



US Army Corps  
of Engineers.  
Seattle District

# Public Notice

Navigation Section  
CENWS OD-TS-NS  
PO Box 3755  
Seattle, WA 98124-3755

Public Notice Date: April 14, 2004  
Expiration Date: May 7, 2004  
Reference: CENWS OD-TS-NS-22

U.S. ARMY CORPS OF ENGINEERS FISCAL YEARS 2005-2009 MAINTENANCE  
DREDGING, SNOHOMISH RIVER NAVIGATION CHANNEL, DOWNSTREAM AND  
UPSTREAM SETTLING BASINS, EVERETT, WASHINGTON

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Interested parties are hereby notified that the U.S. Army Corps of Engineers, Seattle District (Corps), is soliciting comments on the proposed maintenance dredging project, Snohomish River, Everett Harbor. The Port of Everett is the local sponsor for the federal navigation project. Maintenance dredging within the lower Snohomish River is necessary to protect navigational safety by removing areas of sediment shoaling within the navigation channel and the settling basins.

During the five-year period of this Public Notice, FY 2005-2009, the Corps proposes dredging by either hydraulic pipeline or mechanical clamshell of the downstream and upstream settling basins and portions of the federal navigation channel. Disposal of the dredged materials shall occur at: confined upland disposal sites furnished by the Port of Everett, the Department of Natural Resources' Port Gardner open water site and/or sites providing beneficial use of the sediment, including Jetty Island and the Environmental Protection Agency (EPA) Pacific Sound Resources (PSR) Superfund site in Elliott Bay.

In FY 2005, the Corps proposes to hydraulically or mechanically dredge approximately 260,000 CY from the downstream settling basin. The Corps may also include dredging approximately 200,000 CY from the upstream basin during FY2005. The volumes are based on hydrographic surveys of April 2003. The 460,000 CY of material from these basins shall be distributed to provide greatest benefit to the navigation requirements and potential beneficial uses of the material. In FY2005, EPA's Pacific Sound Resources superfund site in Elliott Bay may request approximately 200,000 CY to use as a containment cap. The Port of Everett is requesting approximately 150,000 CY for use at the Riverside Business Park upland site.

In the remaining years of this five-year public notice, FY2006-2009, the Corps proposes to alternate the dredging between the downstream and upstream settling basins and adjacent portions of the navigation channel. The dredging quantities, location and method will depend on the shoaling present as determined by the results of bathymetric surveys conducted each year prior to dredging. Clamshell dredging with bottom dump

barge disposal at the Port Gardner open water site or the PSR site may be used for some of the materials from the downstream and/or upstream settling basins. Hydraulic pipeline dredging with confined upland disposal may be used for some of the materials from the downstream and/or upstream settling basins. Water flowing from the hydraulic dredging shall be discharged into navigable waters.

## LOCATION

The project area extends from Possession Sound upstream approximately 6.5 miles along the lower Snohomish River in Everett Harbor. The locations of proposed dredging and disposal sites are shown on three enclosed figures.

## AUTHORITY

This public notice is being issued in accordance with rules and regulations published as 33 CFR 337.1, Navigation and Navigable Waters, Practice and Procedure; 39 F.R. 26635-641, 22 July 1974 and 33 CFR 320-329. The project, adopted 25 June 1910 and modified by subsequent acts, consists of navigation channels, two settling basins and dikes to serve navigation in Everett Harbor and the Snohomish River.

## PROPOSED PROJECT

During the period of 2005-2009, hydraulic pipeline and/or clamshell dredging of approximately 800,000 cubic yards of clean sandy material from the upstream settling basin and 200,000 cubic yards from several shoals in the 8-foot deep river channel is proposed with disposal at a combination of several confined upland sites, PSR and/or the Port Gardner open water site. Also proposed is hydraulic pipeline and/or clamshell dredging of approximately 500,000 cubic yards of clean sandy dredged material from the downstream settling basin with disposal at Jetty Island, PSR and/or Port Gardner open water site. Water flowing from the hydraulic dredging shall be discharged into navigable waters.

