



**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) 316-3049
ATTN: Kristen Hafer,
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: November 19, 2015

Expiration Date: December 19, 2015

Reference No.: NWS-2003-1265

Name: Fazio Brothers Sand Company
Inc. (Dredging)

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 U.S. as described below and shown on the enclosed drawings dated October 23, 2015.

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.

APPLICANT: Fazio Brothers Sand Company, Inc.
Attention: Mr. Richard Fazio
12112 Northwest Lower River Road
Vancouver, Washington 98660
Telephone: (360) 693-4216

AGENT: BergerABAM
Attention: Mr. Don Hardy
210 East 13th Street, Suite 300
Vancouver, Washington 98660
Telephone: (360) 823-6115

LOCATION: The proposed project is located in the Columbia River, River Miles 94 to 101.5, Section 44, Township 3 North, Range 1 West at Vancouver, Clark County, Washington.

WORK: The proposed project involves continuing authorized dredging operations in the Columbia River from River Mile 94 to 101.5. The applicant is proposing to dredge the federal navigation channel and up to 100 feet outside the channel to a depth of -60 feet Columbia River Datum (CRD) from River Mile 94 to 100 and in the freighter anchorage area located from River Mile 96 to 99.5. From River Mile 100 to 101.5 the proposed project would include dredging the navigation channel and up to 100 feet outside the channel to a depth of -48 feet CRD. The dredging would predominantly be completed with the use of a hydraulic pipeline dredge with a cutterhead on the end of the arm that is buried between three and six feet deep in the river bottom. Dredging may also be completed with the use of a clamshell dredge or a hopper dredge. The dredged material would be placed at the Fazio Brothers' approved upland disposal location. Dredging activities would take place annually between

NWS-2003-1265, Fazio Brothers Sand Company, Inc. (Dredging)

October 1 and February 28 or 29. The applicant is seeking a ten year period authorization and is proposing to remove up to 325,000 cubic yards of material annually.

PURPOSE (per applicant): Dredging with commercial sale of dredged sand.

DREDGED MATERIAL MANAGEMENT PROGRAM (DMMP):

Dredged Material Testing: The proposed project is currently under review 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 will determine if the 325,000 cubic yards to be dredged initially are suitable for disposal at the specified upland disposal location. The sediment testing data are available at the Corps, Seattle District, Dredged Material Management Office. Prior to each maintenance dredging cycle, the DMMP agencies will determine whether additional sediment testing is required. The DMMP review may result in inclusion of special conditions as part of the Federal permitting process if a permit is issued. A final permit decision will include the DMMP review.

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 if a permit is issued: (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: The applicant is seeking authorization for a ten year period and is proposing to remove 325,000 cubic yards each year. The Fazio Brothers Sand Company, Inc. has a valid Department of the Army permit for dredging in this project area. The permit was issued on August 9, 2006, and will expire on August 9, 2016. There are no proposed changes between the currently authorized activity and the permit application for an additional ten year dredging permit.

MITIGATION: The proposed project is a continuation of an existing authorized dredging activity. The project would not result in new impacts to aquatic resources. Impacts to aquatic functions are limited to short-term water quality impacts that would be limited in location. No mitigation is proposed for the 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 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 may affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is required.

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

NWS-2003-1265, Fazio Brothers Sand Company, Inc. (Dredging)

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, Washington Information System for Architectural and Archaeological Records Data and other sources of information. Historic properties are recorded near the proposed project. However, they do not occur in the permit area. The permit area was created in modern times and there is little likelihood that the proposed project will impinge on any 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 U.S.

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.

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 authorizing the work would not be contrary to the public interest. 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

NWS-2003-1265, Fazio Brothers Sand Company, Inc. (Dredging)

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 commenter'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.

