



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) 764-6901 ATTN: Jacalen Printz, 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: March 2, 2017 Expiration Date: March 31, 2017

Reference No.: NWS-2015-807-WRD Name: 24th Avenue Northwest Pier and Outfall Replacement

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 6, 2016.

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.

- <u>APPLICANT</u>: Seattle Public Utilities (SPU) Attention: Mr. Richard Fernandez P.O. Box 34018 Seattle, Washington 98124-4018 Telephone: (206) 684-0285
- AGENT: Environmental Science Associates Attention: Ms. Karmen Martin 5309 Shilshole Avenue Northwest, Suite 200 Seattle, Washington 98107 Telephone: (206) 789-9658

LOCATION: In the Lake Washington Ship Canal (LWSC), at Seattle, Washington.

<u>WORK</u>: Replace two existing Combined Sewer Outlet (CSO) pipes with one pipe, replace the existing 24th Avenue pier with a smaller grated pier, and construct a temporary pier around the existing to load and off-load materials necessary to support the tunnel construction for the Ship Canal Water Quality Project. The Ship Canal Water Quality Project is an upland project (out of Corps jurisdiction) to convey the excess stormwater flows to a large underground storage tunnel, which will store the flows until they can be conveyed to the wastewater treatment plant.

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The work includes removing the existing 270-foot long by 18-foot wide pier, its associated 84 wood piles, and replacing it with a permanent, grated 255-foot long by 18-foot wide pier, supported by twenty eight 24-inch steel piles. Installation of a temporary pier, supported by fifty 24-inch steel piles and constructed along the eastside and end of the pier, creating a T-shape. In addition, fourteen 18-inch steel pile barge moorage dolphins will be installed. The temporary pier and dolphins will remain in place for approximately 2.5 years during the time of the Ship Canal Water Quality Project construction. The purpose of the temporary pier is to facilitate the loading and unloading of materials necessary for the construction of the Ship Canal Water Quality Project. Tunnel spoils will be loaded onto moored barges at the end of the pier and barged to an upland location to be disposed.

For the CSOs, the existing CSO #151, an 18-inch wood pipe, and CSO #150, a 30-inch HDPE pipe, will be replaced with one 48-inch HDPE pipe. CSO #150 will be decommissioned and removed, requiring excavation of up to 13-cubic yards of material to expose 23-feet of buried pipe, the remainder of the pipe is supported above the mudline via two saddles and associated 8-inch concrete piles, which will also be removed. Up to 17-cubic yards of clean habitat mix material will be placed to cap the excavated areas. CSO #151 will be cut off and plugged at an upland location and will be left in place. The new 48-inch CSO will be installed underneath and attached to the new pipe. Up to 59 cubic yards of material will have to be excavated to install the new pipe. After installing the new pipe, up to 26-cubic yards of clean material will be placed to cap the nearshore portion of the pipe.

<u>PURPOSE</u>: The purpose of the pier and temporary pier is to support the Project tunnel construction via loading and unloading of materials. The overall purpose is to reduce the amount of combined sewage discharges into the LWSC.

<u>MITIGATION</u>: To mitigate for the permanent and temporary impacts to the aquatic resource the applicant has proposed to install native shoreline plantings, removal of on-site underwater debris and to monitor the debris removal area via dive surveys. The mitigation plan has not been finalized.

<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 (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 U.S. Army Corps of Engineers has evaluated the potential impacts to proposed and/or listed species and their designated critical habitat and is currently in consultation with the NMFS and USFWS.

<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.

<u>CULTURAL RESOURCES</u>: 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. 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.

There are no recorded historic properties within 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.

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<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 United States.

<u>SOURCE OF FILL MATERIAL</u>: 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.

<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>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 Jacalen.M.Printz@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Jacalen Printz, 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.

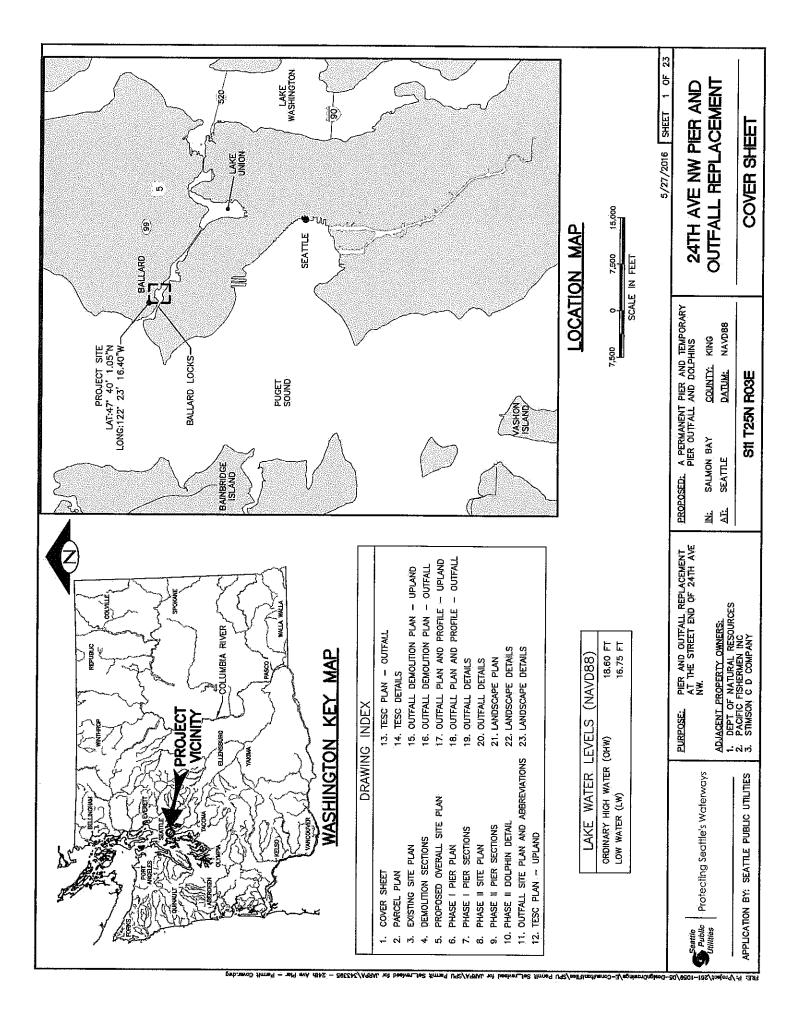
<u>ECOLOGY COMMENTS</u>: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology,

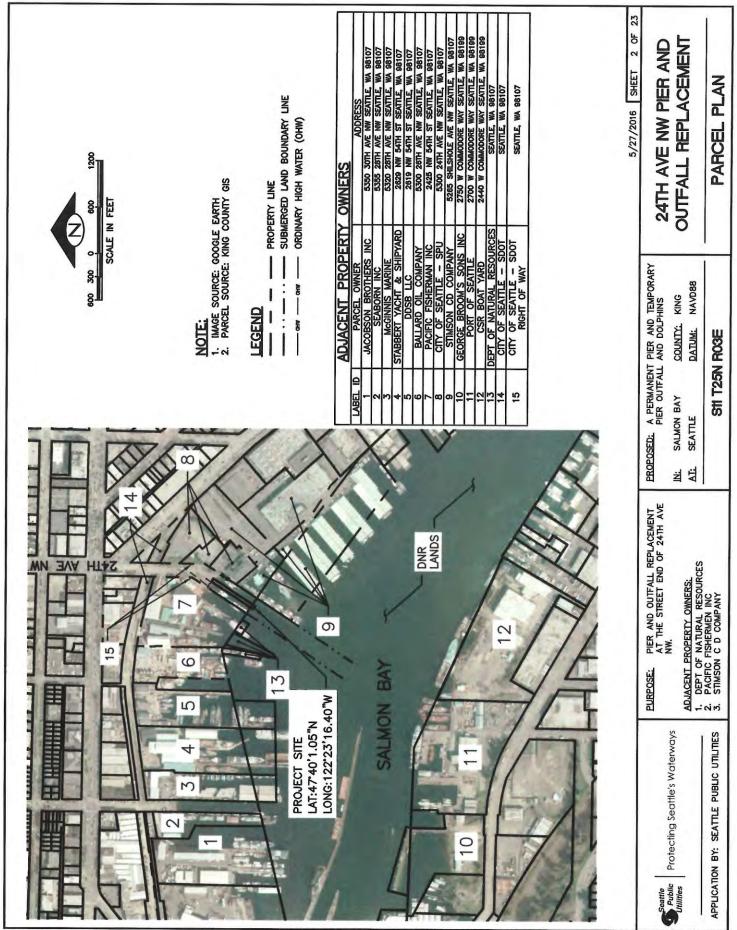
NWS-2015-807, Seattle Public Utilities (24th Avenue Pier)

Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

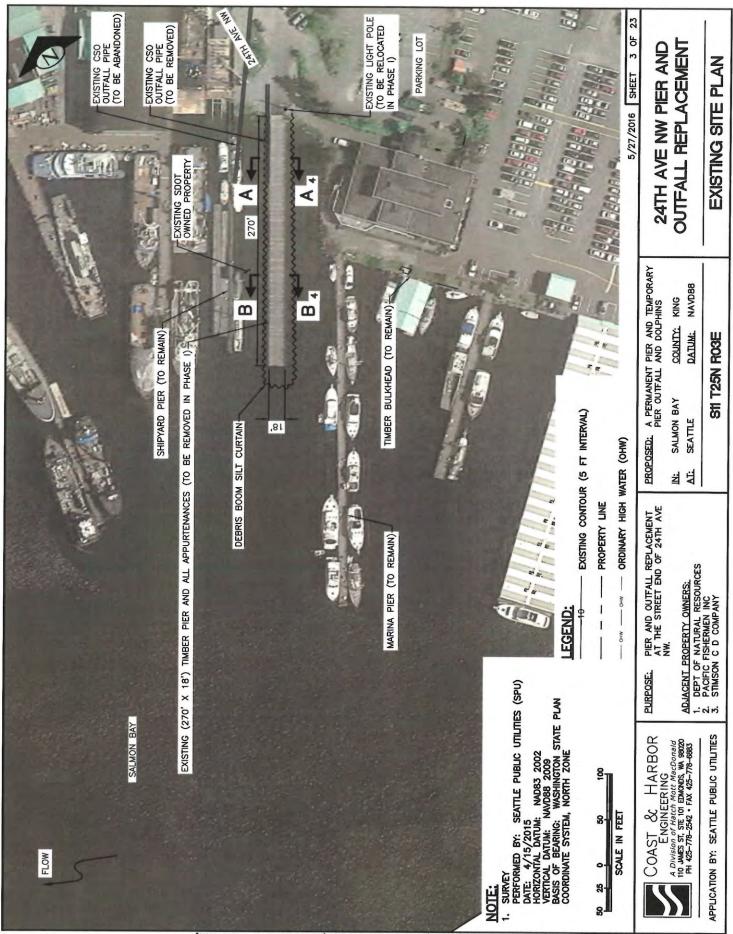
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: [Seattle Public Utilities; NWS-2015-807-WRD]

Encl: Figures (23)

