



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 (509) 682 7010  
Attn: Debbie Knaub, 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 10, 2008  
Expiration Date: April 9, 2008

Reference No.: NWS-2007 1876 CRC  
Name: Foster Creek Conservation  
District

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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 and the Coastal Zone Management Act.

**APPLICANT:** Foster Creek Conservation District  
Kathleen Deason  
P.O. Box 248  
Waterville, WA 98858-0428

**LOCATION:** In Foster Creek near Bridgeport, Douglas County, Washington

**WORK:** Place 500 cubic yards of fill to construct an earthen dam for sediment control.

**PURPOSE:** To improve water quality in Foster Creek.

**MITIGATION:** None 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 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). There is no are of 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. The permit area has been so 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 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: This proposal is the subject of Shorelines Substantial Development Permit being processed by Douglas County.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be

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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.

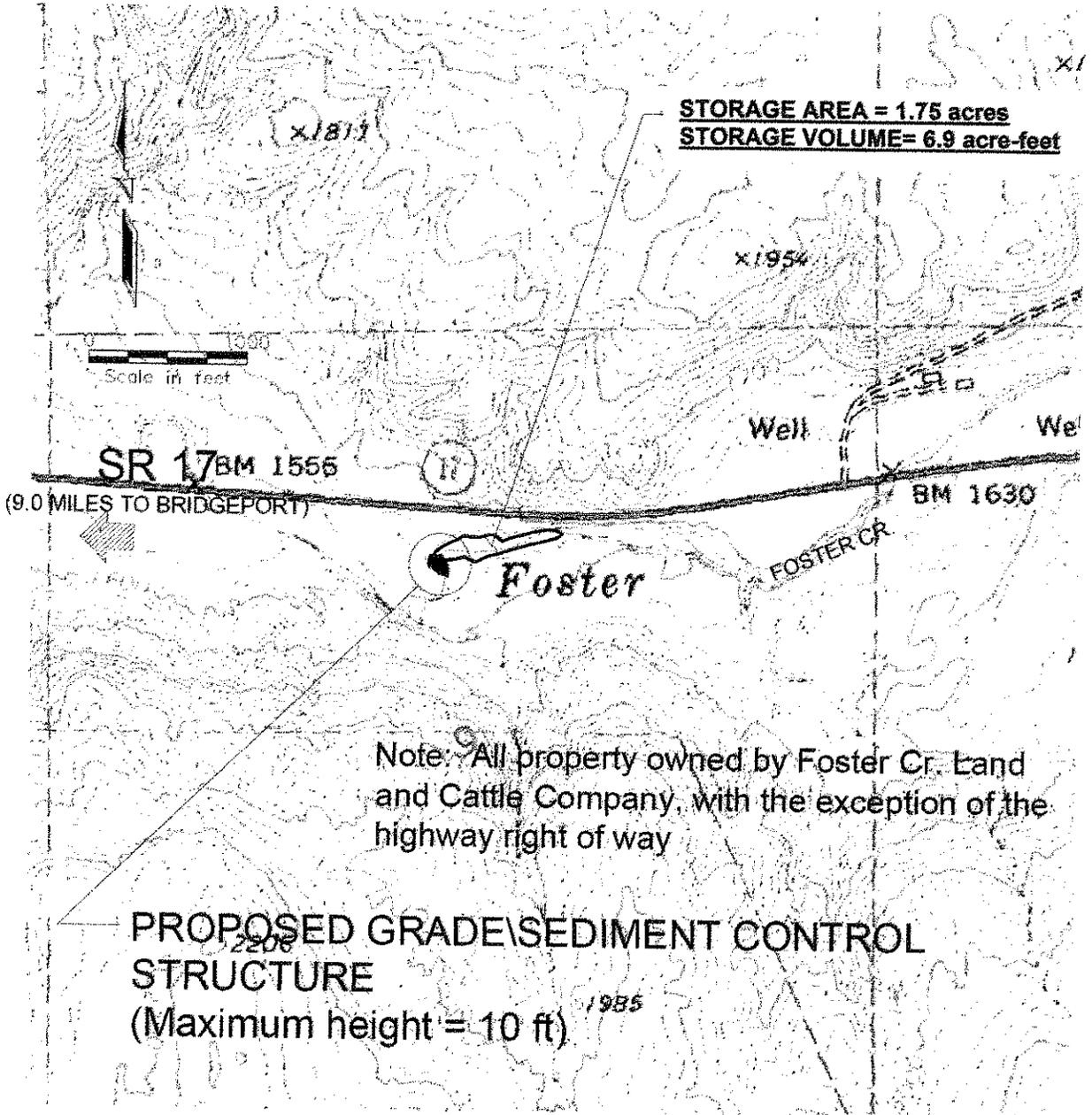
Corps comments: All e-mail comments should be sent to [Deborah.J.Knaub@usace.army.mil](mailto:Deborah.J.Knaub@usace.army.mil). Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Debbie Knaub, Post Office Box 3755, Seattle, Washington, 98124-3755.