Dredging will be performed during the October 16 through 14 February periods of each fiscal year.

### Downstream Disposal

The proposed locations for disposal of material dredged from downstream are:

- Port Gardner open water site
- Pacific Sound Resources site
- Jetty Island

In FY2005, disposal is proposed for either Port Gardner or the PSR site by bottom-dump barge. No placement of dredged material is proposed for Jetty Island in FY2005.

In FY 2006-2009, a portion of the dredged material from the downstream settling basin is proposed to be hydraulically placed on Jetty Island to nourish and extend an eroding berm as needed to protect an existing saltmarsh habitat. This action is dependent on coordination with the Port of Everett and resource agencies. Disposal of dredged material is also anticipated at the Port Gardner site.

The Port of Everett has indicated that additional candidate upland disposal sites for the downstream basin dredged material may be identified in the future (FY06-FY09). However, actual placement of material on these additional candidate sites is contingent upon securing necessary permits and coordinating with resource agencies for compliance with the Endangered Species Act.

#### Upstream Disposal

The proposed locations for disposal of material dredged from upstream are:

- Port Gardner open water site
- Pacific Sound Resources site
- Port of Everett designated upland sites

The Port of Everett proposed confined upland disposal sites as depicted in the enclosed drawing are:

- Kimberly-Clark site (formerly known as the Scott Paper Disposal Area);
- Langus Riverfront Park Disposal Area (formerly known as the City site);
- Riverside Business Park Disposal Areas (formerly known as the Weyerhaeuser sites); and
- Baywood Disposal Area.

At present, FY2005, the Port of Everett has capacity to accept up to 150,000 CY of dredged material at the Riverside Business Park disposal areas. Subsequent upland disposal by hydraulic pipeline, during FY2006-2009, is contingent on permits and the available capacity of the other upland sites. These upland sites have previously been used for confined upland disposal of dredged material. During FY 2005, another possible disposal option by bottom-dump barge is the PSR Superfund site, depending on the acceptance of the material for use as a containment cap.

Upstream dredged material shall also be used in projects providing beneficial use of the material. If no upland sites or no beneficial use is available, mechanical dredging with disposal at the Port Gardner open water site is proposed.

Because the anticipated FY 2005-2009 dredging volume exceeds the estimated disposal capacity of the proposed upland sites, some variation in actual distribution of dredged volumes is expected. Actual volumes placed at the upland sites will vary based on the outcome of required coordination, necessary permits and site activities including beneficial uses, which affect site availability and actual capacity.

Shorelines permits number SMA#1-97 and #2-97 permit the disposal of dredged material onto Jetty Island and the Langus Riverfront Park Disposal Area.

## ENVIRONMENTAL COMPLIANCE

An Environmental Impact Statement (EIS) dated June 1975 for the Federal navigation project has been filed with the Council on Environmental Quality by the Seattle District, Corps of Engineers. Pursuant to the National Environmental Policy Act (NEPA), a draft Environmental Assessment (EA) is currently being prepared. Once complete, the draft EA will be posted on the Seattle District web site at:

<http://www.nws.usace.army.mil/ers/envirdocs.html>. The EA will support the Corps determination that the proposed work will not significantly affect the quality of the human environment and, therefore, an Environmental Impact Statement is not required.

A detailed Coastal Zone Management Act consistency statement was prepared and was submitted to the Department of Ecology and will be included as an appendix to the NEPA EA. This statement will support the Corps determination that the proposed maintenance work is consistent to the maximum extent practicable with the enforceable policies of the State of Washington Coastal Zone Management Program.