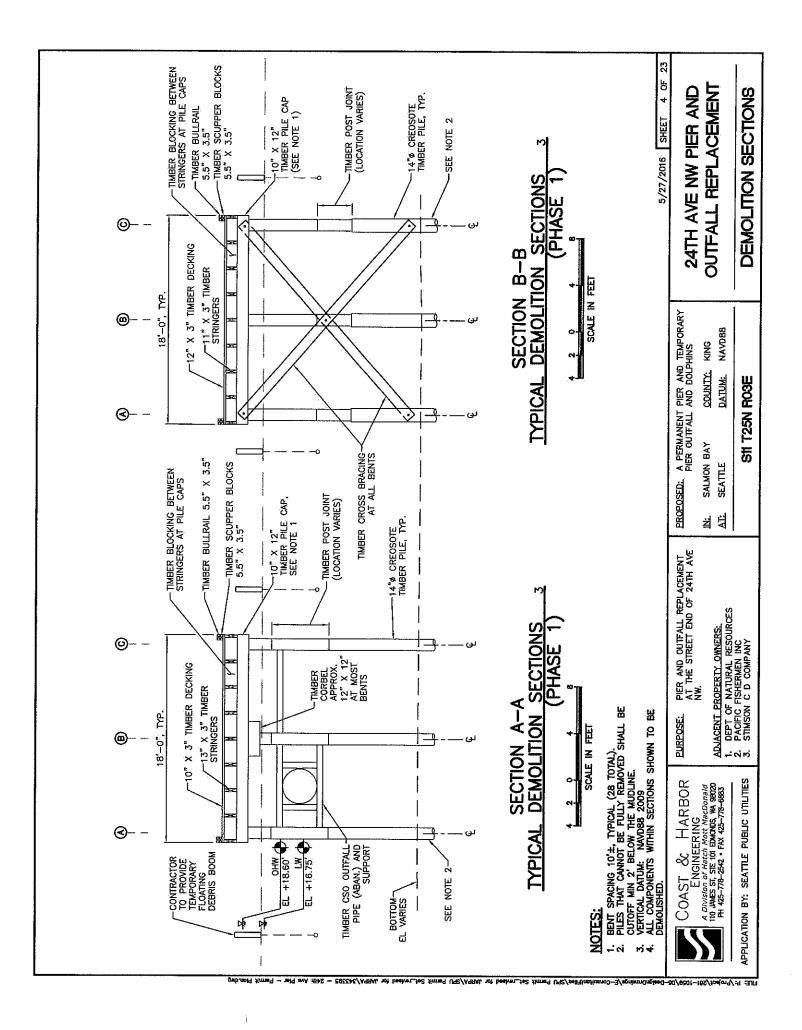


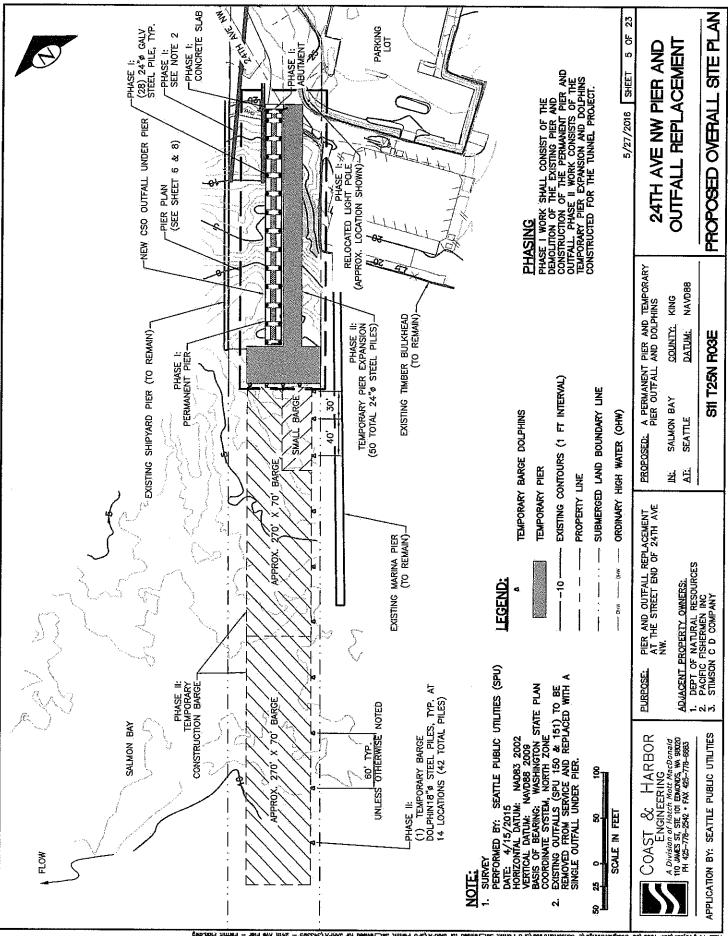


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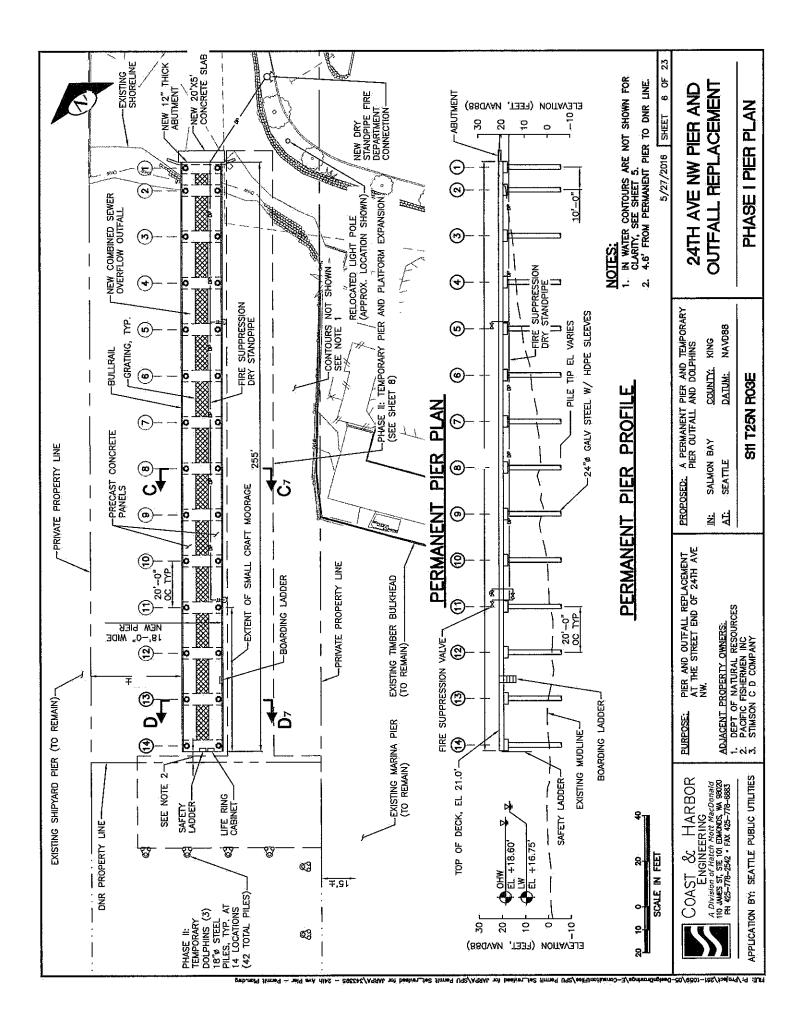