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](mailto: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: Foster Creek Conservation District, NWS 2007 1876 CRC

Encl: Figures (5)

SE 1/4, NW 1/4, Section 9, T. 28 N. R. 26 E. W. M.  
Latitude : 47-56-31 Longitude : -119-34-02

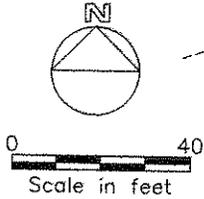


VICINITY MAP

PURPOSE: HABITAT RESTORATION AND STREAMBANK STABILIZATION DATE: MAR 27	APPLICANT: 2007	PROPOSED: CONSTRUCT GRADE CONTROL STRUCTURE TO STABILIZE CHANNEL AND PROVIDE DESILTING IMPONEMENT.
ADJACENT PROPERTY OWNERS: Foster Cr Land and Cattle Company Barry A Watson 911 Hwy 17, Mansfield, WA 98830	LOCATION ADDRESS: South of State Route 17 Approx. MP 128.8 9 miles E. of Bridgeport	IN: FOSTER CREEK NEAR/AT: BRIDGEPORT COUNTY: DOUGLAS STATE: WA SHEET: 1 OF 6 DATE: 6-26-2007

LEGEND	
	THALWEG OF EXISTING CREEK
	ORDINARY HIGH WATER MARK
	10 FT CONTOURS - EXISTING
	2 FT CONTOURS - EXISTING
	TOP SURFACE FOOTPRINT - PROPOSED DAM
	10 FT CONTOURS - PROPOSED
	2 FT CONTOURS - PROPOSED

Earth Composite Check Structure



## PLAN VIEW

(EXISTING AND PROPOSED CONTOURS)

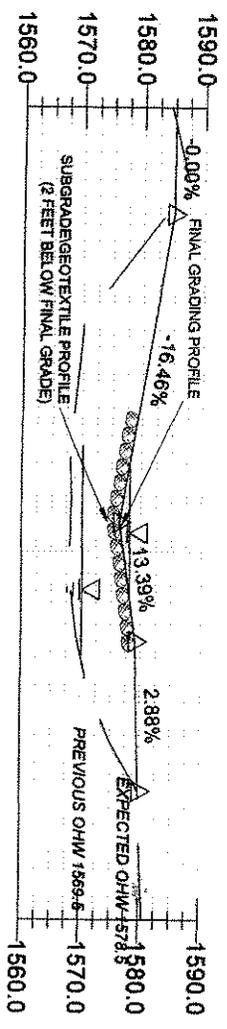
**BASIC DESCRIPTION:**  
 COMPOSITE GABION, EARTH, MEMBRANE, AND ROCK CHECK STRUCTURE, INSTALLED IN MODERATELY UNSTABLE SECTION OF E. FOSTER CR.

**FILL INFORMATION**  
 FOOTPRINT = 0.27 ACRES  
 BELOW OHW = 0.17 ACRES  
 IMPONDED VOLUME = 6.9 ACRE-FT  
 TOTAL STRUCTURE VOLUME = 2,000 CY  
 MATERIAL TYPE = FINE SILT LOAM OR SANDY SILT LOAM  
 RIPRAP LAYER ON DOWNSTREAM SLOPE

