



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) 764-3262
Alisa Ralph, 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: December 27, 2007
Expiration Date: January 26, 2008

Reference No.: NWS-2007-1623-CRC
Name: Cle Elum, City of

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). Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws.

APPLICANT: Cle Elum, City of
Matt Morton, Community Development Director
119 West First Street
Cle Elum, Washington 98922
Telephone: (509) 674-2262

LOCATION: In the Yakima River, at Cle Elum, Kittitas County, Washington.

WORK: Excavate and place up to 25 cubic yards of gravel annually for 10 years on a gravel bar in the Yakima River.

The City proposes to enter the riverbed with a rubber-tired front end loader and maintain the historic flow path of the City's water supply diversion channel from the north to the south river channel through an existing gravel bar. Excavated gravels will be redistributed from out of the water supply diversion channel onto the adjacent gravel bar, immediately downstream. Equipment will enter the river from an existing boat ramp near the water supply intake structure. Each annual maintenance event will be accomplished within an hour. The work will occur during low flow after "flip flop" flow regulation of the Yakima River occurs in September.

PURPOSE: Maintain the City of Cle Elum's water supply diversion channel.

ADDITIONAL INFORMATION: The City most recently performed similar maintenance work as a one-time activity in 2006 under Nationwide Permit 18 (Corps of Engineers Permit Number 2006-00336). The river channel in this area is wider and shallower than it was historically, resulting in sediment deposition and gravel bar formation in the area of the City's water intake facility. The gravel bar through which the water diversion channel will be

maintained is dominated by cobble and gravel and is unvegetated. The Yakima River water supply diversion is presently the only source of water to the City of Cle Elum, the City's Urban Growth Area, the Town of South Cle Elum, and Suncadia Resort.

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. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

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. If the U.S. Army Corps of Engineers (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.

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. 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.

There are recorded historic properties near the permit area. However, 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.

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.

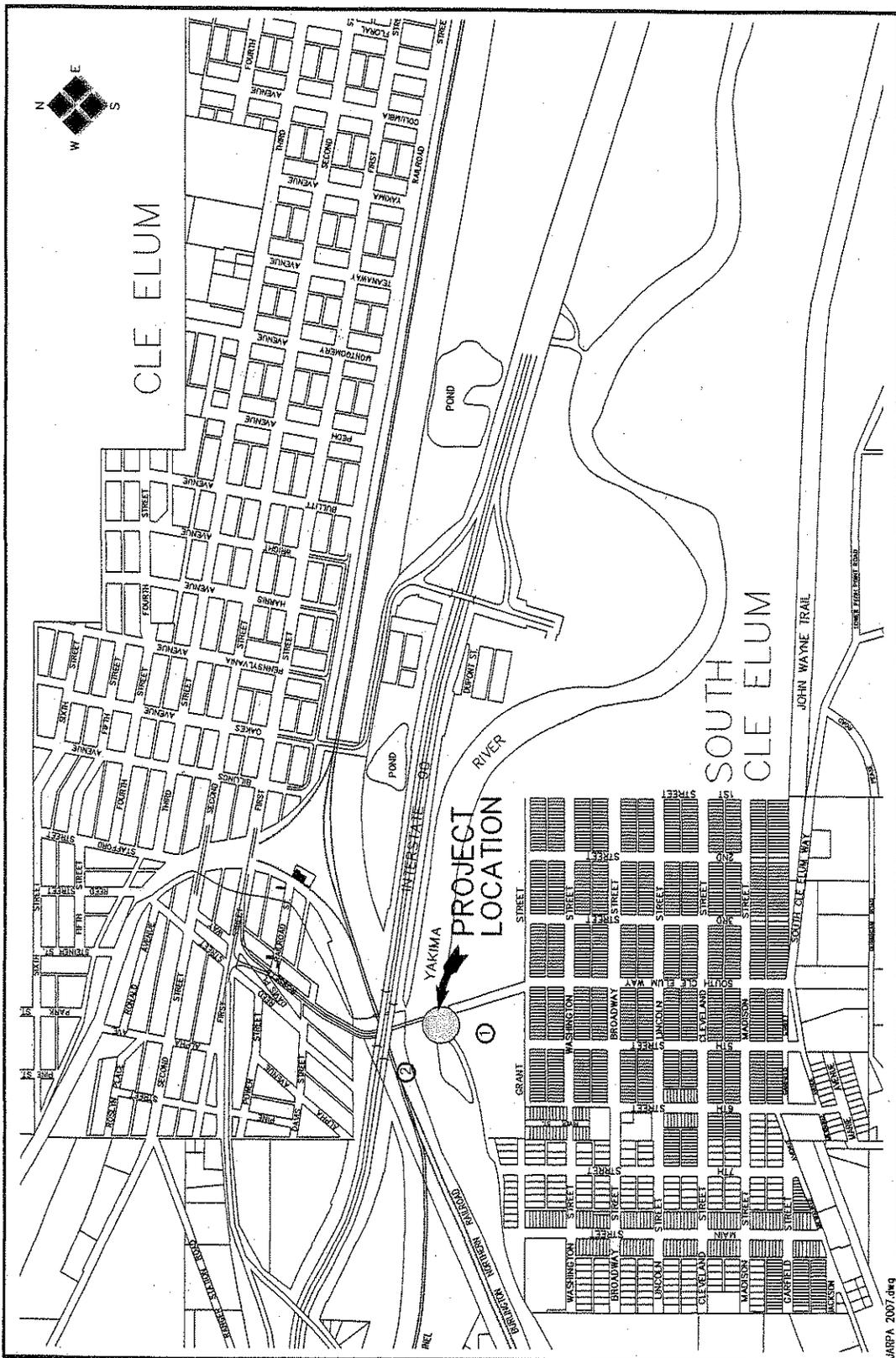
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 Alisa.A.Ralph@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Ms. Alisa Ralph, 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, SEA program – Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington, 98504-7600, or e-mail to ecyrefedpermit@ecy.wa.gov

