



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: Suzanne Skadowski, Project Manager

Public Notice Date: April 12, 2004

Expiration Date: May 12, 2004

Reference: 200400167

Name: Glacier Northwest Inc.

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

APPLICANT - Glacier Northwest Inc.
Post Office Box 1730
Seattle, Washington 98111
ATTN: Pete Stoltz
Telephone: (206) 768-7636

LOCATION - In the Duwamish Waterway, at Seattle, Washington. Project site is located at the Seattle Cement Terminal at 5900 West Marginal Way South.

WORK - Maintenance dredge 9,920 cubic yards from berth area using a clamshell bucket. Place 2,010 cubic yards of clean sand to cover portions of the dredged area with at least a 1-foot layer cap. Up to 3,250 cubic yards of dredged material will be disposed at the Puget Sound Dredged Disposal Site (PSDDA) nondispersive open-water disposal site in Elliott Bay. The remaining 6,670 cubic yards will be disposed at an approved upland facility.

PURPOSE - Restore berthing area at the cement terminal to its maintained depth of -35 feet MLLW. Cap exposed surface sediments with clean fill in order to comply with Washington State Sediment Management Standards antidegradation policies.

PUGET SOUND DREDGED DISPOSAL ANALYSIS (PSDDA) -

a. Dredged Material Testing: The proposed dredged material has been tested according to the procedures specified in PSDDA, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Puget Sound. The PSDDA evaluations may include both chemical and biological testing of sediments. For this project, the PSDDA agencies determined that 3,250 cubic yards were suitable for unconfined disposal at the PSDDA nondispersive open-water disposal site in Elliott Bay. The remaining 6,670 cubic yards were found unsuitable for open-water disposal. After mechanical removal, this material will be loaded onto trucks and transported to an upland disposal area, approved by the Washington State Department of Ecology and the King County Department of Health. The sediment testing data are available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

b. Dredging Plan: A dredging plan, sufficient to adequately separate contaminated material from sediments suitable for open-water disposal will be prepared by the applicant and submitted to the regulatory agencies for

review prior to dredging. A pre-dredging conference will be held to review quality control plans and procedures for material separation and disposal positioning.

c. Disposal Site Use Conditions: The following standard site use conditions will be specified by the Corps and the Washington Department of Natural Resources as part of the Federal/State permitting processes: (1) during the periods of tribal fishing in the disposal site area, disposal will only occur during daylight hours; and (2) during the daylight hours, "navigation rules of the road" will apply to the dredger in the event Indian treaty fishing is occurring at the disposal site. The dredger's permit will state that disposal is to occur when there is no treaty fishing occurring at the disposal site. Other appropriate special conditions may be added as a result of comments received during the public review period for this public notice.

ADDITIONAL INFORMATION – The Seattle Cement Terminal berthing area was previously dredged in 1993 under Corps permit reference 199200452.

ENDANGERED SPECIES – The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The Puget Sound chinook (*Oncorhynchus tshawytscha*), coastal-Puget Sound bull trout (*Salvelinus confluentus*), and Bald eagle (*Haliaeetus leucocephalus*), listed threatened in the state of Washington, occur in the proposed project area. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to the above species and initiate consultation under Section 7 of the ESA with National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service.

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). EFH for Pacific salmon, Groundfish, Coastal Pelagic Species occurs in the project area. 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 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:

Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent and has been 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 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.

The U.S. Army Corps of Engineers (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.

The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

ADDITIONAL EVALUATION - The State of Washington 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.

