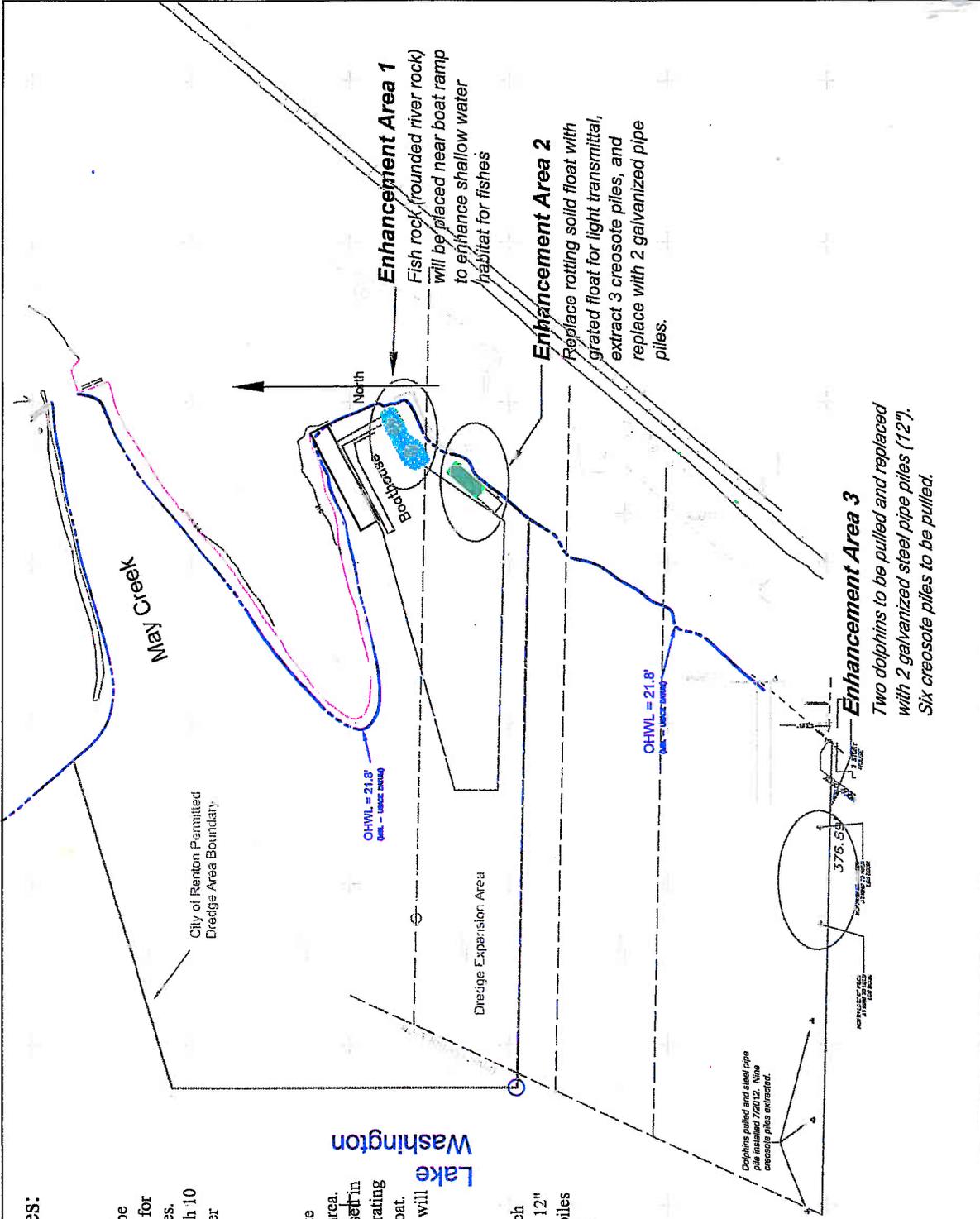
Expansion of Permitted Dredge Area
 Reference: NWS-2007-1019-NO
 Applicant: Barbee Company

Amended Dredge Contours
 Supplemental Sheet 4 of 7

M. Lloyd 8/21/2012

Habitat Enhancement Notes:

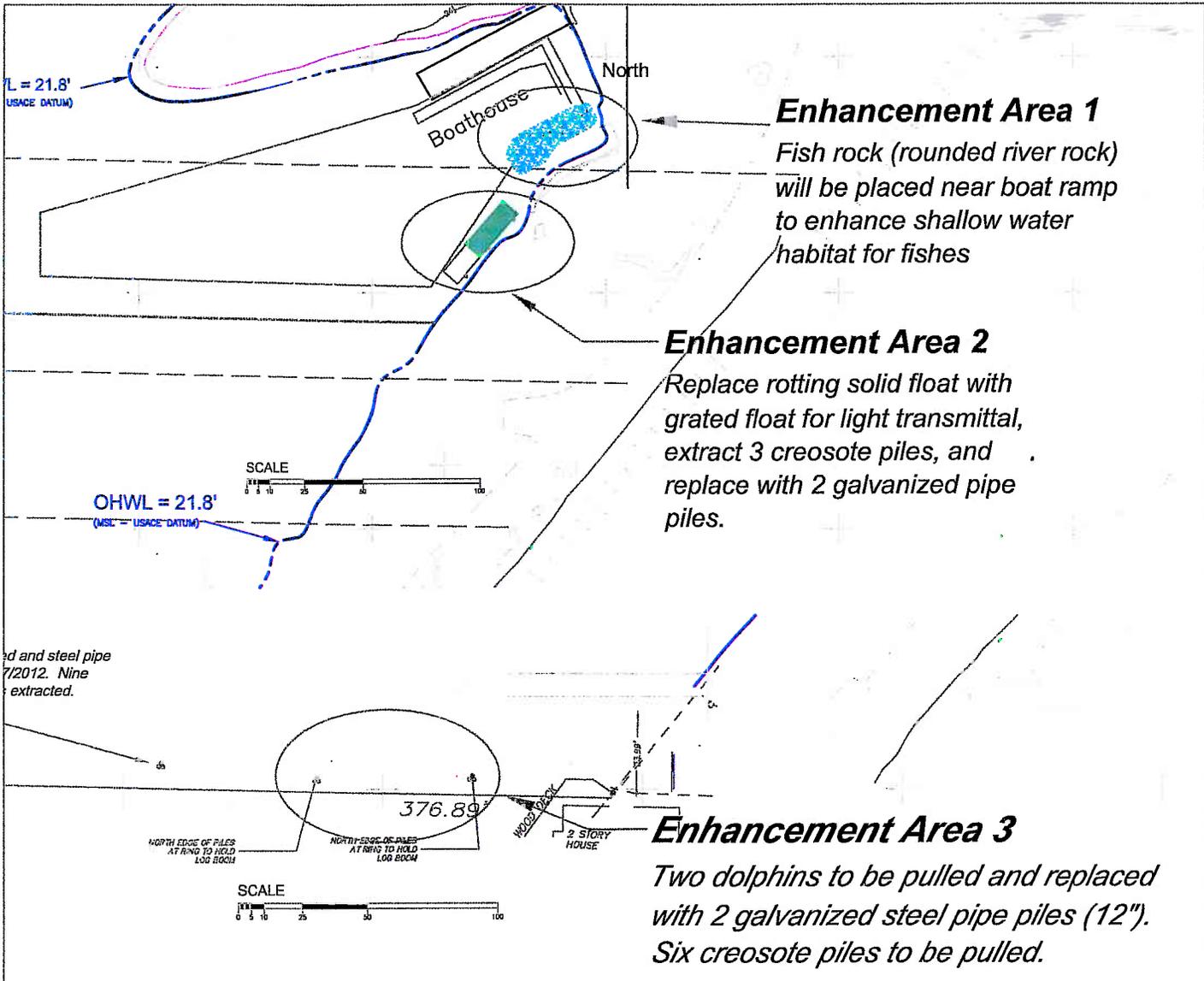
- 1. Enhancement Area 1**
Rounded River Rock ("fish rock") will be placed adjacent to boat ramp to provide for improved shallow water habitat for fishes. Approximately 500 sf to be covered with 10 CY of rock as a permanent shallow water habitat enhancement.
- 2. Enhancement Area 2**
An existing solid float and three creosote piles will be removed from the project area. Float and piles will be cut up and disposed in an approved landfill. A 24' float with grating will replace the existing solid surface float. Additionally, two galvanized pipe piles will replace the existing three creosote piles
- 3. Enhancement Area 3**
Two dolphins consisting of 3 pilings each will be extracted and replaced with two 12" galvanized pile pile. All treated wood piles will be cut up and disposed in approved landfill.



Expansion of Permitted Dredge Area
 Reference: NWS-2007-1019-NO
 Applicant: Barbee Company

Amended Dredge Contours
 Supplemental Sheet 5 of 7

M. Lloyd 8/21/2012



Enhancement Area 1
 Fish rock (rounded river rock) will be placed near boat ramp to enhance shallow water habitat for fishes

Enhancement Area 2
 Replace rotting solid float with grated float for light transmittal, extract 3 creosote piles, and replace with 2 galvanized pipe piles.

Enhancement Area 3
 Two dolphins to be pulled and replaced with 2 galvanized steel pipe piles (12"). Six creosote piles to be pulled.

Notes:

Enhancement Area 1 - Fish Rock Placement. Just south of the boathouse adjacent to an existing boat ramp is a area of approximately 500 sf. This area is typically less than 1-3 feet deep at Ordinary High Water, and it is currently covered in 3"-6" crushed rock. Place 10 CY of rounded river rock adjacent to the existing boat launch and boathouse for enhancing shallow water habitat for fishes. This same rounded rock was employed to expand shallow water habitat along the rockery to the south and has been approved by the Washington State Department of Fish and Game.

Enhancement Area 2 - Flot Replacement. Three creosote piles will be extracted and replaced with two 8" galvanized pipe piles. The existing solid surface 38' float will be demolished and replaced with a grated float that is 24' long. The grated float will increase light transmission to the shallow water habitat. Grating specification will comply with previously approved permit conditions for light transmission.

