



# 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: June 24, 2016 Expiration Date: July 24, 2016

Reference No.: NWS-2016-0016 Name: Seattle City Light

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 April 24, 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 and the Coastal Zone Management Act.

APPLICANT: Seattle City Light

Attention: Mr. Scott Luchessa

P.O. Box 34023

Seattle, Washington 98124-4023 Telephone: (206) 733-9655

<u>LOCATION</u>: In Skagit River (Gorge Lake) at the confluence of Stetattle Creek, near Diablo, Whatcom County, Washington.

<u>WORK</u>: Excavate and remove up to 18,000 cubic yards of material from an existing cobble bar below the ordinary high water mark of Gorge Lake at the confluence of Stetattle Creek. The cobble bar consist mostly of small boulders, cobble, and gravel covering an area of 2.2 acres. Excavation depth ranges would be from five feet at the upstream end of the bar to nine feet at the downstream end. The material removed from the existing cobble bar would be hauled about 16 miles southwest to an upland area adjacent to the Skagit River. Bank and riparian habitat restoration would occur at the access ramp adjacent to the Gorge Campground. Restoration would include installation of native riparian plants, compost, and topsoil amendments.

The work would be conducted in four phases.

**Phase 1** - Installation of the cofferdam and an access ramp: The cofferdam work would be done mostly in dry by lowering Gorge Lake, reducing flows through Diablo Powerhouse, installing a cofferdam around the perimeter of the work area, and managing the water that infiltrates the site. Cofferdam construction would consist of

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super-sacks using up to 6,000 cubic yards of on-site gravel excavated from the cobble bar down to the waterline. The super-sacks would be placed at the upstream end of the cobble bar to divert Stetattle Creek flow from the work area. Depending on the flow in Stetattle Creek, an excavator would be operate in the shallow water at the west edge of the wetted perimeter of Stetattle Creek when building the cofferdam diversion. A plastic lining would then be laid over the Stetattle Creek bed. This would reduce the hyproheic flow from Stetattle Creek into the work area. The lining would likely be held in place with sand bags and placed by divers. Dewatering methods would be implemented to collect water that infiltrates (hyproheic flow) within the perimeter of the cofferdam. Dewatering methods would include digging a sump or installing subsurface wells to collect the hyproheic flow and pumping it to a treatment site located either in the excavated footprint or an adjacent upland location. Construction of access ramp would allow haul trucks, dozers, excavators, and loaders access to the work site. Access ramp construction would involve pulling back up to 780 cubic yards of material from the top of the bank at Gorge Campground to achieve the appropriate grade and remove up to 11 trees along the bank line.

Phase 2 – Install Skagit River cofferdam and excavation: Diablo Powerhouse flows would be reduced to lower the water surface adjacent to the cobble bar level to Phase 2 excavation. Excavation would proceed by cutting a bench into the south side of the cobble bar and removing about 5,000 cubic yards of material, would either be loaded for off-site disposal or temporary stockpile in uplands. Once the Phase 2 excavation is completed, the Skagit River cofferdam would be installed along the bench wall. The Super-sacks for this cofferdam would be filled with material from the cobble bar. After this cofferdam has been completed, overlapping steel plates would be hung with chains over the super-sacks to prevent river flows from potentially scouring and undermining the super-sacks.

Phase 3 – Complete excavation, install habitat structures, remove access ramp, and terminate dewatering: Once the Skagit River cofferdam is in place, the remaining 6,500 cubic yards of cobble would be removed. Four instream structures would be constructed, these structures would be comprised of logs, root wads, stone ballast, and live willow stacks and installed on the right bank of the Skagit River downstream of the confluence of Stetattle Creek to mitigate impacts to fish habitat. Each structure would include four root wads and require the excavation of up to seven cubic yards to install each root wad. The logs would be held in place by rock ballast or rock anchors and backfilled with native material and planted with native plants using brush layering or similar bioengineering techniques. During installation of the habitat structures, Gorge Lake would be held at a constant elevation.

**Phase 4** – Remove cofferdams and reestablish flows: The Skagit River cofferdam would be removed first. The super-sacks would be removed using a barge-mounted excavator or small crane using flexi-floats with spuds. Removal of Stetattle Creek cofferdam would create a transient condition where the streambed of the Creek would be perched on a bench about five feet higher than the new excavated bed of the adjacent lake. To minimize the duration of this transient condition and facility formation of a channel that enables fish passage upstream into the Creek the following would occur: 1) a few of the super-sacks from the Stetattle Creek cofferdam would be removed to form a small opening in the diversion dam, 2) other super-sacks in the diversion dam would be repositioned so they are perpendicular to the flow, forcing the entire creek to flow into the excavated area through the initial opening of the cofferdam that will help for a low-gradient pilot channel through the bench facilitating fish passage from the river into the creek, and 3) to ensure the channel has the velocity needed for fish to move upstream into Stetattle Creek, large boulders would be placed with a crane at the mouth of Stetattle Creek to force water to turn right as it exits the creek. Boulders would form a pocket of water with low velocities where fish can rest as they move up into Stetattle Creek. The boulder structures would nudge the creek towards the four new instream habitat structures on the right bank of the river, increasing their effectiveness.