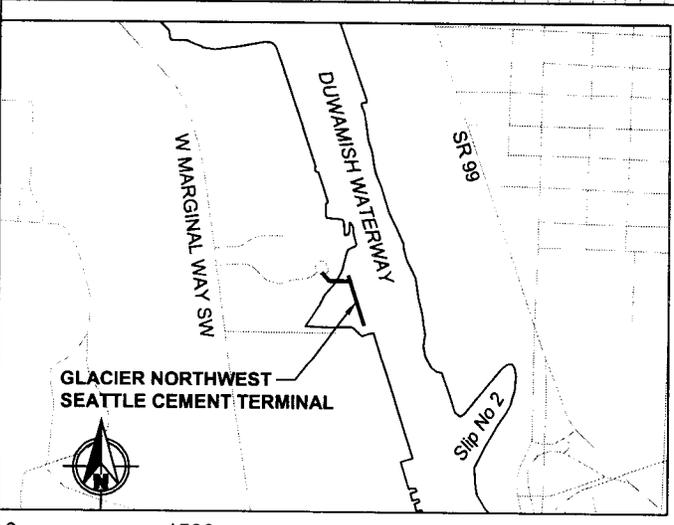
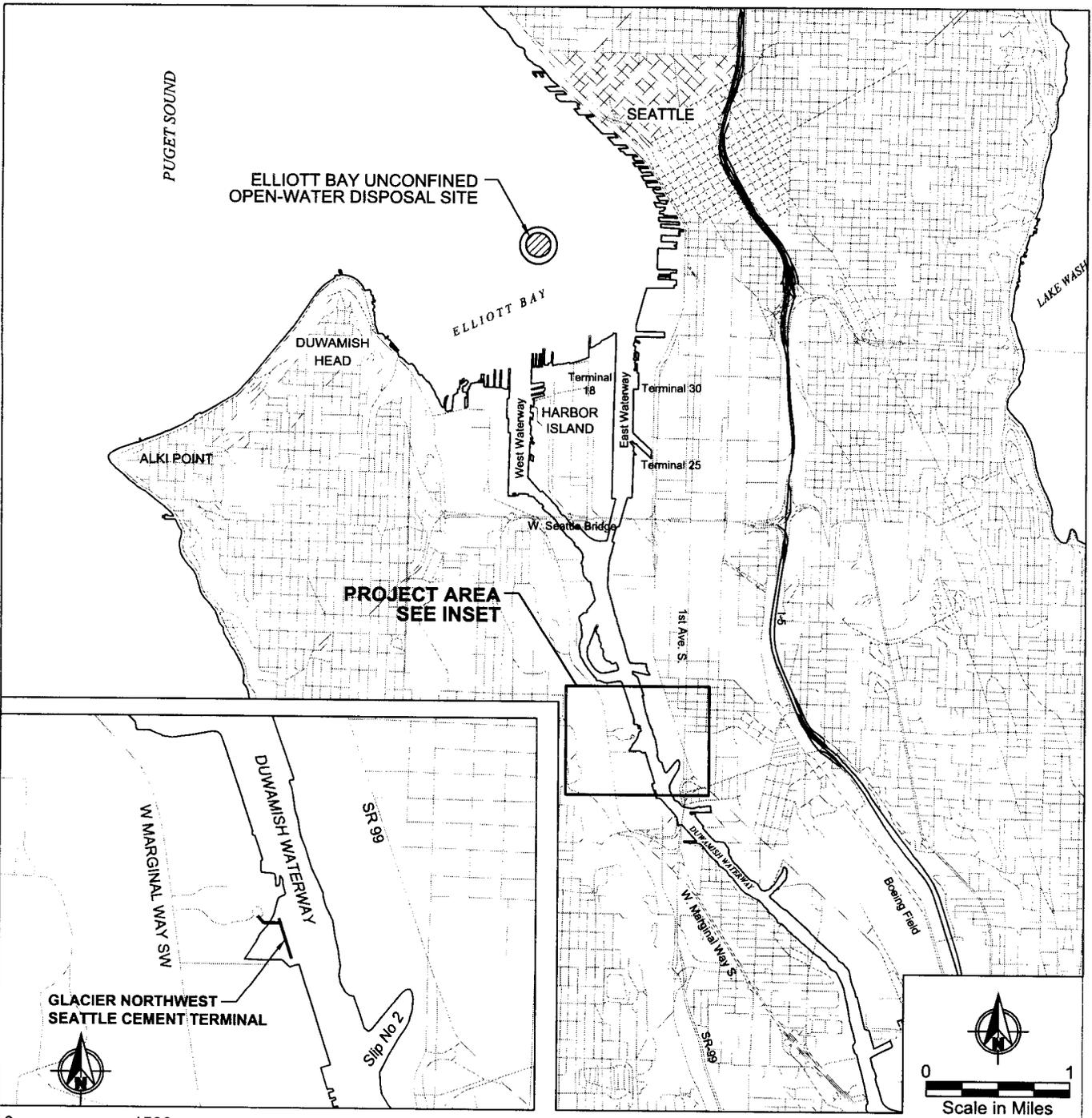
The City of Seattle Department of Planning and Development has issued an exemption from the requirement of obtaining a Shorelines Substantial Development permit for this project (reference number 2200120).