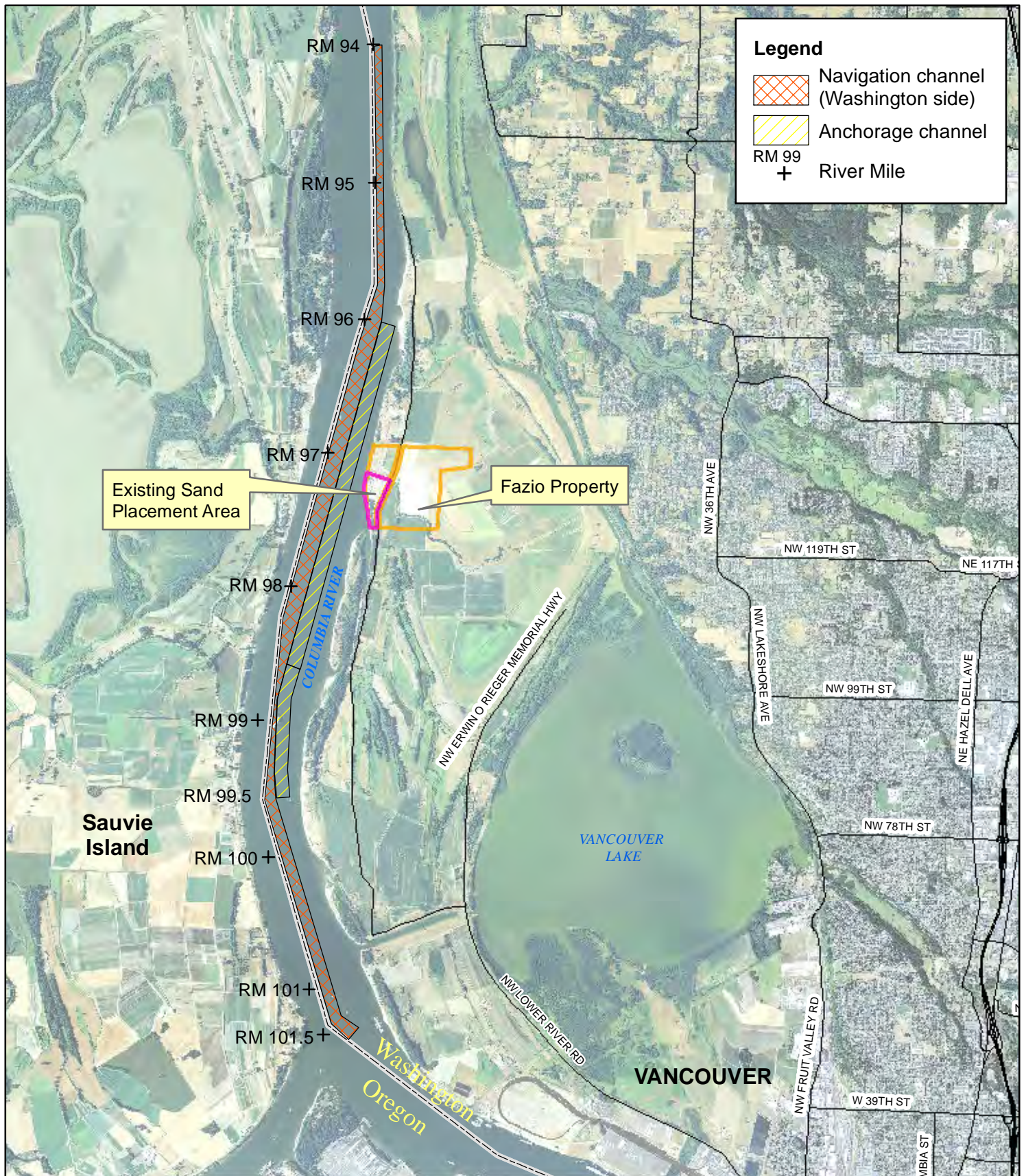
Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this 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.

CORPS COMMENTS: All e-mail comments should be sent to kristen.a.hafer@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Kristen Hafer, 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: Fazio Brothers Sand Company, Inc. (Dredging), NWS-2003-1265.

