

Army Corps of Engineers grants amphitheater permit to Muckleshoot Indian Tribe

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SEATTLE—The Army Corps of Engineers issued a permit today to the Muckleshoot Indian Tribe to fill one third of an acre of wetlands for their amphitheater project.

District Engineer Col. Ralph Graves determined, based on all the data and analysis available to the Corps, that the proposal is the least environmentally damaging practicable alternative available to the applicant and is not contrary to the public interest.

The Muckleshoot Indian Tribe applied to the Army Corps of Engineers for a permit to fill wetlands as required by Section 404 of the Clean Water Act. The Corps' primary area of concern was impact to the aquatic environment. The Corps also analyzed impacts to the human environment, including traffic, noise, water quality, economics, aesthetics and other public interest factors.

The Corps permit allows construction to begin upon issuance, if the permit's special and general conditions are met. However, the Tribe must also obtain an access permit from the Washington State Department of Transportation.

In addition to the Corps' independent analysis of the project, the Bureau of Indian Affairs produced an Environmental Impact Statement, which was released this spring. The Corps and the Environmental Protection Agency were cooperating agencies on that EIS. The project was also subject to review under the Endangered Species Act (ESA) by the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. To ensure compliance with the ESA, special conditions have been added to the permit.

The Corps issued a Public Notice regarding the proposal on Feb. 19, 1998, and held a public hearing March 25, 1998, to solicit comments. The Bureau of Indian Affairs also held a hearing on the draft EIS Sept. 22, 1999.

The Corps is requiring the creation of 2.07 acres of emergent and scrub/shrub wetlands on- and off-site and the enhancement of an existing emergent wetland into 0.2 of an acre of scrub/shrub and 0.36 of an acre of forested wetlands. Other work will include the restoration of 3.4 acres of land cleared emergent and forested wetlands. This mitigation replaces the functions of those wetlands that are being impacted.