



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) 766-6439  
Attn: Ron Wilcox, 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:** 12 August 2008  
**Expiration Date:** 31 August 2008

**Reference No.:** NWS-2008-164-SO  
**Name:** Port of Willapa Harbor

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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) 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:** Port of Willapa Harbor  
1725 Ocean Avenue  
Raymond, Washington 98577

ATTN: Ms. Rebecca Chaffee  
Telephone: (360) 942-3422

**LOCATION:** In Willapa Bay at the Toke Point Federal Entrance Channel and within the Tokeland Marina basin at Tokeland, Pacific County, Washington.

**WORK:** The proposed work will include the following: maintenance dredging (four dredging events over the course of 12 years) of the Federal navigation channel (to a depth of -17' MLLW with a 2' overdredge allowance) and Tokeland Marina (to a depth of -11 to -17 feet MLLW with a 2' overdredge allowance) for up to 65,000 yd<sup>3</sup> in the first dredge event and 55,000 yd<sup>3</sup> in the remaining dredge events. Dredging will be accomplished by hydraulic suction dredge and pipeline discharge with finer grained sediments disposed of in the flow lane and the coarser sediments to nourish a beach adjacent to the marina.

**PURPOSE:** Maintenance dredging to provide safe vessel access to the marina and through the Federal Channel into Willapa Bay.

**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 65,000 cubic yards to be dredged are suitable for unconfined disposal at the open-water dispersive disposal site at Goose Point, Willapa Bay, Pacific County, Washington. 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.

ADDITIONAL INFORMATION – The Port of Willapa Harbor requested that Corps be postured with the Port to allow either the Corps or the Port to hydraulically dredge the Federal channel at Toke Point. The Corps recognizes that continued maintenance dredging of the Toke Point Marina Federal navigation project is vital to the local fishing community; however, this low-use project is not likely to be funded for routine Federal maintenance dredging. The Seattle District Corps will continue to indicate a capability to conduct maintenance dredging in the event that funding becomes available. Further, this public notice includes a Seattle District Public Notice Number CENWS-OD-TS-NS-28 for the Corps’ dredging of the Federal channel. This would allow the Corps to conduct the dredging of the Federal channel should funds become available.

MITIGATION: The Port of Willapa Harbor has agreed to mitigate for the impacts to Dungeness crabs caused by the hydraulic dredging of the Toke Point federal entrance channel. The mitigation will involve the placement of 240 cubic yards of washed oyster shells to enhance crab habitat on 0.30-acres of state owned tidelands near the mouth of the Nemah River in Willapa Bay.

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. 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 Pacific County.