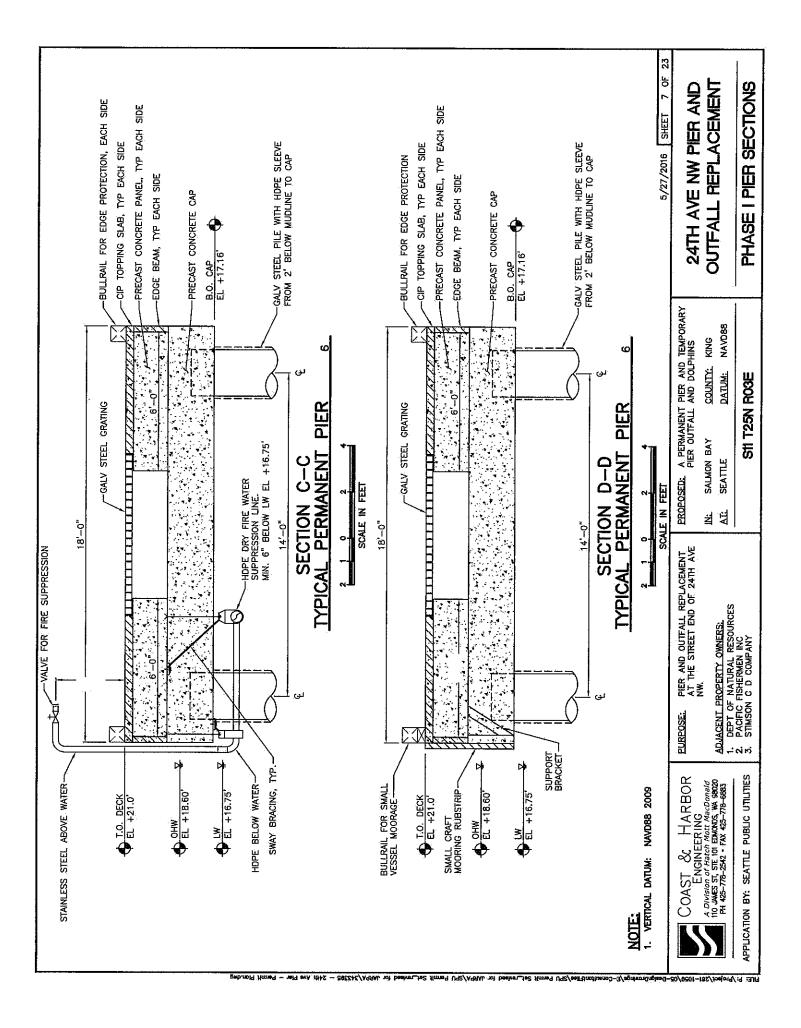
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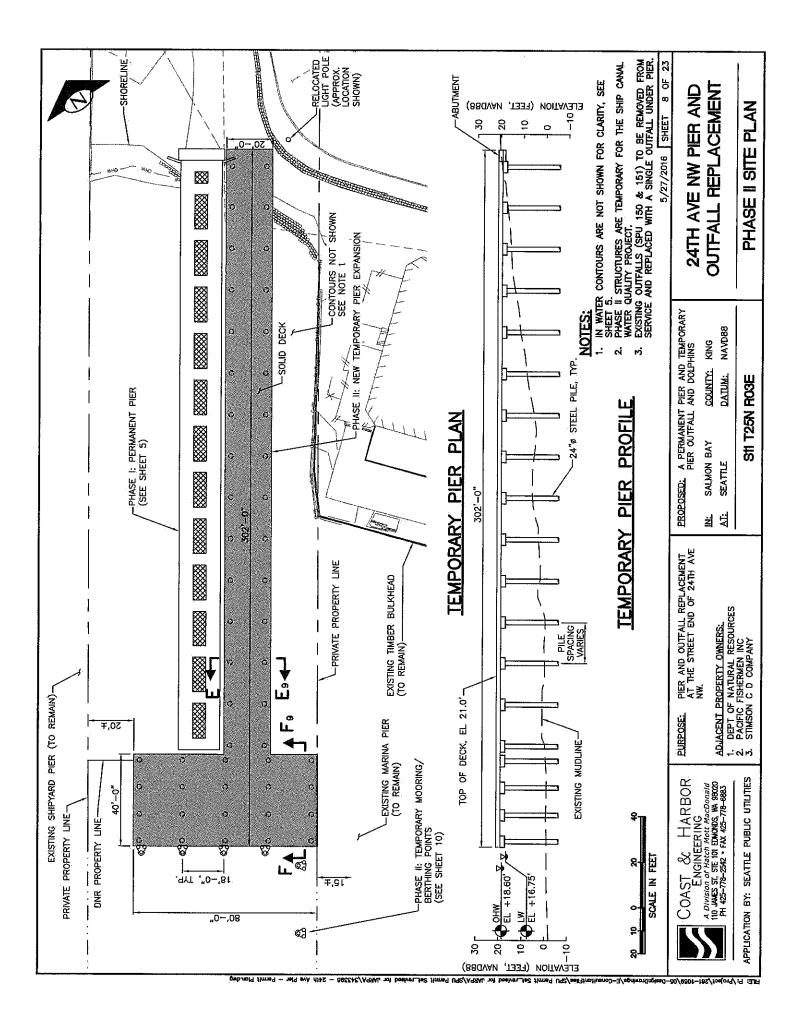


