



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) 764-6960 ATTN: Ms. Olivia Romano, 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: September 4, 2015 Expiration Date: October 4, 2015

Reference No.: NWS-2015-634-WRD Name: Tacoma, Port of and Georgia Pacific Gypsum

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 September 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: Port of Tacoma

Attention: Mr. Tony Warfield P.O. Box 1837 Tacoma, Washington 98401-1837 Telephone: (253) 383-5841

Georgia Pacific Gypsum Attention: Mr. Don Jordan 1240 Alexander Avenue East Tacoma, Washington 98421 Telephone: (253) 627-2100

<u>AGENT</u>: Grette Associates, LLC Attention: Mr. Matthew Boyle 2102 North 30th Street, Suite A Tacoma, Washington 98403 Telephone: (253) 573-9300

LOCATION: In Blair Waterway, Georgia-Pacific Gypsum Marine Terminal, in Tacoma, Washington.

<u>WORK</u>: Modify the existing overhead conveyer and dredge up to 25,450 cubic yards of material from the existing berthing area. The dredge area covers 87,128 square feet. All dredging would occur between -33 and -45 feet Mean Lower Low Water, including a 1-foot allowable overdredge. The "overdredge" provisions are not intended to increase the overall depth, but to ensure that authorized depth is achieved. Side slopes along the margins of the

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dredge area would be 1.5 horizontal to 1-foot vertical or flatter. Dredging would be conducted using a derrick barge with clamshell bucket.

The proposed dredge area is divided into two dredge material management units (DMMU). Up to 16,900 cubic yards of dredge material would be removed from DMMU-1 and placed on deck barges equipped to contain the material. The dredge material would be offloaded at a nearby facility, dewatered as necessary, and trucked to the LRI upland landfill disposal facility. Up to 8,550 cubic yards of dredged material would be removed from DMMU-2 and placed on bottom dump barges and transported to the Commencement Bay open-water disposal site.

The conveyer system modifications consist of demolition of the existing hopper and installing a fixed receiving hopper located 52 feet south of the existing hopper. A new belt feeder would be installed to convey the material from the new hopper to the existing unloading belt. The belt feeder would slope up from the surface of the pier to no more than 15.5 feet above the pier. Minor pier repairs would consist of refastening handrails and replacing rusted pier elements.

Work outside the Corps' jurisdiction includes the expansion of the existing rock storage building to add an additional storage capacity and replacement of the existing shoreline bollards.

<u>PURPOSE</u>: The project purpose is to optimize vessel capacity, offloading capability, and maintain safe operations at the Terminal.

<u>Dredged Material Testing</u>: The proposed dredged material has been tested according to the procedures specified by the Dredged Material Management Program (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 8,550 cubic yards were suitable for unconfined disposal at the DMMP nondispersive (or dispersive) open-water disposal site in Commencement Bay. The remaining 16,900 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 Ecology and the Pierce County Department of Health. The sediment testing data is available at the Corps, Seattle District, Dredged Material Management Office.

<u>Dredging Plan</u>: 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.

<u>Disposal Site Use Conditions</u>: 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.

<u>ADDITIONAL INFORMATION</u>: To access the electronic version of this public notice, go to the Seattle District's web page at <u>http://www.nws.usace.army.mil/</u> 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.

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<u>ENDANGERED SPECIES</u>: 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. 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.

<u>ESSENTIAL FISH HABITAT</u>: 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.

<u>CULTURAL RESOURCES</u>: 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 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 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.

<u>PUBLIC HEARING</u>: 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.

<u>EVALUATION</u> – <u>CORPS</u>: 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.

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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.

<u>EVALUATION</u> – <u>ECOLOGY</u>: 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.

<u>ADDITIONAL EVALUATION</u>: This proposal is the subject of Shorelines Substantial Development Permit to be processed by the City of Tacoma.

<u>COMMENT AND REVIEW PERIOD</u>: 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.

<u>CORPS COMMENTS</u>: All e-mail comments should be sent to olivia.h.romano@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Olivia Romano, 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.

<u>ECOLOGY COMMENTS</u>: 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: Tacoma, Port of and Georgia Pacific Gypsum; NWS-2015-634-WRD

Encl: Figures (13)

























