US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Ron Wilcox, Project Manager

Public Notice Date: July 8, 2004
Expiration Date: August 8, 2004
Reference: 200301316
Name: Port of Peninsula

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of March 3, 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT - Port of Peninsula
Mr. Howard Teague
3311 - 275th Street
Ocean Park, Washington 98640

Telephone: (360) 665-4547

LOCATION - Nahcotta Boat Basin in Willapa Bay at Ocean Park, Washington.

WORK - Maintenance dredge up to 145,000 cubic yards of sediment to a depth of -10 Mean Lower Low Water (MLLW) from the Nahcotta Boat Basin. The proposed work may occur for a period of two years. The proposed dredging will use a hydraulic 12-inch pipeline dredge. The dredged material will be disposed of at an approved upland disposal site on Port of Peninsula property.

Prior to dredging operations, a 13-foot high containment berm will be constructed around the perimeter of the upland disposal location. The berm will be constructed using previous dredge material, sand and silt, available at the disposal site. From the boat basin, the dredged material and associated water will be pumped through a 12-inch diameter; 900-foot pipeline located within an existing culvert that discharge into the south end of the disposal site. At the disposal site, the dredge material will flow down through a series of settling ponds for treatment. Residual water from the site will be conveyed to an overflow weir, where it will flow 950 feet through an existing vegetated ditch and culvert system ultimately discharging into Willapa Bay.

PURPOSE - To maintain a depth of -10 MLLW to enable vessel access to the commercial product dock at any tide level.

DREDGE 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 145,000 cubic yards to be dredged initially were suitable for unconfined disposal at the open-water dispersive disposal site at Goose Point, Willapa Bay, Pacific County.

The sediment testing data are available at the Corps, 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 – Sediment at the Nahcotta Boat Basin has been accumulating since the last dredging activity in 1987. Depths at the project site range from –4 MLLW (nearshore) to –10 MLLW (near breakwater). Currently, some moored vessels are grounding at low tide. The dredge activity is vital to local oyster growers for continued safe access to the commercial loading dock.

ENDANGERED SPECIES - The Endangered Species Act of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The bald eagle (Haliaeetus leucocephalus) listed threatened; spotted owl (Strix occidentalis) listed threatened; marbled murrelet (Brachyramphus marmoratus) listed threatened; and coastal bull trout (Salvelinus confluentus) listed threatened, in the state of Washington, may occur in the proposed project area. For spotted owl and marbled murrelet critical habitat has been designated. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the bald eagle, spotted owl, marbled murrelet, and coastal bull trout.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon, groundfish, and coastal pelagic species occur in the project area. The proposed action would impact approximately 14 acres of EFH for these species.

If the 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 (DE) has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

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 DE invites responses to this public notice from Federal, Native American Nations or tribal governments, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the 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 - The decision whether to issue a permit will be based on an evaluation of the probable impact, 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.

Corps 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. 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.

ADDITIONAL EVALUATION - The State of Washington (State) is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

Pacific County has issued an exemption from the requirement of obtaining a Shorelines Substantial Development permit for this project.

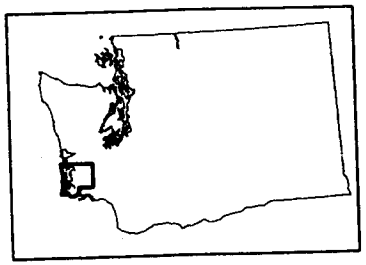
COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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. All e-mail comments should be sent to *Ronald.J.Wilcox@usace.army.mil*. Conventional mail comments should be sent ATTN: Regulatory Branch. Both 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. Please include the following name and reference number:

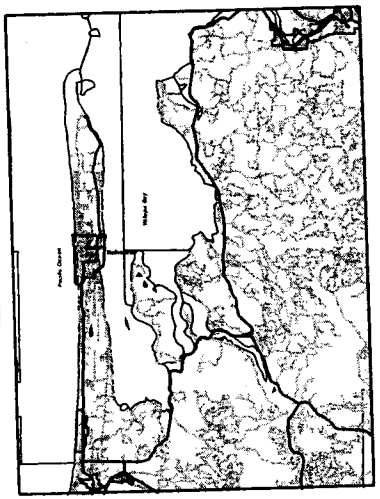
Port of Peninsula, 200301316

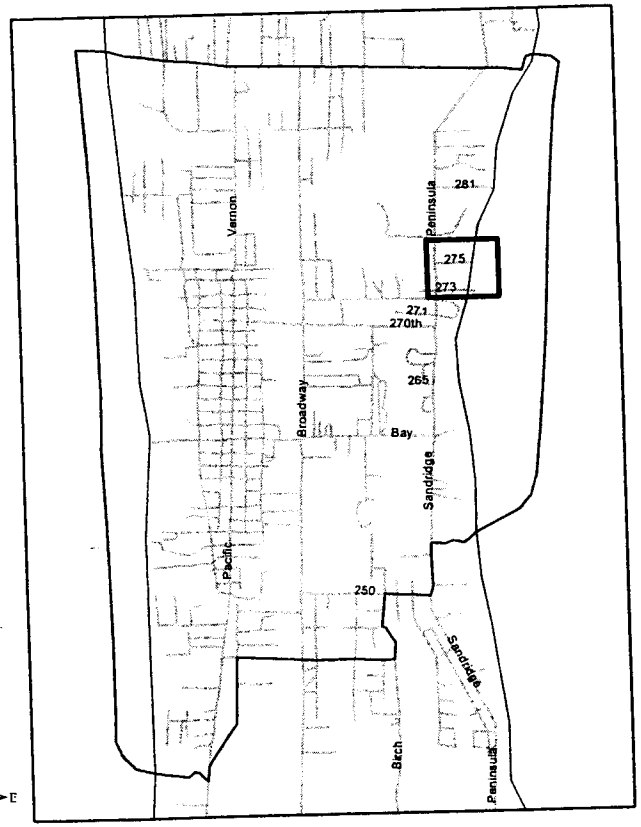
Encl
Drawings (5)