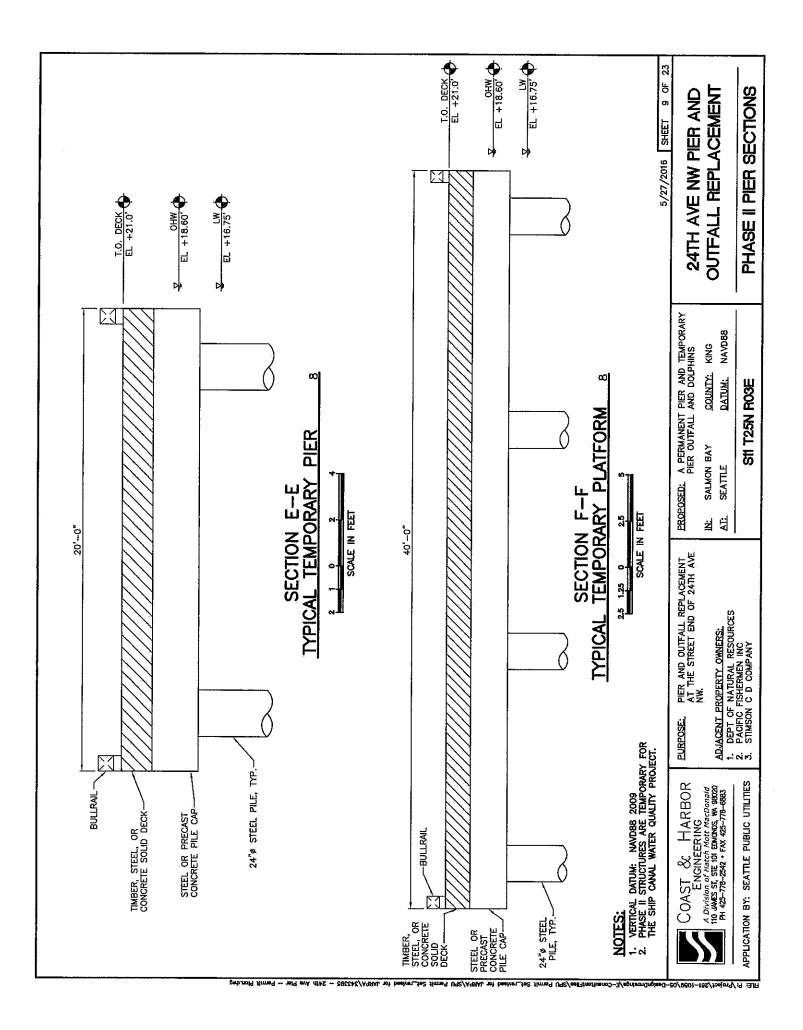


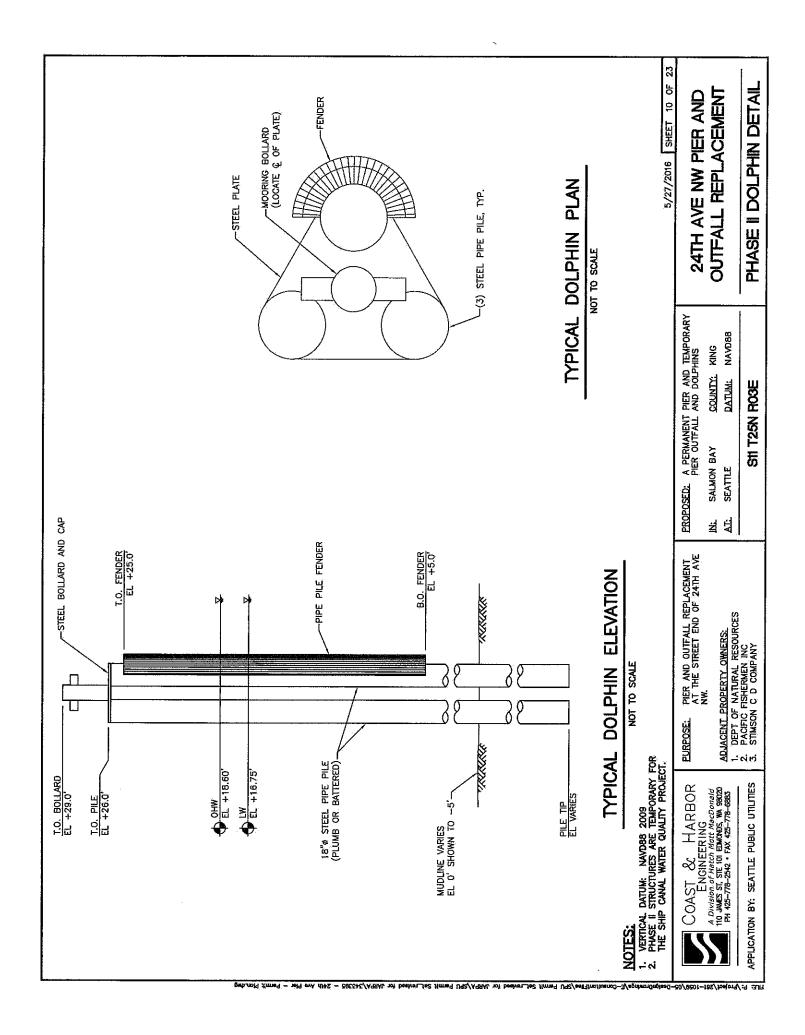
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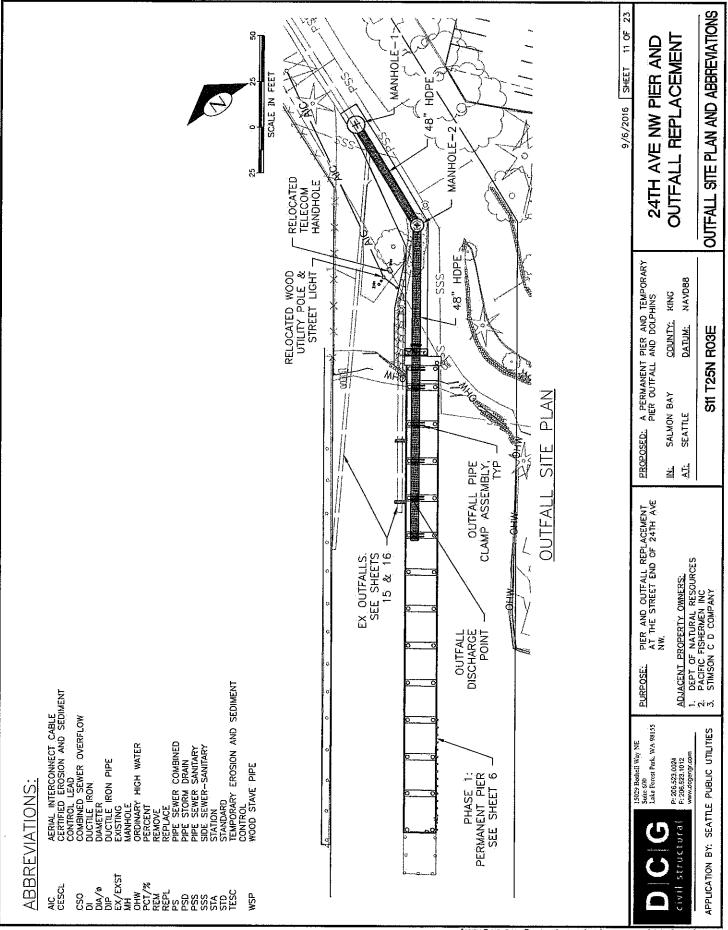




