



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) 764-6985
Attn: Randel Perry, 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: October 23, 2008
Expiration Date: November 22, 2008

Reference No.: NWS-2006-106-CR
Name: Great Western Lumber Co.

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. In addition, a portion of the work as described below and shown on the enclosed drawings was performed without specific authorization under Section 404 and 401 of the Clean Water Act. U.S. Army Corps of Engineers permit regulations (33 CFR 320-330) allow District Engineers to make a determination of whether the activity is contrary to the public interest or if the work should be authorized by an after-the-fact permit. The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA). Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws.

APPLICANT: Great Western Lumber Company
Post Office Box 159
Everson, Washington 98247
ATTN: Mr. Tom Westergreen
Telephone: (360) 966-3061

LOCATION: In Swift Creek at 7400 Goodwin Road, Everson, Washington

WORK: Retain fill (weirs) installed prior to authorization, place additional fill and excavate accumulated sediments.

PURPOSE: Relieve aggradation and flooding problems and reduce downstream transport of naturally contaminated sediments.

ADDITIONAL INFORMATION: Work involves retaining four weirs constructed of ecology blocks and large rock (approximately 622 cubic yards in 0.06 acre of channel), installation of fill to divert flow and provide protection for an existing pipeline (approximately 1,150 cubic yards in 0.10 acre of stream channel), and excavation of up to 10,000 cubic yards of accumulated sediments from four catch basins annually. All work will be done by mechanical equipment operating in and adjacent to the stream channel. Excavated sediments will be stockpiled on-site and used at the applicant's log yard for fill under log storage rows.

Swift Creek is subject to high sediment inputs from a headwaters landslide area. Recent analysis by the U. S. Environmental Protection Agency (EPA) indicates that sediments include naturally occurring asbestos that may be detrimental to human health. Fish species and vegetation communities are non-existent in and adjacent to a majority of the Swift Creek channel.

MITIGATION: No mitigation proposed.

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 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 did not and will not affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is not 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). The proposed action would impact EFH in the project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The District Engineer 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. All excavation work will occur within the stream channel and the proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

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

NWS-2006-106-CR, Great Western Lumber Co.

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.

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 in an area outside of Shoreline Management Act jurisdiction