In September 2003, in accordance with Section 7 (a)(2) of the Endangered Species Act, the Corps entered into an informal consultation with the U.S. Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration (NOAA) Fisheries via preparation of a Biological Assessment (BA) regarding routine maintenance dredging and disposal activities in the Federal navigation channel. The BA was amended with updated project information via a November 13, 2003 letter from the Corps. The consultation concluded with a NOAA Fisheries concurrence letter dated October 31, 2003 as well as via a December 15, 2003 email from NOAA Fisheries concurring with the effect determination of "may affect, but not likely to adversely affect" for species under the jurisdiction of NOAA Fisheries for the period of FY 2005-2009. USFWS concurred with the effect determination of "may affect, but not likely to adversely affect" for species under the jurisdiction of USFWS, via a letter/email dated December 16, 2003, for the FY 2005 dredging and disposal operations. Following recent confirmation of beneficial use at the Riverside Business Park areas, the Corps will reconsult with NOAA Fisheries and USFWS regarding the potential effects of upland disposal on listed species. The Corps will also annually reconsult with USFWS for dredging and disposal operations to be conducted under this Public Notice beyond FY 2005.

Previous dredged material analysis data from the downstream basin and channel indicates shoal material consists primarily of clean sands and silt. No water quality problems have been detected in conjunction with previous hydraulic pipeline or clamshell dredging in areas of proposed maintenance. The dredge material at the downstream settling basin has been determined suitable for open water disposal by the multi-agency Dredged Material Management Office (DMMO) suitability determination dated January 28, 2004. The dredge material at the upstream settling basin was sampled in March of 2004 to determine acceptance by DMMO for open water disposal.

Water quality effects are expected to be limited to the immediate areas of dredging and disposal and significant adverse effects on fisheries resources are not expected. A Section 401 Water Quality certification from the Washington Department of Ecology is being requested.

The decision whether to do the work will be based on an evaluation of the probable impact on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, 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; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people.

#### PUBLIC HEARING

Any person who has an interest which may be affected by the disposal of this dredged material may request a public hearing. The request must be submitted in writing to the district engineer within the comment period of this notice and must clearly set forth the interest which may be affected and the manner in which the interest may be affected by this activity.

#### COMMENT AND REVIEW PERIOD

Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to proceed with the proposed project. Comments should reach this office, ATTN: Navigation Section, not later than the expiration date of this public notice to ensure consideration. Requests for additional information should be directed to the Project Manager, Patricia Miller, at (206) 764-6908.