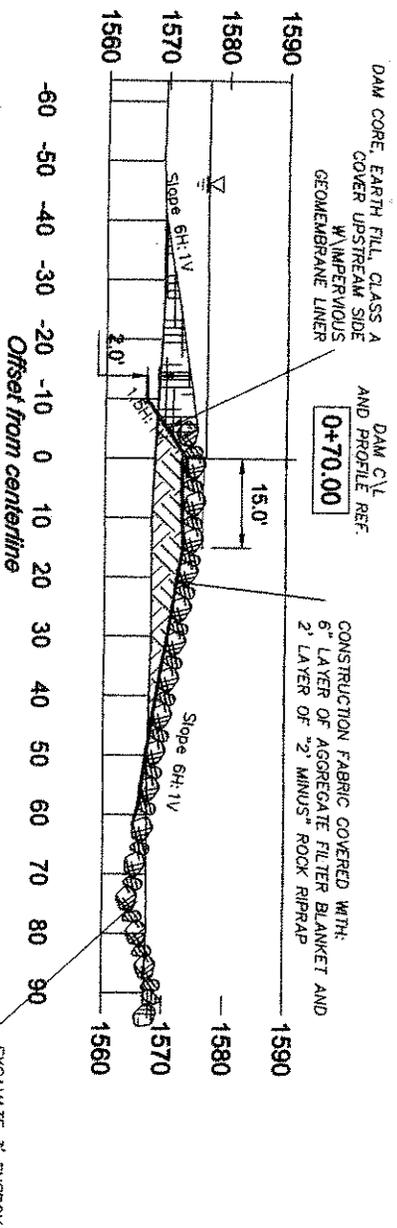
**MATERIAL SOURCES**  
 GABION FILL: NEARBY ROCK PIT  
 EARTH EMBANKMENT: ADJACENT SIDE SLOPES WITHIN IMPONDED FOOTPRINT AND ABOVE OHW MARKS  
 RIPRAP COVER: NEARBY ROCK PIT

PURPOSE: HABITAT RESTORATION AND STREAMBANK STABILIZATION	APPLICANT: 2007-	PROPOSED: CONSTRUCT GRADE CONTROL STRUCTURE TO STABILIZE CHANNEL AND PROVIDE DESILTING IMPONDEMENT.
DATUM: NAD 27		
ADJACENT PROPERTY OWNERS: Foster Cr Land and Cattle Company Barry A Watson 911 Hwy 17, Mansfield, WA 98830	LOCATION ADDRESS: South of State Route 17 Approx. MP 128.8 9 miles E. of Bridgeport	IN: FOSTER CREEK NEAR\AT: BRIDGEPORT COUNTY: DOUGLAS STATE: WA SHEET 2 OF 5 DATE: 5-25-2007

ELEVATION



Section A  
(Scale 1"=30' H=V)



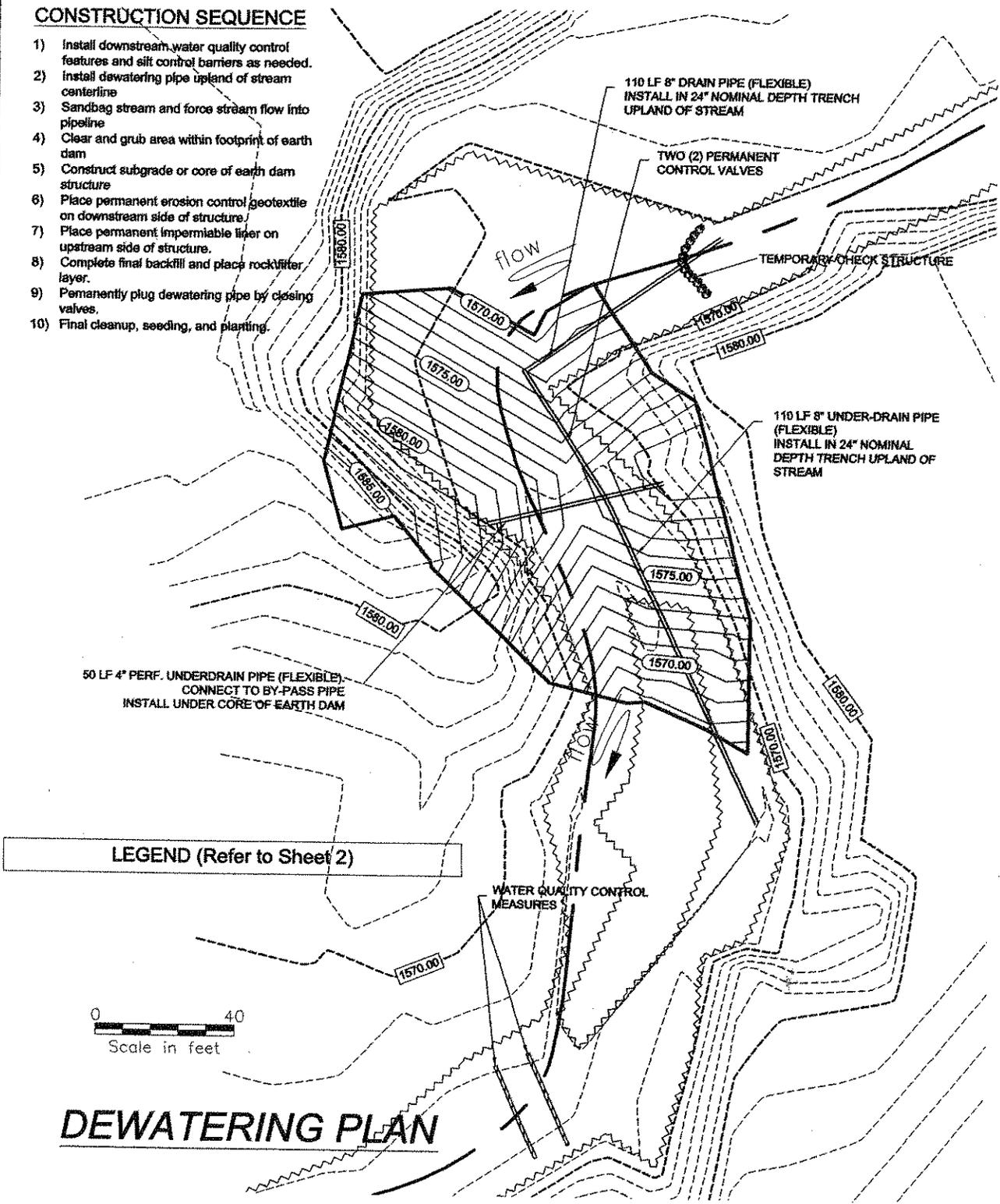
Section B  
(Scale 1"=30' H=V)