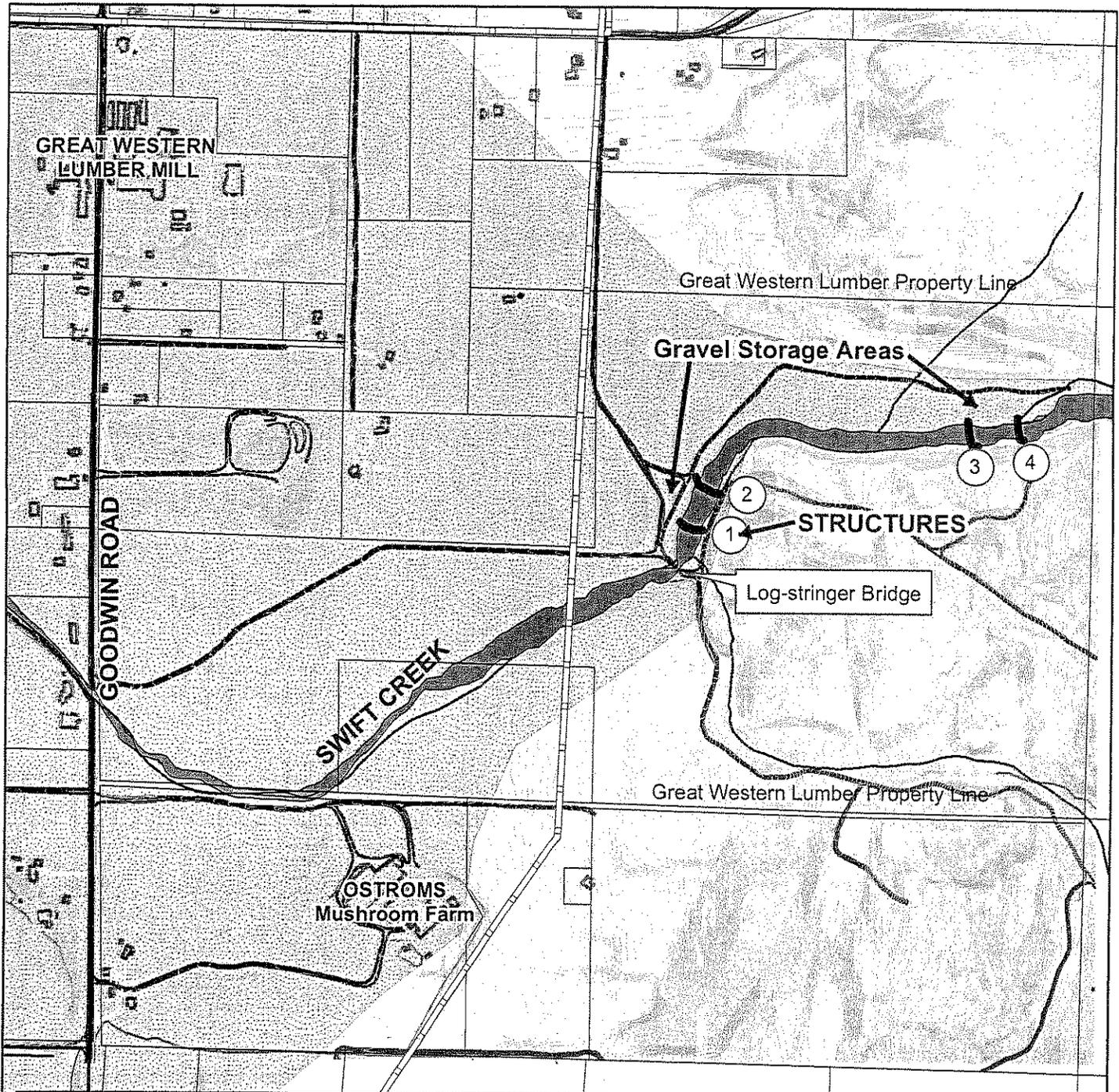
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 commentor'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 randel.j.perry@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Randel Perry, Post Office Box 3755, Seattle, Washington, 98124-3755.

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: Department of Ecology, Attn: SEA program – 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: Great Western Lumber Co., NWS-2006-106-CR

Encl: Figures (7)

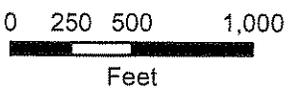
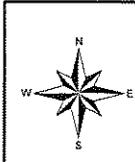


Project Area

Project: Great Western Flood Reduction
 Reference: Corps Ref. # NWS-2006-106-CR
 Purpose: Continuation of GWL Company Flood Hazard Reduction Project
 Applicant: Great Western Lumber
 In: Swift Creek
 Near: Everson, Whatcom County, Washington