  
Patricia R. Miller, P.E.  
Project Manager  
Navigation Section



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

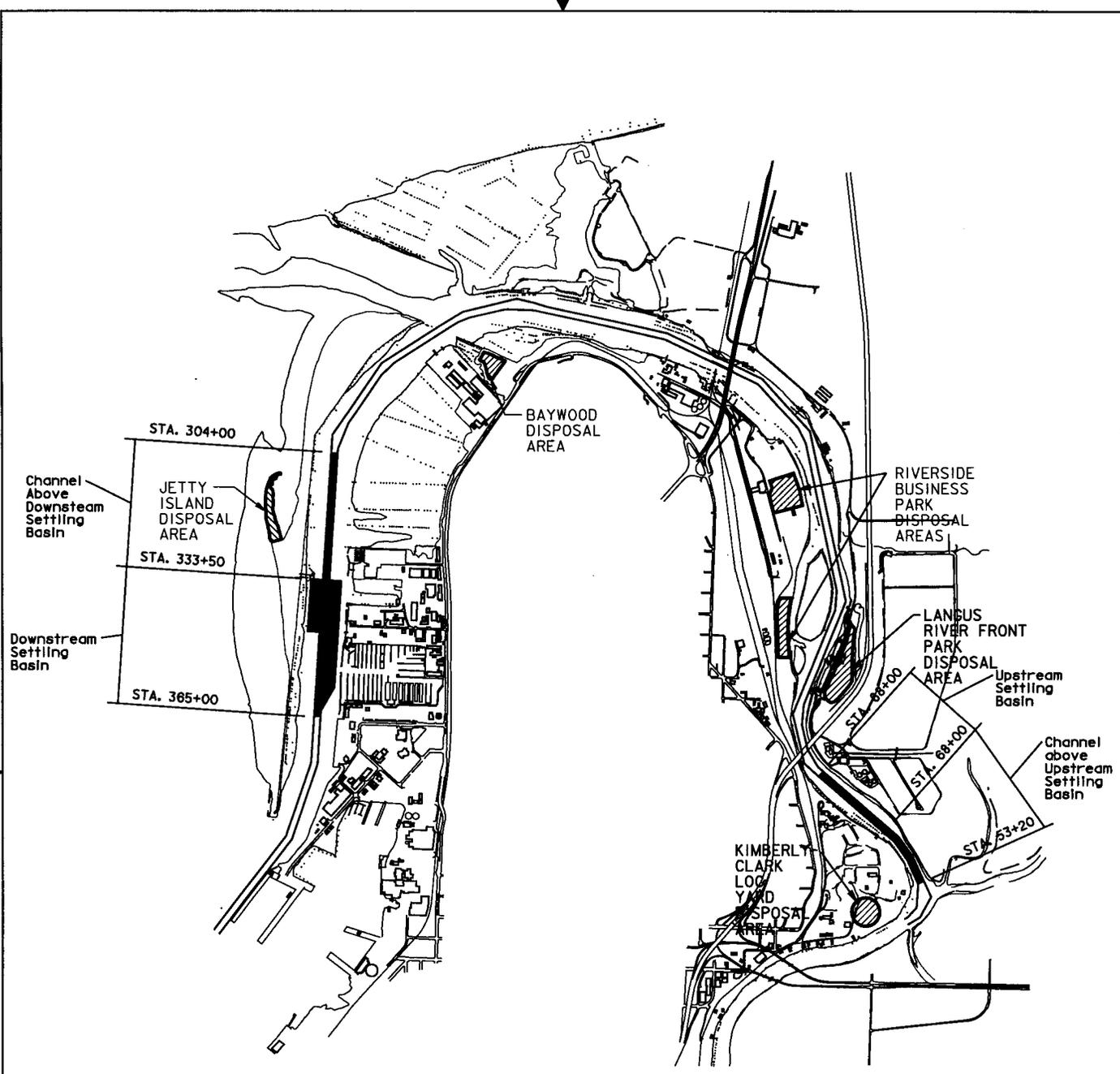
Notice of Application for  
Water Quality Certification

Date: April 14, 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. OD-TS-NS-22 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.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws 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

