



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 Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers

Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (206) 764-6913
ATTN: Ms. Kristina Tong,
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: August 28, 2014

Expiration Date: September 27, 2014

Reference No.: NWS-2014-46

Name: Douglas, Kathleen and Reimer

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 August 1, 2014.

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: Kathleen and Reimer Douglas
2021 North 78th Street
Seattle, Washington 98103
(206) 335-2991

LOCATION: In Quilcene Bay fronting 101 Wampum Point Road near Quilcene, Jefferson County, Washington.

WORK: Redirect a channel back to the location of the original channel. In 2008, a channel was excavated and redirected and the excavated material was placed in a berm to help redirect the channel. The work was not performed by the applicant. The applicant proposes to excavate 11 cubic yards (cy) and place 21 cy of material waterward of the line of mean higher high water (MHHW) to re-create the original channel (L 80 feet, W 4 feet, D 1.6 feet) and construct a berm (L 80-feet, W 4-feet, H 1-foot) to direct the flows back to their original flow path. The material for the new berm will be from the excavation of the channel and "scalping" (removing the top portion) of the berm placed in 2008.

Upon completion of the construction of the new channel and berm, the applicant expects the berm placed in 2008 to naturally erode and the 2008 channel to naturally fill in to re-establish the contours of the Wampum Point Spit (Spit) that existed before the 2008 work occurred. If the 2008 berm does not naturally reduce in height, up to 10 cy of material will be removed annually by scalping for up to two years following the new channel and berm construction. This material will be placed on the top of the new berm and will not result in the widening or lengthening of the constructed berm dimensions. All work will occur waterward of MHHW.

NWS-2014-46; Douglas, Kathleen and Reimer

The 2008 work resulted in altering the natural sediment transport path resulting in scouring the Spit and (per the applicant) adversely affecting existing shellfish beds by altering the substrate.

PURPOSE: To restore the natural sediment transport path of the stream and restore the contours of the Spit.

MITIGATION: No compensatory mitigation is proposed. However, to minimize impacts, displaced native plants as a result of the scalping and filling will be salvaged and replanted on the banks of the restored channel.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service 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). 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. This project involves activities limited to incidental or low volume disturbance. As such, this type of work is of such limited nature and scope that there is little likelihood of impinging upon a historic property even if such properties were to be present within the affected area. 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

NWS-2014-46; Douglas, Kathleen and Reimer

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 source of the fill material will be from on-site from the excavation of the channel and scalping of the unauthorized berm.

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 Jefferson 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.

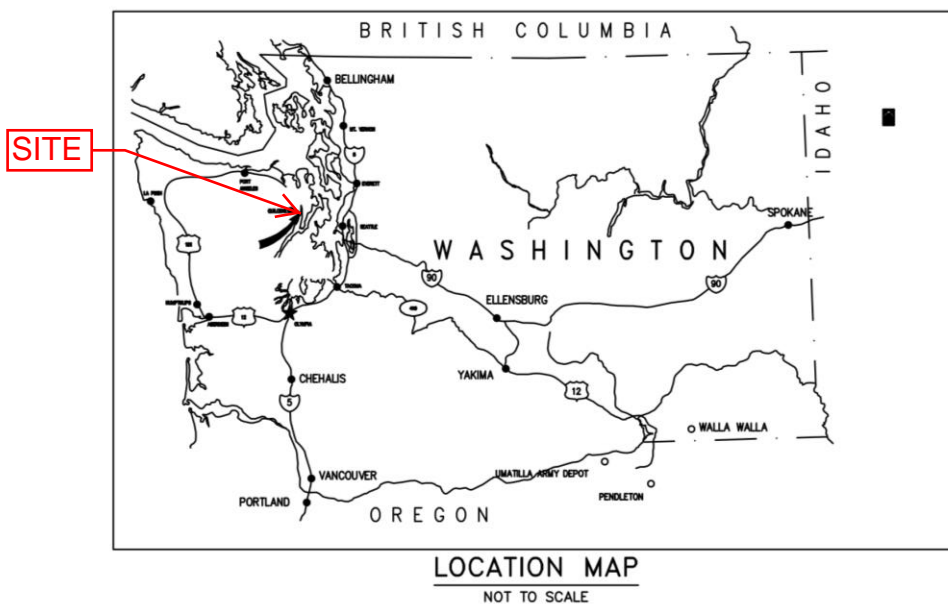
CORPS COMMENTS: All e-mail comments should be sent to kristina.g.tong@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Kristina Tong, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative 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: Douglas, Kathleen and Reimer; NWS-2014-46

Encl: Figures (3)