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 the permit applicant's name and reference number on the subject line of the e-mail message as shown below. E-mail comments should be sent to Suzanne.A.Skadowski@usace.army.mil. Conventional mail comments should be sent ATTN: Regulatory Branch. Conventional mail and e-mail comments must include the permit applicant's name and reference number 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:

Glacier Northwest Inc.
200400167

Encl
Drawings (5)

K:\Jobs\1030217-Glacier_NW\03021702\03021702-04.dwg Fig 1



Mar 18, 2004 3:44pm sdekleva

PURPOSE: Restore berth maintenance depth and cap exposed surface sediments to comply with Washington State Sediment Management Standards.

DATUM: MMLW

ADJACENT PROPERTY OWNERS:

1. Alaska Marines Lines Inc.
2. Port of Seattle T115

VICINITY MAP

APPLICANT: Glacier Northwest, Inc.

REFERENCE: 2004-00167

LOCATION ADDRESS:
Seattle Cement Terminal
5900 West Marginal Way South

PROPOSED: Maintenance dredging, place clean fill cap over dredged area

IN: Duwamish Waterway
NEAR/AT: Seattle
COUNTY: King **STATE:** WA

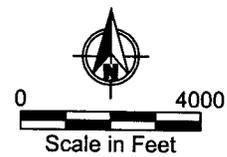
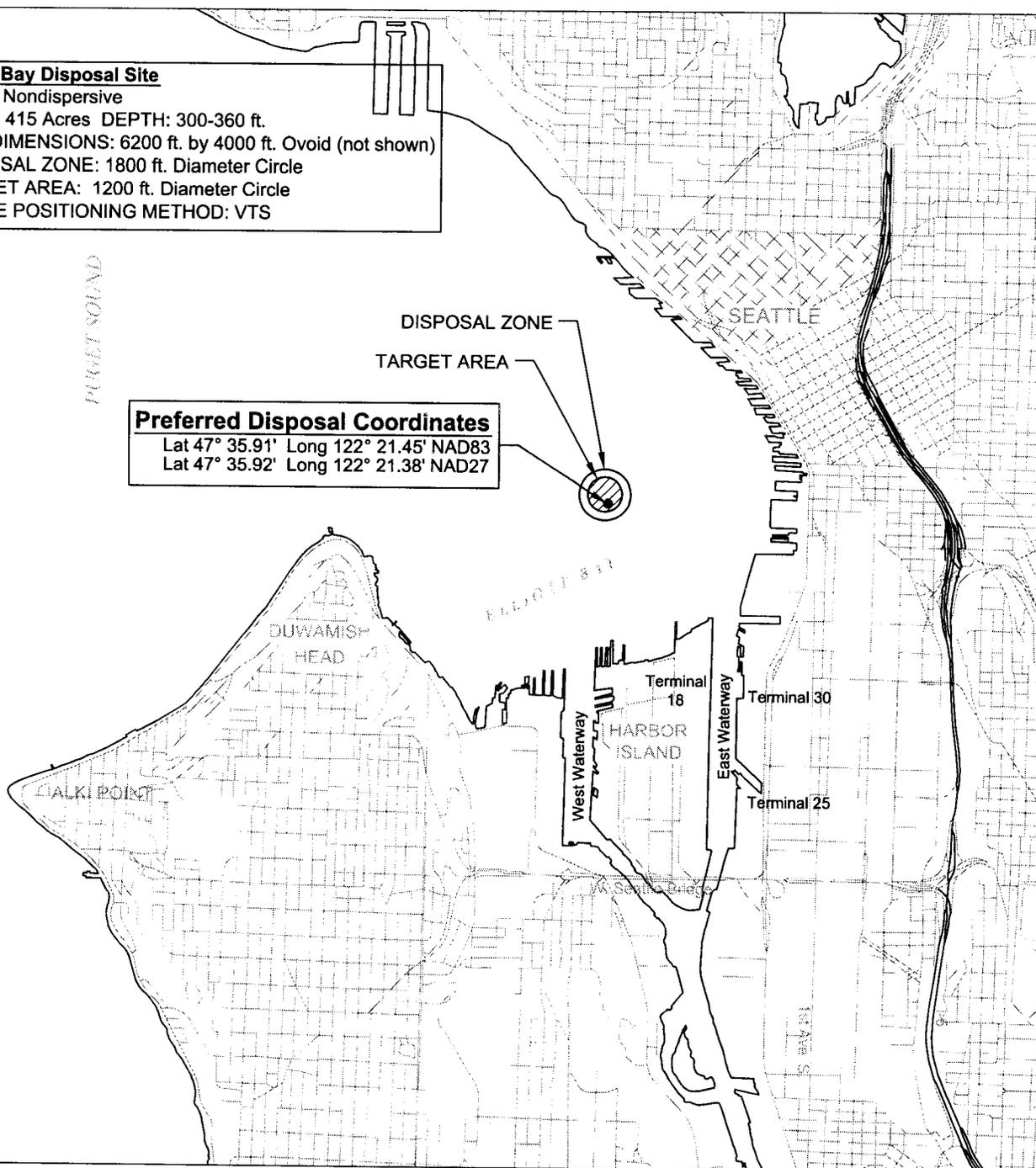
SHEET 1 of 5
DATE: March 17, 2004

