



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) 766-6438
Attn: Ms. Amy Klein, 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: November 12, 2008
Expiration Date: December 11, 2008

Reference No.: NWS-2008-1308-NO
Name: City of Des Moines (Des Moines
Creek)

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: City of Des Moines Planning, Building, and Public Works
1000 South 220th Street
Des Moines, Washington 98198

ATTN: Mr. Loren Reinbold
Telephone: (206) 870-6522

AGENT: ESA Adolphson
5309 Shilshole Avenue Northwest, Suite 200
Seattle, Washington 98107

ATTN: Mr. Benn Burke
Telephone: (206) 789-9658

LOCATION: Des Moines Creek, a small tributary to Des Moines Creek, and wetlands adjacent to Des Moines Creek, at Des Moines Beach Park, in the City of Des Moines, King County, Washington.

WORK:

Stream Excavation - Excavate 900 linear feet of streambed an additional one to five feet deep pending on location. Excavation will occur 200-1100 linear feet above the mouth of Des Moines Creek and within the lower 60 feet of a small tributary to Des Moines Creek. A total of 1,450 cubic yards of primarily gravel will be removed and disposed of at an approved upland disposal site. Up to 250 cubic yards of spawning gravel will be placed along the excavated areas of Des Moines Creek. Up to 15 cubic yards of angular rock in a layer of up to 8 inches thick will

be placed in the tributary to stabilize the lower 60 feet of tributary. Excavation will occur using a small tracked loader with a bucket and drag line and/or a small tracked excavator operated from within the stream channel to reduce impacts to existing woody vegetation. A low flow channel will be established within the excavated stream channel in the area under the Dining Hall and upstream for 100 feet (215 feet total).

Bank Stabilization and Installation of Bed Control Logs - Place 265 cubic yards of rock riprap and gravel in association with the following activities: stabilize 215 linear feet of the stream bank under the Dining Hall and upstream for approximately 100 feet; reconstruct the channel immediately upstream of the Dining Hall and downstream of the existing vehicle bridge; add a small gravel ramp on the left bank to facilitate future gravel removal; and install three bed control log structures with 6 to 9 inch steps upstream of the concrete vehicle bridge and one bed control log structure downstream of the concrete vehicle bridge, upstream of the Dining Hall.

Log Debris Catcher - Three vertical logs will be installed upstream of the upper log bridge to catch large debris and prevent damage to the historical structures downstream. Installation of the log debris catcher will require 30 cubic yards of excavation below the ordinary high water line. Up to 25 cubic yards of native material will be returned to the stream for a net export of 5 cubic yards of material. Access for construction will occur from the adjacent developed trail.

Construction of Earth Berms and Low Concrete Walls - Two earth berms and two low concrete walls ranging from one to three feet in height will be constructed to divert floodwaters away from historic structures in the project area. The upstream earth berm will require the fill of 0.02 acre of wetland. Other work: The upstream wall, downstream wall, and downstream berm will be constructed in uplands.

Dewatering and Stream Diversion during Construction - A stream diversion pipeline will be installed from approximately 190 feet upstream of the mouth of the stream (station 1+90) to approximately 1,150 feet upstream of the mouth (station 11+50), which includes the entire limits of proposed gravel removal. Stream flow will be diverted into the pipeline at the upstream extent via a sand bag coffer dam. A similar coffer dam will be constructed at the downstream end to prevent back flow into the work area. Any seepage in the work area will be pumped to a containment system located on grassy uplands adjacent to the work area. Water will be allowed to settle before being returned to the stream via surface flow. The small right bank tributary is expected to be dry during work, but similar dewatering and diversion pipeline will be installed to divert stream flow in the tributary in the event of a rain event during construction. The pipelines will be removed following the completion of gravel removal and bank stabilization measures.

PURPOSE: To reduce the risk of flood damage to historic buildings.

ADDITIONAL INFORMATION: The park contains cabins and communal buildings built when the site was a recreational park (1916 to 1931) and a church camp (1931-1986). Much of the park has been designated as a National Historic District and contains several historically significant buildings. Of these structures, the Dining Hall and Founders Lodge were constructed over Des Moines Creek (Figure 2). The Auditorium/Chapel and Sun Home Lodge are located on the left bank of the stream and have been frequently damaged by flooding. The park also includes public restrooms, picnic areas trails, parking areas, and other recreational facilities. Des Moines Beach Park was designated a Des Moines City Landmark in 2005 and a King County Landmark in 2007. The historic district was listed on the National Register of Historic Places in 2006.

MITIGATION: Construction of the earthen berm and the deepening of the existing tributary upstream of the Sun Home Lodge will impact approximately 0.02 acre of wetland area. The City will compensate for the loss of 0.02 acre of wetland by creating approximately 0.06 acre of wetland by excavating and replanting an existing upland island within Wetland A. Removal of riparian vegetation for exaction will be minimized. All disturbed areas will be replanted following construction.

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 permit area is likely to yield resources eligible for inclusion in the National Register. An investigation for the presence of potentially eligible historic properties is justified. 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 City of Des Moines.