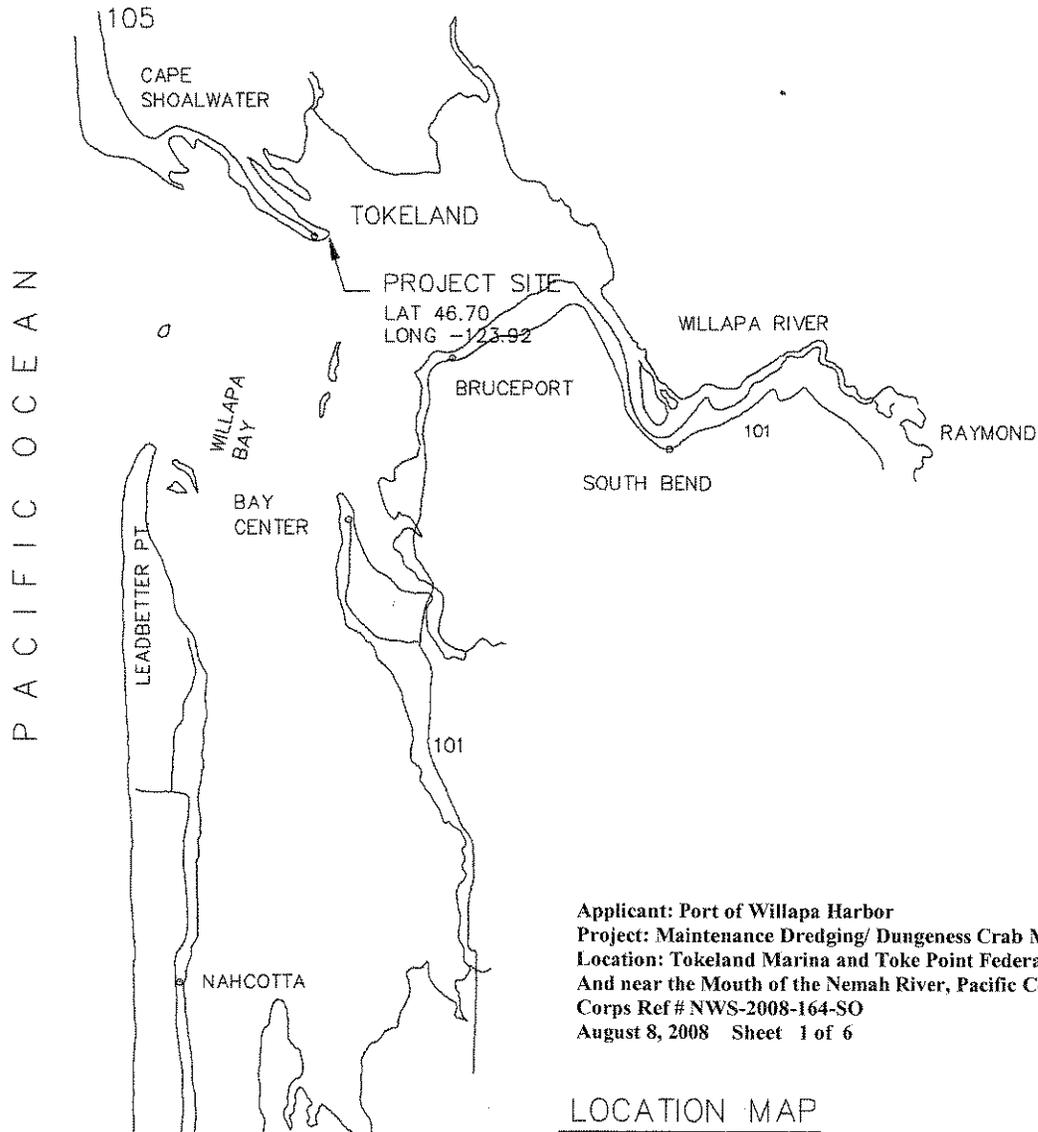
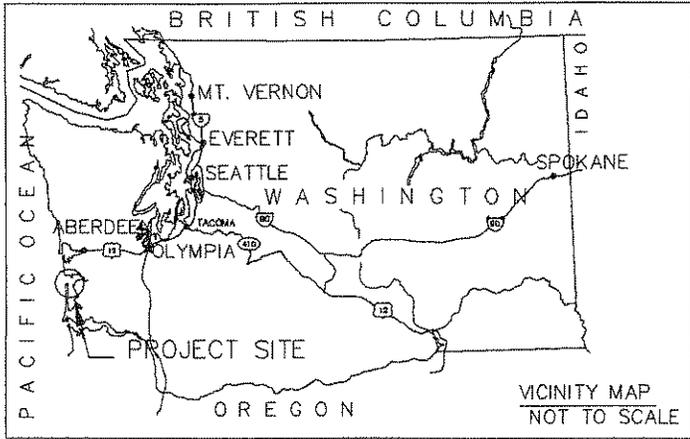
**COMMENT AND REVIEW PERIOD:** Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 [Ronald.J.Wilcox@usace.army.mil](mailto:Ronald.J.Wilcox@usace.army.mil). Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Ron Wilcox, 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: Port of Willapa Harbor; NWS-2008-164-SO.