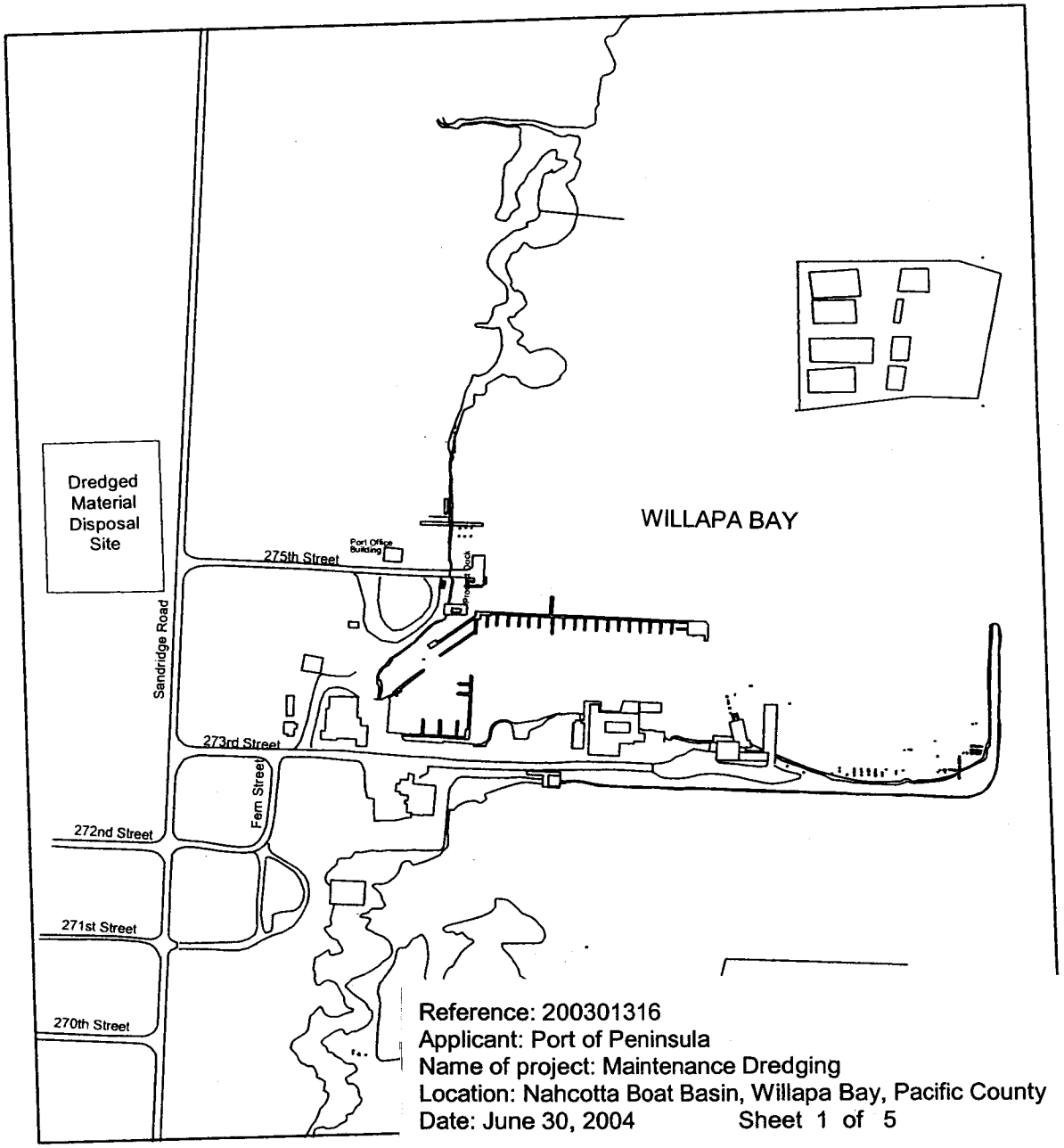
VICINITY MAP

Port of Peninsula
Nahcotta Boat Basin Dredging Project









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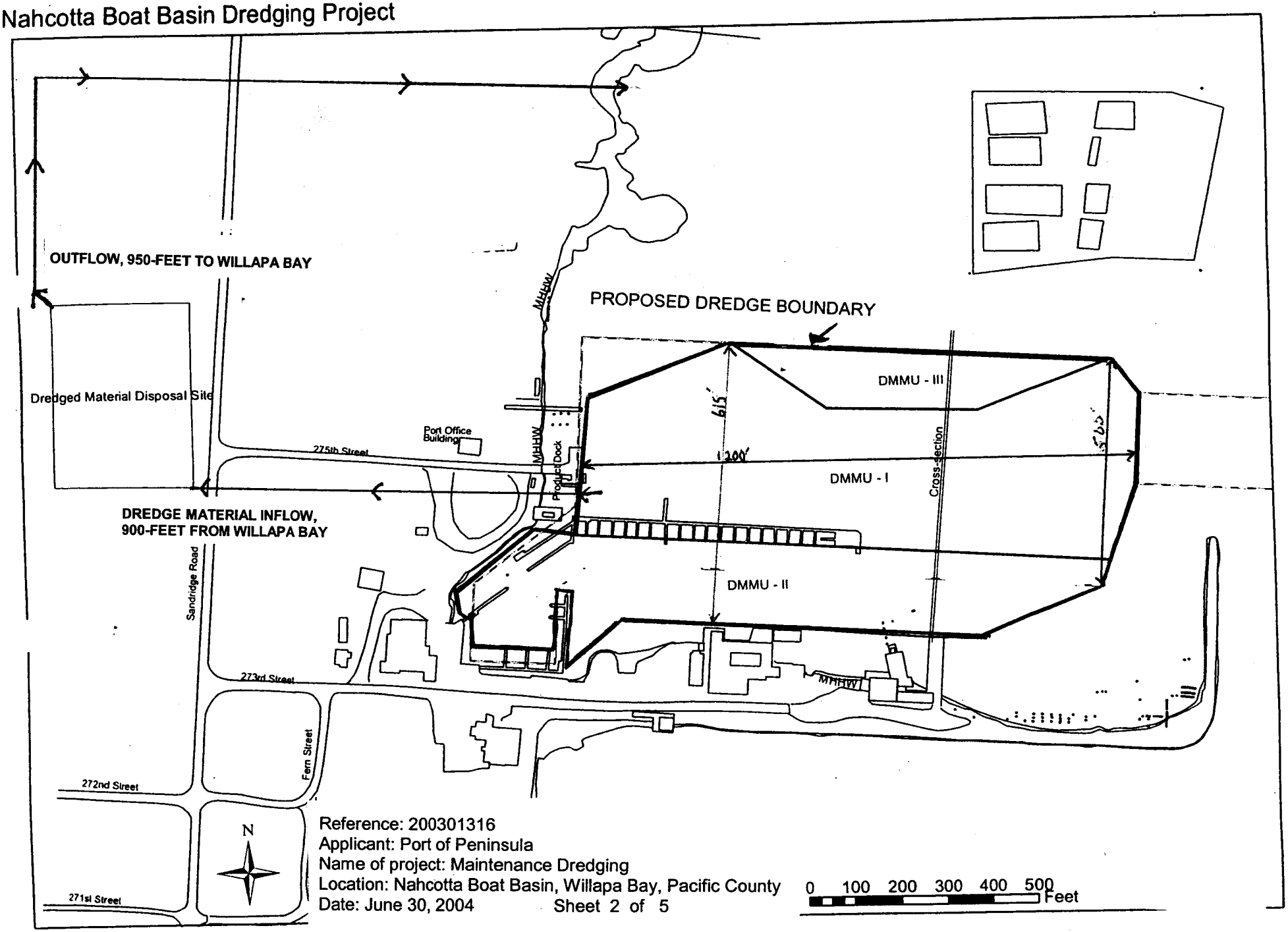