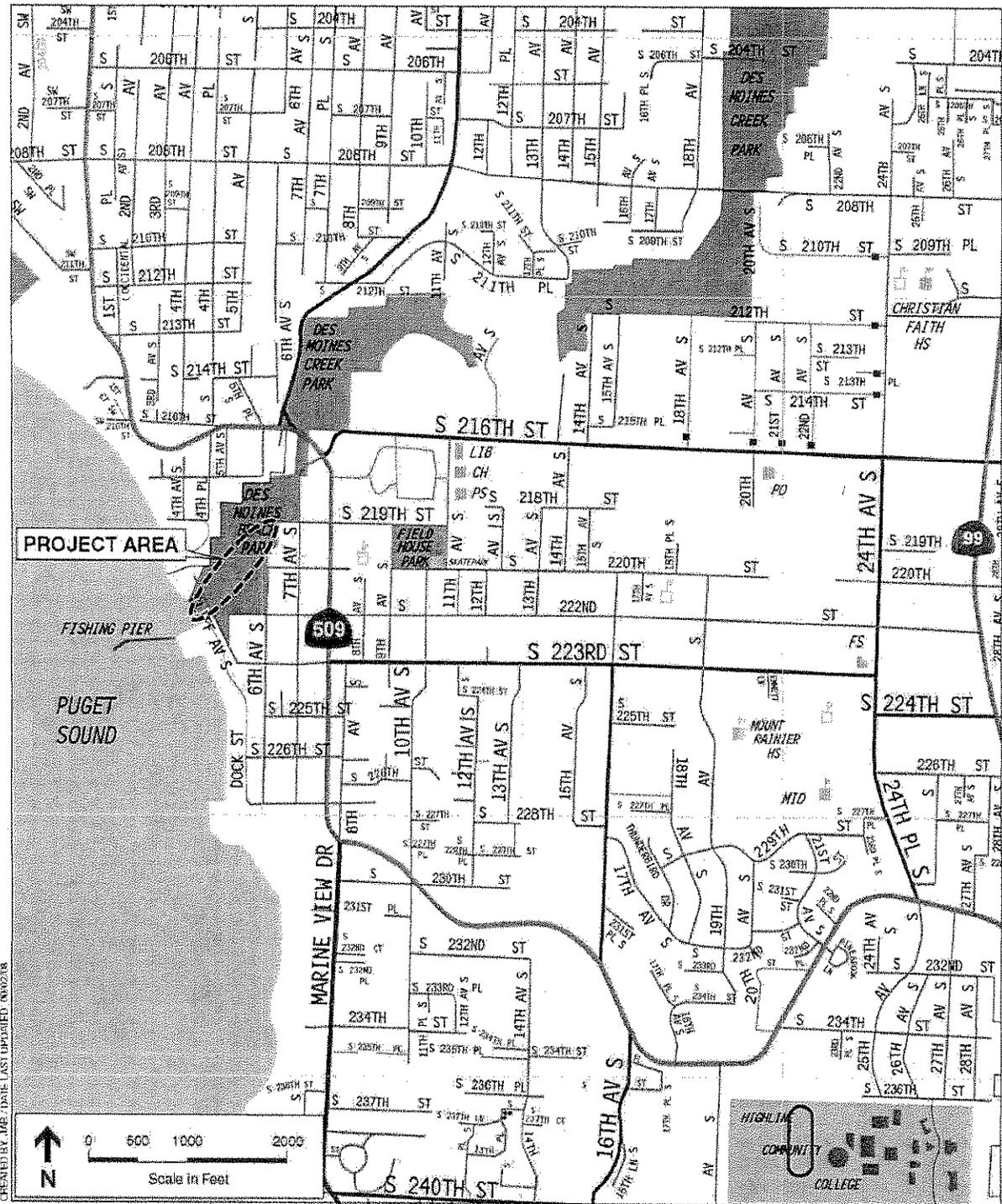
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 Amy.S.Klein@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Ms. Amy Klein, 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: NWS-2008-1308-NO, City of Des Moines (Des Moines Creek).

Encl: Figures (11)