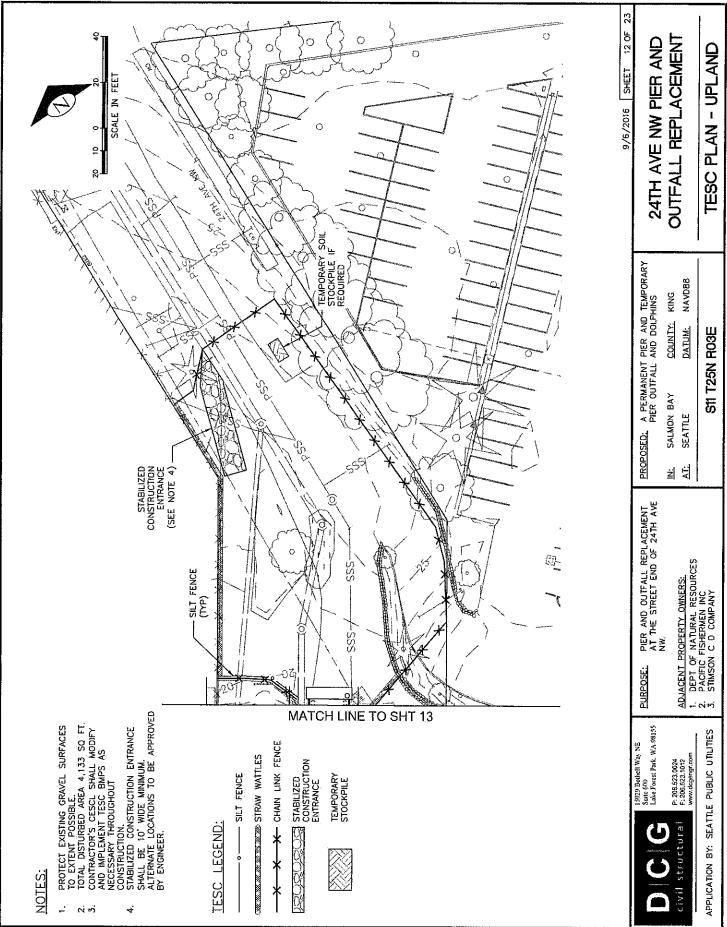




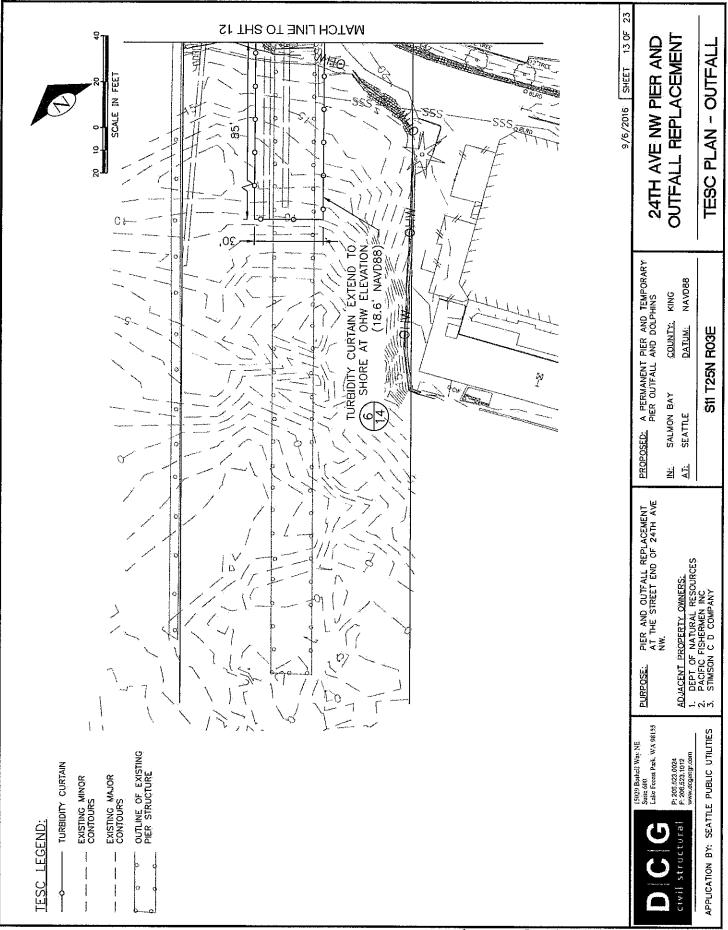


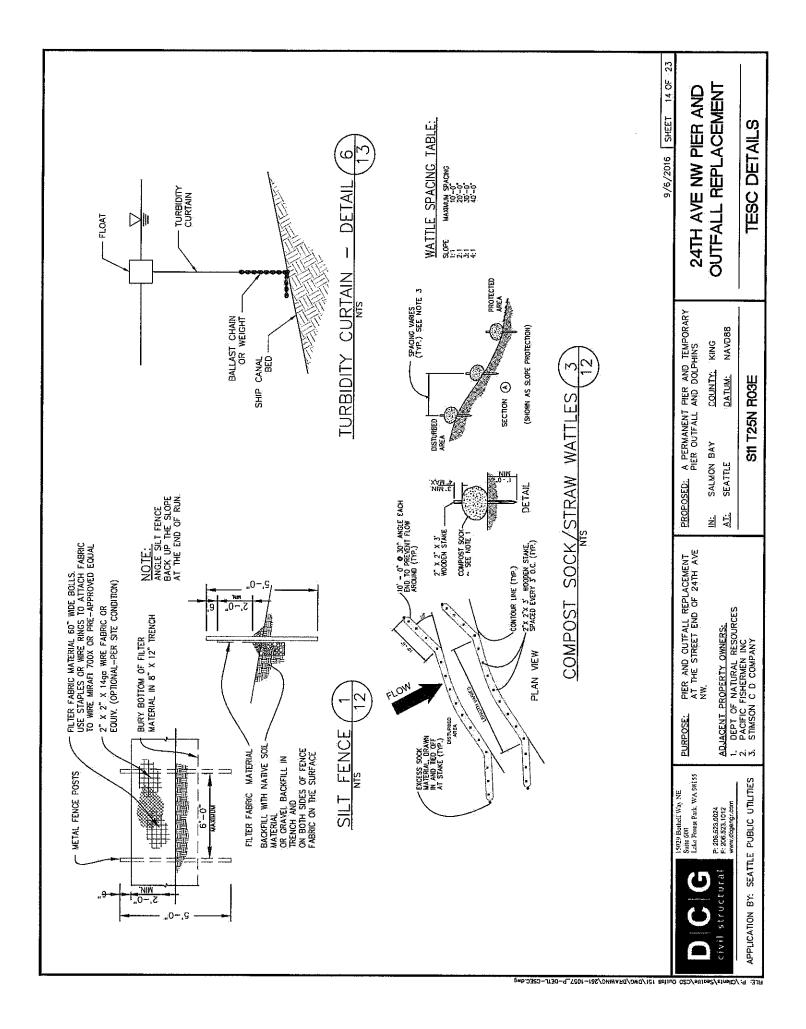


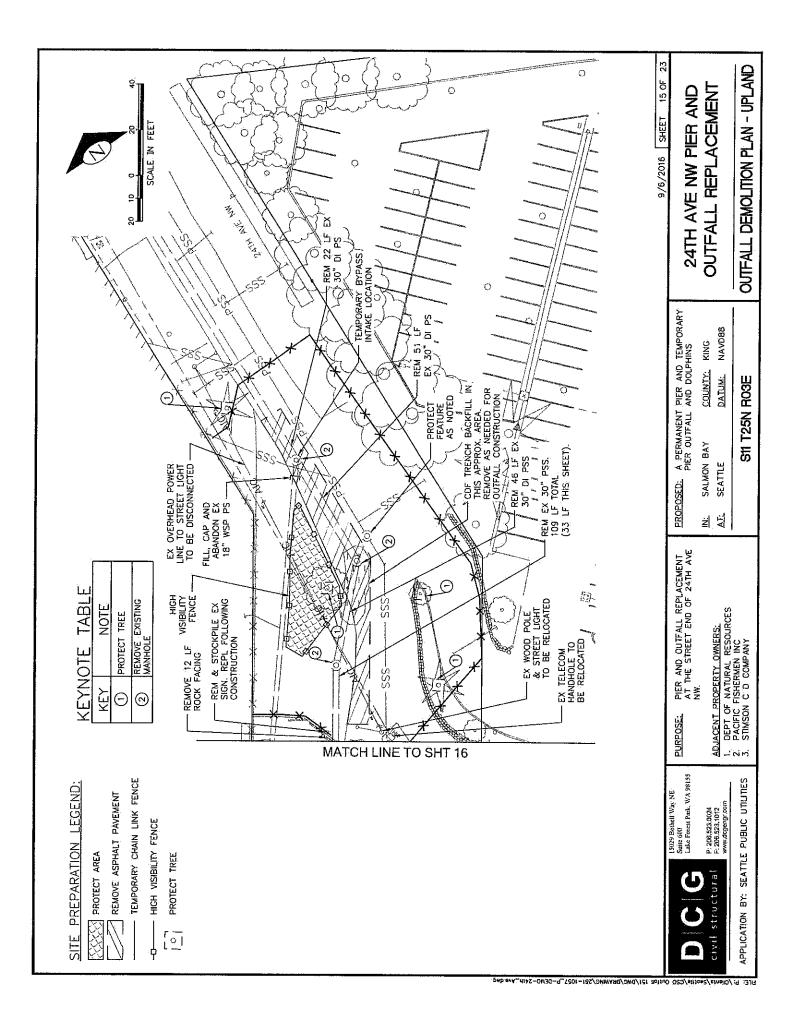
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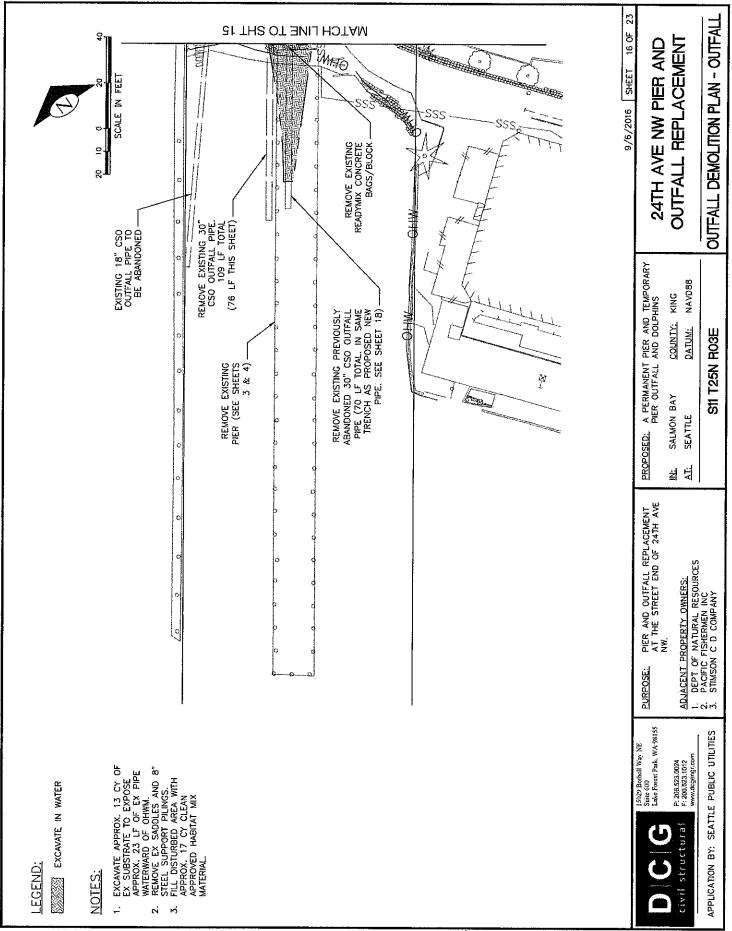