Encl: Figures (Six)



Applicant: Port of Willapa Harbor  
 Project: Maintenance Dredging/ Dungeness Crab Mitigation  
 Location: Tokeland Marina and Toke Point Federal Entrance Channel  
 And near the Mouth of the Nemah River, Pacific County, Wa  
 Corps Ref # NWS-2008-164-SO  
 August 8, 2008 Sheet 1 of 6

LOCATION MAP  
 NOT TO SCALE

PURPOSE: NAVIGATION CHANNEL & MARINA DREDGING & DISPOSAL

DATUM: MLLW

ADJACENT PROPERTY OWNERS:

PORT OF WILLAPA HARBOR  
 WA DEPARTMENT OF NATURAL RESOURCES

**TOKELAND**

**VICINITY MAP**

APPLICATION BY: PORT OF WILLAPA HARBOR

PROPOSED: PROPOSED MAINTENANCE DREDGING

IN: WILLAPA BAY

AT: TOKELAND

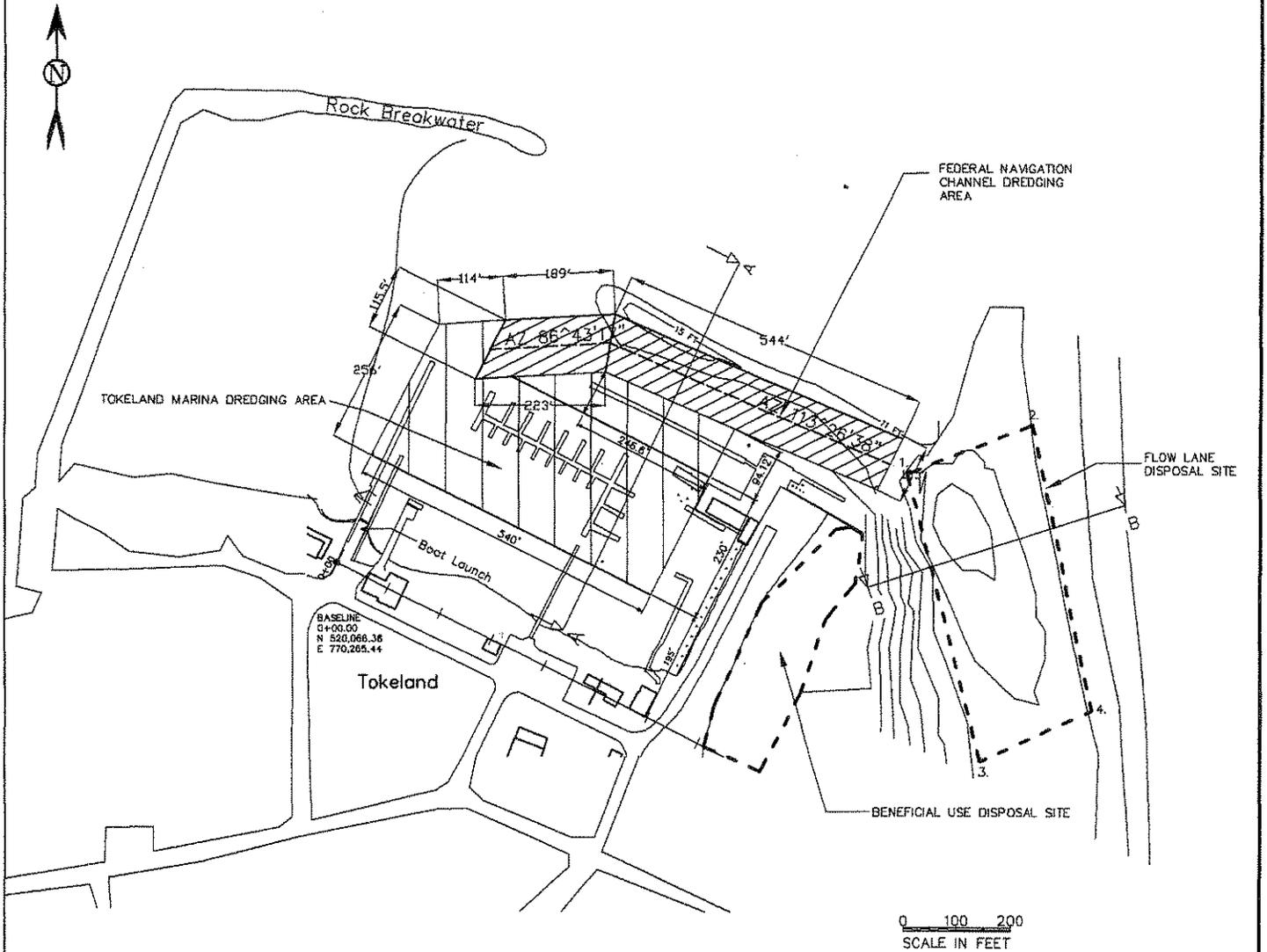
COUNTY: PACIFIC COUNTY

SHEET [REDACTED]