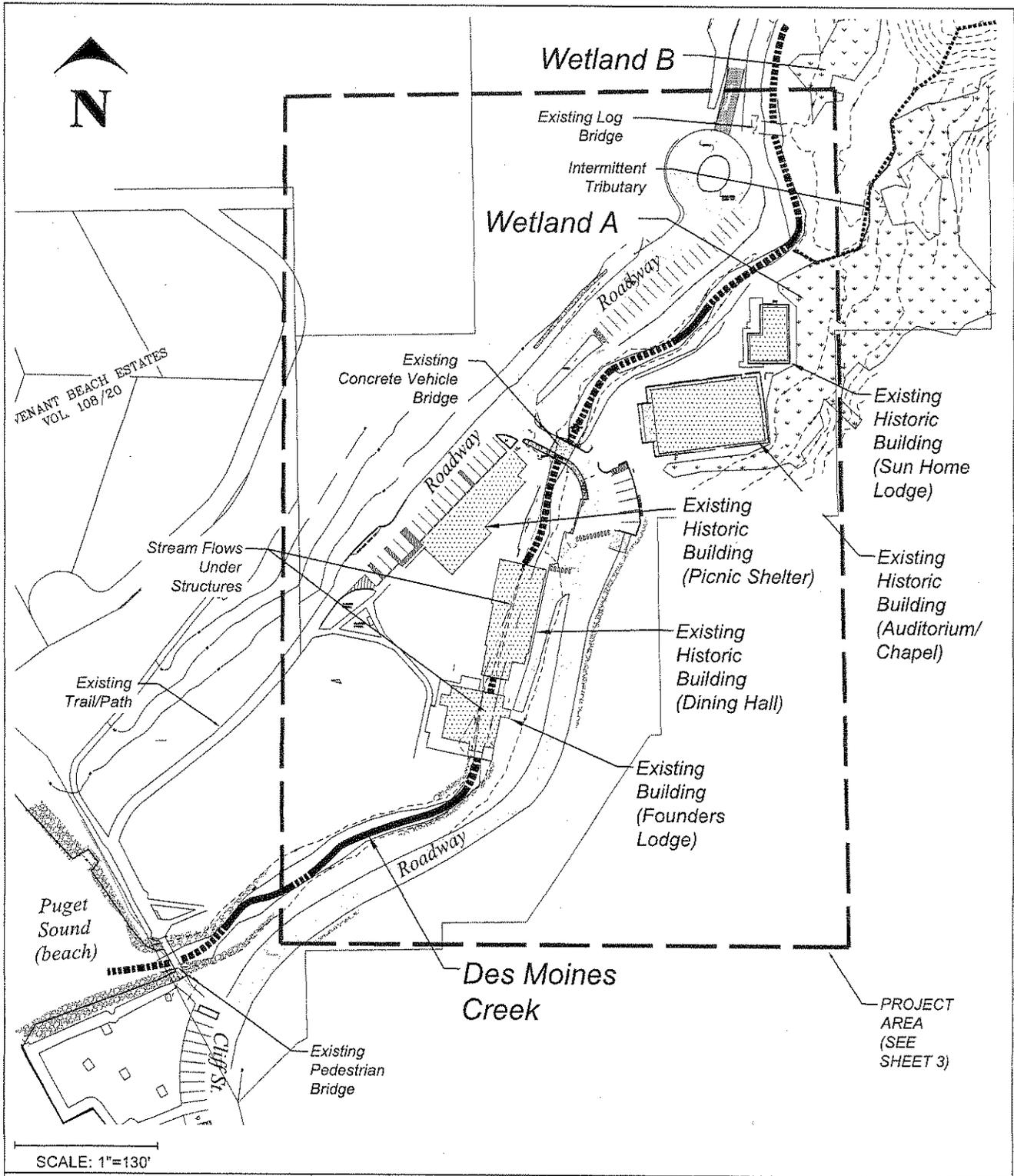


CREATED BY MR. DANIE LAST UPDATED: 8/20/08

PURPOSE: Flood Mitigation for Historic District
 DATUM: NAVD88
 LOCATION: 47°24'16" N 122°19'43"W
 REFERENCE: NWS-2008-1308-NO

PROJECT VICINITY
 APPLICANT: City of Des Moines
 1000 South 220th Street,
 Des Moines, Washington,
 98198

PROPOSED: Remove gravel, construct walls, berms, and associated facilities for flood hazard reduction.
 COUNTY: King STATE: WA
 SHEET 1 OF 10
 DATE: October 30, 2008



PURPOSE: Flood Mitigation for Historic District
 DATUM: NAVD88
 LOCATION:
 47°24'16"
 N122°19'43"W
 REFERENCE:
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EXISTING CONDITIONS

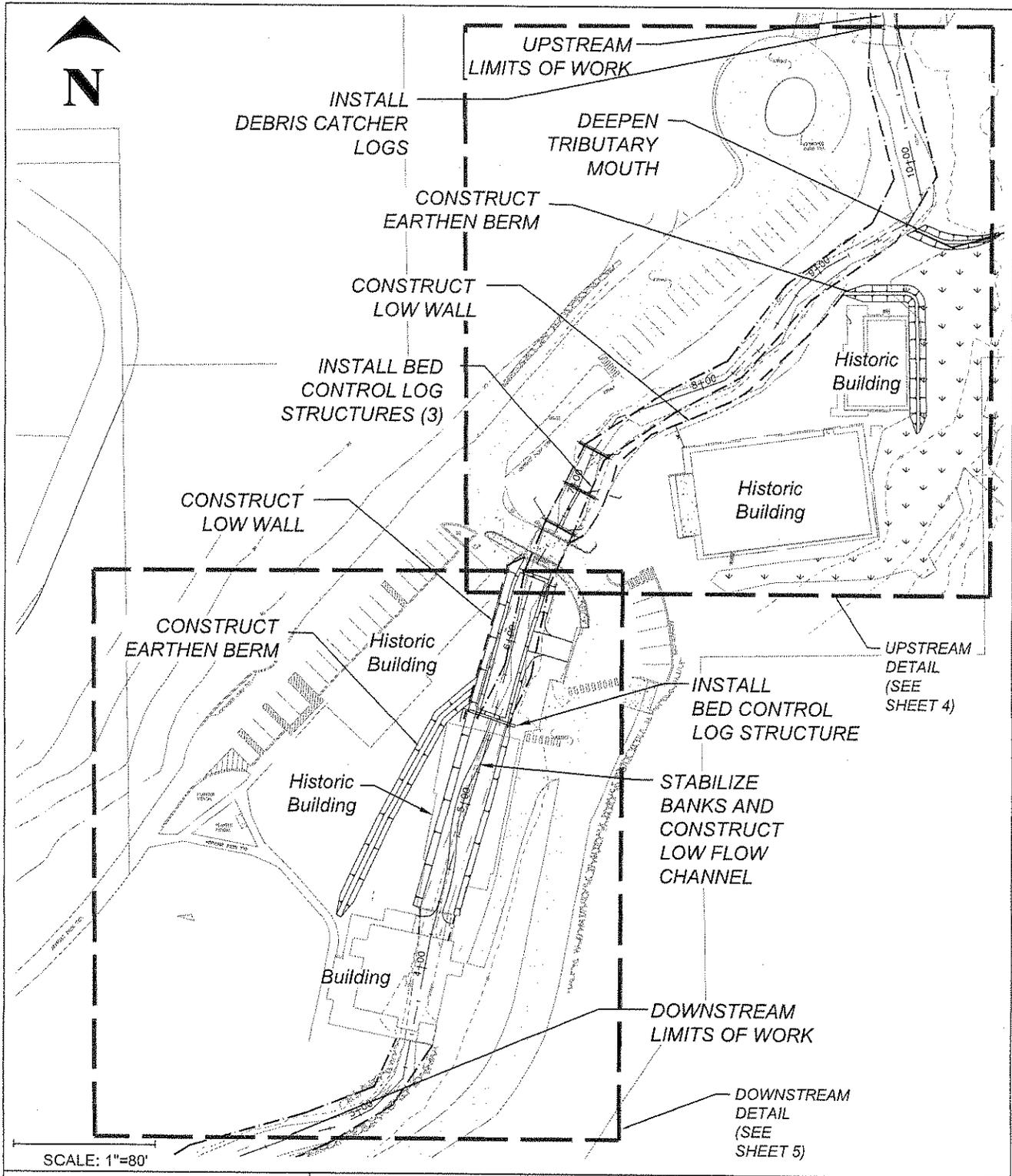
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COUNTY: King STATE: WA

SHEET 2 OF 10

DATE: October 30, 2008



PURPOSE: Flood Mitigation for Historic District

DATUM: NAVD88

LOCATION: 47°24'16" N 122°19'43"W

REFERENCE: NWS-2008-1308-NO

PROPOSED PROJECT

APPLICANT: City of Des Moines
1000 South 220th Street,
Des Moines, Washington,
98198

PROPOSED: Remove gravel, construct walls, berms, and associated facilities for flood hazard reduction.

