



US Army Corps
of Engineers
Seattle District



WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

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
Post Office Box 47600
Olympia, WA 98504-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: March 18, 2008
Expiration Date: April 17, 2008

Reference No.: NWS-2008-230-SO
Name: USDI (National Park Service)

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: National Park Service
Olympic National Park
600 East Park Avenue
Port Angeles, Washington 98362
ATTN: Ms. Nancy Hendricks
Telephone: (360) 565-3008

LOCATION: In Finley Creek, a tributary to the Quinault River, near Quinault, Grays Harbor County, Washington.

WORK: Excavate up to 20,000 cubic yards of bedload material (cobbles and gravel) from Finley Creek annually for a period of 5 years (total of 100,000 cubic yards). Material will be excavated using a bulldozer and front-end loader. Excavated material will be moved to the sides of the channel to maintain existing berms or removed and stored in an upland area for use on park roads.

PURPOSE: To maintain the designed channel configuration of Finley Creek and adequate depths under the Finley Creek Bridge.

ADDITIONAL INFORMATION – Similar excavation work in Finley Creek has been conducted by the National Park Service since 2002 under Department of the Army Permit No. 2001-4-00762. All work will be done when the Creek is dry, prior to high winter flows each year.

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 National Park Service, as the lead agency for ESA consultation, will consult with the NMFS and USFWS as required under Section 7 of the ESA.

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 National Park Service, as the lead agency for a determination regarding EFH, will consult with the National Marine Fisheries Services if necessary.

CULTURAL RESOURCES: The National Park Service, as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, will consult with the State Historic Preservation Office as appropriate. 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 approve or deny a water quality certification for the proposed project.

As a Federal agency, the National Park Service will ensure the work is consistent with the Coastal Zone Management Program to the maximum extent practicable.

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.