<u>PURPOSE</u>: To restore power generating capacity of the Diablo Powerhouse. The existing cobble and gravel bar has caused a backwater effect at the tailrace, reducing the peak flows, and reducing the river's ability to mobilize aggraded material. An increase in surface water elevation at the tailrace has resulted in the loss of head and thereby resulted in loss of power generation capacity, estimated to be about 8,700 megawatts per year.

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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. The Federal Energy Regulatory Commission (FERC), as the lead agency or Seattle City Light as designed non-federal lead for ESA consultation, will consult with the NMFS and/or the USFWS as required under Section 7 of the ESA.

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). The proposed action would impact EFH in the project area. The FERC, as the lead agency for a determination regarding EFH, or the Seattle City Light as designed non-federal lead will consult with the NMFS, if necessary.

<u>CULTURAL RESOURCES</u>: The National Park Service (NPS), as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, will consult with the State Historic Preservation Officer and Native American Tribes 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.

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.

<u>SOURCE OF FILL MATERIAL</u>: The source of the fill material will be from the existing cobble and gravel bar and shoreline.

<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

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evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

As a Federal agency, the FERC or Seattle City Light as designed non-federal lead will contact the Washington Department of Ecology directly to ensure the work is consistent with the Coastal Zone Management Program.

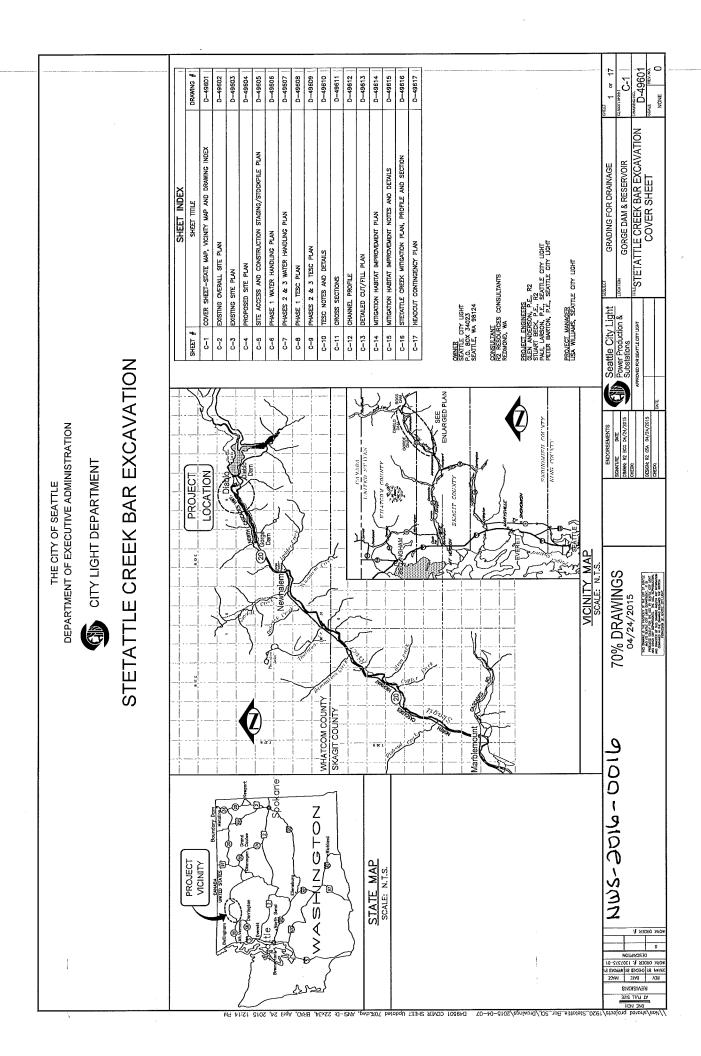
<u>COMMENT AND REVIEW PERIOD</u>: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether authorizing the work would not be contrary to the public interest. In order to be accepted, e-mail comments must originate 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 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.

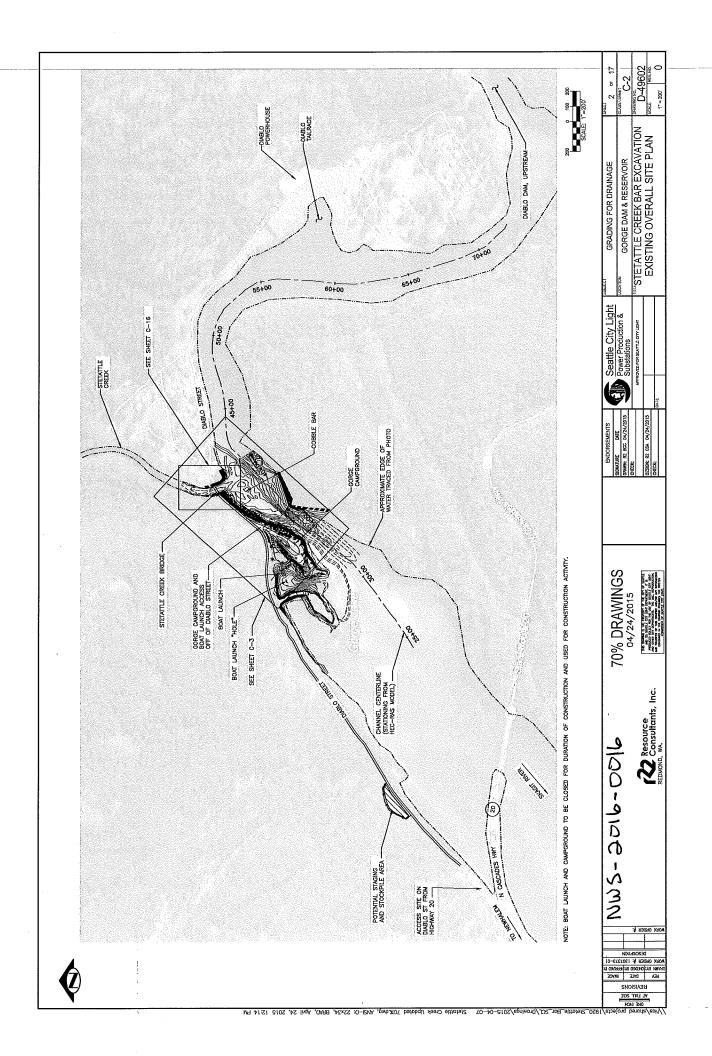
<u>CORPS COMMENTS</u>: All e-mail comments should be sent to olivia.h.romano@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Olivia Romano, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of 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.