COVER SHEET STREAM RESTORATION FOR KATHLEEN & REIMER DOUGLAS



Lat: 47.8154
Long: -122.8509
S.19 T.27N R.1W
1 August 2014



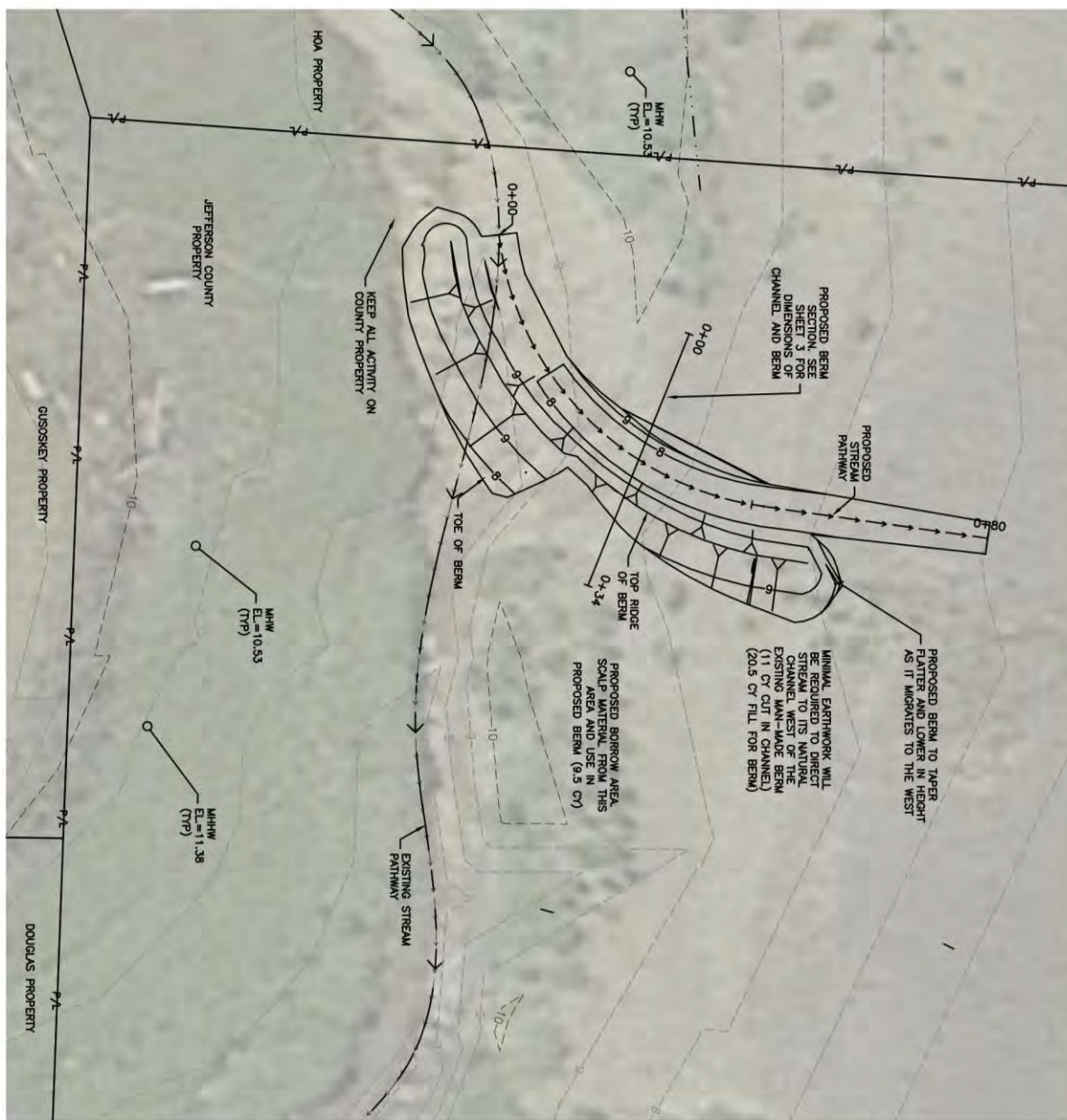
SCALE: AS SHOWN
DRAWN BY: ZNS/CR
FOR:
REVIEW: JCW
SHEET 1 OF 3

NWS-2014-46 STREAM RESTORATION
101 WAMPUM PT. ROAD, QUILICENE
DOUGLAS, KATHLEEN & REIMER



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717 SOUTH PEABODY STREET
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SITE PLAN



1 August 2014

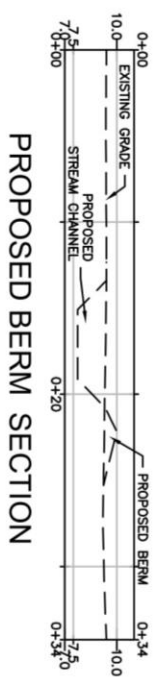
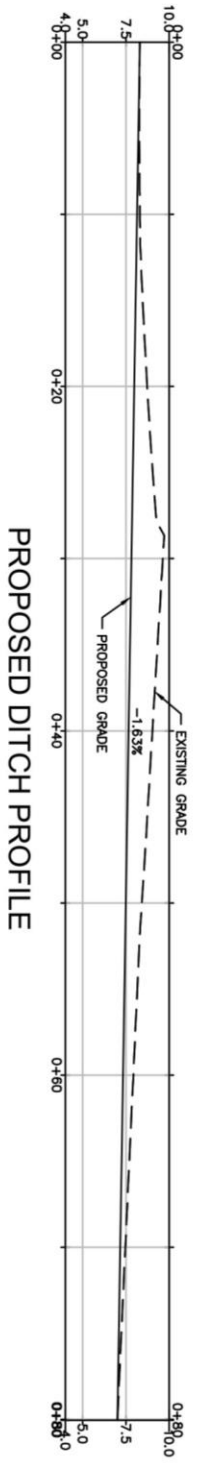
2014

SCALE: AS SHOWN
DRAWN BY: ZNS/CR
FOR:
REVIEW: JCW
SHEET 2 OF 3

NWS-2014-46 STREAM RESTORATION
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CHANNEL: H=1.6' @ SECTION, VARIES; SEE PROFILE VIEW.
 W=8' BOTTOM WIDTH: 4'

BERM: H=1' @ SECTION, VARIES; RIDGE OF BERM AT 10' ELEVATION.
 W=8' VARIES; 3:1 SLOPE FROM TOP OF BERM TO EXISTING GRADE.
 L=80'



1 August 2014

SCALE: AS SHOWN
DRAWN BY: ZNS/CR
FOR:
REVIEW: JCW
SHEET 3 OF 3

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