COUNTY: King STATE: WA

SHEET 3 OF 10

DATE: October 30, 2008

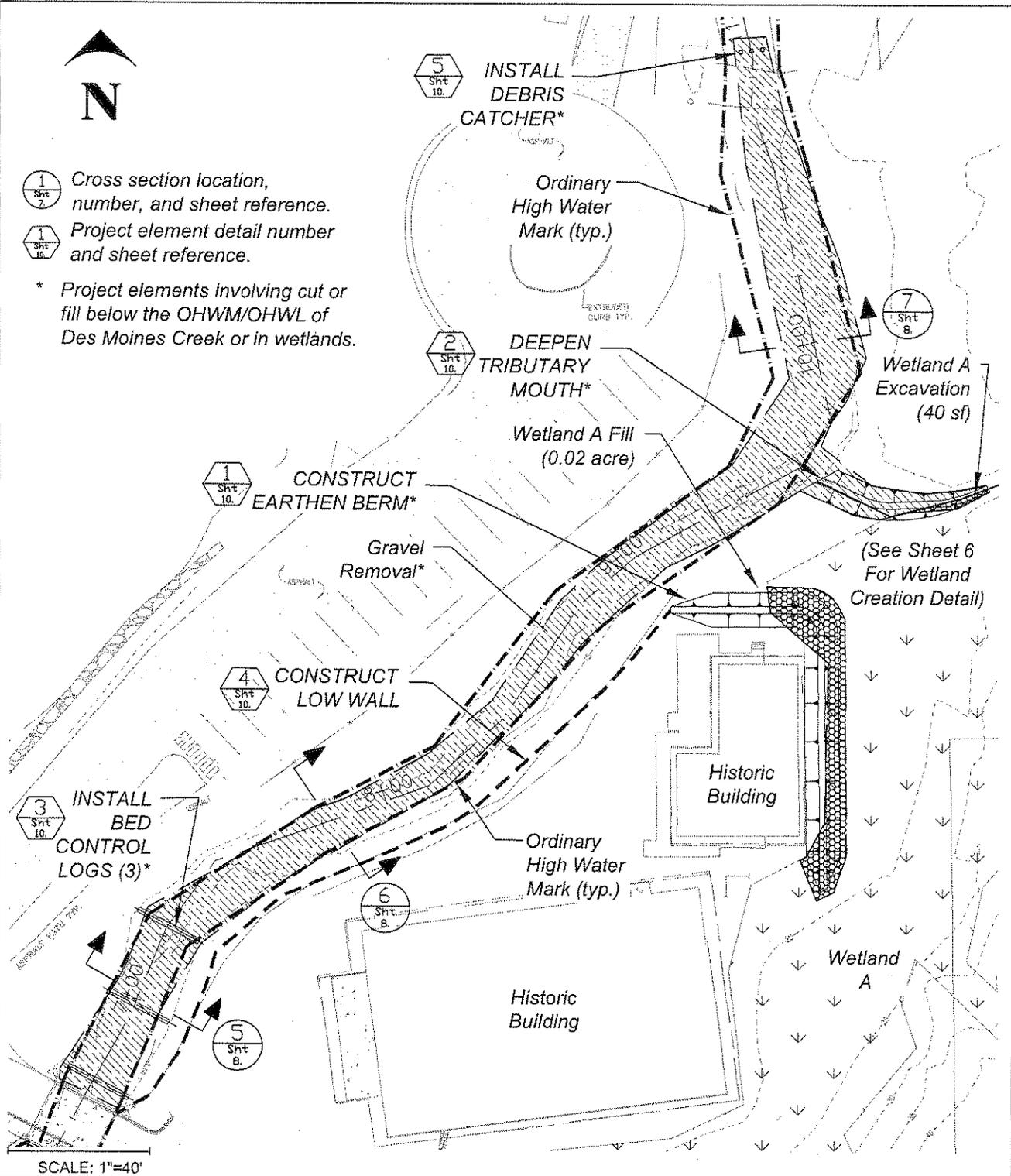


Cross section location, number, and sheet reference.



Project element detail number and sheet reference.

* Project elements involving cut or fill below the OHWM/OHWL of Des Moines Creek or in wetlands.



PURPOSE: Flood Mitigation for Historic District

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N122°19'43"W

REFERENCE:
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PROPOSED PROJECT
Upstream of Bridge