Date: June 30, 2004 Sheet 1 of 5

Site Map

Port of Peninsula
Nahcotta Boat Basin Dredging Project



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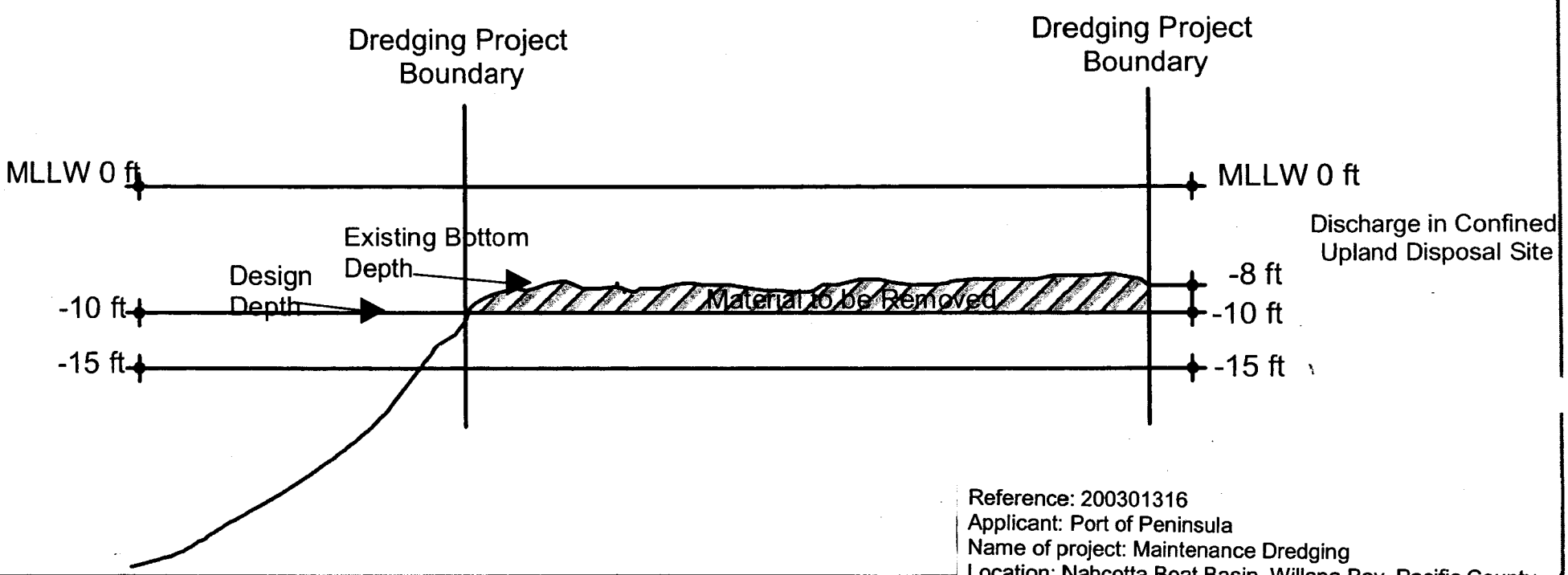
Port of Peninsula Maintenance Dredging Project