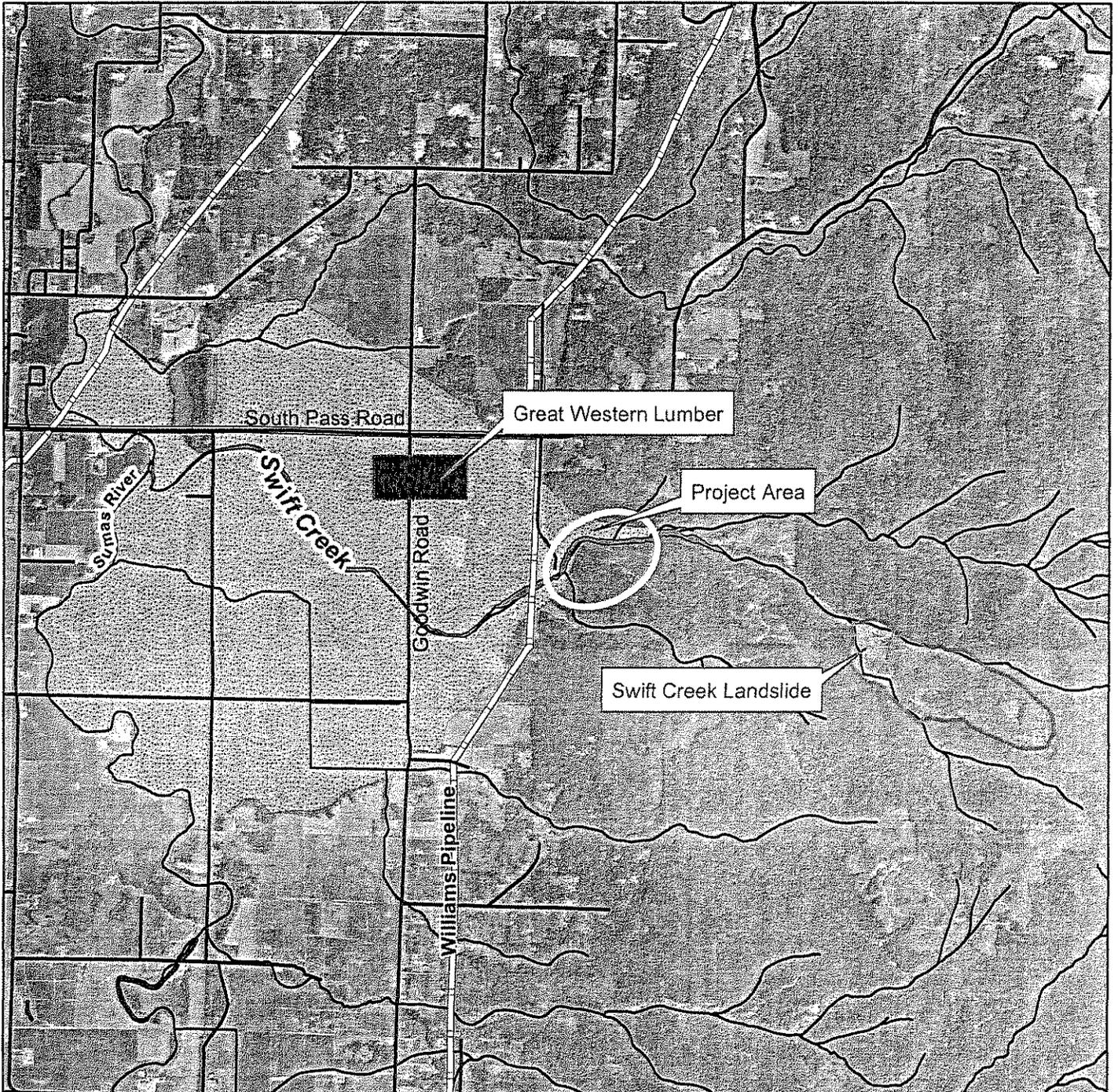
Legend

- Williams Pipeline
- Property Lines
- Potentially Flooded Area



Sheet
2
of 7

PROJECT: Great Western Lumber Flood Hazard Reduction	
Date: Oct. 13, 2008	Drawn By: P. Pittman for T. Westergreen
2-Foot Contour Interval	

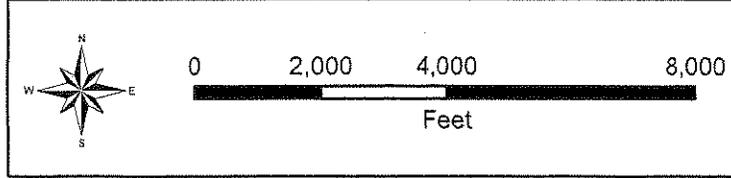


File: Swift Creek Overview
 Project: Great Western Flood Reduction
 Reference: Corps Ref. # NWS-2006-106-CR
 Purpose: Continuation of GWL Company Flood Hazard Reduction Project
 Applicant: Great Western Lumber
 In: Swift Creek
 Near: Everson, Whatcom County, Washington