Encl: Figures (4)

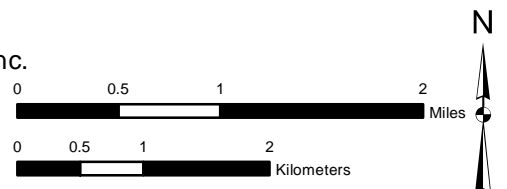


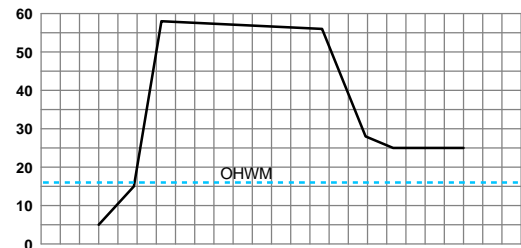
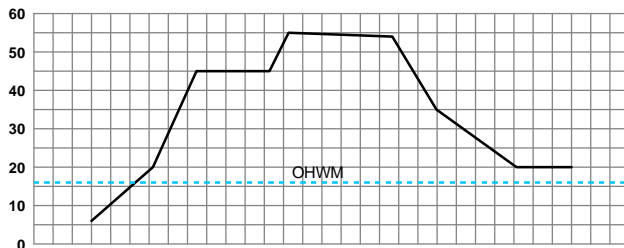
Purpose: Dredge sand for commercial re-sale
 Location: 45.71348, -122.75315
 Datum: CRD
 Proposed: Dredging
 Reference Number: USACE Permit No. 2003 01265
 In: Columbia River, RM 94 to 101.5
 County and State: Clark, Washington
 Date: 23 October 2015

FIGURE 1 - VICINITY MAP
 Fazio Brothers Sand Company, Inc.
 12112 NW LOWER RIVER ROAD
 VANCOUVER, WA 98660

NWS-2003-1265

Page 1 of 4





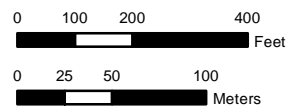
Purpose: Dredge sand for commercial re-sale
 Location: 45.71348, -122.75315
 Datum: CRD
 Proposed: Dredging
 Reference Number: USACE Permit No. 2003 01265
 In: Columbia River, RM 94 to 101.5
 County and State: Clark, Washington
 Date: 23 October 2015