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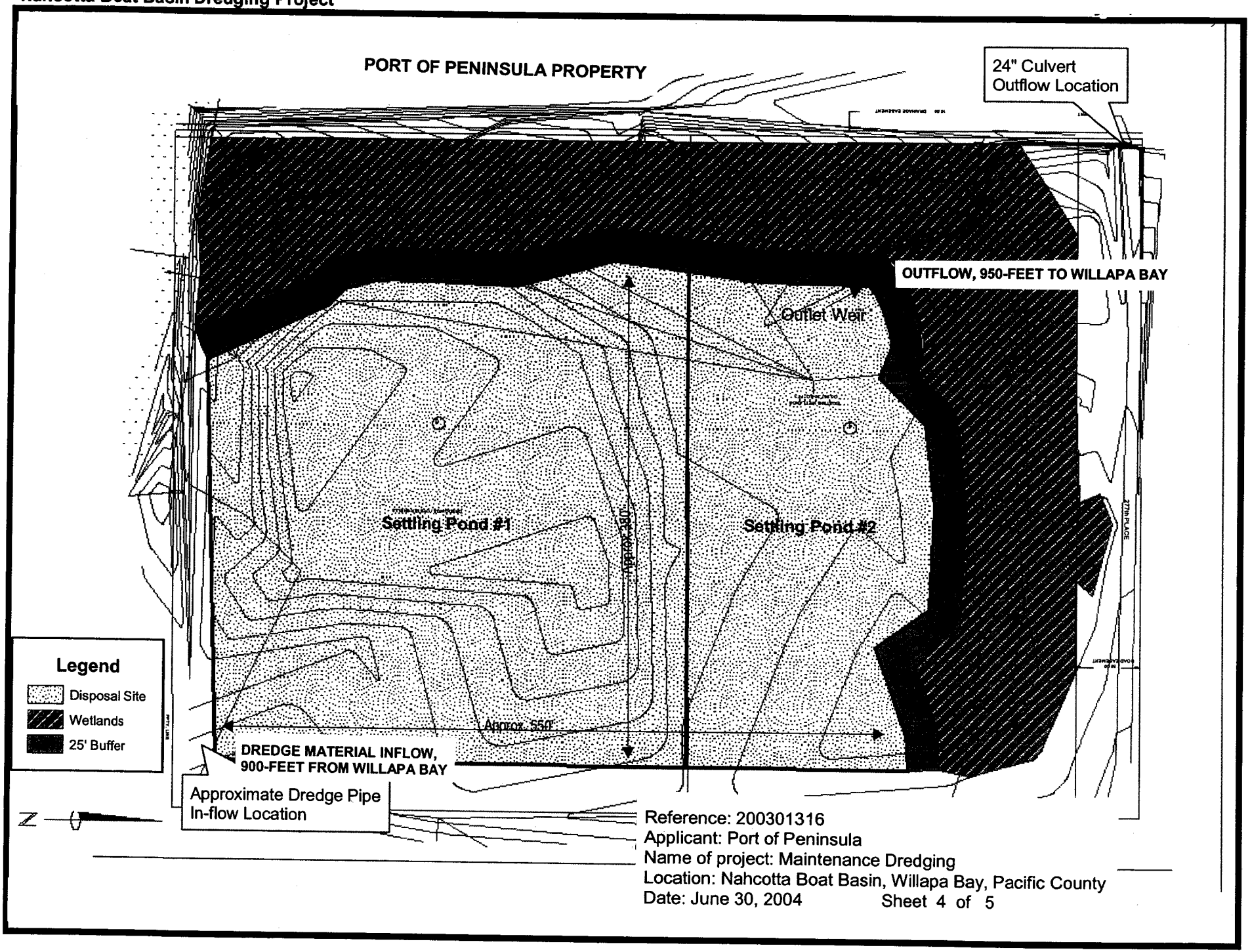
Port of Peninsula
Nahcotta Boat Basin Dredging Project