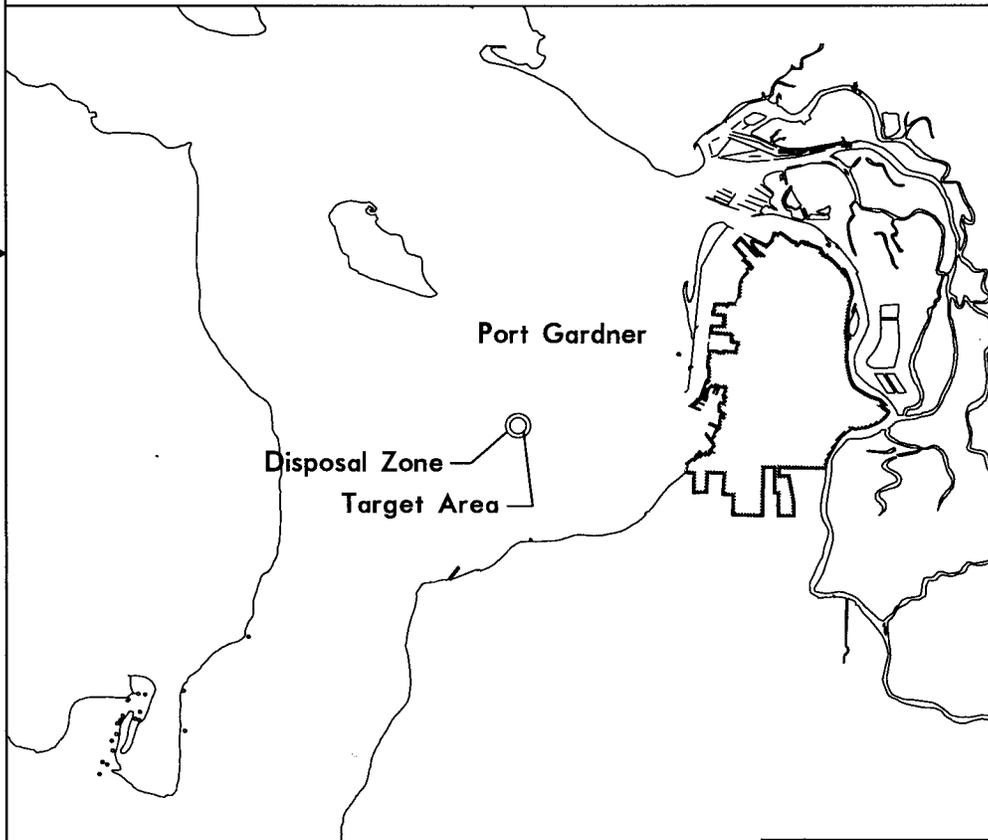
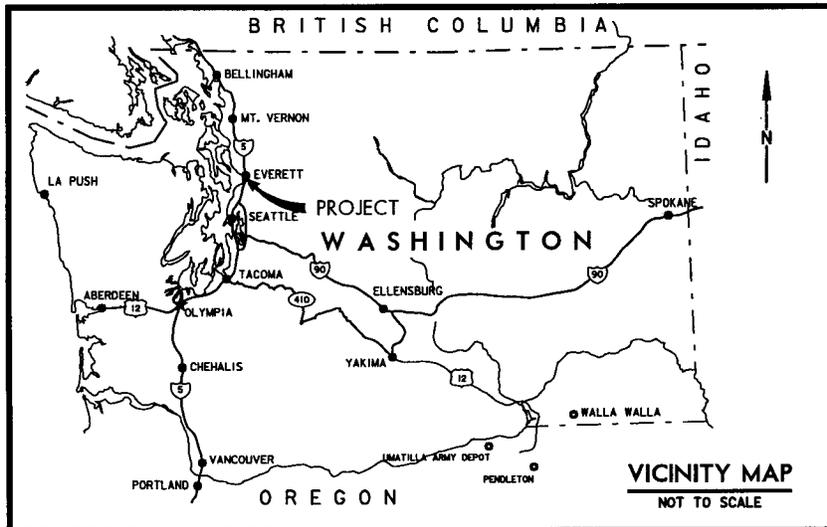


DREDGING AREA



PROPOSED DISPOSAL SITE

<p align="center"><b>U.S. ARMY ENGINEERS DISTRICT, SEATTLE CORPS OF ENGINEERS Seattle, Washington</b></p>		
<p align="center"><b>FISCAL YEARS 2005-2009 EVERETT HARBOR &amp; SNOHOMISH RIVER, WA MAINTENANCE DREDGING</b></p>		
DATE:	PUBLIC NOTICE:	SHEET 1 OF 3
15 MAR 04	CENWS-OD-TS-NS-22	



**PORT GARDNER DISPOSAL SITE**  
 TYPE: Nondispersive  
 AREA: 318 Acres  
 DEPTH: 420 ft.  
 DISPOSAL ZONE: 1800 ft. Diameter  
 TARGET AREA: 1200 ft. Diameter  
 BARGE POSITIONING METHOD: GPS  
 NAD 83 LOCATION: Lat 47° 58.85'  
 Long 122° 16.67'

<b>U.S. ARMY ENGINEERS DISTRICT, SEATTLE CORPS OF ENGINEERS Seattle, Washington</b>	
<b>FISCAL YEARS 2005-2009 EVERETT HARBOR &amp; SNOHOMISH RIVER, WA MAINTENANCE DREDGING</b>	
DATE:	PUBLIC NOTICE:
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<b>SHEET 2 OF 3</b>	