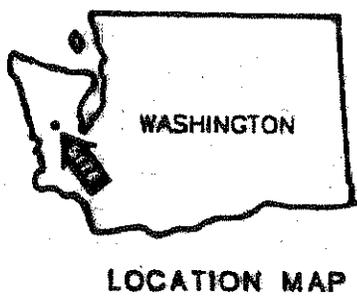
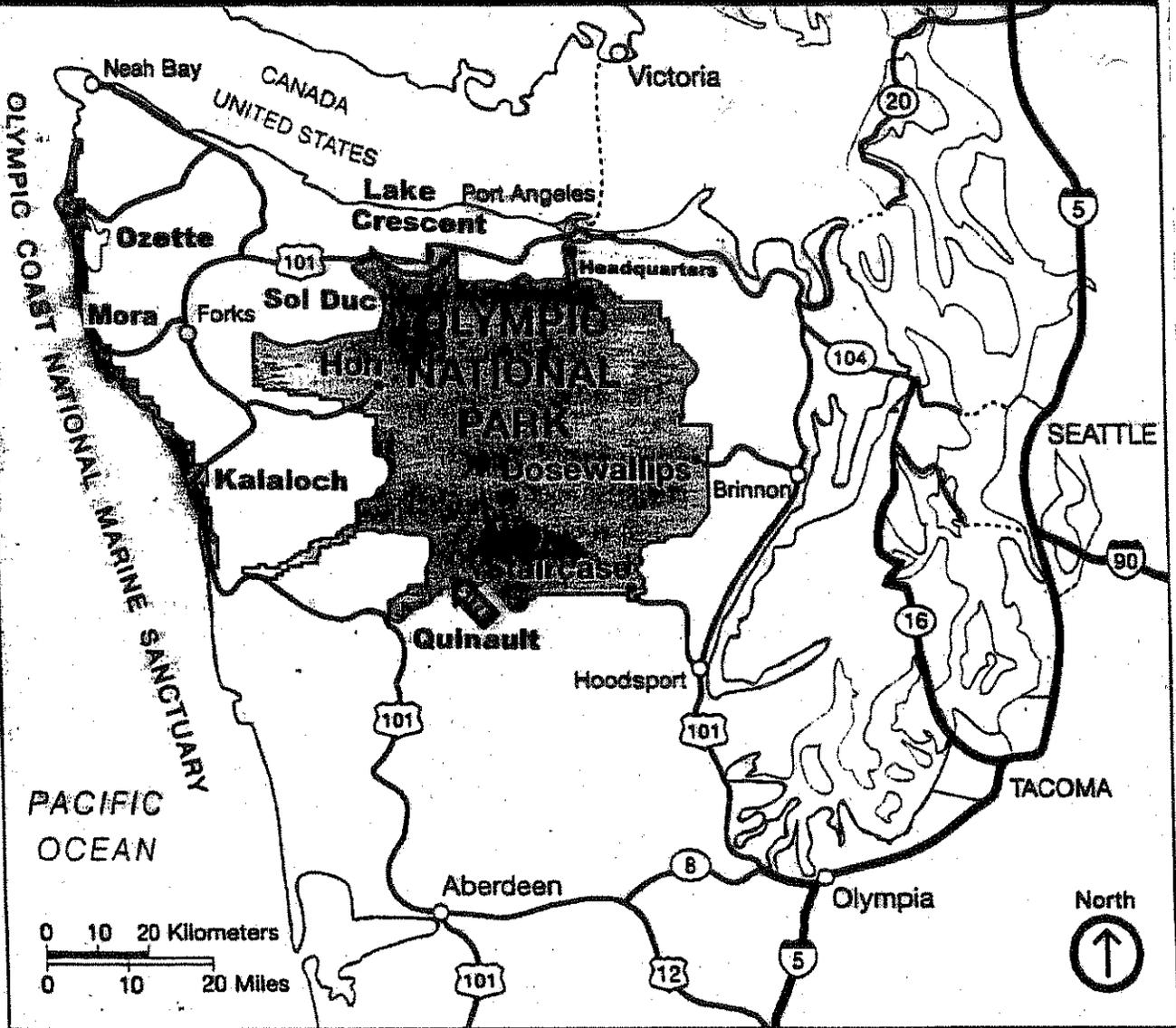
Corps Comments: All e-mail comments should be sent to james.d.green@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Jim Green, Post Office Box 3755, Seattle, Washington, 98124-3755.

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, 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: USDI (National Park Service – File No. NWS-2008-230-SO

Encl: Figures (5 drawing sheets)