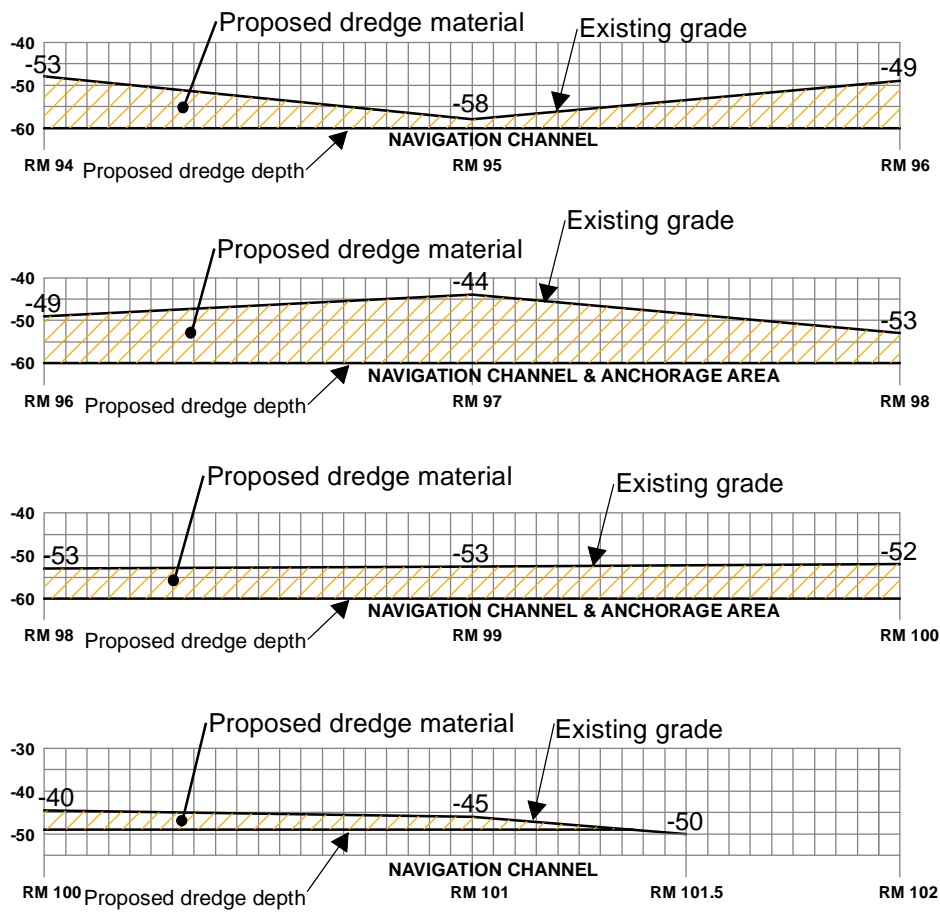
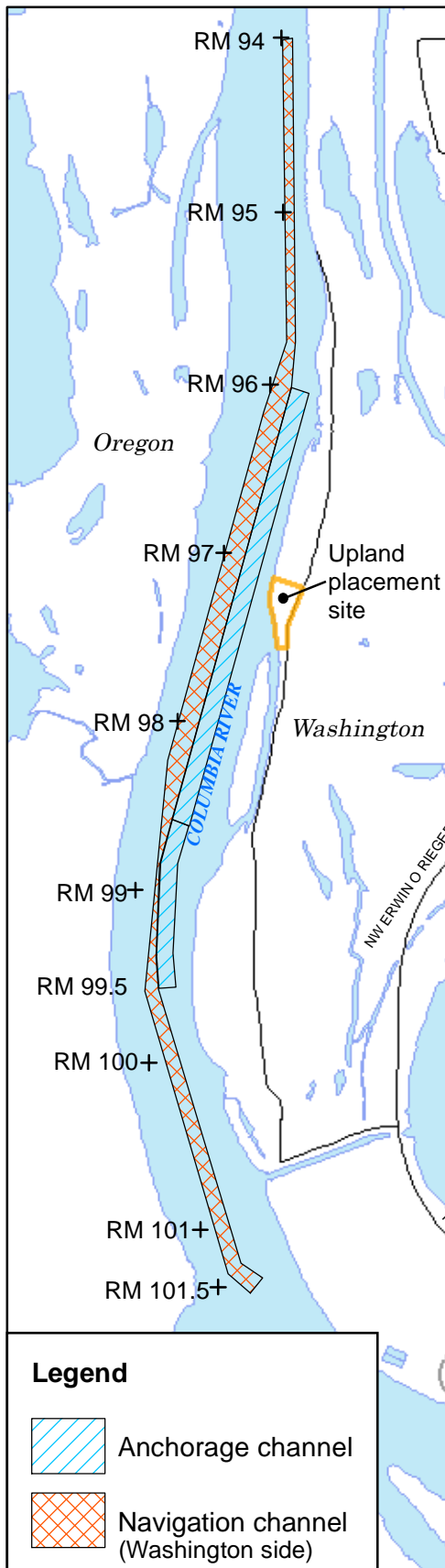
FIGURE 2 - PLAN VIEW - UPLAND PLACEMENT SITE (SAND PIT)

Fazio Brothers Sand Company, Inc.
 12112 NW LOWER RIVER ROAD
 VANCOUVER, WA 98660

NWS-2003-1265

Page 2 of 4





Columbia River Mile	Existing Depth of River	Proposed Depth of River Navigation Channel	Proposed Depth of River Anchorage Area
RM 94	-53	-60	N/A
RM 95	-58	-60	N/A
RM 96	-49	-60	-60
RM 97	-44	-60	-60
RM 98	-53	-60	-60
RM 99.5	-53	-60	-60
RM 100	-52	-48	N/A
RM 101	-57	-48	N/A
RM 101.5	-61	-48	N/A

Legend

- Anchorage channel
- Navigation channel (Washington side)