DATE: [REDACTED]

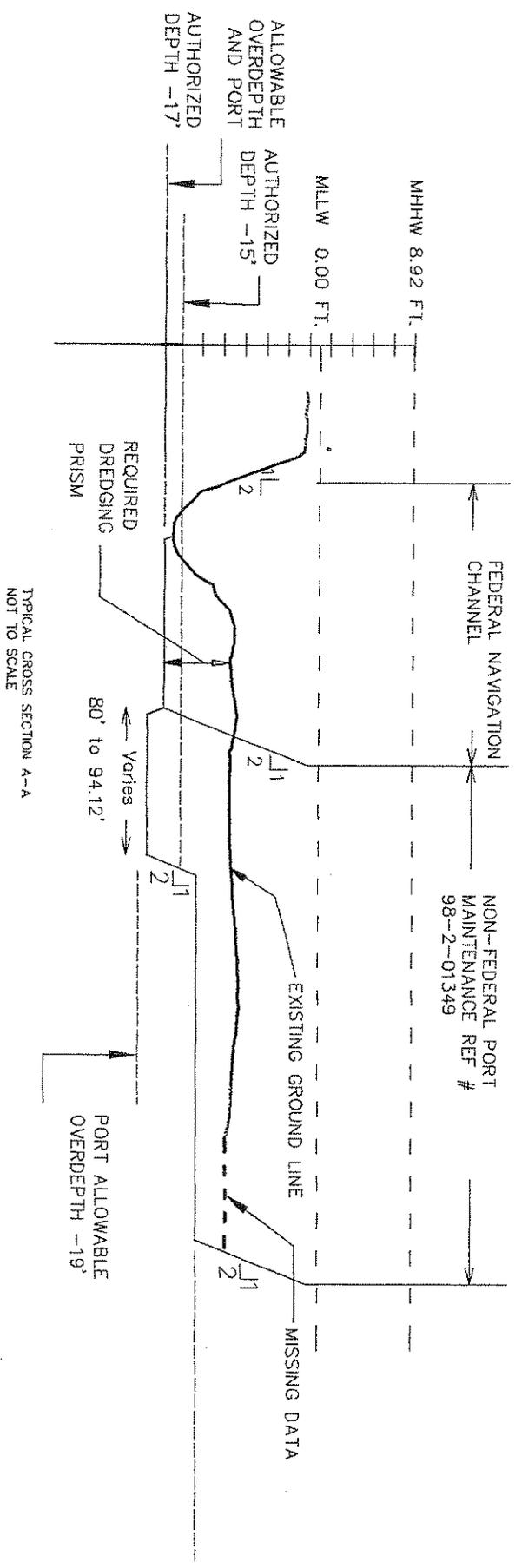
FLOW LANE DISPOSAL SITE (LAT LONG)

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2. 46.7078, 123.9647
3. 46.7059, 123.9651
4. 46.7061, 123.9642



