



US Army Corps
of Engineers
Seattle District



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

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) 764-6906
Attn: Jim Green, Project Manager

WA Department of Ecology
SEA Program
300 Desmond Drive Southeast
Olympia, WA 98503-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: October 14, 2008
Expiration Date: November 13, 2008

Reference No.: NWS-2007-1065-SO
Name: Weyerhaeuser Company

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.

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: Weyerhaeuser Company
425 East Perry Street
Aberdeen, Washington 98520
ATTN: Ms. Lora E. Papac
Telephone: (360) 537-8229

LOCATION: The proposed dredging will occur in the Chehalis River at Weyerhaeuser's Bay City Dock at Aberdeen, Washington. Disposal of the dredged material will occur at either the Point Chehalis or South Jetty open-water disposal sites at the mouth of Grays Harbor near Westport, Grays Harbor County, Washington.

WORK: The proposed work consists of maintenance dredging of up to 20,000 cubic yards of sediment annually for a period of 10 years, for a total of 200,000 cubic yards. The dredging would be accomplished using a clamshell dredge and split-hull bottom dump barge with open water disposal at either the Point Chehalis or South Jetty disposal sites.

MITIGATION: The following conservation measures will be employed during dredging operations:

- Timing restrictions specifying allowable inwater work periods will be followed
- Project will avoid all bull trout spawning areas
- Turbidity would be monitored for 20 consecutive days during one dredge event to ensure compliance with the 401 Water Quality Certification

PURPOSE: To provide adequate depth for safe ship loading operations.

DREDGED DISPOSAL ANALYSIS:

Dredged Material Testing: The proposed dredged material has been tested according to the “Dredged Material Evaluation Procedures and Disposal Site Management Manual, Grays Harbor and Willapa Bay, Washington”, dated June 1995. These evaluation procedures were compiled by the regulatory agencies, which have jurisdiction over dredged material disposal in open-water sites associated with Grays Harbor and Willapa Bay. Dredged material evaluations may include both chemical and biological testing. For this project, the regulatory agencies determined that the 20,000 cubic yards to be dredged initially were suitable for unconfined disposal at the open-water dispersive disposal sites at either the Point Chehalis or South Jetty disposal sites. The sediment testing data are available at the U.S. Army Corps of Engineers, Seattle District, Dredge Material Management Office. Prior to each maintenance dredging cycle, the agencies will determine whether additional sediment testing is required. If additional testing is required, no disposal will take place at an open-water site until the material has been determined suitable for open-water disposal by the regulatory agencies.

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. The U.S. Army Corps of Engineers has initiated ESA consultation with the NMFS and USFWS.

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 adversely affect designated EFH for federally managed fisheries in Washington waters. The Corps has initiated EFH consultation with the National Marine Fisheries Service.

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. Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent (*has been extensively modified by modern development*) that little likelihood exists for the proposed project to impinge upon an undisturbed 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 (36 CFR 800.4[a][3]), 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 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: The City of Aberdeen has issued an exemption from the requirement of obtaining a Shorelines Substantial Development permit for this 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 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.