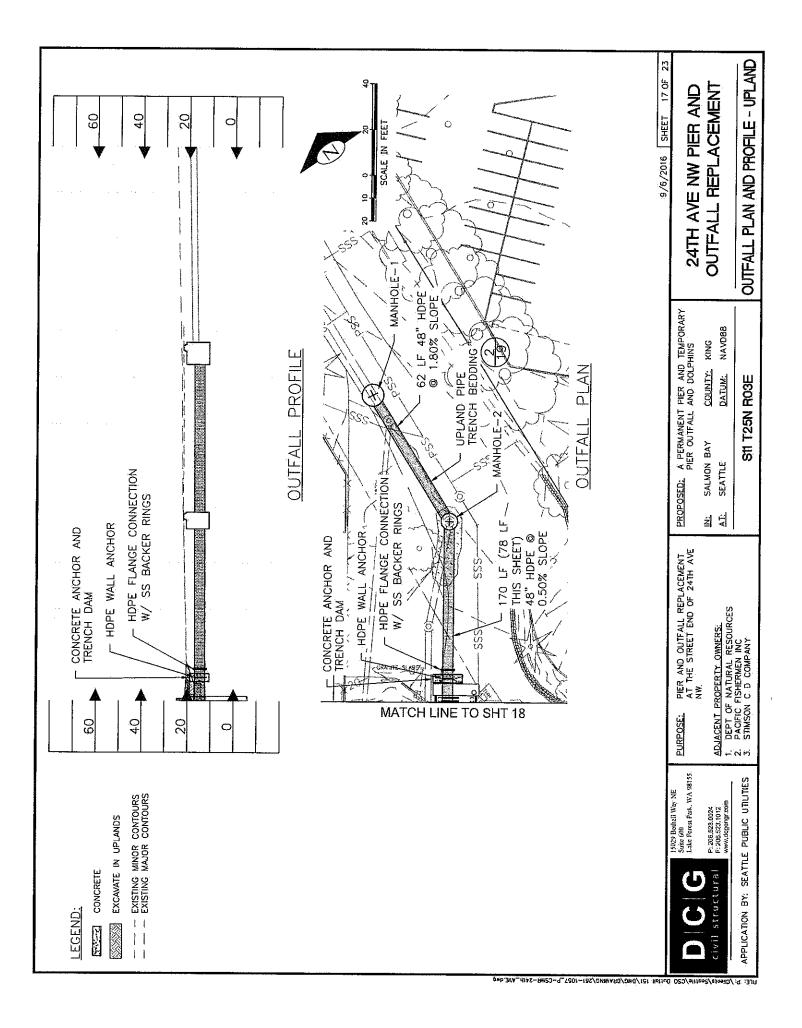
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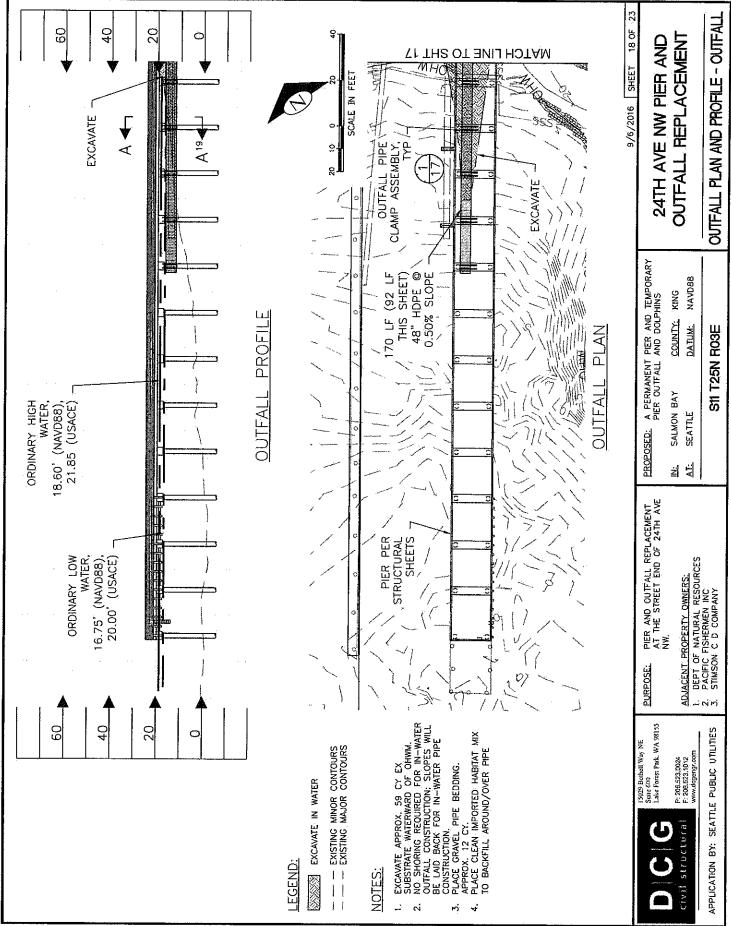