Elliott Bay Disposal Site

TYPE: Nondispersive
AREA: 415 Acres DEPTH: 300-360 ft.
SITE DIMENSIONS: 6200 ft. by 4000 ft. Ovoid (not shown)
DISPOSAL ZONE: 1800 ft. Diameter Circle
TARGET AREA: 1200 ft. Diameter Circle
BARGE POSITIONING METHOD: VTS

Preferred Disposal Coordinates

Lat 47° 35.91' Long 122° 21.45' NAD83
Lat 47° 35.92' Long 122° 21.38' NAD27



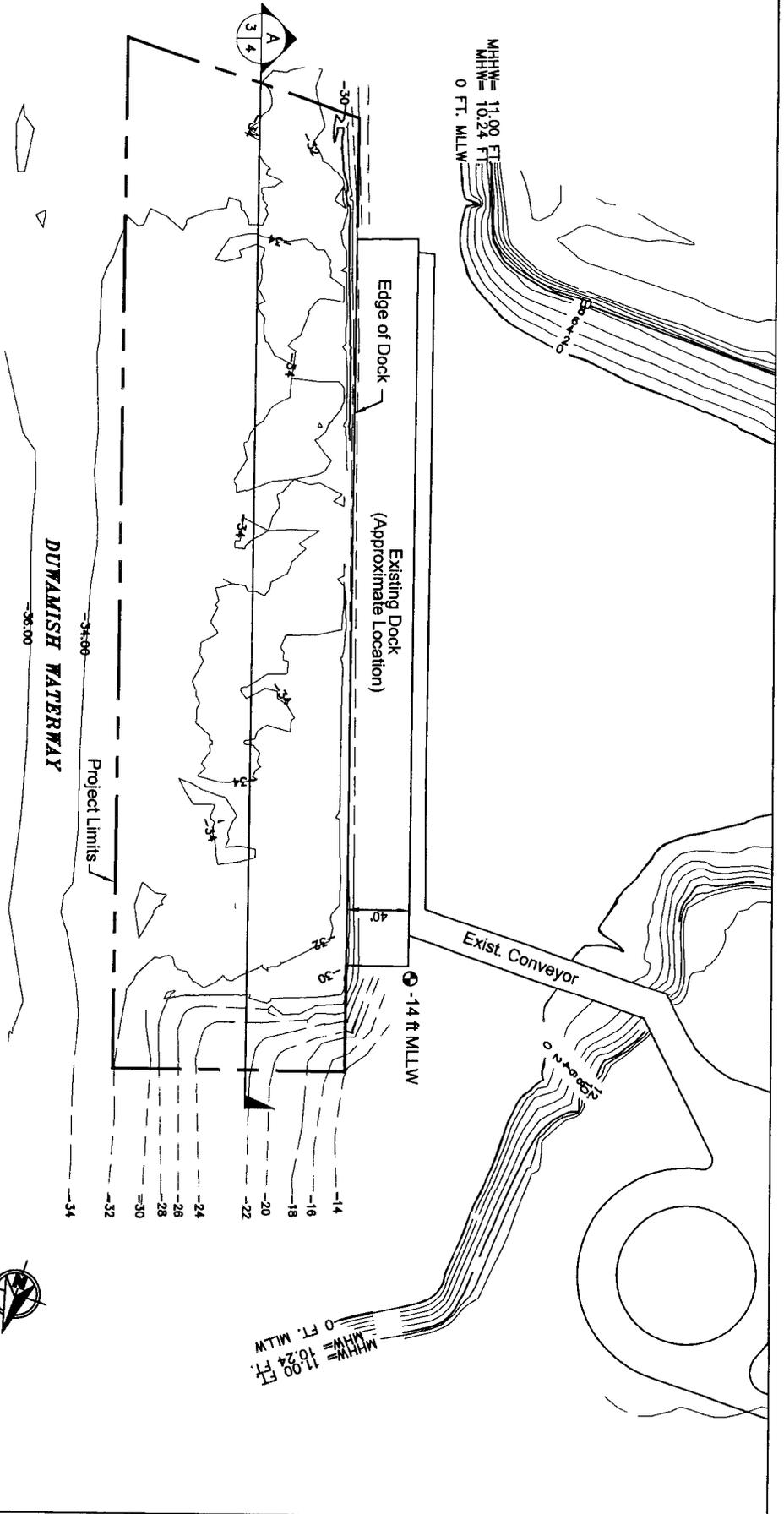
K:\Jobs\030217-Glacier_NW\03021702103021702-05.dwg Fig 2