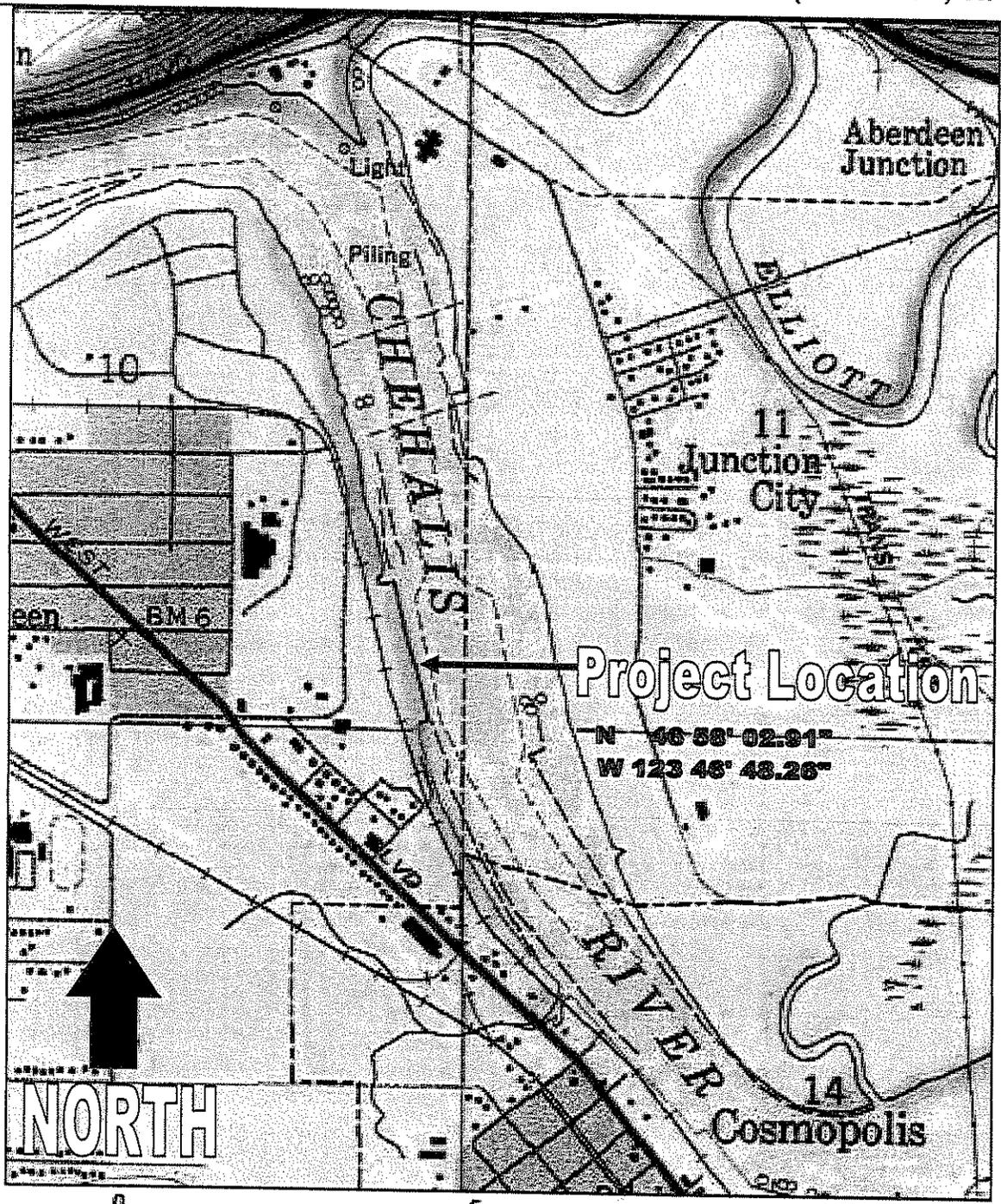
Corps Comments: All e-mail comments should be sent to James.D.Green@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Jim Green, Post Office Box 3755, Seattle, Washington, 98124-3755.

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, 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, 98503-7600, or e-mail to ecyrefedpermit@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: Weyerhaeuser Company - File No. NWS-2007-1065-SO

Encl: Figures (10 drawing sheets)

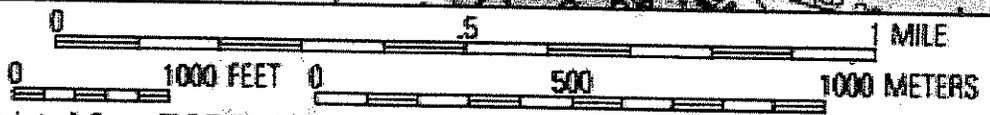
Vicinity Map 1. US Geologic Service 7.5 Minute Series (Aberdeen, WA)



Project Location

N 46° 58' 02.91"
W 123° 46' 48.26"

NORTH



Printed from TOPO! ©2000 National Geographic Holdings (www.topo.com)

Client: Weyerhaeuser Bay City
Project: Maintenance Dredging/ *Disposal*
Date: May 21, 2007
USGS 7.5-minute Series (Aberdeen, WA)
Project Location: Grays Harbor County, WA
Corp Ref. No.: NWS-2007- 1065-50
Sheet 1 of 10

Northern Resource Consulting, Inc.
1339 Commerce Avenue, Suite 309B
Longview, Washington 98632
Phone: (360) 414-5239
Fax: (360) 414-4021