Legend

-  Williams Pipeline
-  Swift Creek Landslide
-  Potentially Flooded Area

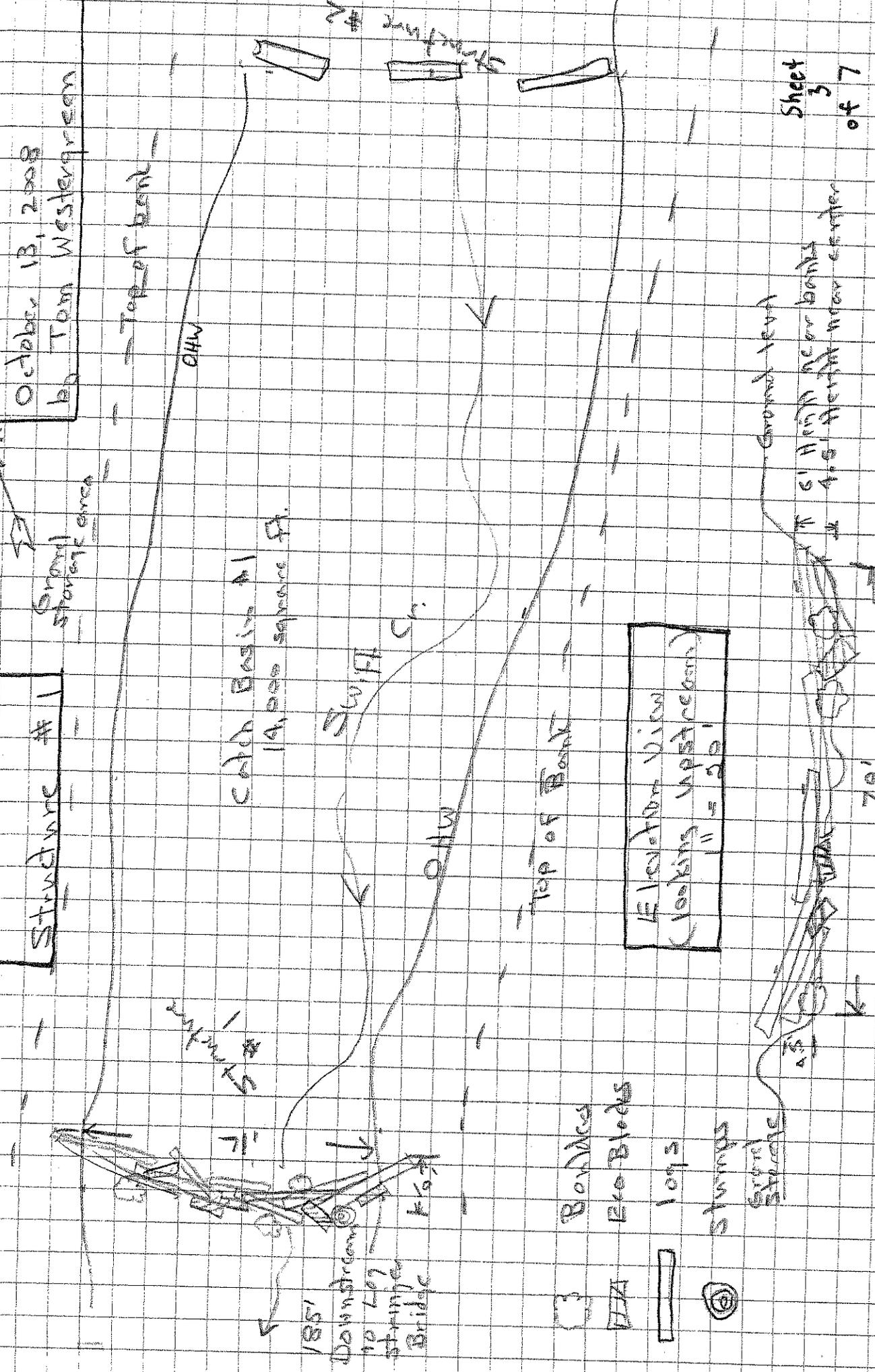
Lat: 48° 54' 43" Long: 122° 16' 35"