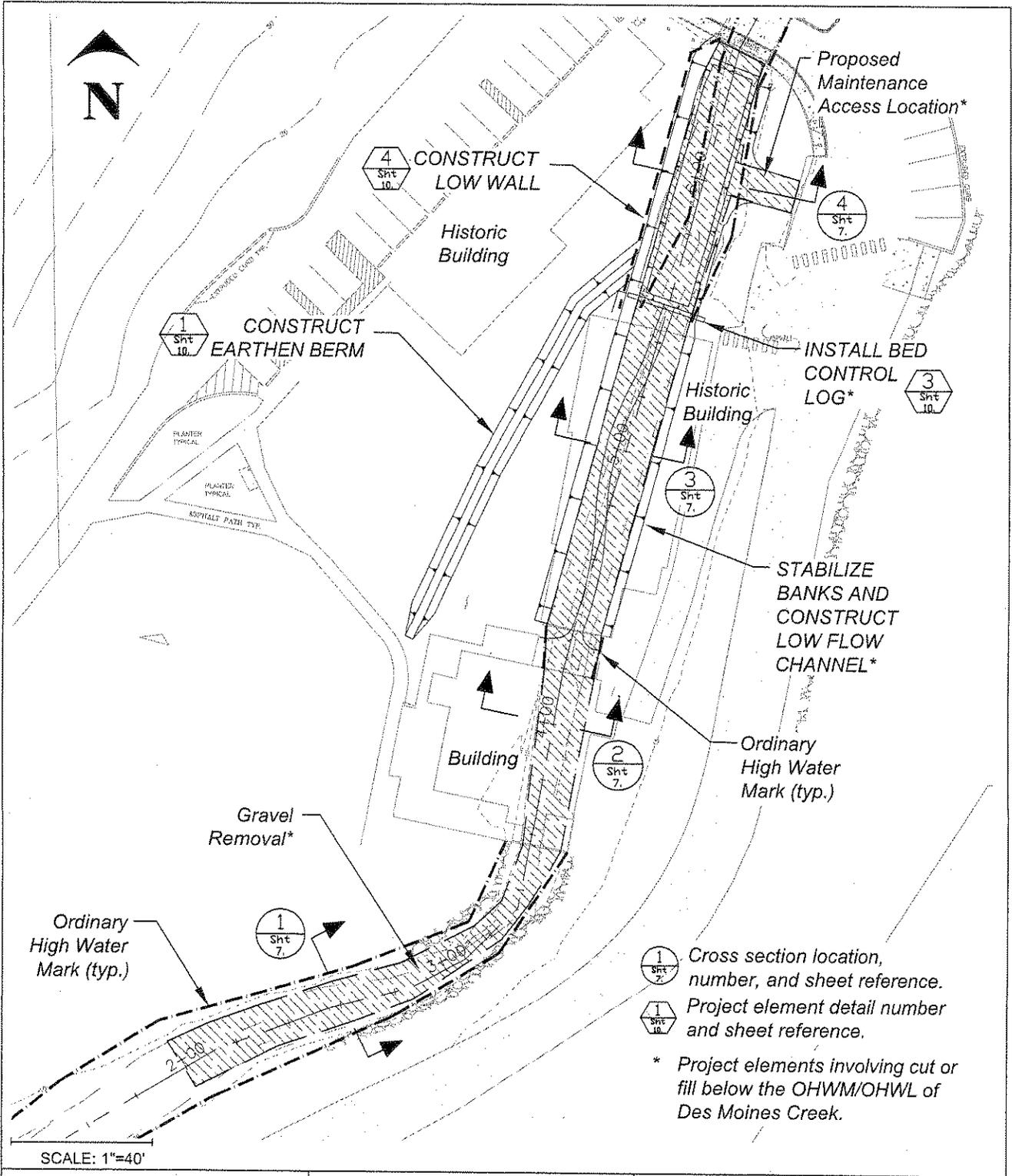
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COUNTY: King STATE: WA

SHEET 4 OF 10

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PURPOSE: Flood Mitigation for Historic District
 DATUM: NAVD88
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 REFERENCE:
 NWS-2008-1308-NO

PROPOSED PROJECT
 Downstream of Bridge

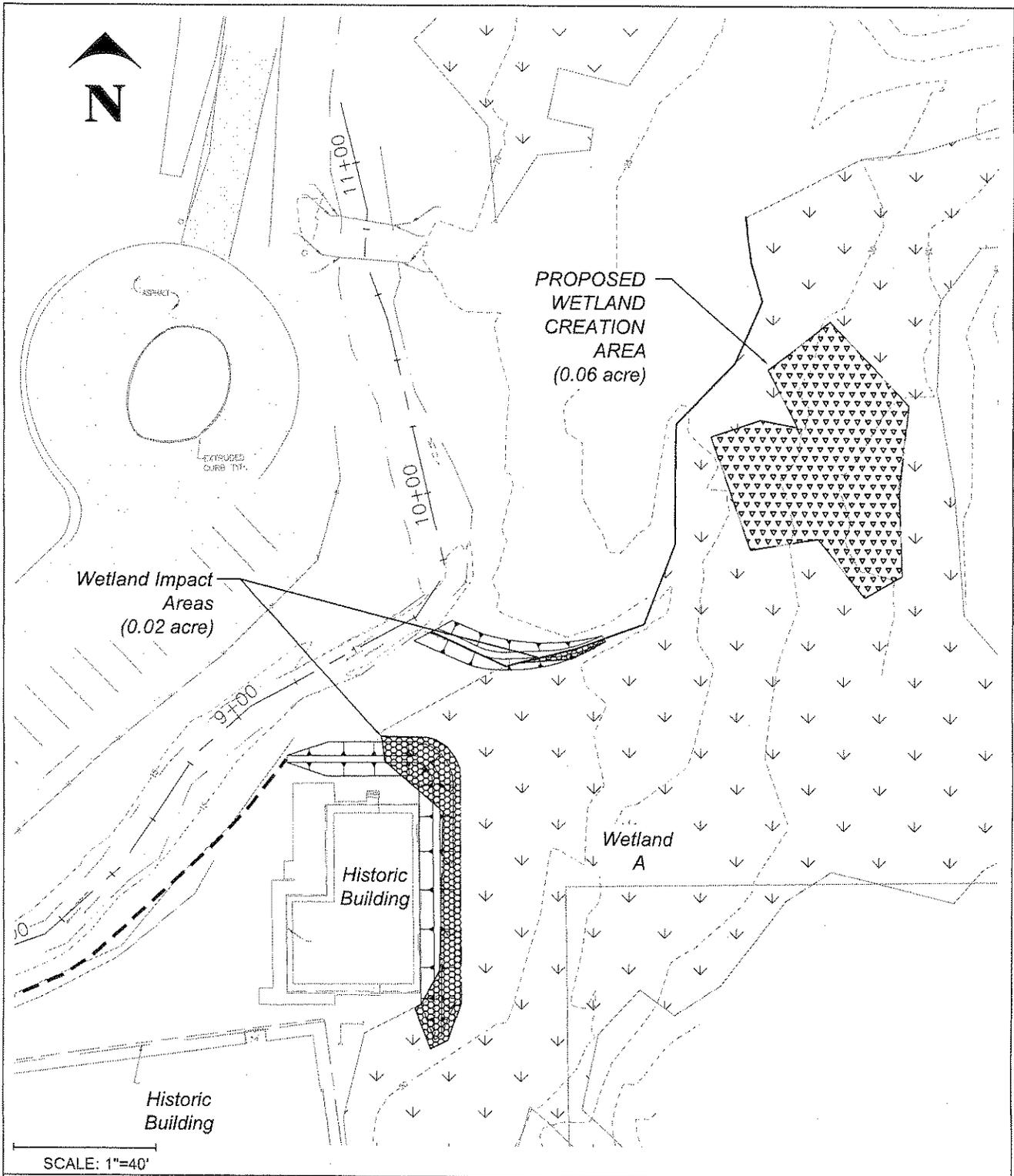
APPLICANT:
 City of Des Moines
 1000 South 220th Street,
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 98198

PROPOSED: Remove gravel, construct walls, berms, and associated facilities for flood hazard reduction.