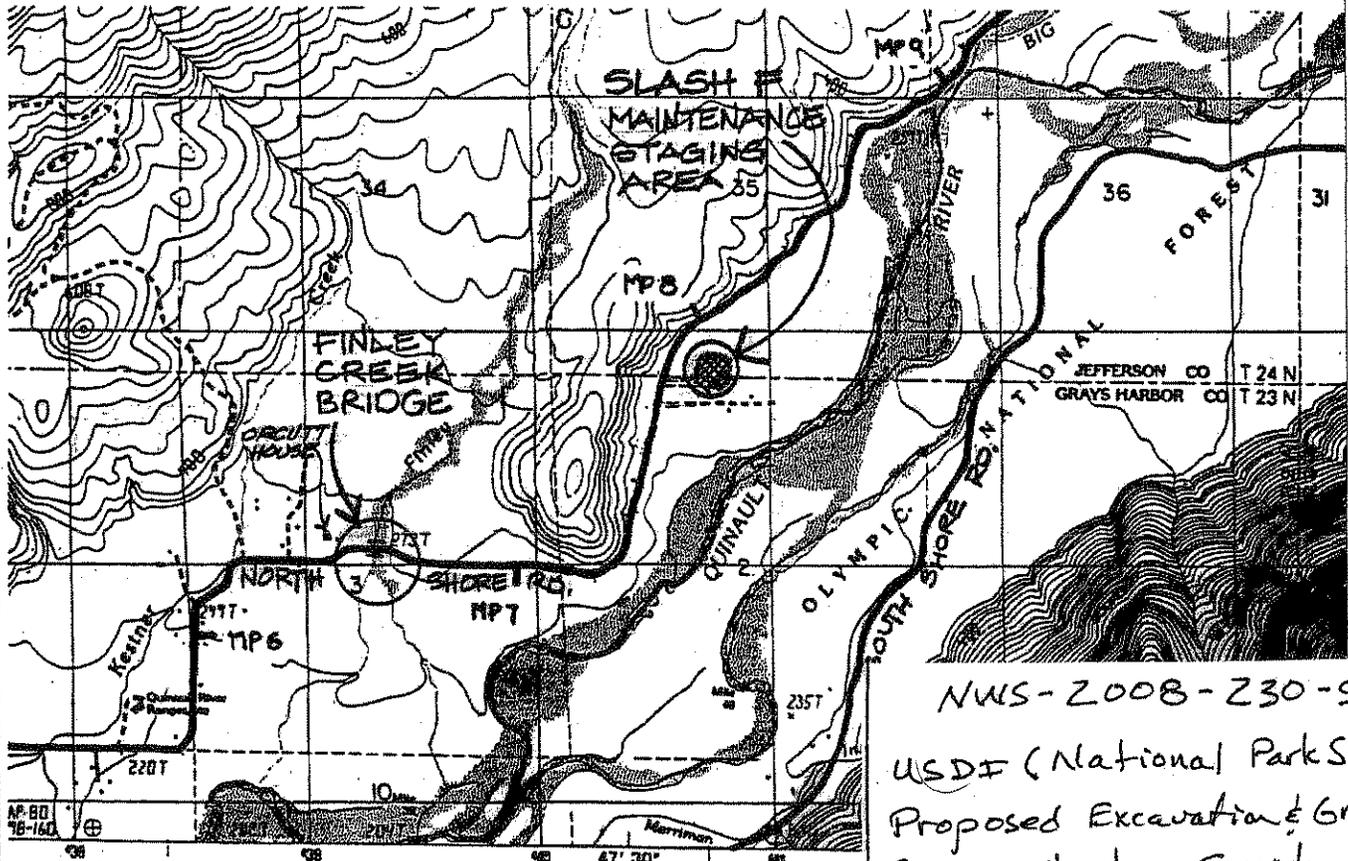
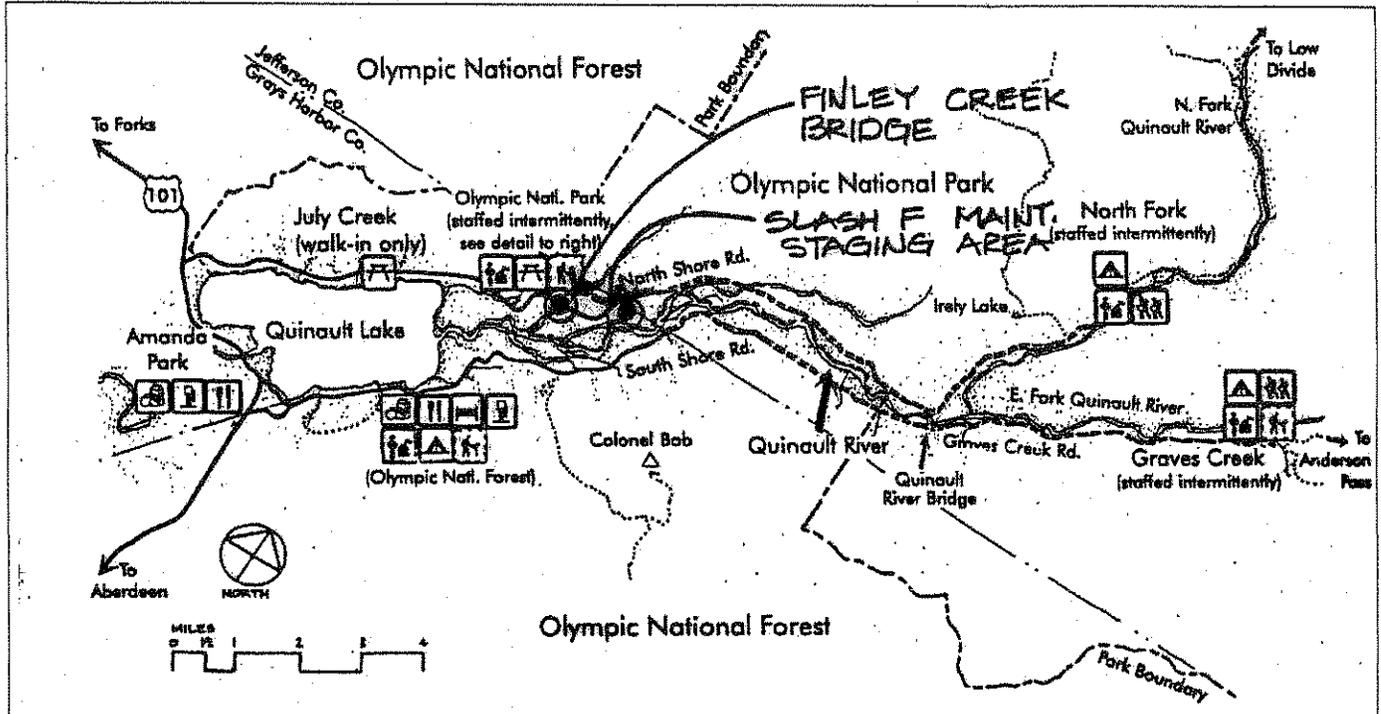
Olympic Peninsula