PROJECT: Great Western Lumber Flood Hazard Reduction
 Date: Oct 13, 2008 Drawn By: PPittman for T. Westergreen
 Sheet 1 of 7

Great Western lumber
 Swift Co. Flood Reduction
 Corps # NWS-2006-106-CR
 October 13, 2008
 by Tom Westergren

Plan View
 1" = 30'
 Structures # 1



Carroll Western Lumber
Swift Cr. Flood Reduction
Corps # NWS-2006-106-1R

October 13, 2008
by Tom Westergaard

Plan View
1" = 30'

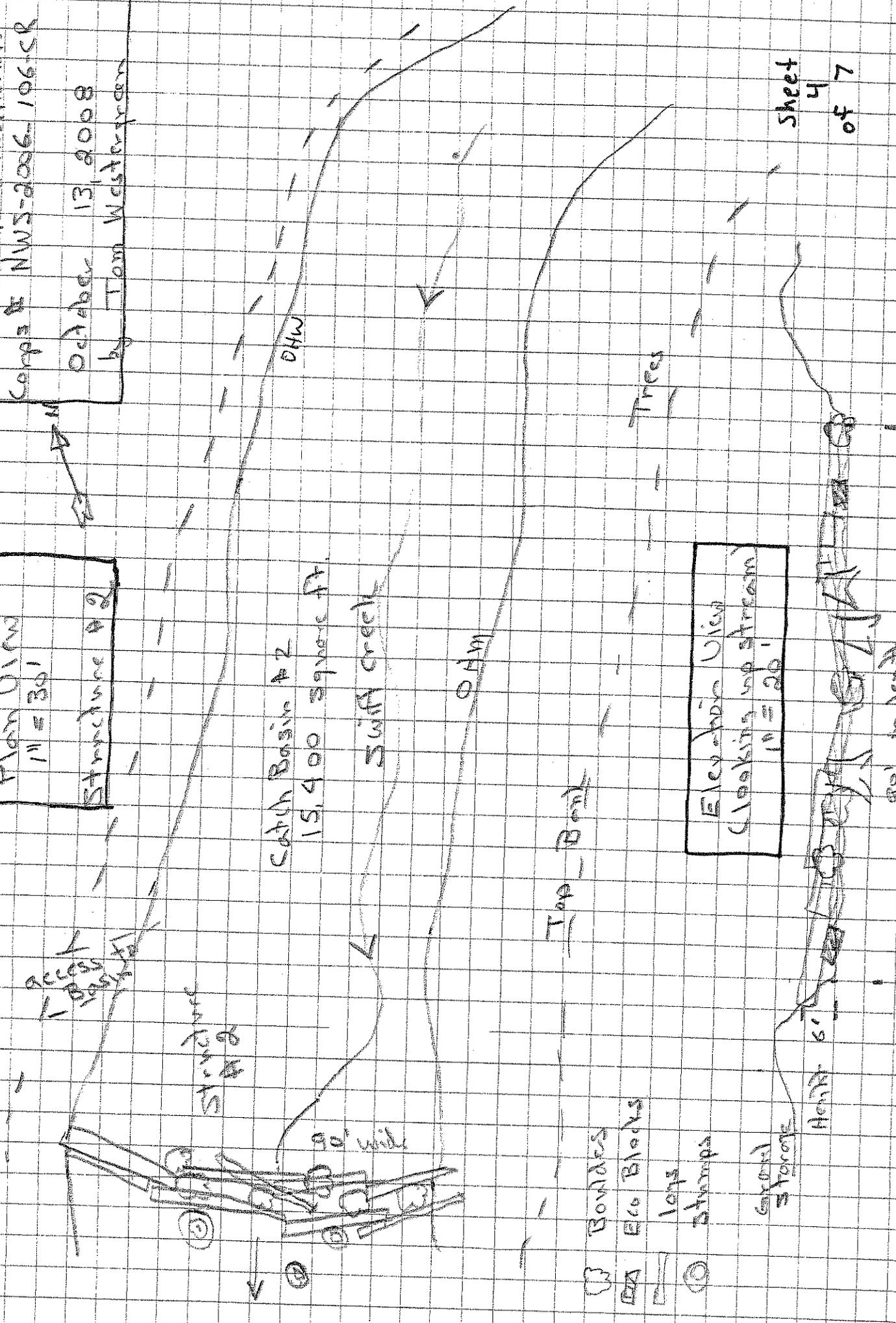
Structure #2