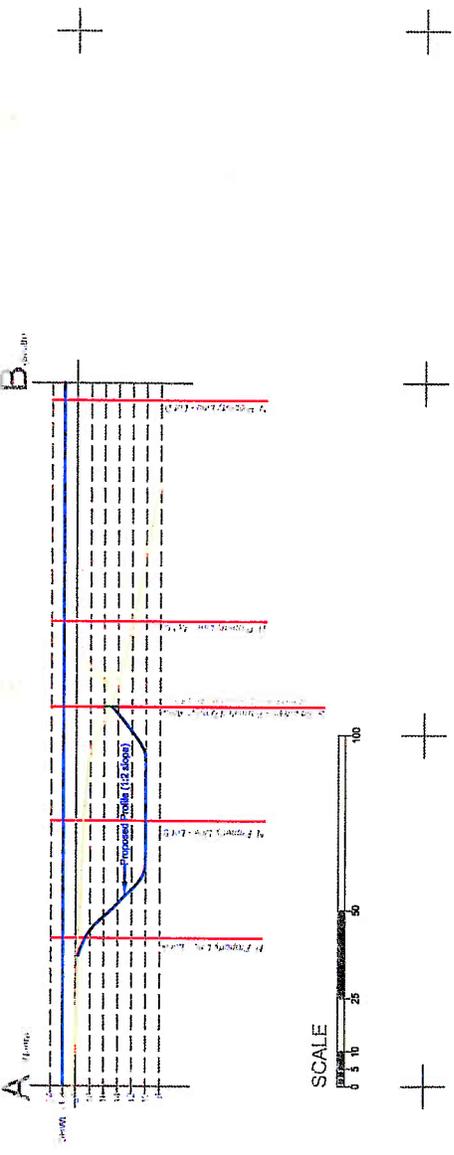
Enhancement Area 3 - Creosote Piling Removal. Two dolphins (6 creosote piles) at south side of Lot D will be extracted and replaces with two 12" galvanized pipe piles. Piles will be pulled concurrent with Area 2 enhancement work. As previously approved in the existing USACE permit, all creosote treated piling will be cut into 4' lengths and disposed of in an approved upland landfill.

Expansion of Permitted Dredge Area
 Reference: NWS-2007-1019-NO
 Applicant: Barbee Company

Habitat Enhancement Areas
 Supplemental Sheet 6 of 7

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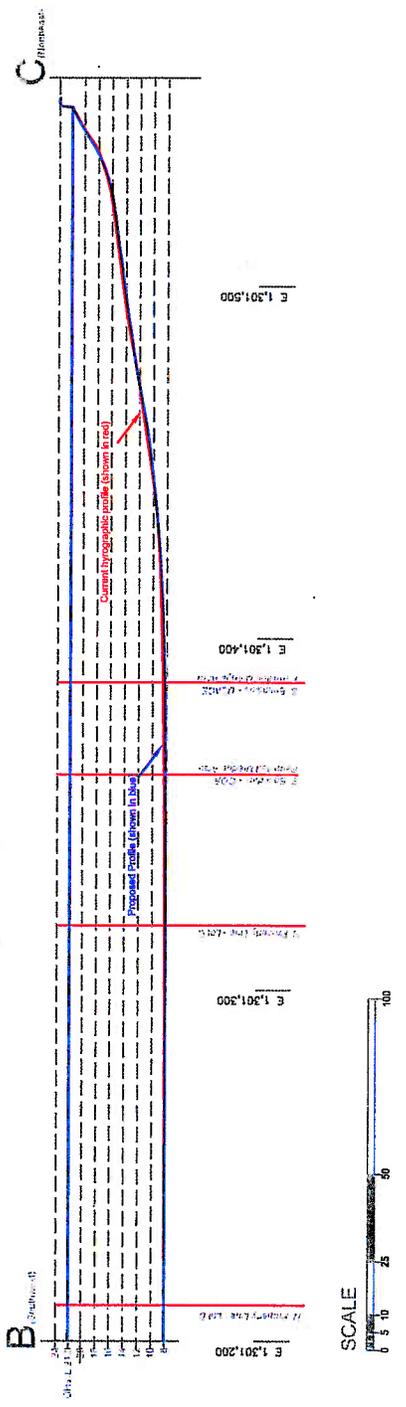
Cross-Section A-B (amended dredge area)



Sheet 6 - Notes:

1. See Sheet 3 of 6 for location of sample cross-sections.
2. The vertical elevation on cross sections A-B and B-C have been exaggerated 2X to better illustrate the proposed dredging profile.
3. Cross-Section A-B provides an indication of May Creek Delta sedimentation that continues to impact navigational access to the boathouse. As shown in Sheet 2, the major sedimentation impact is on the north side of the navigational access and within the proposed dredge area expansion
3. Cross-Section B-C has not changed substantially since the approved permitted area was dredged in 2011.

Cross-Section B-C (amended dredge area)



Expansion of Permitted Dredge Area
 Reference: NWS-2007-1019-NO
 Applicant: Barbee Company

Dredge Area Cross-Sections
 Supplemental Sheet 7 of 7

M. Lloyd 8/21/2012