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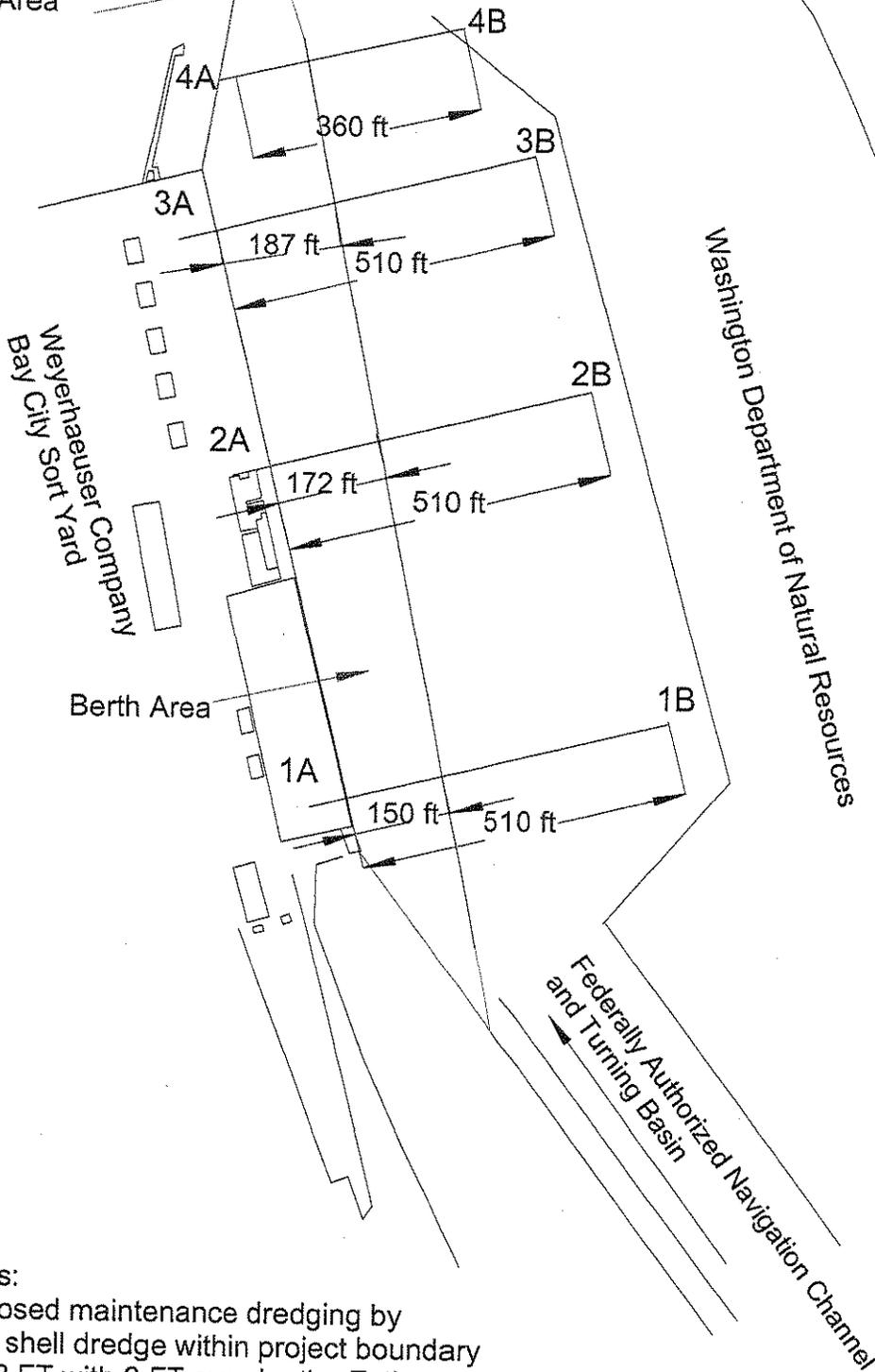
Client(s): Weyerhaeuser Company
 Location: Bay City Mill
 Drawing: Dredging Location
 Date: May 21, 2007
 Sheet: 2 of 10
 Drawing by:

Northern Resource Consulting, Inc.
 1128 Broadway Street
 Longview, WA 98632
 (360) 414-6239



Plan View Map

Berth Area



Notes:

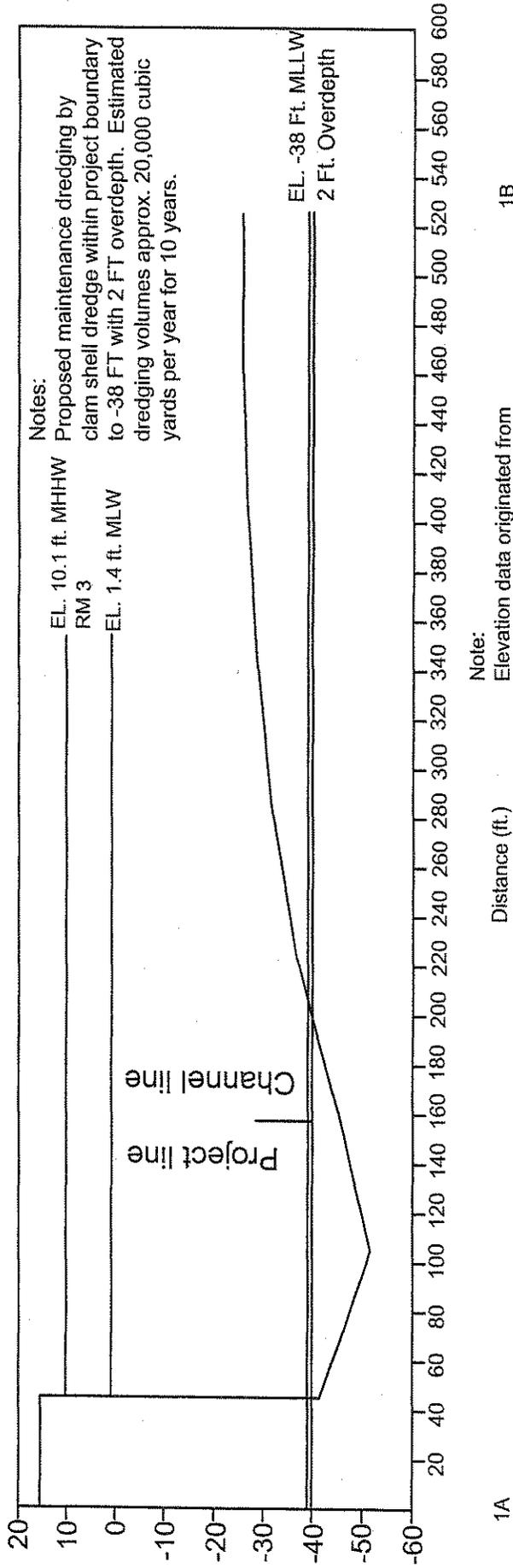
Proposed maintenance dredging by clam shell dredge within project boundary to -38 FT with 2 FT overdepth. Estimated dredging volumes approx. 20,000 cubic yards per year for 10 years.

North

NWS-2007-1065-50

<p>Northern Resource Consulting 1339 Commerce Ave., Suite 309B Longview, WA 98632 (360) 414-5239</p>	<p>Scale 1" = 340'</p> <p>Corps No. NWS-2007-1065-50</p>	<p>Client: Weyerhaeuser Company Date: 05_21_2007 Location: Chehalis River Greys Harbor, WA Sheet 3 of 10</p>
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Figure 1 Cross-Section 1