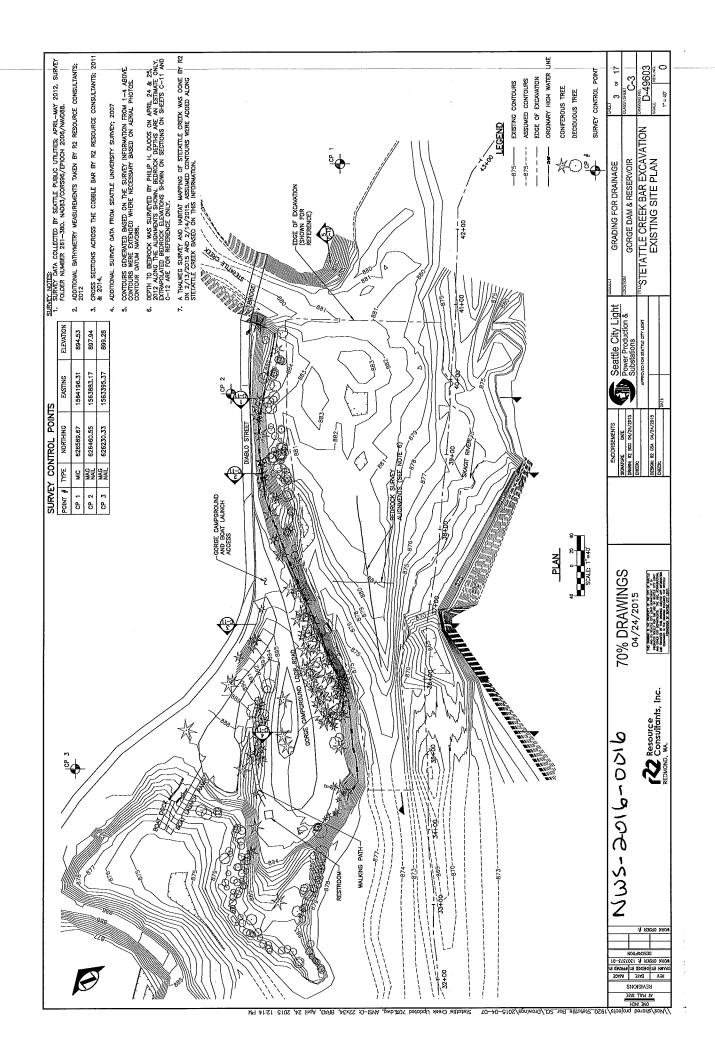
ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

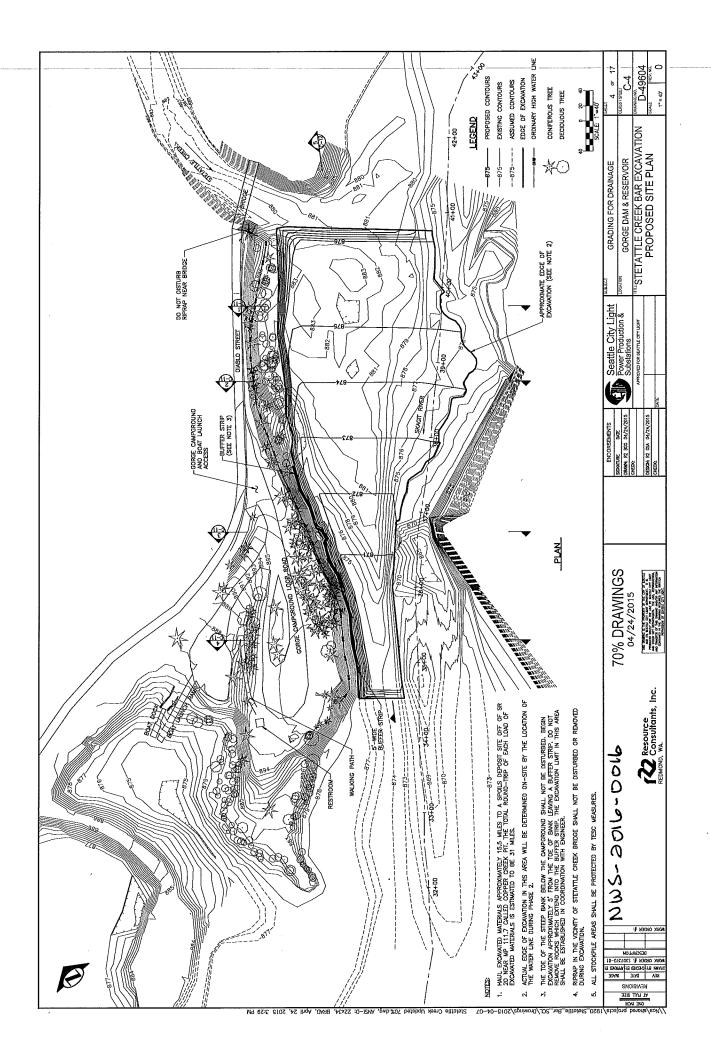
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Seattle City Light; NWS-2016-0016