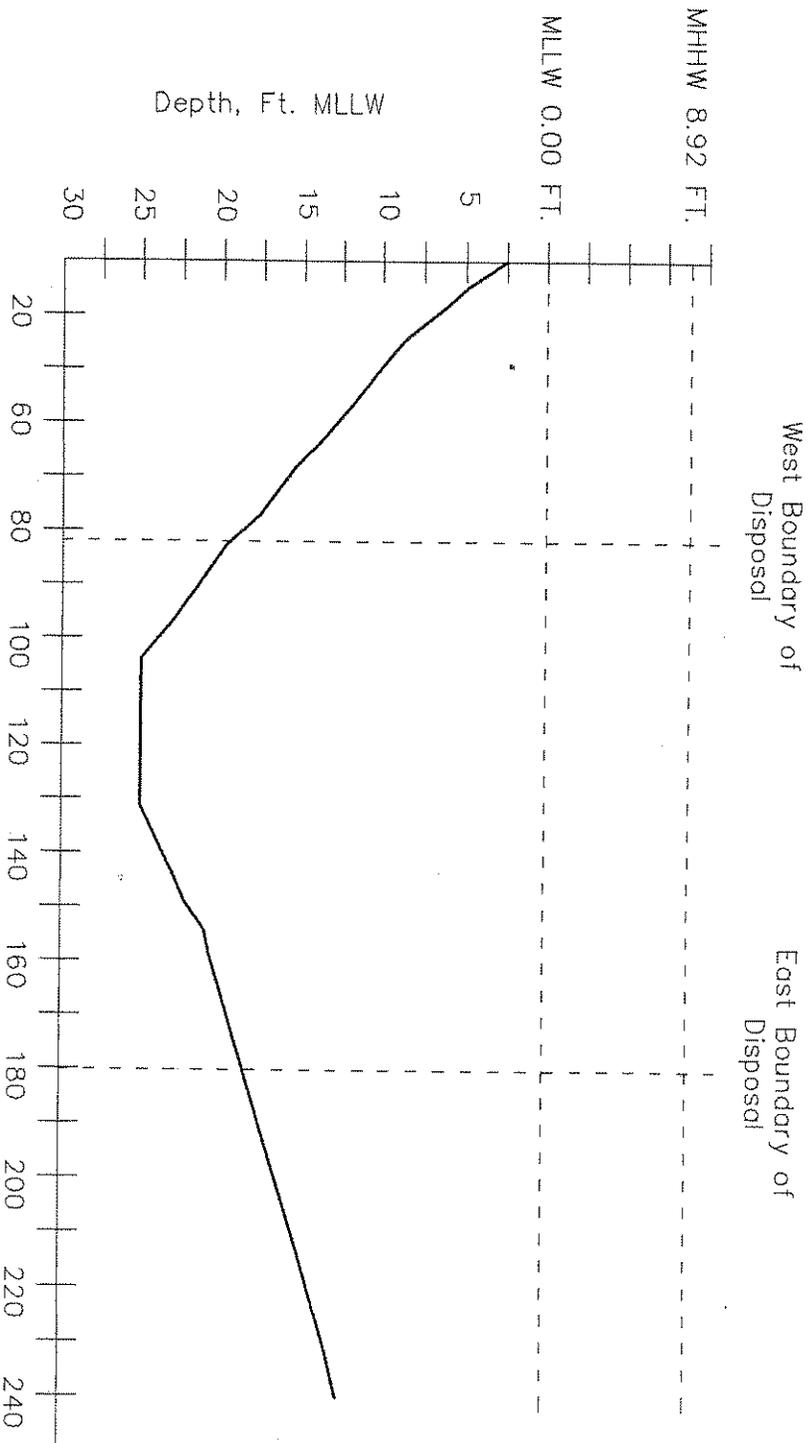
Applicant: Port of Willapa Harbor  
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 And near the Mouth of the Nemah River, Pacific County, Wa  
 Corps Ref # NWS-2008-164-SO  
 August 8, 2008 Sheet 2 of 6

<p><b>PURPOSE:</b> NAVIGATION CHANNEL &amp; MARINA DREDGING &amp; DISPOSAL</p> <p><b>DATUM:</b> MLLW</p> <p><b>ADJACENT PROPERTY OWNERS:</b>                  PORT OF WILLAPA HARBOR                  WA DEPARTMENT OF NATURAL RESOURCES</p>	<p><b>TOKELAND                  MAINTENANCE                  DREDGING                  PLAN VIEW</b></p> <p>APPLICATION BY: PORT OF WILLAPA HARBOR</p>	<p><b>PROPOSED:</b> PROPOSED MAINTENANCE DREDGING</p> <p><b>INL:</b> WILLAPA BAY</p> <p><b>ATL:</b> TOKELAND</p> <p><b>COUNTY:</b> PACIFIC COUNTY</p> <p>SHEET [REDACTED] DATE: [REDACTED]</p>
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 Corps Ref # NWS-2008-164-SO  
 August 8, 2008 Sheet 3 of 6