Catch Basin #2
15,400 square ft

Swift creek

Elevation View
(Looking up stream)
1" = 20'

Sheet
4
of 7



Plan View
1" = 30'
Structure A 3

Great Western lumber
Swift Cr. Flood Reduction
Capt. MWS-8006-106-CR

October 13, 2008
by Tom Westergren

Gravel Storage Area

Catch Basin A3
9,000 Square Ft

Swift cr.

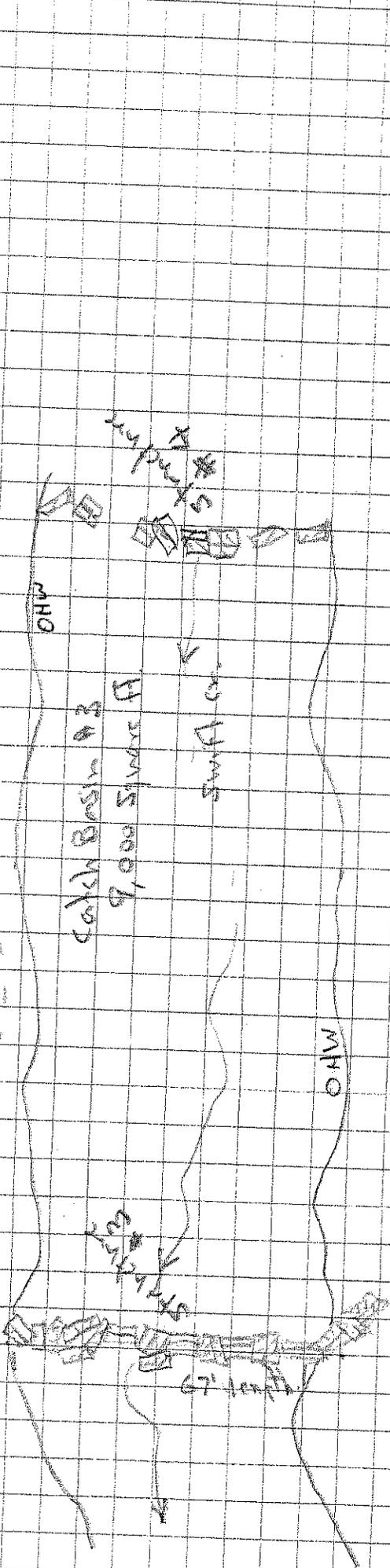
Structure A
5'

Elevation View
(Looking upstream)
1" = 20'

E10 Block structure
5'-10" (3' buried)

width length 67'