Note:
 Elevation data originated from NOAA Greys Harbor chart No. 18502

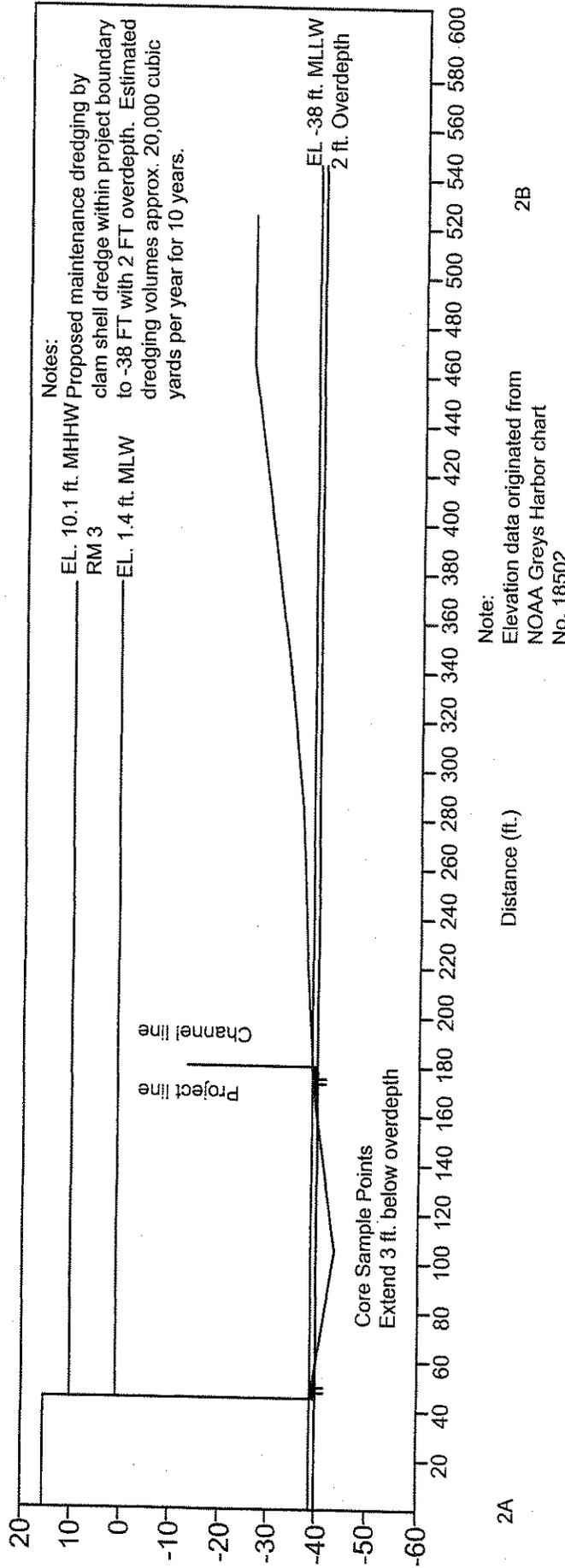
1A

Distance (ft.)

1B

Northern Resource Consulting 1339 Commerce Ave., Suite 309B Longview, WA 98632 (360) 414-5239	Scale 1" = 60' Corps No. NWS-2007-1065-50	Client: Weyerhaeuser Company Date: 05 21 2007 Location: Chehalis River Greys Harbor, WA Sheet 4 of 10
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Figure 2 Cross-Section 2