LOCATION MAP

Lat. 47-30, -40
 Long. 123-48-22
 Sec 3
 TWP 23N
 Range 9 W

NWS-2008-230-50
 USFS (National Park Service)
 Proposed Excavation & Grading
 Grays Harbor County
 Sheet 1 of 5
 5 Feb 2008

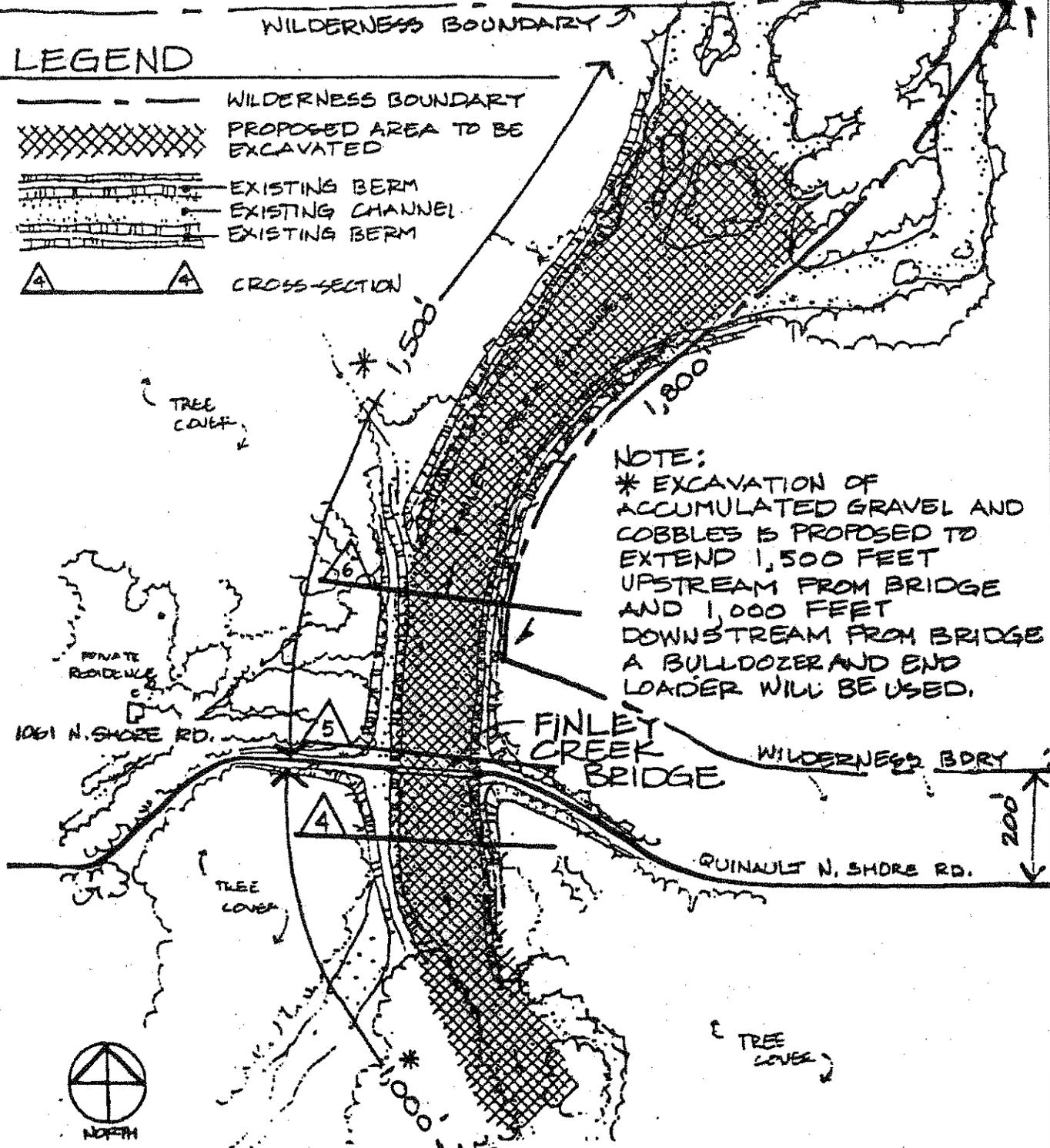


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WILDERNESS BOUNDARY

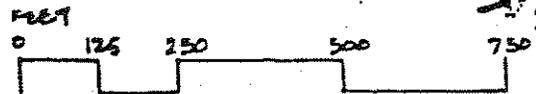
LEGEND