Mar 18, 2004 3:43pm sdekleva

PURPOSE: Restore berth maintenance depth and cap exposed surface sediments to comply with Washington State Sediment Management Standards.
DATUM: MMLW
ADJACENT PROPERTY OWNERS:
1. Alaska Marines Lines Inc.
2. Port of Seattle T115

ELLIOTT BAY DISPOSAL SITE
APPLICANT: Glacier Northwest, Inc.
REFERENCE: 2004-00167
LOCATION ADDRESS:
Seattle Cement Terminal
5900 West Marginal Way South

PROPOSED: Maintenance dredging, place clean fill cap over dredged area
IN: Duwamish Waterway
NEAR/AT: Seattle
COUNTY: King **STATE:** WA
SHEET 2 of 5
DATE: March 17, 2004



DREDGE VOLUME: 9,920 cyd (APPROX.)
 DREDGE AREA: 2.08 acres (APPROX.)

DMMU 1 DREDGE VOLUME: 3250 cyd (APPROX.)
 DMMU 2 DREDGE VOLUME: 3860 cyd (APPROX.)
 DMMU 3 DREDGE VOLUME: 3310 cyd (APPROX.)

CAP VOLUME: 2,010 cyd (APPROX.)
 CAP AREA: 1.23 acres (APPROX.)

DMMU 1 CAP VOLUME: 0 cyd
 DMMU 2 CAP VOLUME: 1390 cyd (APPROX.)
 DMMU 3 CAP VOLUME: 620 cyd (APPROX.)

CONTOUR INTERVAL = 2 FOOT
 VERTICAL DATUM: MEAN LOWER LOW WATER (MLLW)
 HORIZONTAL DATUM: NAD83 - WASH. NORTH ZONE

PURPOSE: Restore berth maintenance depth and cap exposed surface sediments to comply with Washington State Sediment Management Standards.

DATUM: MMLW

ADJACENT PROPERTY OWNERS:
 1. Alaska Marines Lines Inc.
 2. Port of Seattle T115

PLAN VIEW- EXISTING CONTOURS

APPLICANT: Glacier Northwest, Inc.