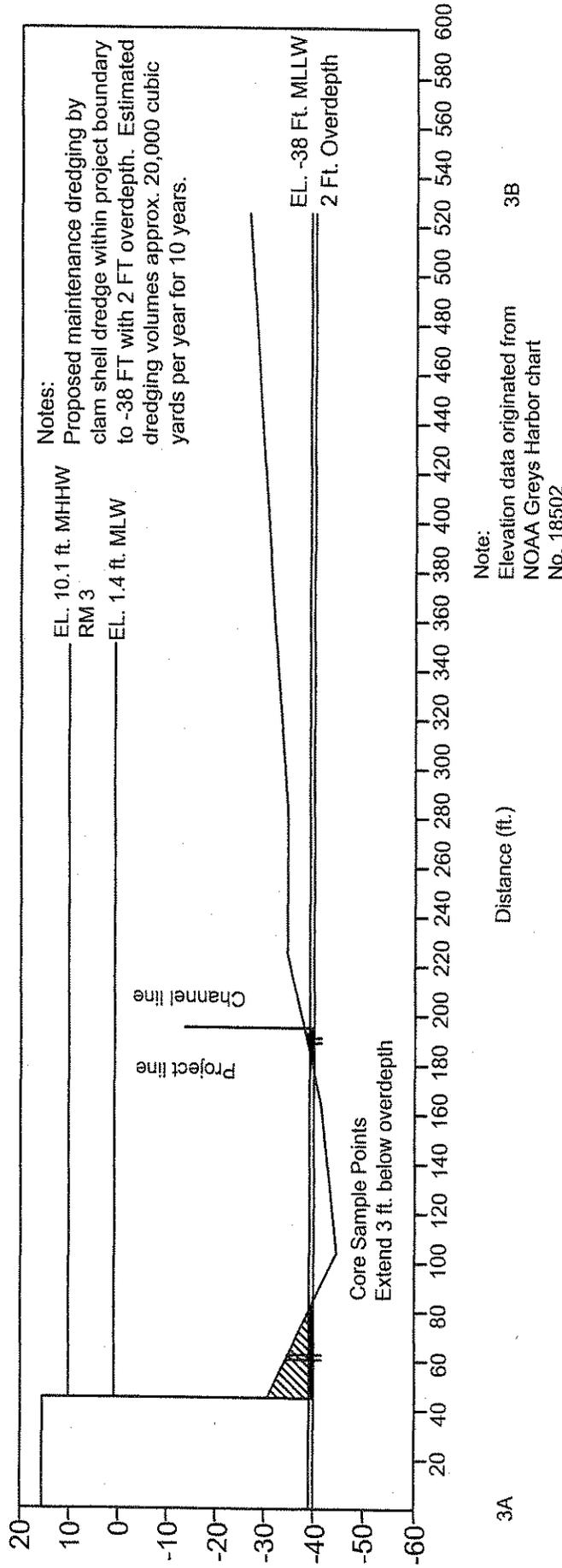


2A

2B

<p>Northern Resource Consulting 1339 Commerce Ave., Suite 309B Longview, WA 98632 (360) 414-5239</p>	<p>Scale 1" = 60' Corps No. NWS-2007-1065-50</p>	<p>Client: Weyerhaeuser Company Date: 05_21_2007 Location: Chehalis River Greys Harbor, WA</p>
<p>Sheet 5 of 10</p>		

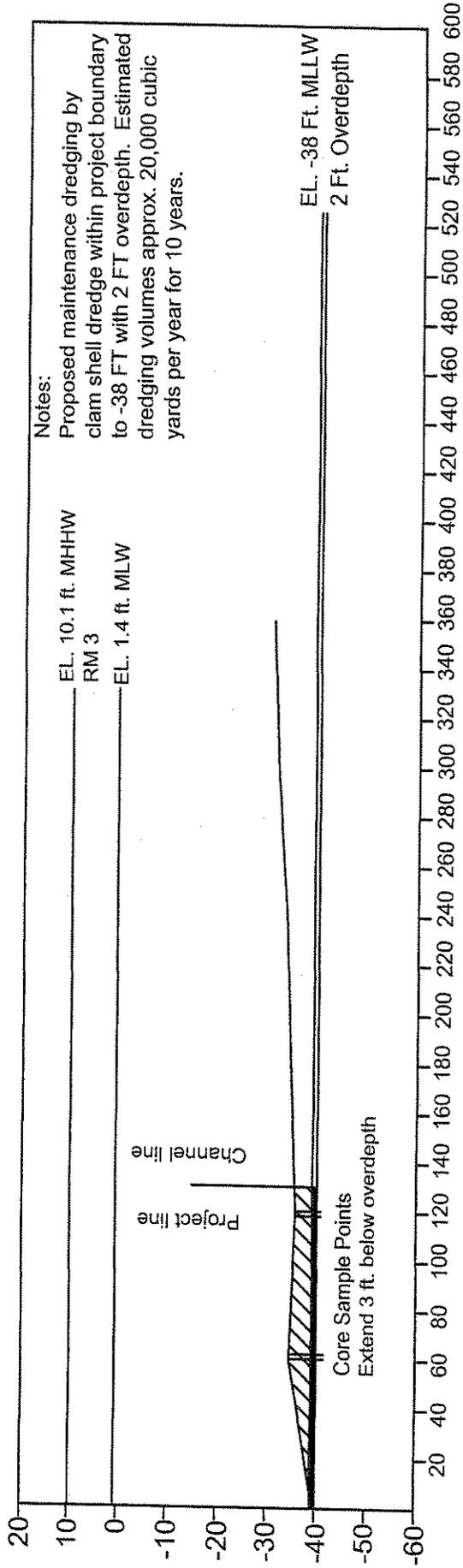
Figure 3 Cross-Section 3



<p>Northern Resource Consulting 1339 Commerce Ave., Suite 309B Longview, WA 98632 (360) 414-5239</p>	<p>Scale 1" = 60' Corps No. NWS-2007-1065-50</p>	<p>Client: Weyerhaeuser Company Date: 05_21_2007 Location: Chehalis River Greys Harbor, WA Sheet 6 of 10</p>
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3A