PURPOSE: NAVIGATION CHANNEL & MARINA DREDGING & DISPOSAL DATUM: MLLW ADJACENT PROPERTY OWNERS: PORT OF WILLAPA HARBOR WA DEPARTMENT OF NATURAL RESOURCES	TOKELAND MARINA Typical Cross Section APPLICATION BY: PORT OF WILLAPA HARBOR		PROPOSED, PROPOSED MAINTENANCE DREDGING IN: WILLAPA BAY AT: TOKELAND COUNTY: PACIFIC COUNTY SHEET: [REDACTED] DATE: [REDACTED]
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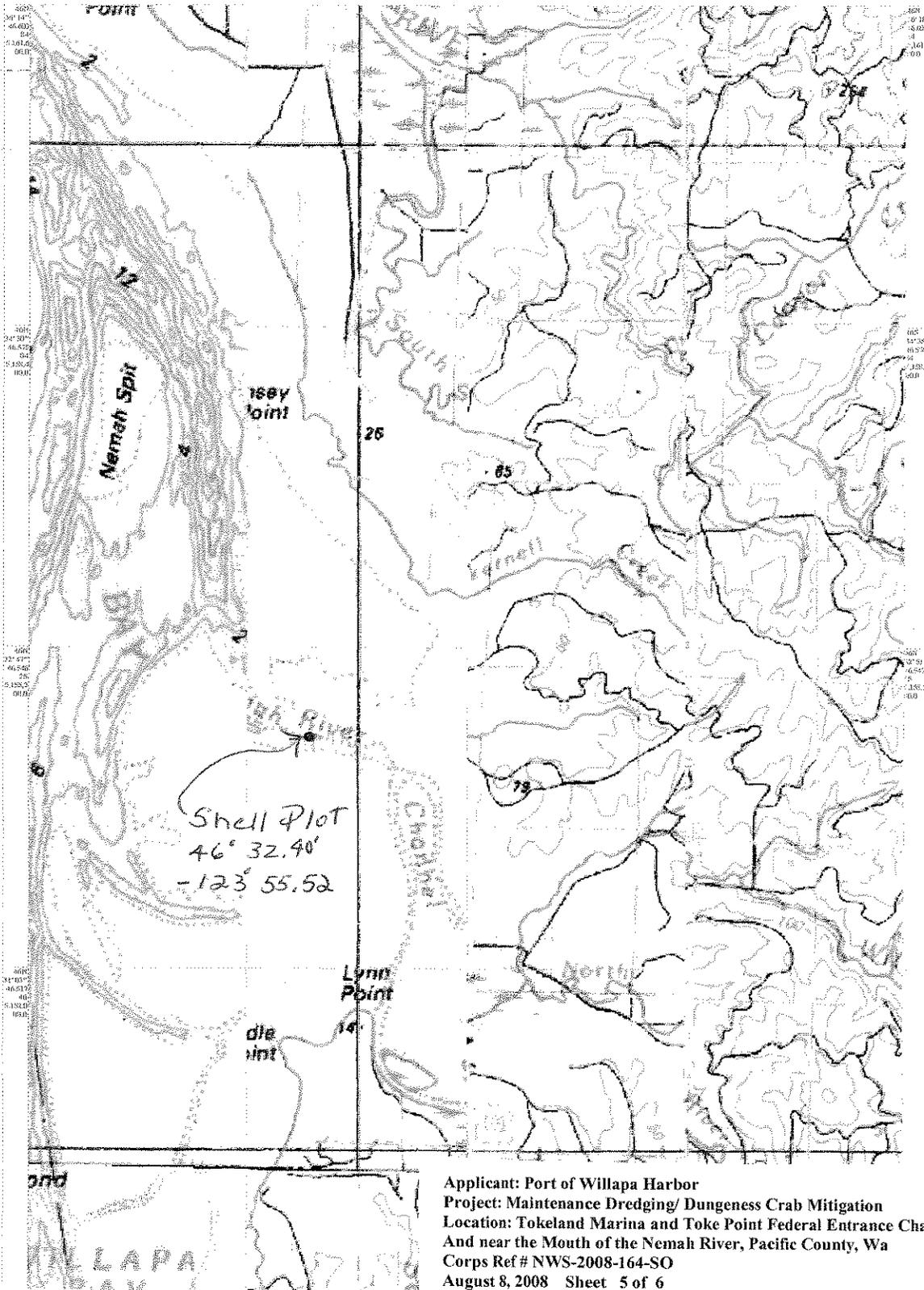
Applicant: Port of Willapa Harbor  
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TOKELAND FLOW LANE  
 DISPOSAL SITE