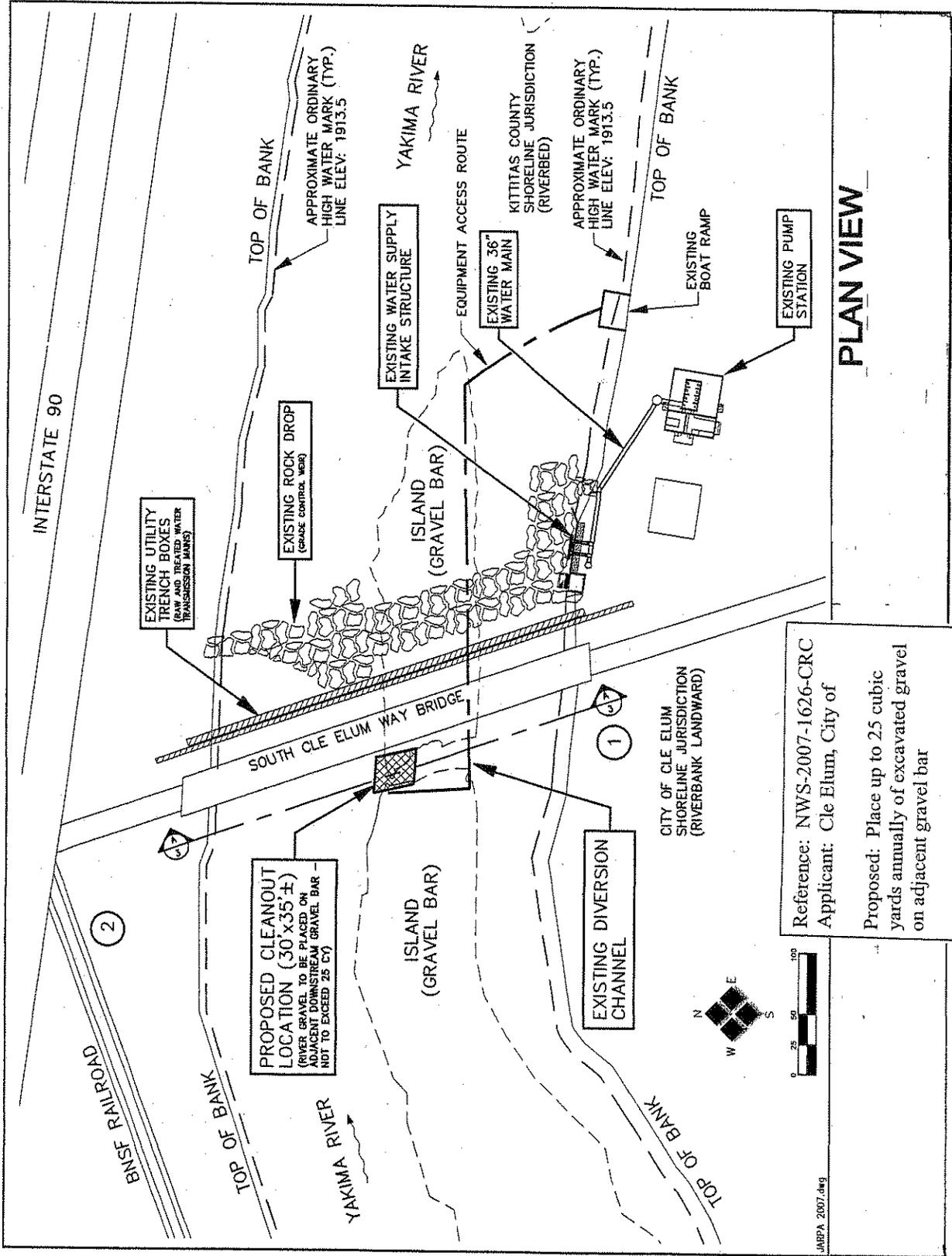
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Cle Elum, City of; NWS-2007-01623-CRC