- WILDERNESS BOUNDARY
- XXXXX PROPOSED AREA TO BE EXCAVATED
- ===== EXISTING BERM
- EXISTING CHANNEL
- ===== EXISTING BERM
- ▲ ▲ CROSS-SECTION



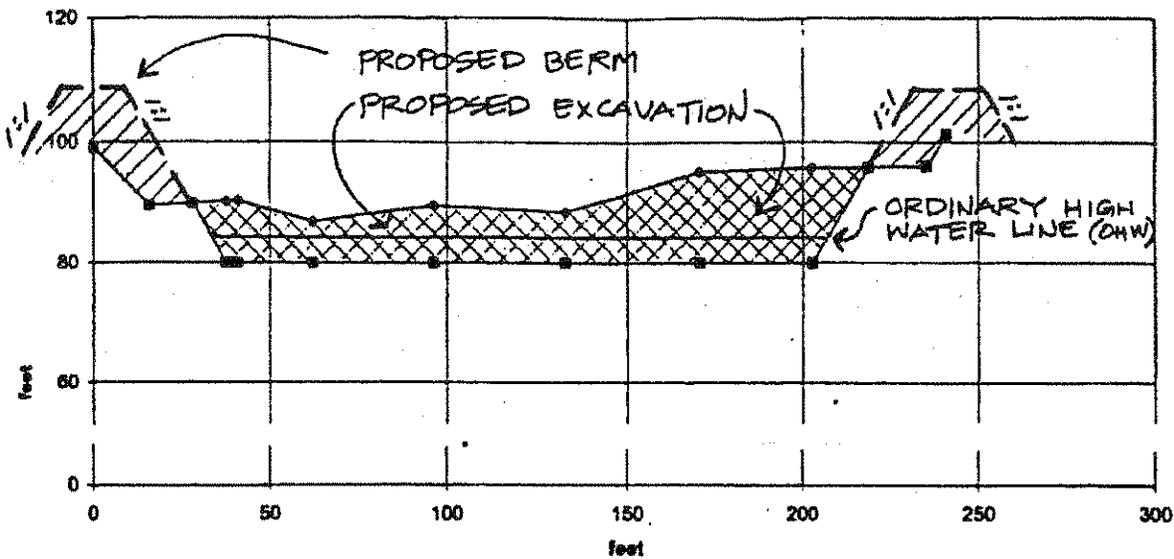
NOTE:
 * EXCAVATION OF ACCUMULATED GRAVEL AND COBBLES IS PROPOSED TO EXTEND 1,500 FEET UPSTREAM FROM BRIDGE AND 1,000 FEET DOWNSTREAM FROM BRIDGE. A BULLDOZER AND END LOADER WILL BE USED.