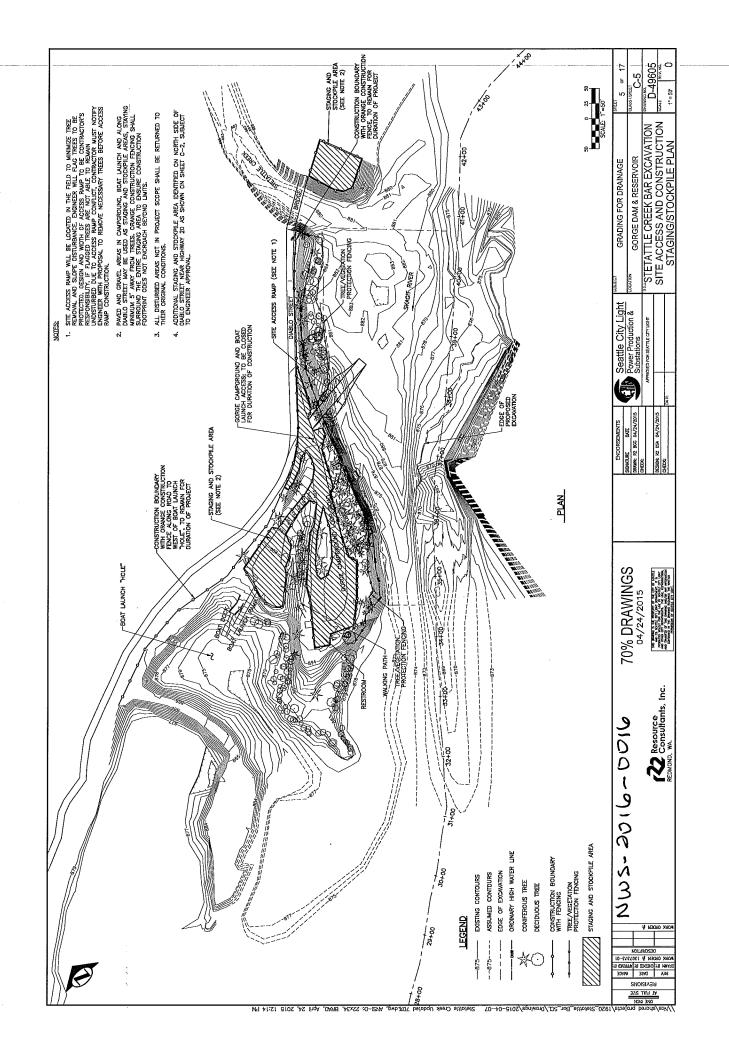
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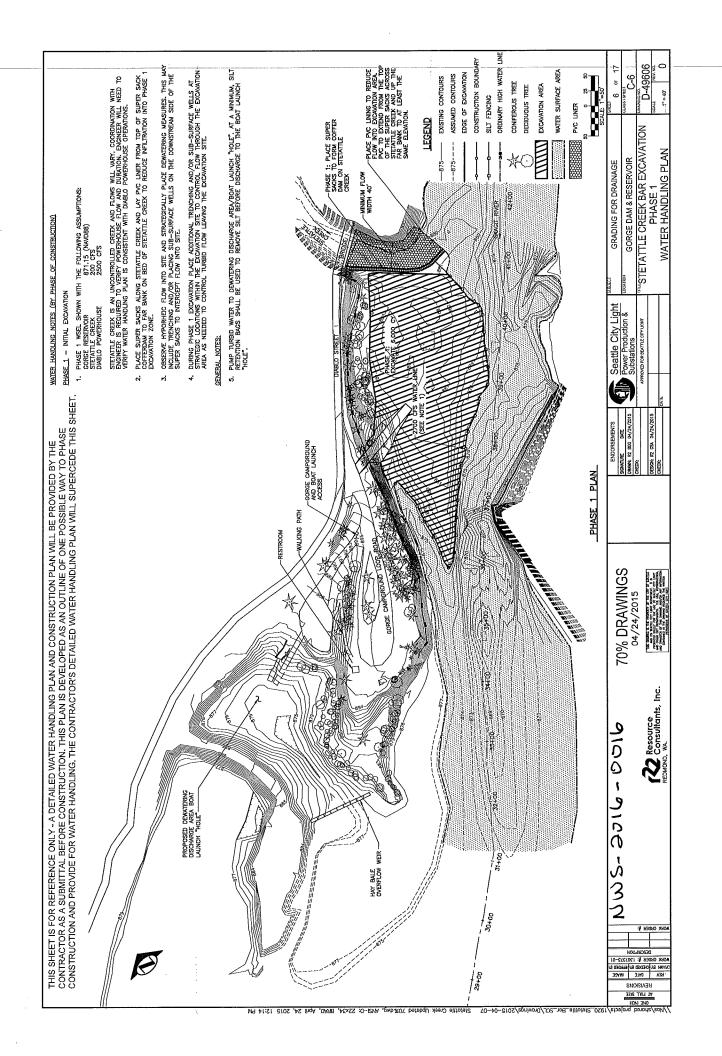