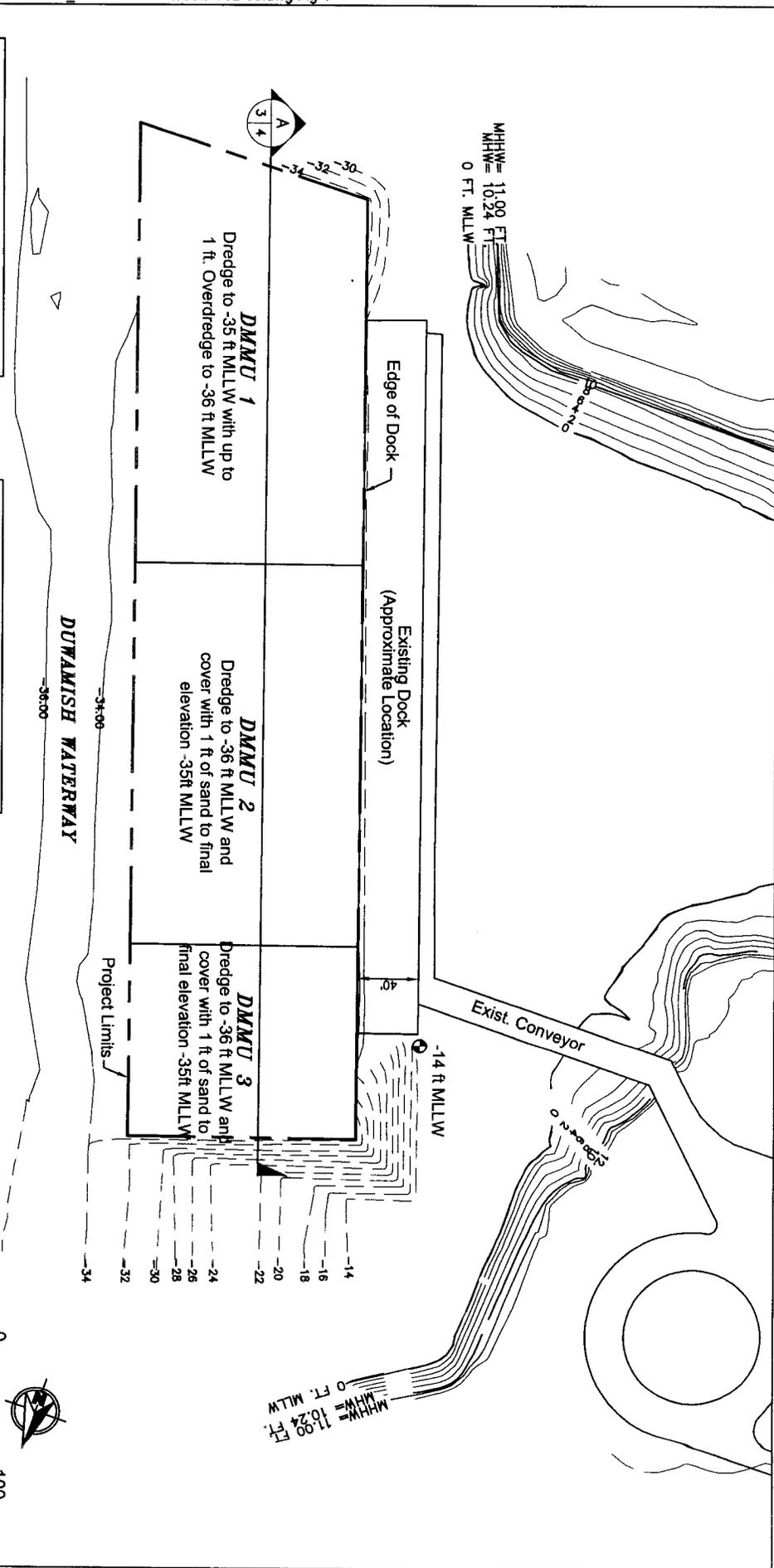
REFERENCE: 2004-00167

LOCATION ADDRESS:
 Seattle Cement Terminal
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PROPOSED: Maintenance dredging, place clean fill cap over dredged area

IN: Duwamish Waterway
NEAR/AT: Seattle
COUNTY: King **STATE:** WA

SHEET 3 of 5
DATE: March 17, 2004



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PLAN VIEW - PROPOSED CONTOURS

APPLICANT: Glacier Northwest, Inc.