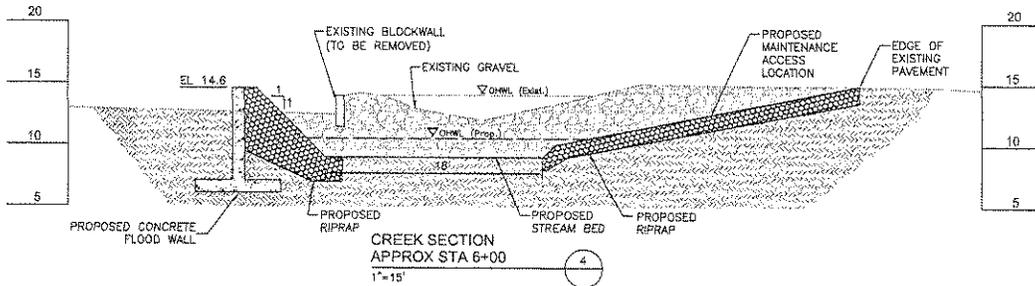
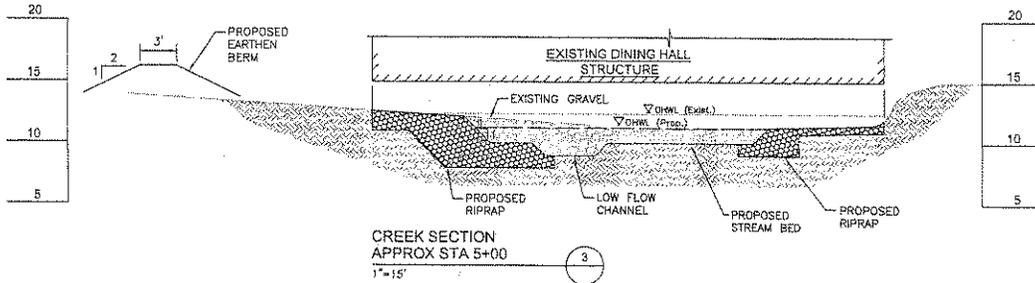
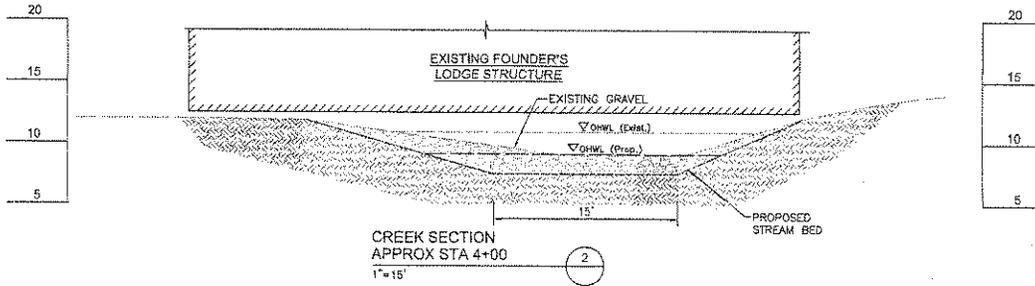
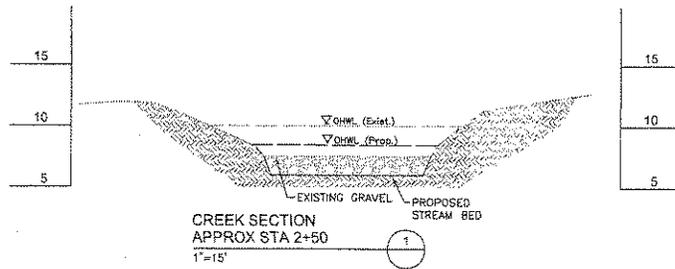
COUNTY: King STATE: WA

SHEET 5 OF 10

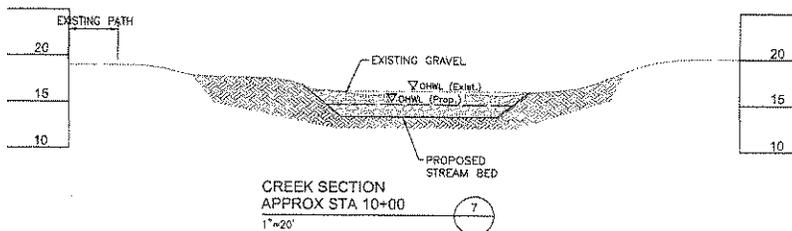
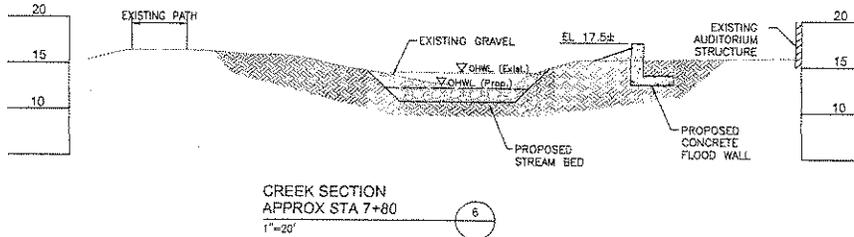
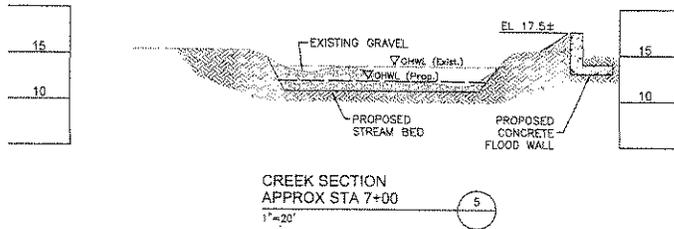
DATE: October 30, 2008