Encl: Figures (3)



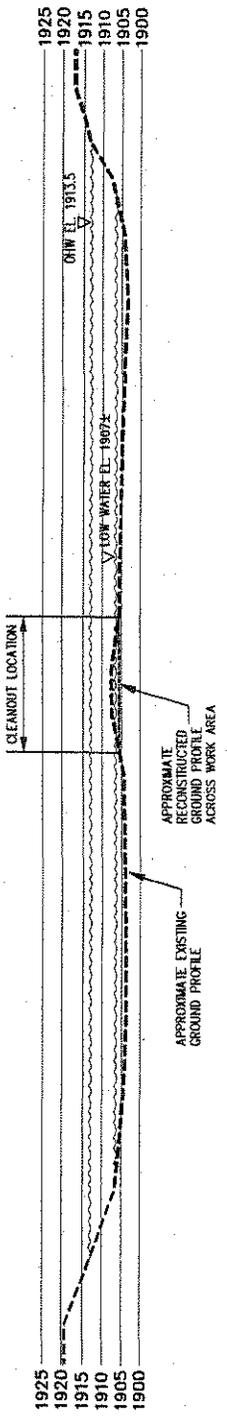
SITEMICINITY MAP

<p>PURPOSE: Maintain City of Cle Elum water diversion supply channel</p> <p>DATUM: MSL</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> Robert C. Wallace ENSF Railroad 	<p>APPLICANT: Cle Elum, City of</p> <p>REFERENCE: NWS-2007-1623-CRC</p> <p>LOCATION ADDRESS: Yakima River mile 183 at South Cle Elum bridge crossing;</p> <p>Lat.: 47-11-30</p> <p>Long.: 120-56-57</p> <p>Sec. 27, T. 20N, R. 15E</p>	<p>PROPOSED: Place up to 25 cubic yards annually of excavated river gravel on adjacent gravel bar</p> <p>IN: Yakima River</p> <p>NEAR/AT: Cle Elum</p> <p>COUNTY: Kittitas STATE: WA</p> <p>SHEET 1 OF 3</p> <p>DATE: December 6, 2007</p>
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PLAN VIEW

Reference: NWS-2007-1626-CRC
 Applicant: Cle Elum, City of
 Proposed: Place up to 25 cubic yards annually of excavated gravel on adjacent gravel bar
 At: Cle Elum, Washington
 Sheet 2 of 3 Date: 12/6/2007



SECTION



ELEVATION VIEW

Reference: NWS-2007-1626-CRC
 Applicant: Cle Elum, City of
 Proposed: Place up to 25 cubic yards annually of excavated gravel on adjacent gravel bar
 At: Cle Elum, Washington
 Sheet 3 of 3 Date: 12/6/2007