Sheet
5
of 7



Trees

Top of Bank

Sandy bank

Great Western Lumber
 Swift Cr. Flood Reduction
 Corps # NWS-2006-106-CB

October 13, 2008
 by Tom Westerman

to
 1100
 1100
 1100

Plan View
 1" = 30'
 Structure # 4

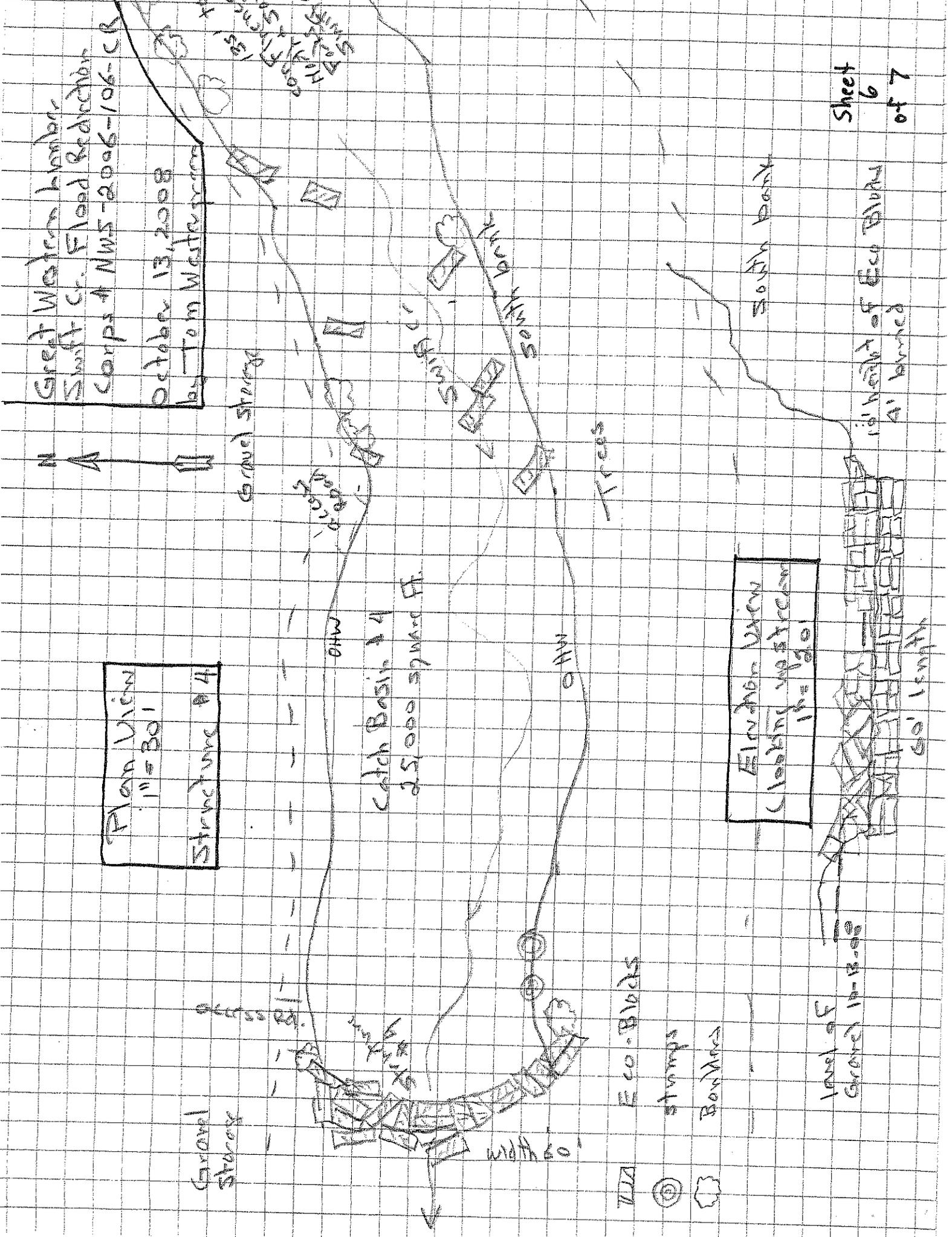
Catch Basin # 4
 25,000 square ft.

Elmwood View
 Looking west
 1" = 20'