EXCAVATE 3' ENERGY  
DISPERSION POOL  
AT TOE OF DAM

<p>PURPOSE: HABITAT RESTORATION AND STREAMBANK STABILIZATION          DATUM: NAD 27</p>	<p>APPLICANT: 2007-</p>	<p>PROPOSED: CONSTRUCT GRADE CONTROL STRUCTURE TO STABILIZE CHANNEL AND PROVIDE DESILTING IMPONDMENT.</p>
<p>ADJACENT PROPERTY OWNERS:          Foster Cr Land and Cattle Company          Barry A Watson          911 Hwy 17,          Mansfield, WA 98830</p>	<p>LOCATION ADDRESS:          South of State Route 17          Approx. MP 128.8          9 miles E. of Bridgeport</p>	<p>IN: FOSTER CREEK          NEAR/AT: BRIDGEPORT          COUNTY: DOUGLAS STATE: WA          SHEET: 3 OF 5          DATE: 5-25-2007</p>

### CONSTRUCTION SEQUENCE

- 1) Install downstream water quality control features and silt control barriers as needed.
- 2) Install dewatering pipe upland of stream centerline
- 3) Sandbag stream and force stream flow into pipeline
- 4) Clear and grub area within footprint of earth dam
- 5) Construct subgrade or core of earth dam structure
- 6) Place permanent erosion control geotextile on downstream side of structure.
- 7) Place permanent impermeable liner on upstream side of structure.
- 8) Complete final backfill and place rock filter layer.
- 9) Permanently plug dewatering pipe by closing valves.
- 10) Final cleanup, seeding, and planting.



LEGEND (Refer to Sheet 2)



## DEWATERING PLAN

PURPOSE: HABITAT RESTORATION AND STREAMBANK STABILIZATION DATUM: NAD 27	APPLICANT: 2007-	PROPOSED: CONSTRUCT GRADE CONTROL STRUCTURE TO STABILIZE CHANNEL AND PROVIDE DESILTING IMPONDMENT.
ADJACENT PROPERTY OWNERS: Foster Cr Land and Cattle Company Barry A Watson 911 Hwy 17, Mansfield, WA 98830	LOCATION ADDRESS: South of State Route 17 Approx. MP 128.8 9 miles E. of Bridgeport	IN: FOSTER CREEK NEAR/AT: BRIDGEPORT COUNTY: DOUGLAS STATE: WA SHEET: 4 OF 5 DATE: 5-25-2007