PURPOSE: NAVIGATION CHANNEL & MARINA DREDGING  
 & DISPOSAL  
 DATUM: MLLW  
 ADJACENT PROPERTY OWNERS:  
 PORT OF WILLAPA HARBOR  
 WA DEPARTMENT OF NATURAL RESOURCES

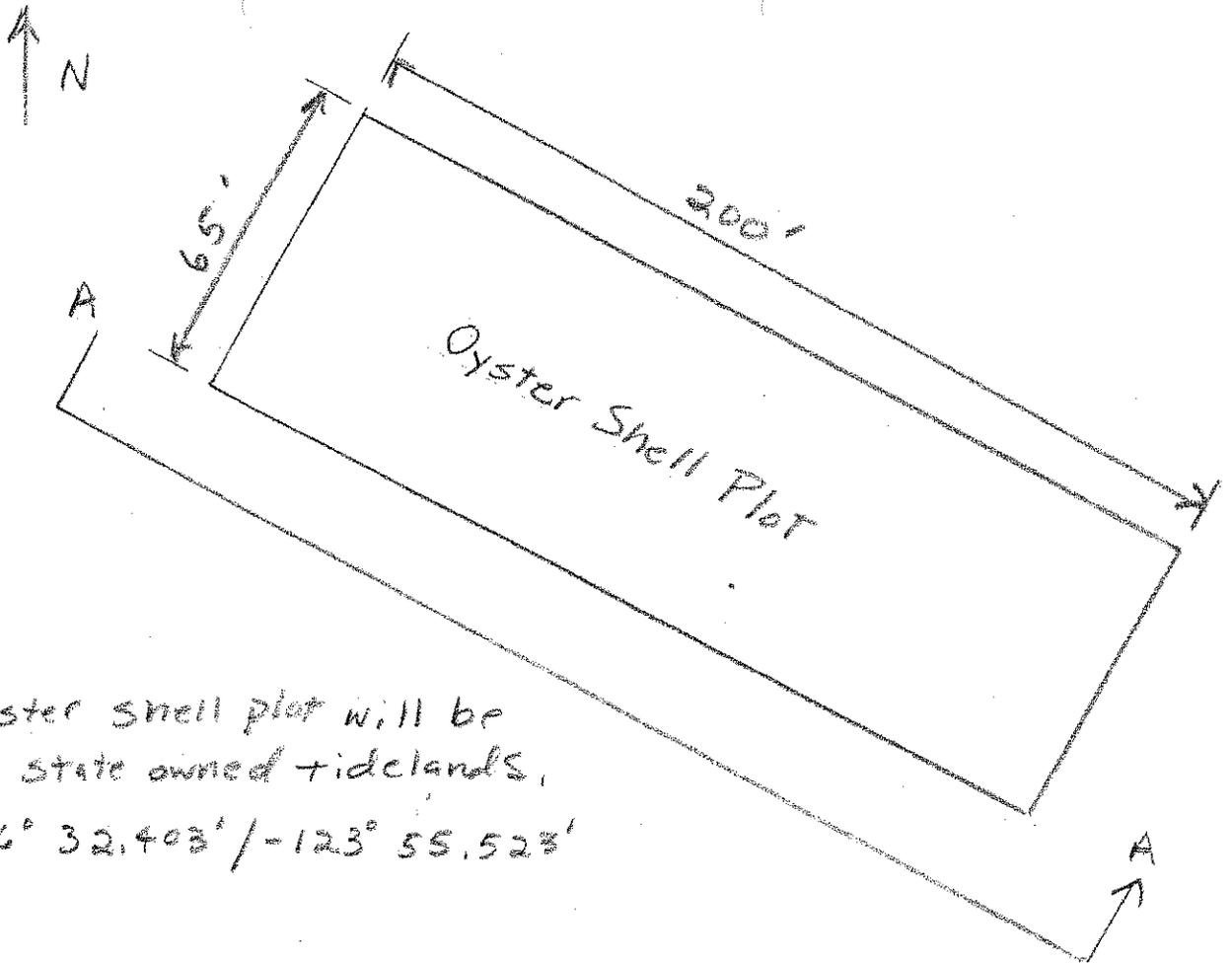
APPLICATION BY: PORT OF WILLAPA HARBOR

PROPOSED: PROPOSED MAINTENANCE DREDGING  
 IN: WILLAPA BAY  
 AT: TOKELAND  
 COUNTY: PACIFIC COUNTY  
 SHEET [REDACTED] DATE: [REDACTED]