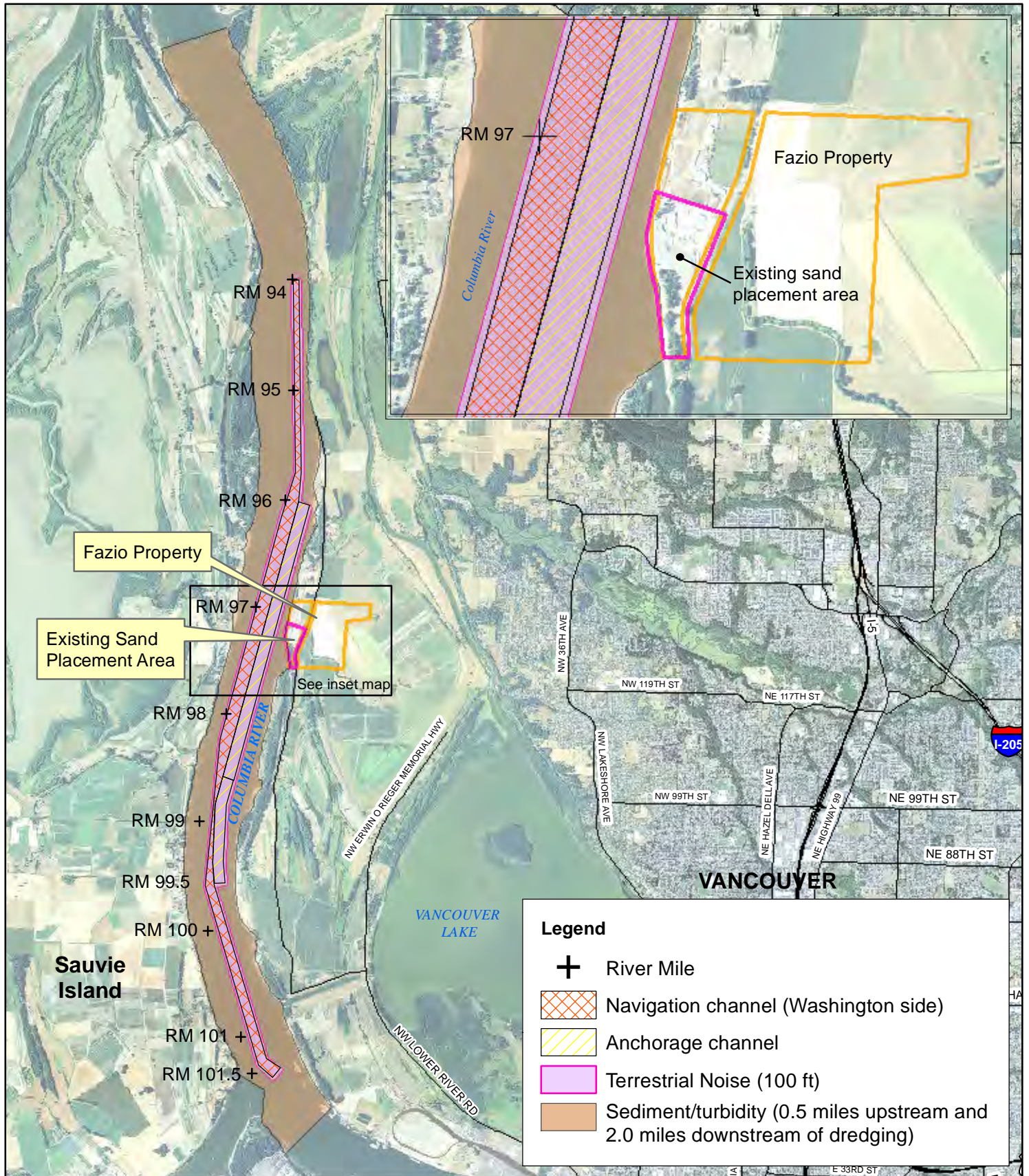
Purpose: Dredge sand for commercial re-sale
 Location: 45.71348, -122.75315
 Datum: CRD
 Proposed: Dredging
 Reference Number: USACE Permit No. 2003 01265
 In: Columbia River, RM 94 to 101.5
 County and State: Clark, Washington
 Date: 23 October 2015

FIGURE 3 - SITE PLAN - IN-WATER

Fazio Brothers Sand Company, Inc.
 12112 NW LOWER RIVER ROAD
 VANCOUVER, WA 98660

NWS-2003-1265





Purpose: Dredge sand for commercial re-sale
 Location: 45.71348, -122.75315
 Datum: CRD
 Proposed: Dredging
 Reference Number: USACE Permit No. 2003 01265
 In: Columbia River, RM 94 to 101.5
 County and State: Clark, Washington
 Date: 23 October 2015

FIGURE 4 - ACTION AREA

Fazio Brothers Sand Company, Inc.
 12112 NW LOWER RIVER ROAD
 VANCOUVER, WA 98660

NWS-2003-1265

Page 4 of 4