Figure 4 Cross-Section 4



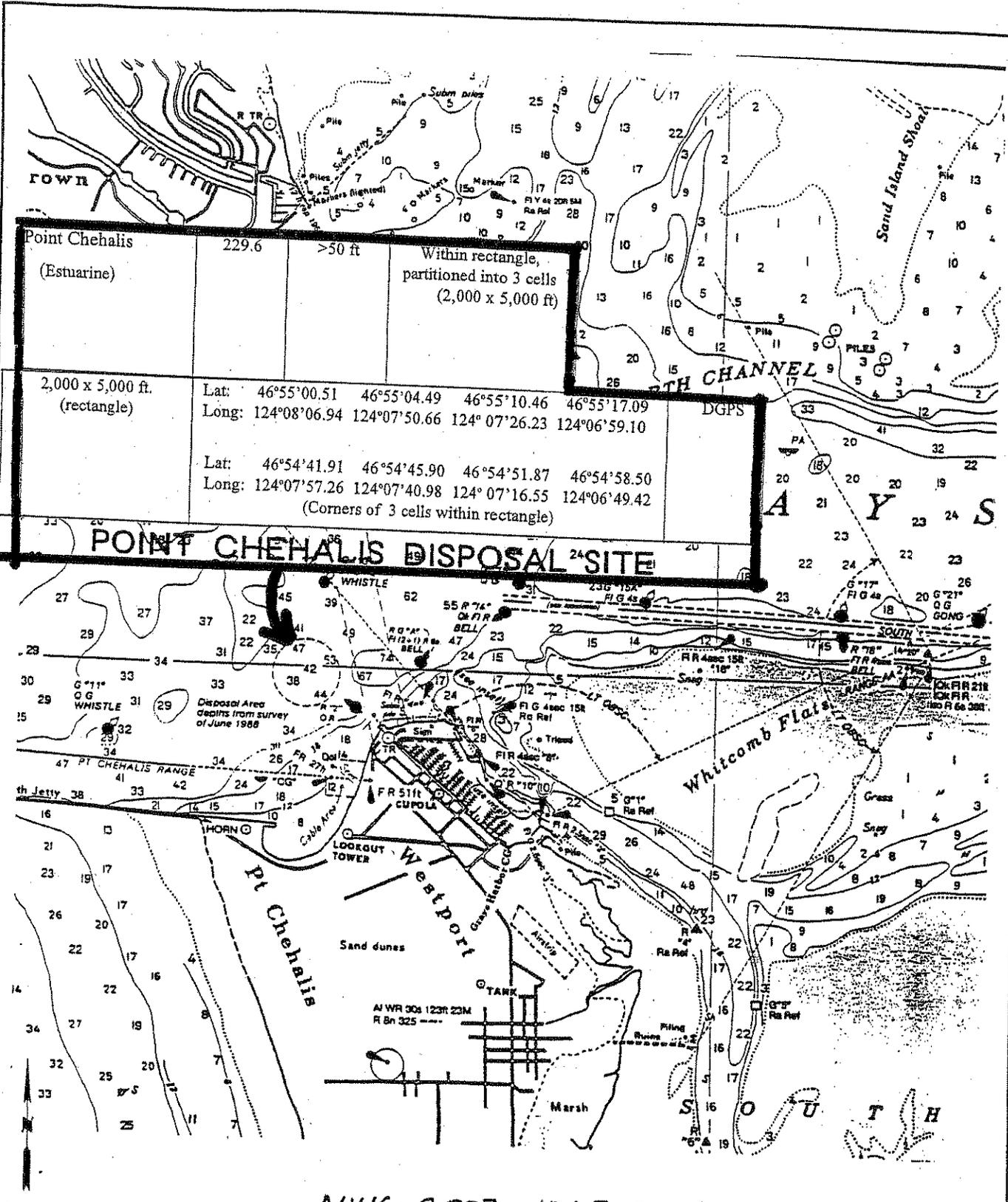
4A

Distance (ft.)