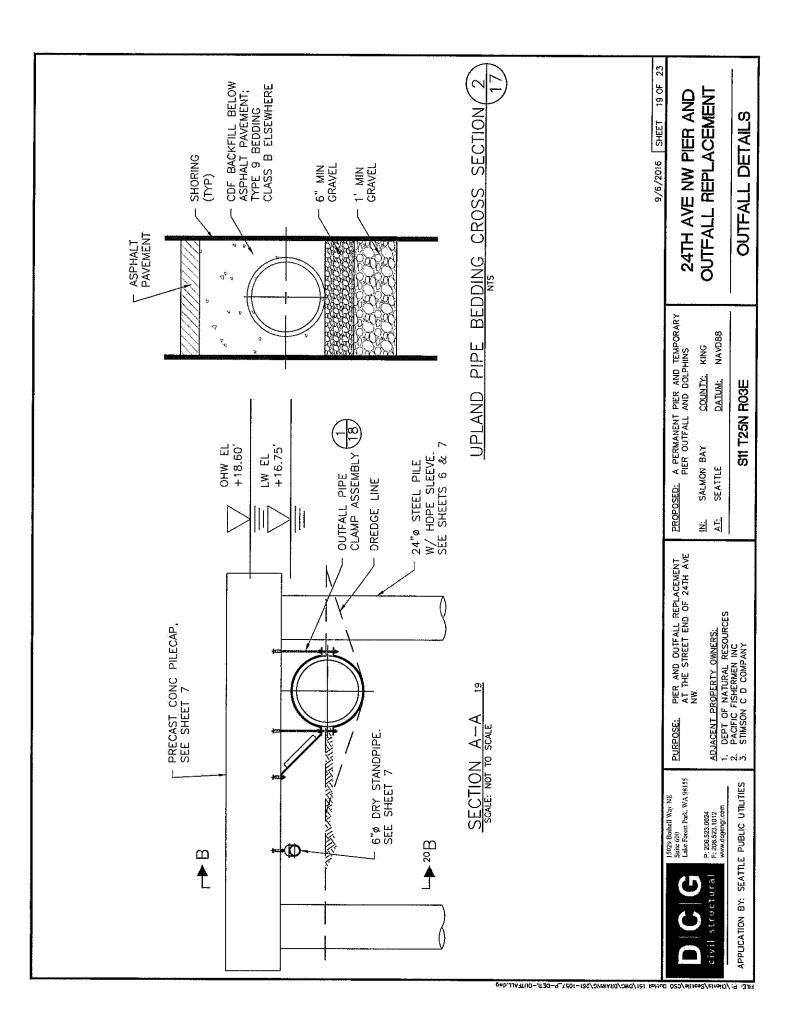


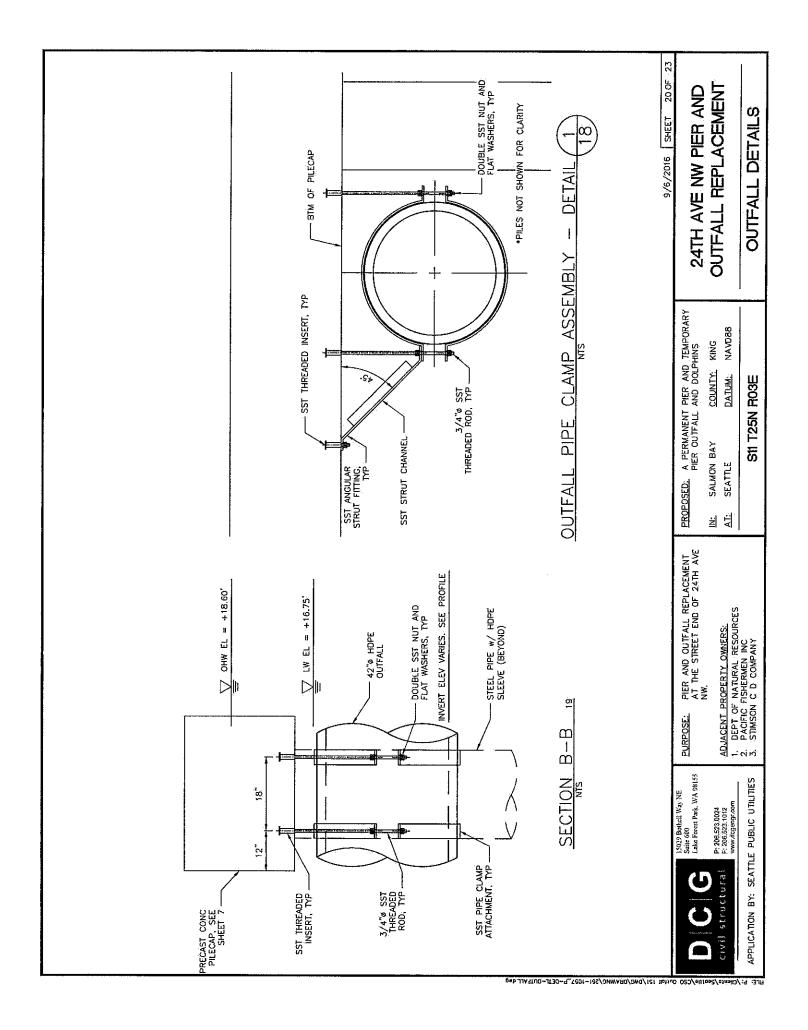


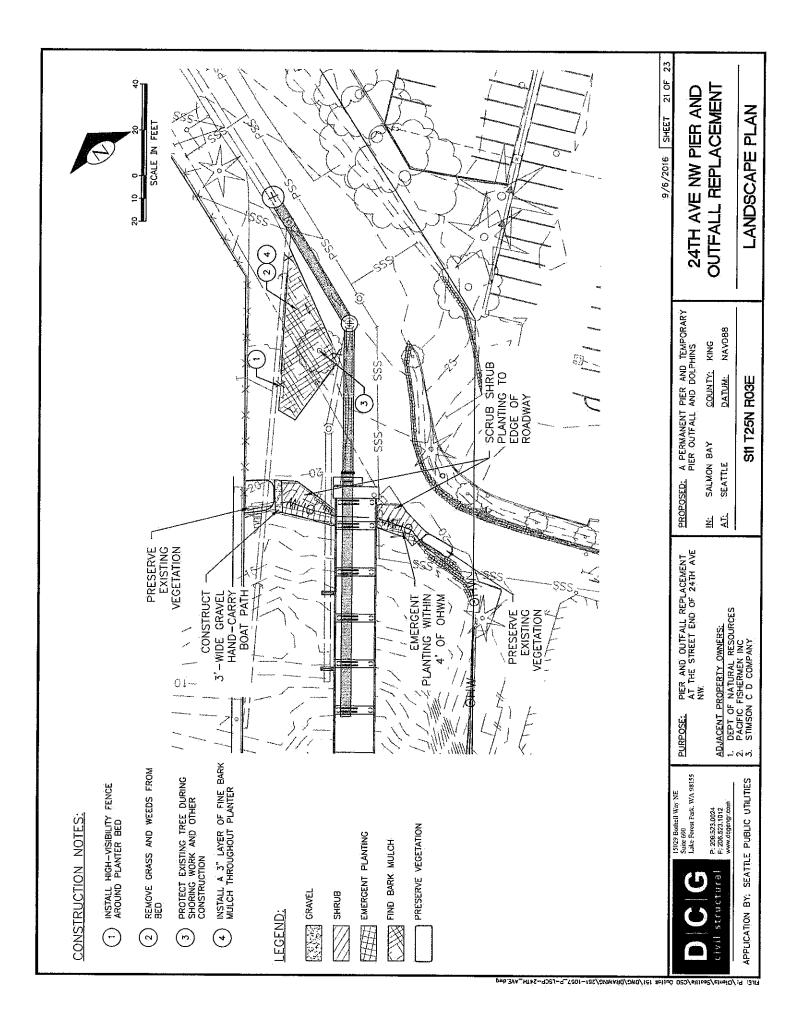


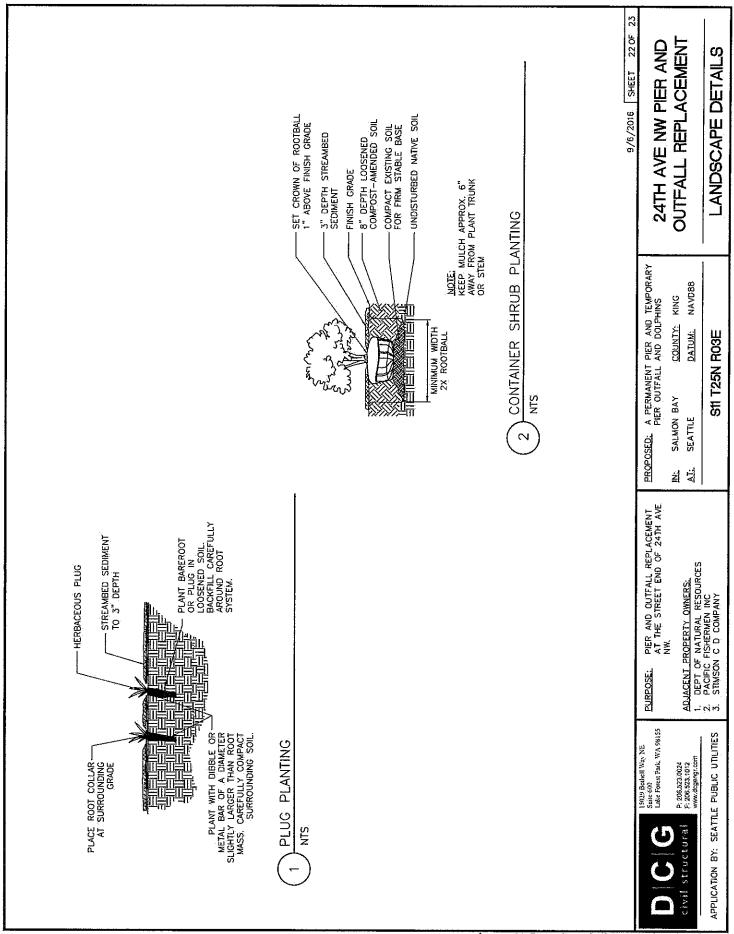


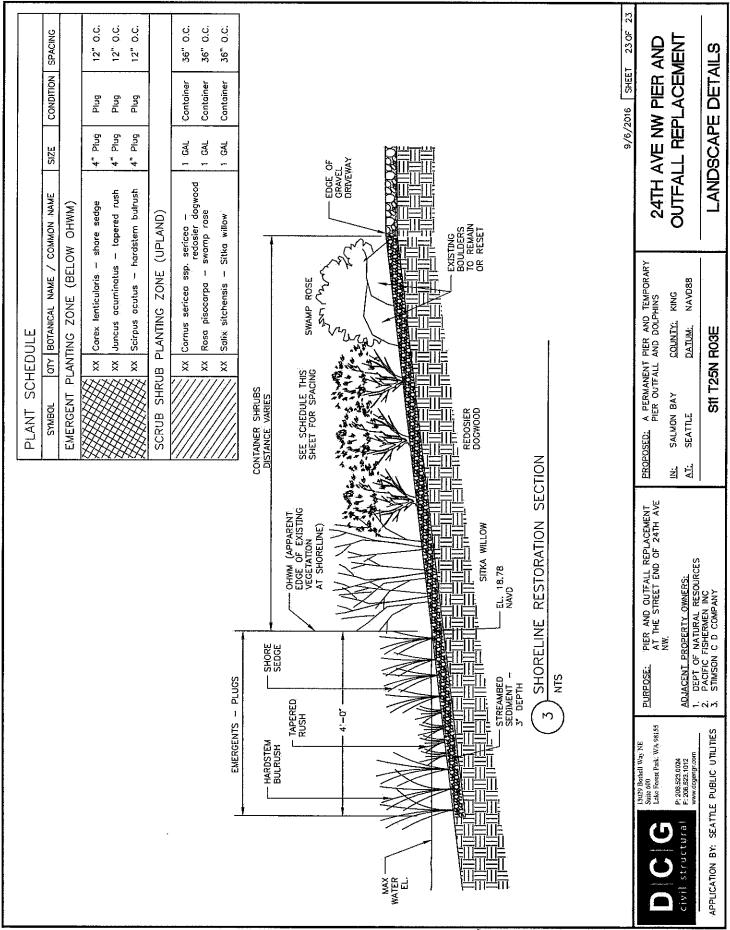
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