REFERENCE: 2004-00167

LOCATION ADDRESS:
 Seattle Cement Terminal
 5900 West Marginal Way South

Contour Interval = 2 Foot (Post Dredge Approximate Contours)
 Vertical Datum: Mean Lower Low Water (MLLW)
 Horizontal Datum: NAD83 - Washington North Zone

PROPOSED: Maintenance dredging, place clean fill cap over dredged area

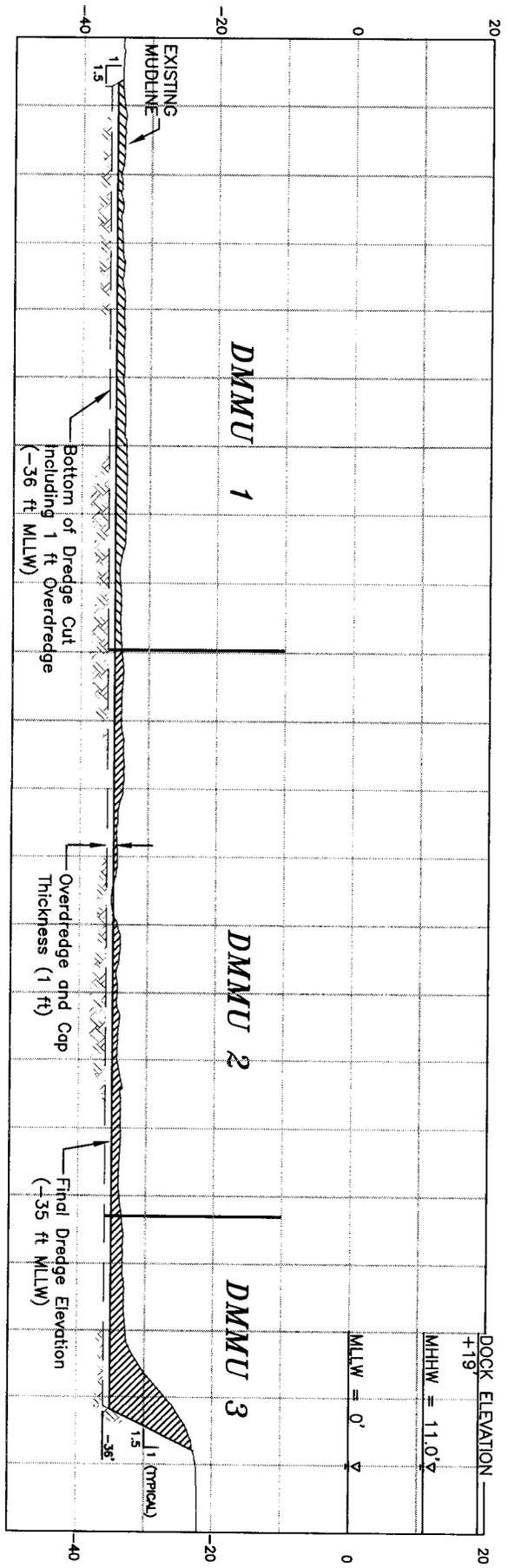
IN: Duwamish Waterway
 NEAR/AT: Seattle
 COUNTY: King STATE: WA

SHEET 4 of 5
 DATE: March 17, 2004

PURPOSE: Restore berth maintenance depth and cap exposed surface sediments to comply with Washington State Sediment Management Standards.

DATUM: MMLW

ADJACENT PROPERTY OWNERS:
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 MATERIAL TO BE REMOVED
 MATERIAL TO BE REMOVED AND REPLACED WITH SAND CAP

Scale in Feet
 0 70 140
 Vertical Scale in Feet
 23-1/2
 46-2/3
 Vertical Exaggeration x 3

PURPOSE: Restore berth maintenance depth and cap exposed surface sediments to comply with Washington State Sediment Management Standards.

DATUM: MMLW

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ELEVATION

APPLICANT: Glacier Northwest, Inc.

REFERENCE: 2004-00167

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IN: Duwamish Waterway
 NEAR/AT: Seattle
 COUNTY: King STATE: WA

SHEET 5 of 5
 DATE: March 17, 2004



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: April 12, 2004

Notice is hereby 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. 200400167 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 hereby 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