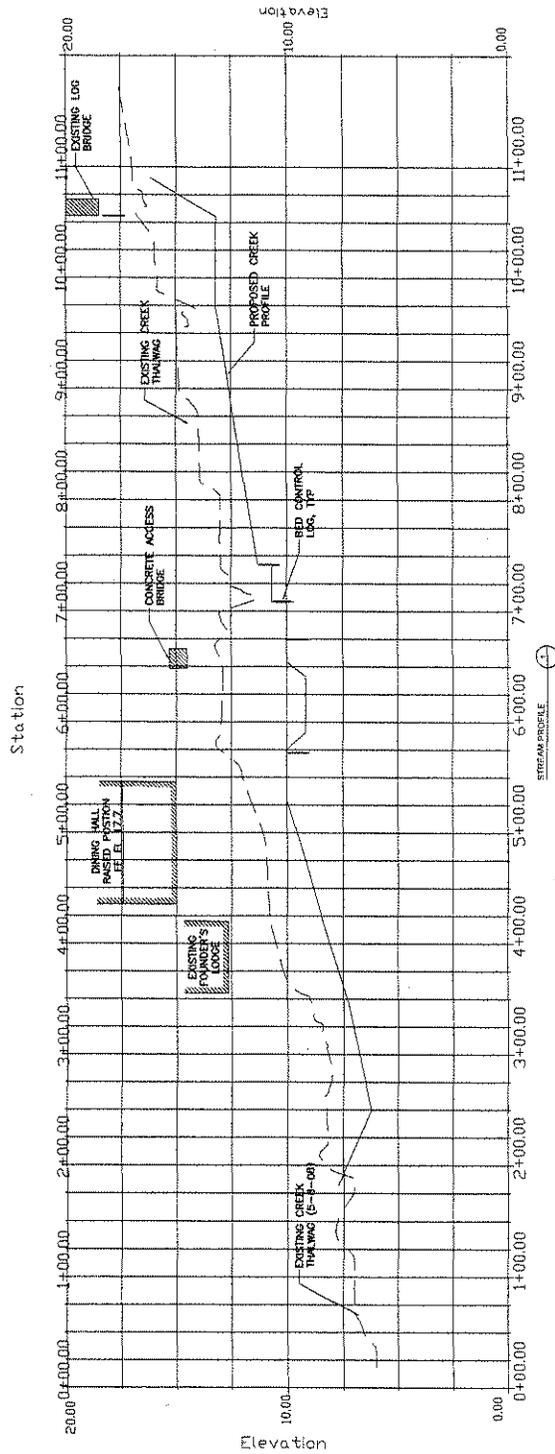
<p>PURPOSE: Flood Mitigation for Historic District</p> <p>DATUM: NAVD88</p> <p>LOCATION: 47°24'16" N122°19'43"W</p> <p>REFERENCE: NWS-2008-1308-NO</p>	<p>WETLAND IMPACT AND MITIGATION SUMMARY</p> <p>APPLICANT: City of Des Moines 1000 South 220th Street, Des Moines, Washington, 98198</p>	<p>PROPOSED: Remove gravel, construct walls, berms, and associated facilities for flood hazard reduction.</p> <p>COUNTY: King STATE: WA</p> <p>SHEET 6 OF 10</p> <p>DATE: October 30, 2008</p>
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<p>PURPOSE: Flood Mitigation for Historic District</p> <p>DATUM: NAVD88</p> <p>LOCATION: 47°24'16" N122°19'43"W</p> <p>REFERENCE: NWS-2008-1308-NO</p>	<p>TYPICAL STREAM SECTIONS</p> <p>APPLICANT: City of Des Moines 1000 South 220th Street, Des Moines, Washington, 98198</p>	<p>PROPOSED: Remove gravel, construct walls, berms, and associated facilities for flood hazard reduction.</p> <p>COUNTY: King STATE: WA</p> <p>SHEET 7 OF 10</p> <p>DATE: October 30, 2008</p>
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PURPOSE: Flood Mitigation for Historic District

DATUM: NAVD88

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47°24'16"
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REFERENCE:
NWS-2008-1308-NO