PLAN VIEW OF EXISTING AND PROPOSED CONDITIONS FOR AREA OF EXCAVATION IN FINLEY CREEK

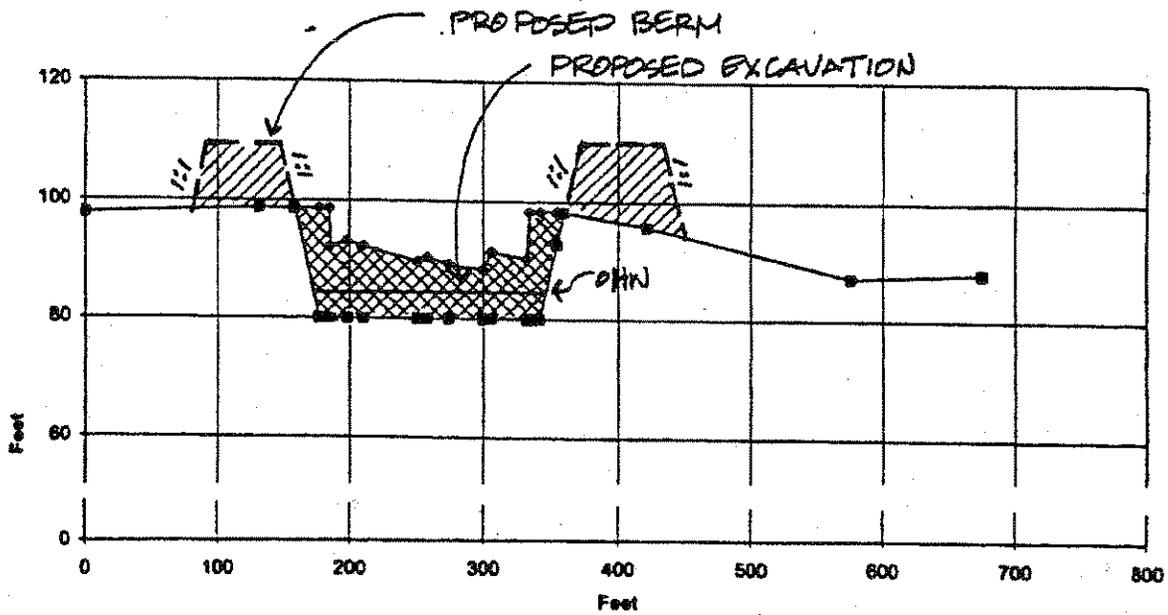


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USDI (National Park Service)
 Proposed Excavation & Grading
 Grays Harbor County
 Sheet 3 of 5
 5 Feb 2008