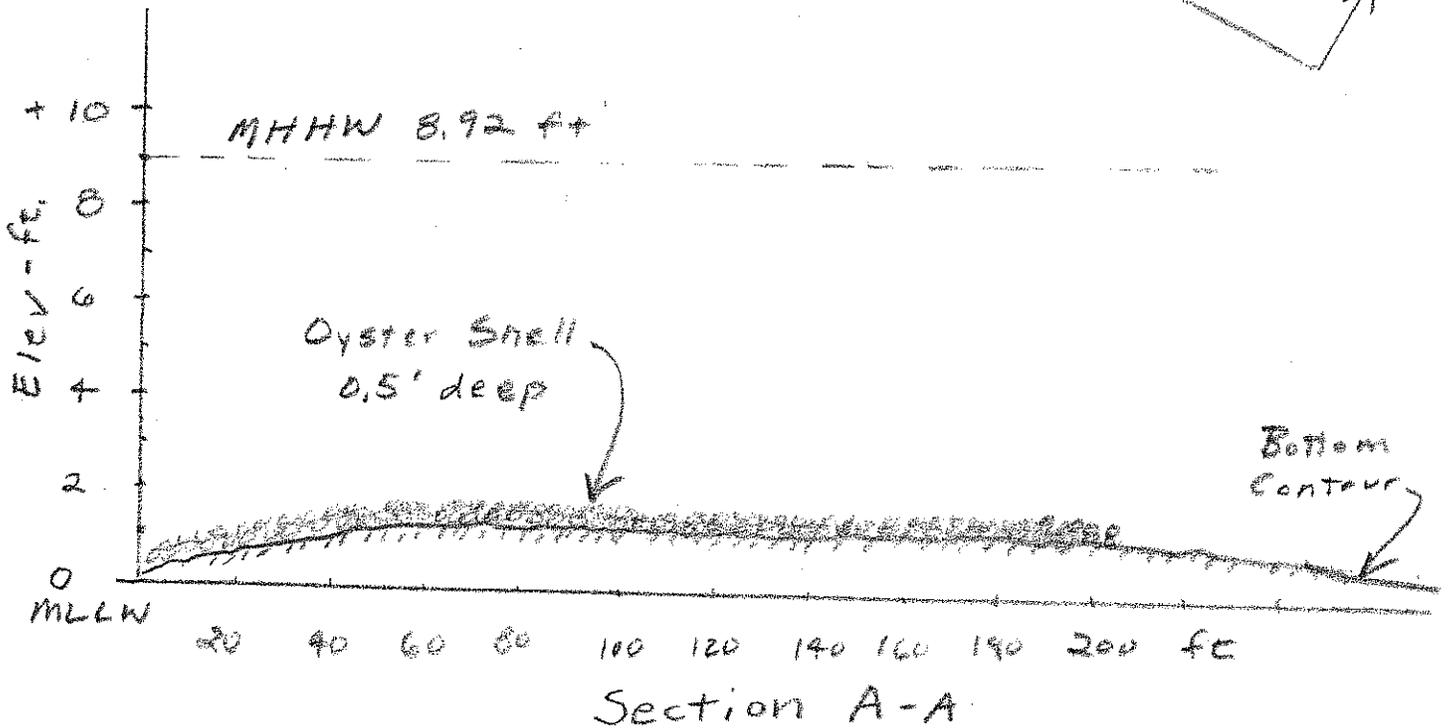


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**Port of Willapa Harbor**  
**Oyster Shell Mitigation Site**



Oyster shell plot will be on state owned tidelands,  
 $46^{\circ} 32.403' / -123^{\circ} 55.523'$



Crab Mitigation  
 for Tokepoint  
 Channel Dredging  
 Datum: MLLW

Part of Willapa Harbor  
 Tokeland Pu  
 Shell Plot

Shell Plot  
 Willapa Bay

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