Note:
 Elevation data originated from NOAA Greys Harbor chart No. 18502 4B

<p>Northern Resource Consulting 1339 Commerce Ave., Suite 309B Longview, WA 98632 (360) 414-5239</p>	<p>Scale 1" = 60' Corps No. NWS-2007-1065-50</p>	<p>Client: Weyerhaeuser Company Date: 05_21_2007 Location: Chehalis River Greys Harbor, WA Sheet 7 of 10</p>
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PLOT DATE: 10/24/06 TIME: 10:44
 F:\369336 - Pt of Gray's Harbor - Term. #2\13.0_CAD_Drawings\Exhibits\ACP_Vicinity3.dwg<Exhibit>

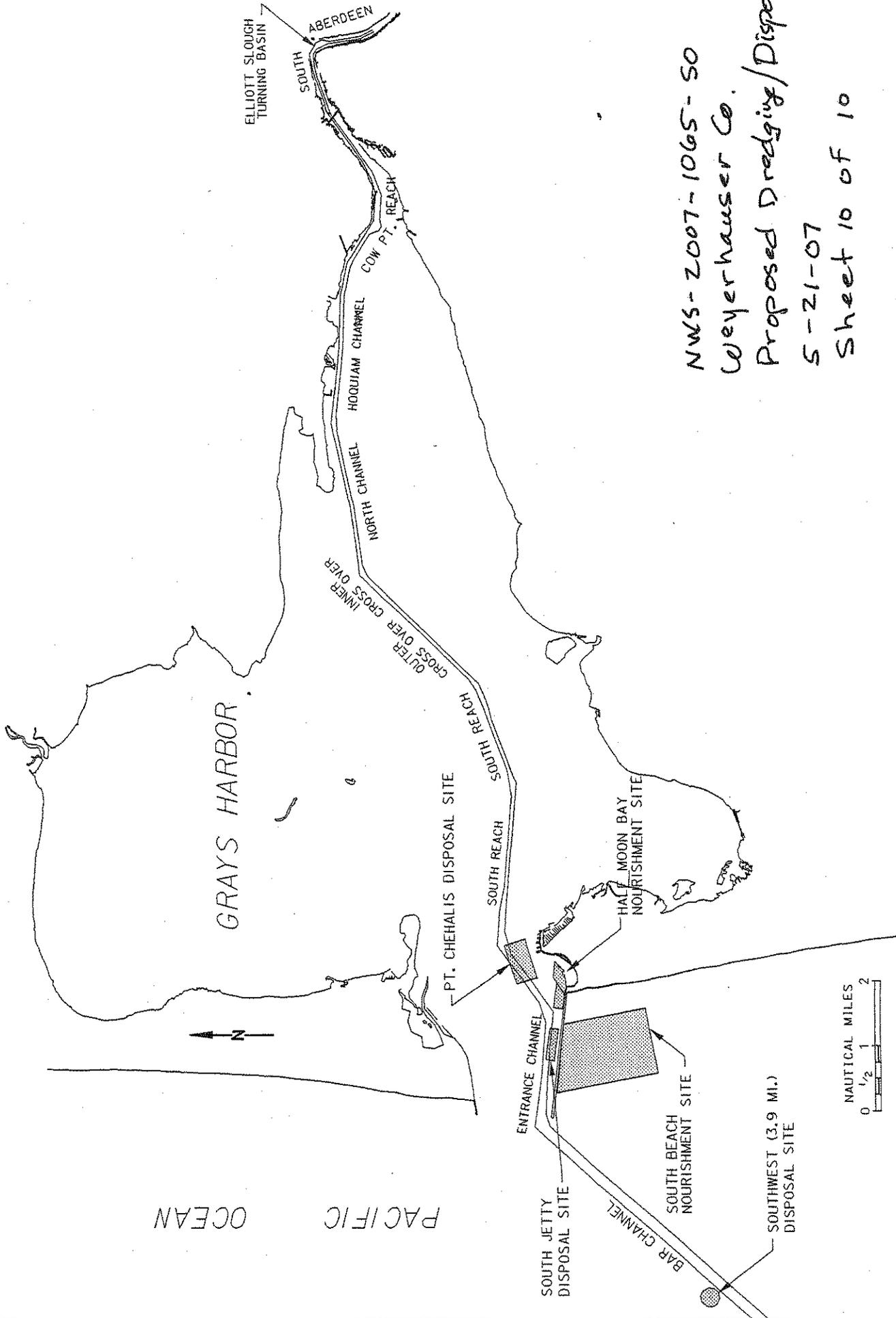


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Vicinity Map Disposal Area
 Dredge Material, Port of Grays Harbor

DATE
 21 May 07

FIGURE
 sheet 9 of 10



NWS-2007-1065-50
 Weyerhaeuser Co.
 Proposed Dredging/Disposal
 5-21-07
 Sheet 10 of 10