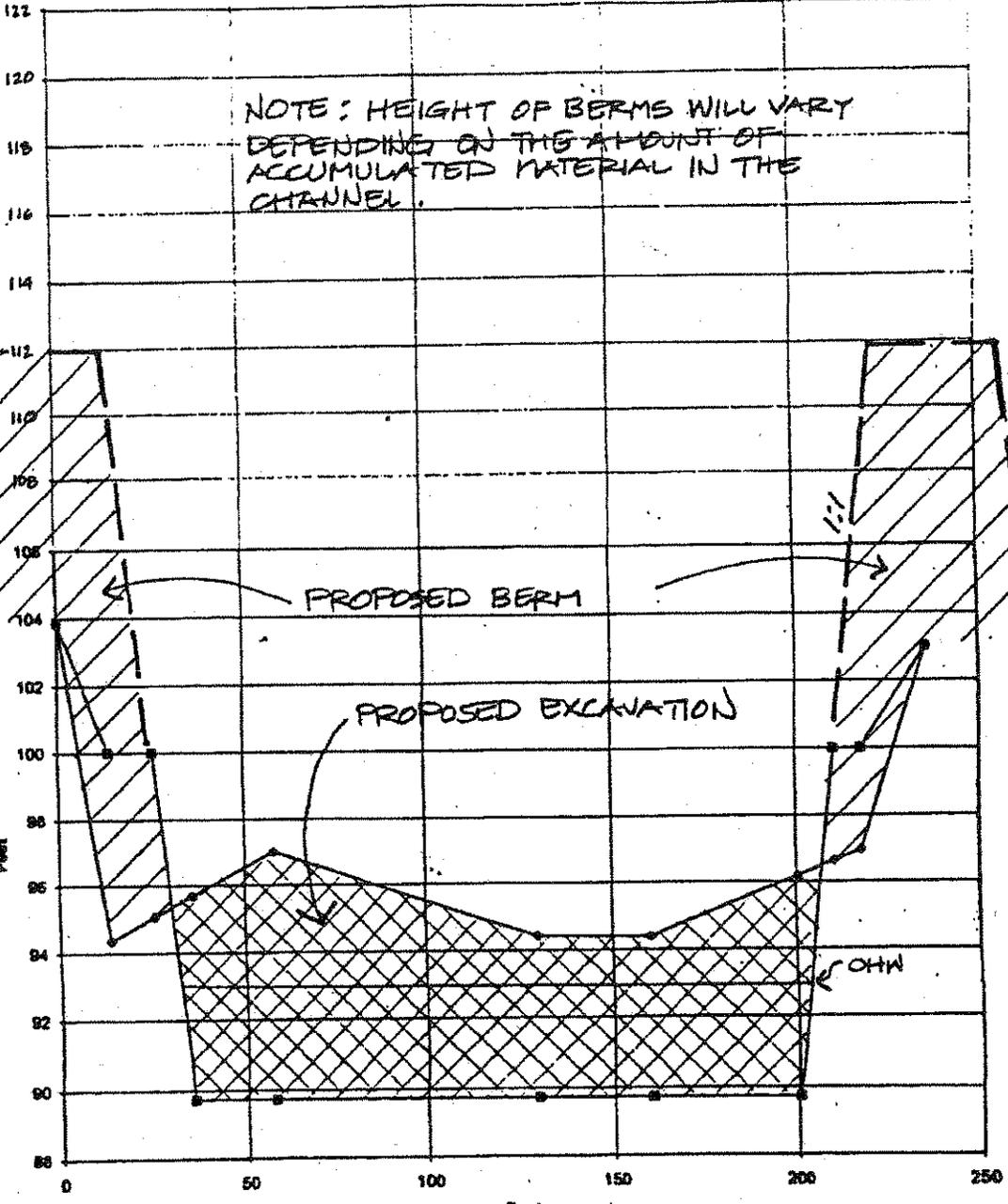
CROSS-SECTION 4



CROSS-SECTION 5

●— Surveyed
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CROSS-SECTION 6

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