PROPOSED STREAM PROFILE

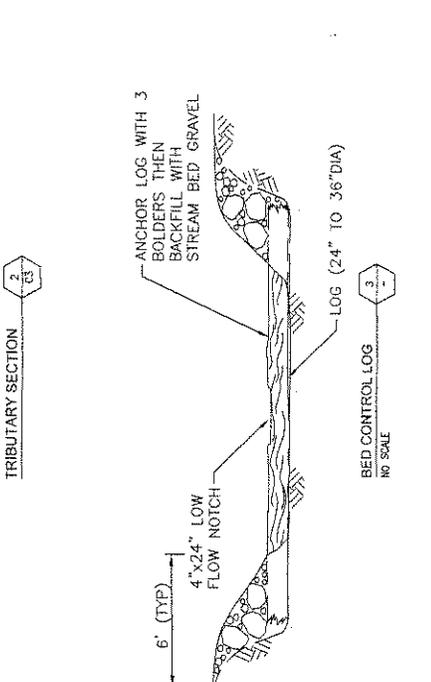
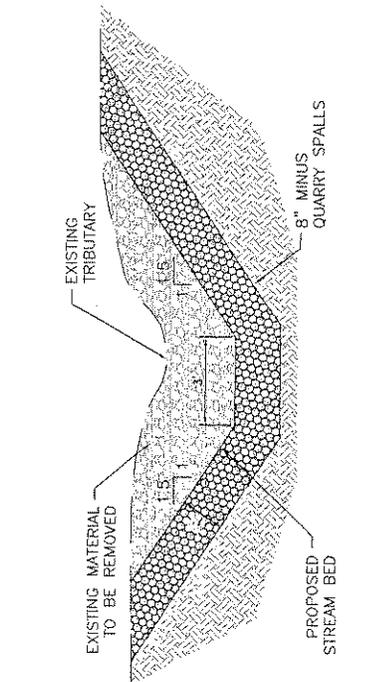
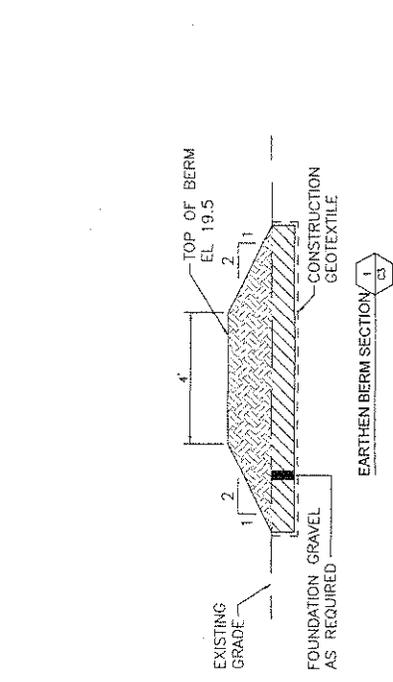
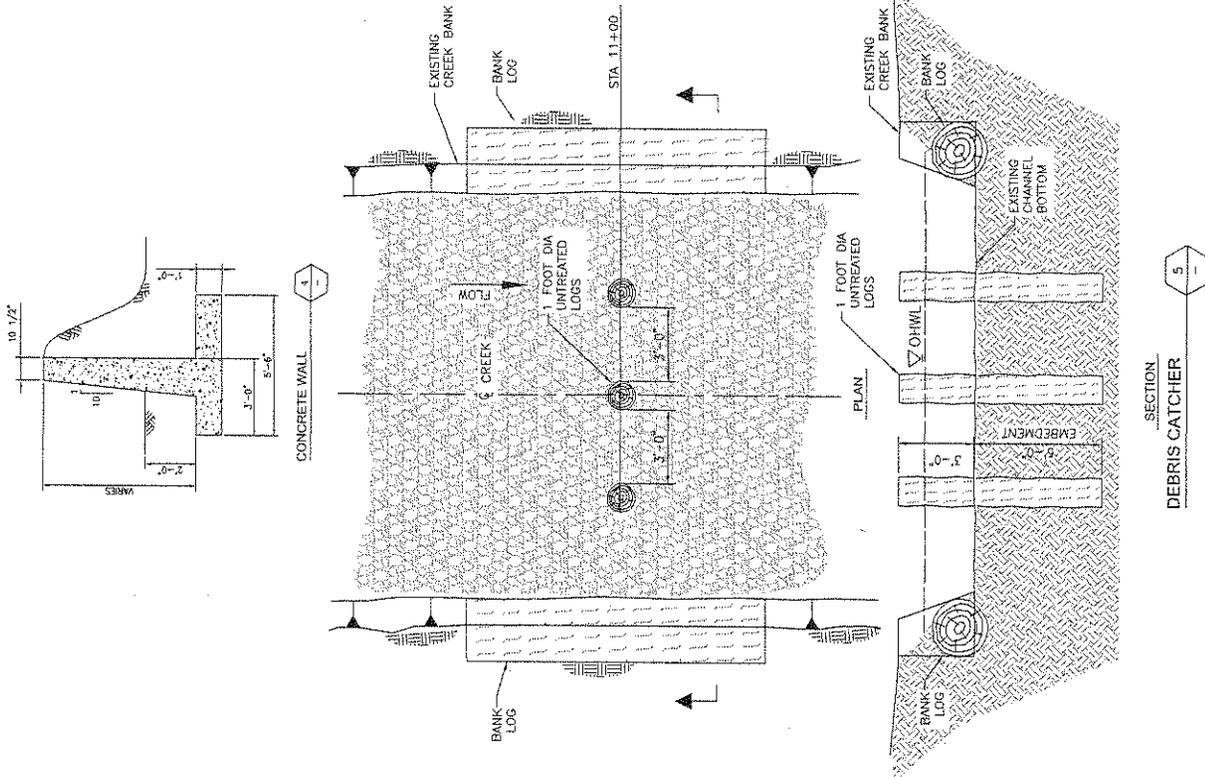
APPLICANT:
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COUNTY: King STATE: WA

SHEET 9 OF 10

DATE: October 30, 2008



SECTION 5
DEBRIS CATCHER

SECTION 1
EARTHEN BERM SECTION

SECTION 2
TRIBUTARY SECTION

SECTION 3
BED CONTROL LOG
NO SCALE

PURPOSE: Flood Mitigation for Historic District
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 SHEET 10 OF 10
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DETAILS

Box 10/13 Fill and Excavation Summary

Project Element	Temporary Fill	Excavation	Permanent Fill	Net Material	Source of Fill Material
<i>Dewatering and Stream Diversion During</i>	20 cubic yards	0 none	none	none	Sandbag (two coffer dams)
<i>Construction Gravel Removal Via Dredging</i>	none	1,450 cubic yards	250 cubic yards	1,200 cubic yards, export	Clean spawning gravel from City stockpile
<i>Construction of Earth Berm</i>	none	n/a	0.02 acre		Commercially obtained base material and fill
<i>Bank Stabilization</i>	none	Included in gravel removal quantity	265 cubic yards	265 cubic yards, import	Angular rock (riprap and quarry spall)
<i>Log Debris Catcher</i>	none	30 cubic yards	25 cubic yards	5 cubic yards, export	Native, on-site
<i>Installation of Bed Control Logs</i>	none	Included in gravel removal quantity	Included in spawning gravel fill quantity	none	Clean spawning gravel.
<i>Riparian Restoration and Wetland Creation</i>	none	none	none	n/a	n/a
Totals	20 cubic yards	1,480 cubic yards	540 cubic yards/ 0.02 acre wetland impact	940 cubic yard, net export	