Dredged Material Disposal Site



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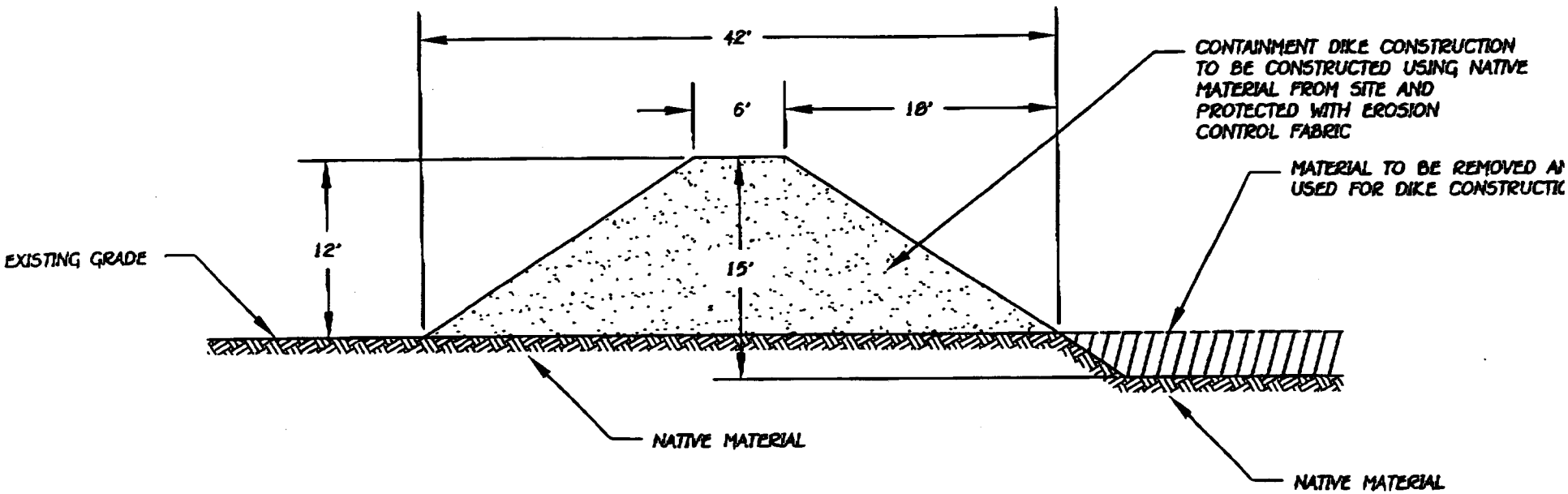
DREDGE MATERIAL DISPOSAL SITE
CONTAINMENT BERM



Port of Penninsula - Nahcotta, Washington
Boat Basin Dredging Project
Dredging Disposal Site –

Reference: 200301316
Applicant: Port of Peninsula
Name of project: Maintenance Dredging
Location: Nahcotta Boat Basin, Willapa Bay, Pacific County
Date: June 30, 2004 Sheet 5 of 5

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: 07/08/04

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200301316 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600