Level of
 Gravel 10-13-08

South Bank
 10' height of Eco Blanks
 All buried

Sheet
 6
 of 7



- ▨ Eco-Blocks
- ⊙ stumps
- ⊕ Boulders

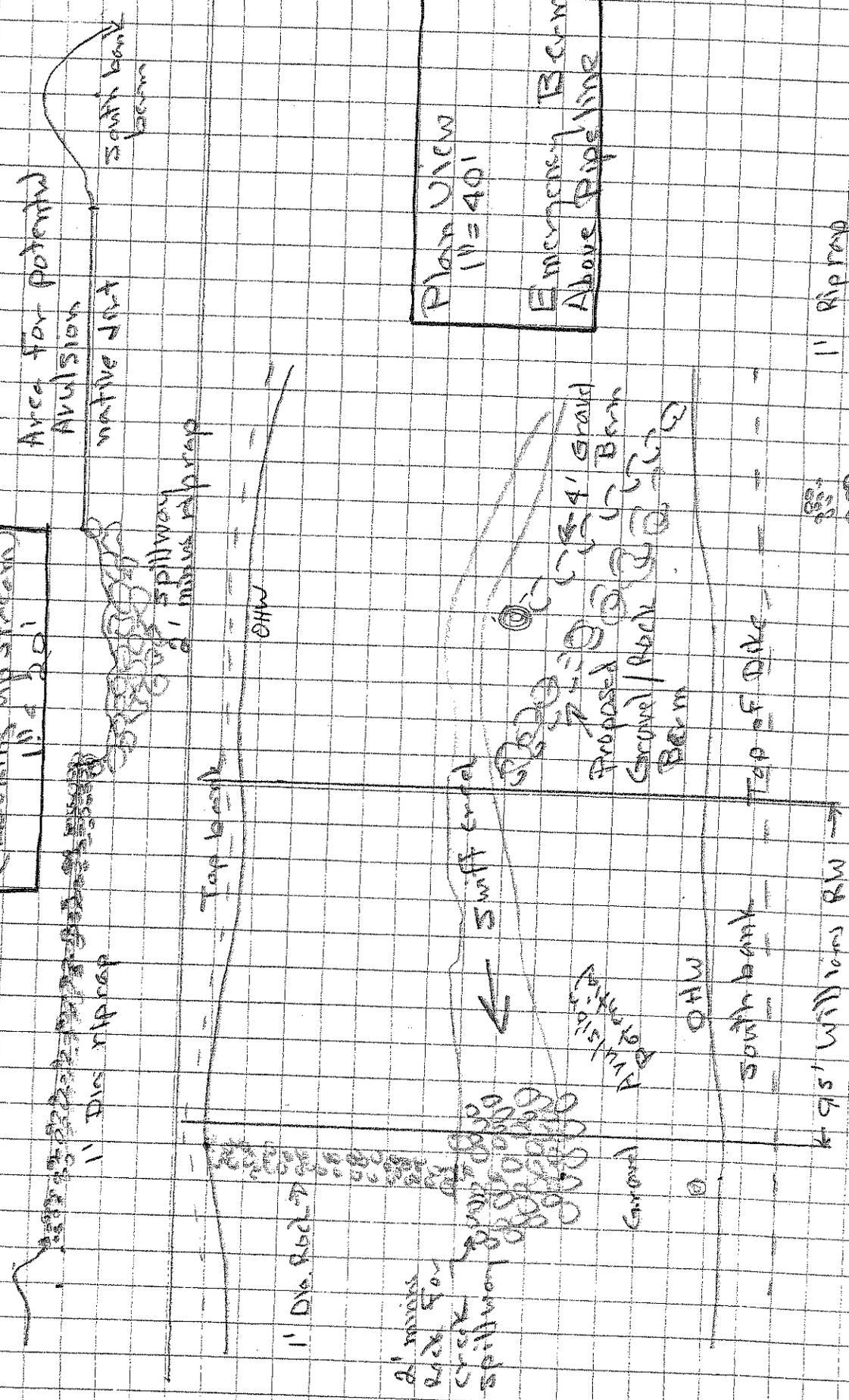
Gravel Storage

width 60'

60' length

Great Western Lumber
 Swift Cr. Flood Reduction
 Corps # NWS 8086-106-CR
 Oct. 13, 2008 Tom Westergaard

Elevation View
 (Looking upstream)
 1" = 20'



Plan View
 1" = 40'
 Emergency Berm
 Above Pipeline

1" Riprap
 4' Grand
 Gravel Berm
 Stumps