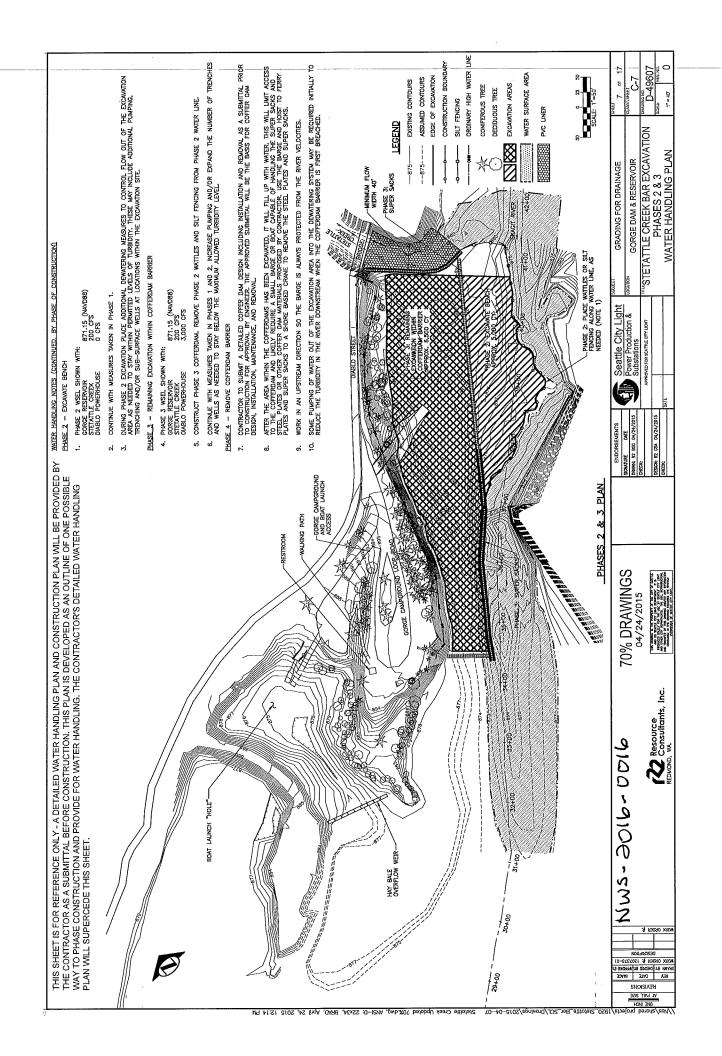


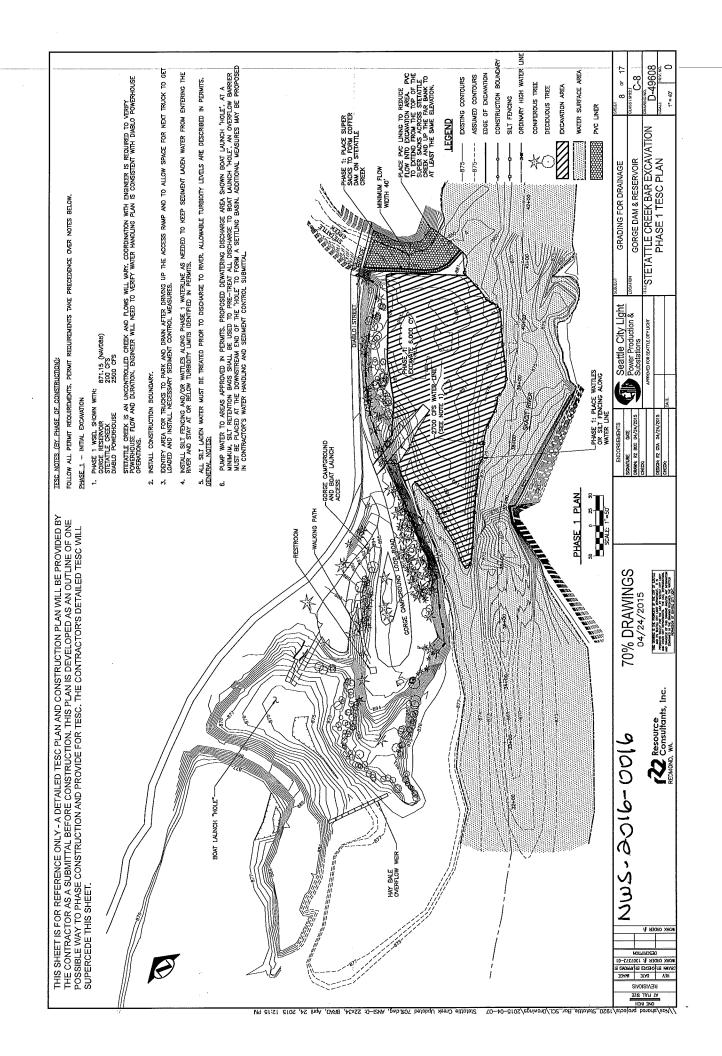


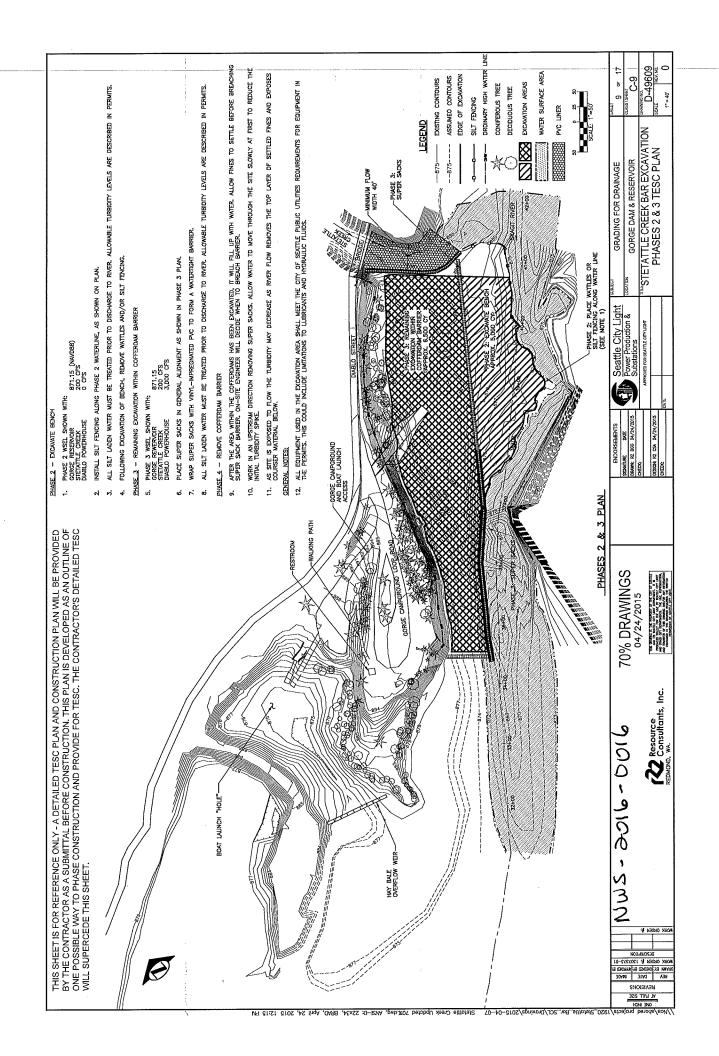


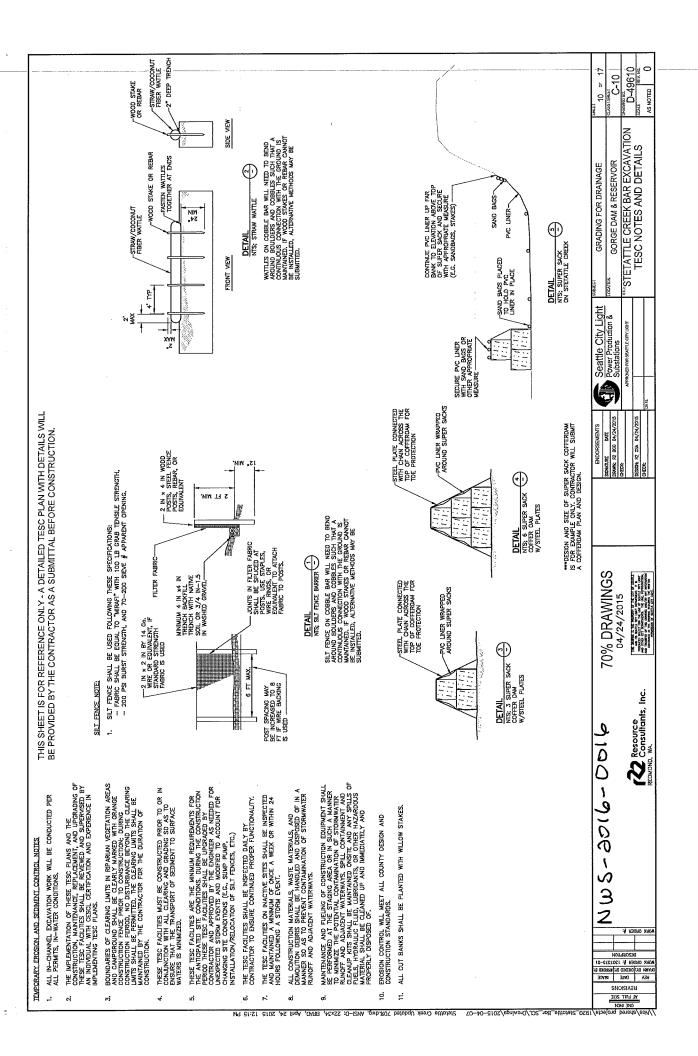


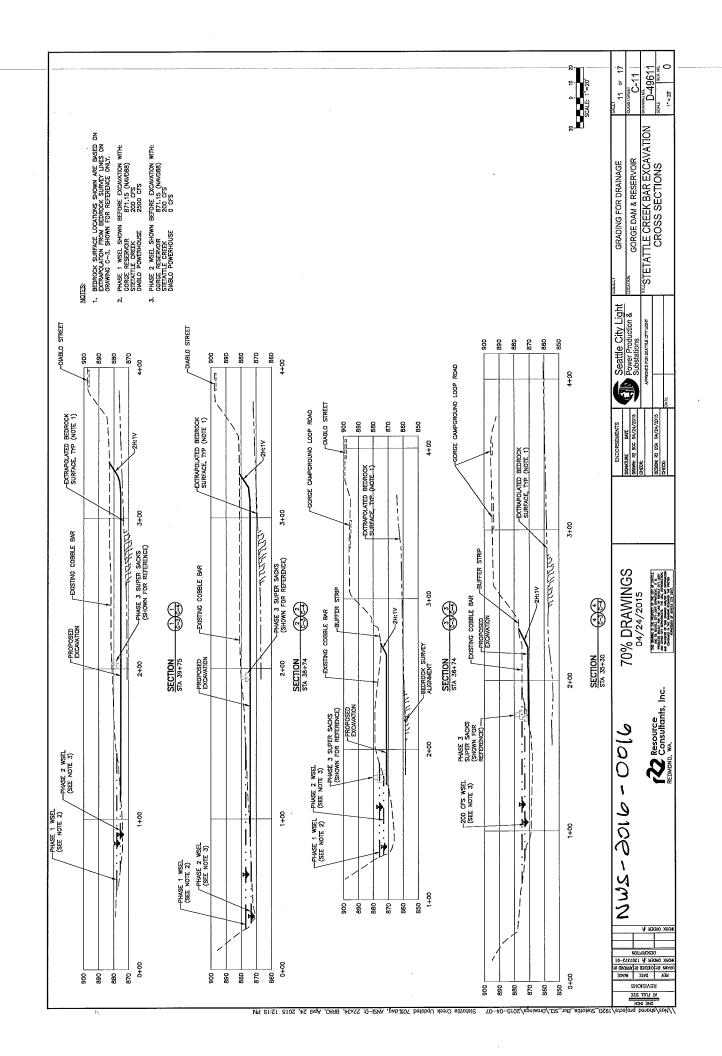


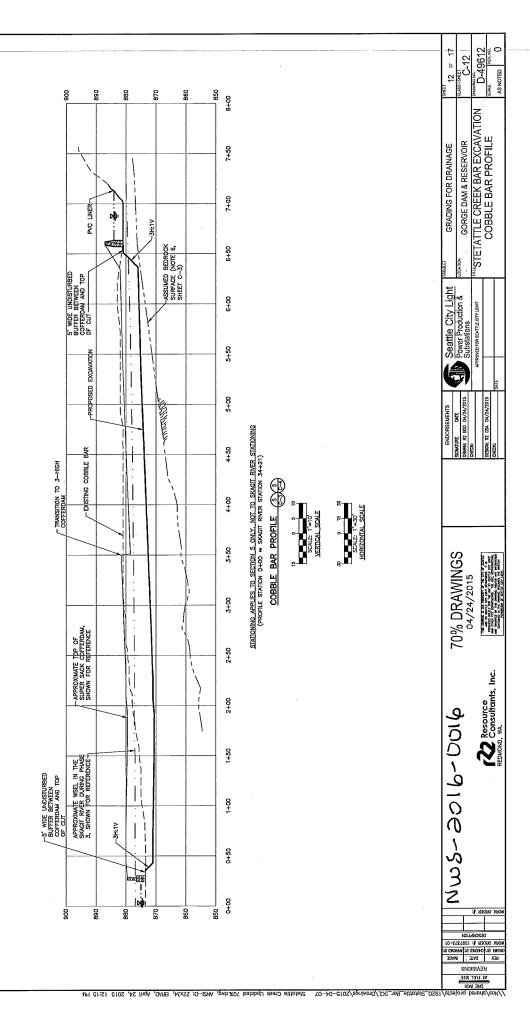


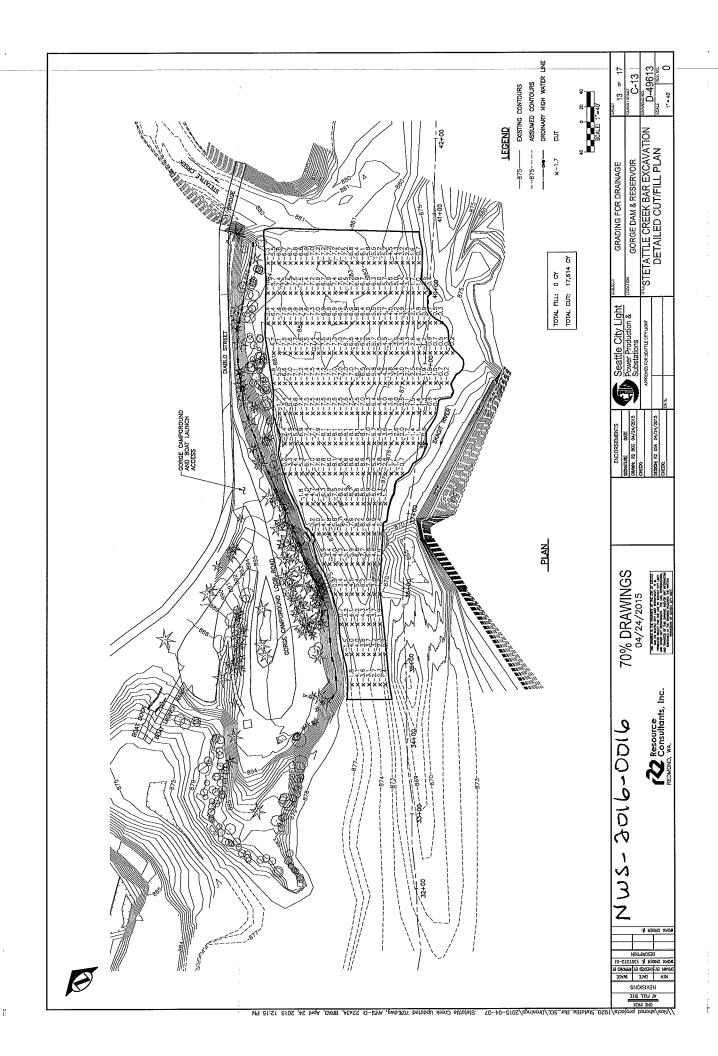


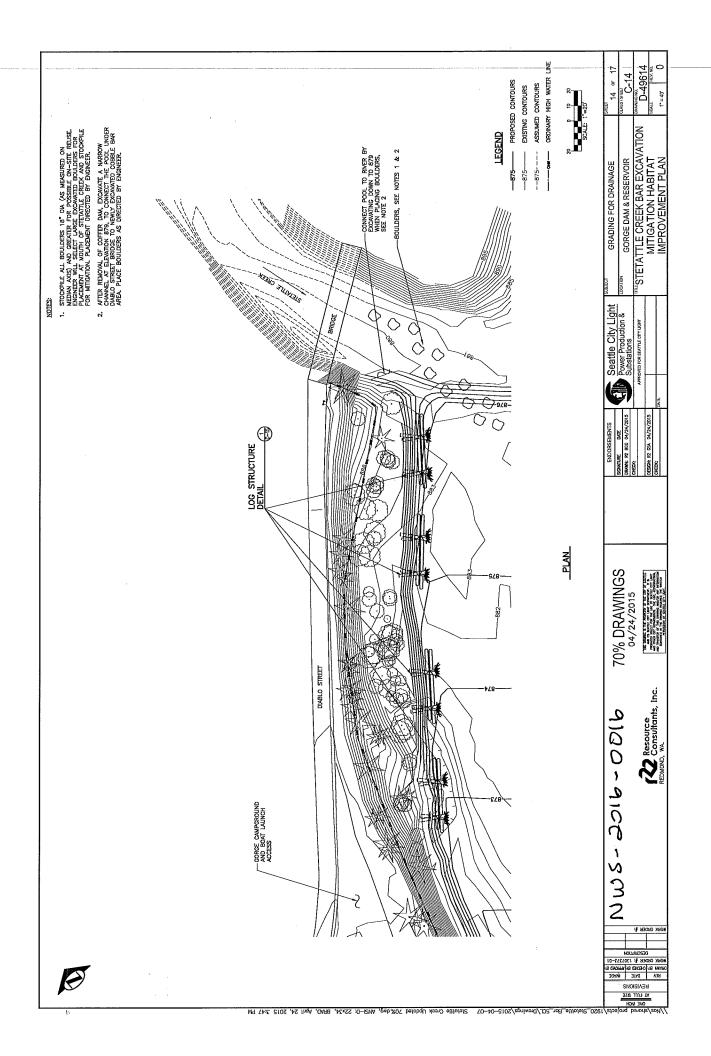


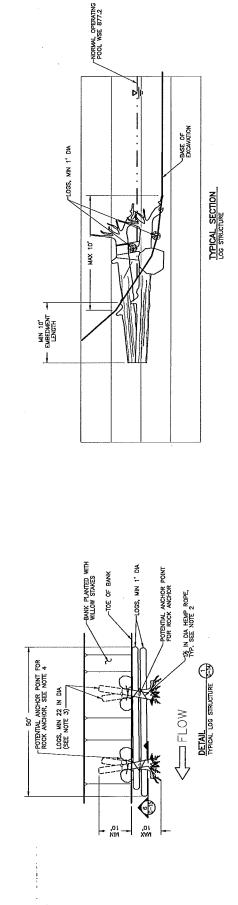












NOTES

- 1. LOCATION OF LOG STRUCTURE WILL BE STAKED AND FLAGGED IN FIELD BY ENGINEER.
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  - FOR ALL LOG STRUCTURES, CONTRACTOR TO SUBMIT A PLAN TO ENGINEER FOR LOG STEE AND PACKEMENT, BLUCST SIZE, PLACEMENT, AND ANCHORAGE BASED ON LOGS AND BALLAST AVAILABLE.

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