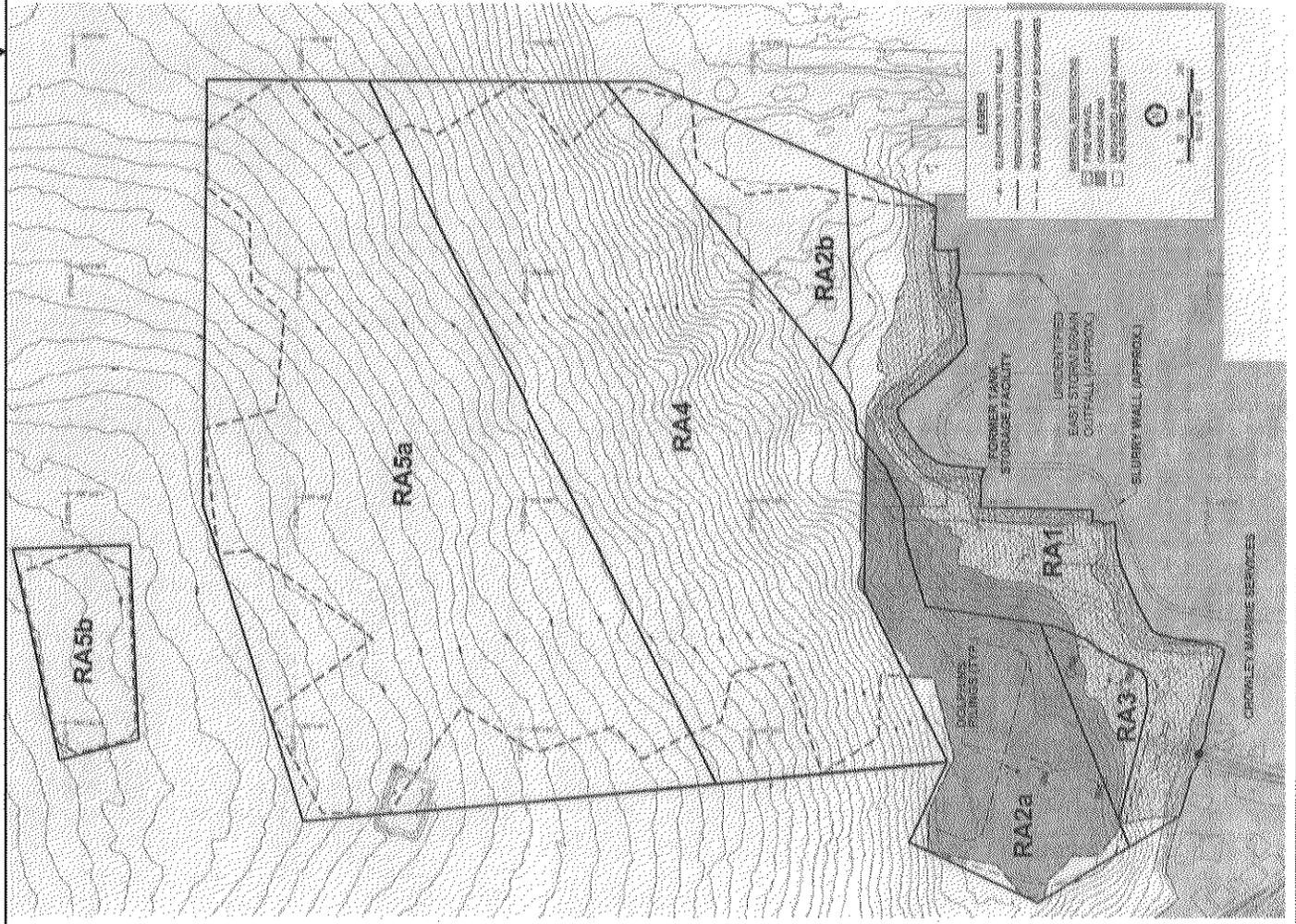
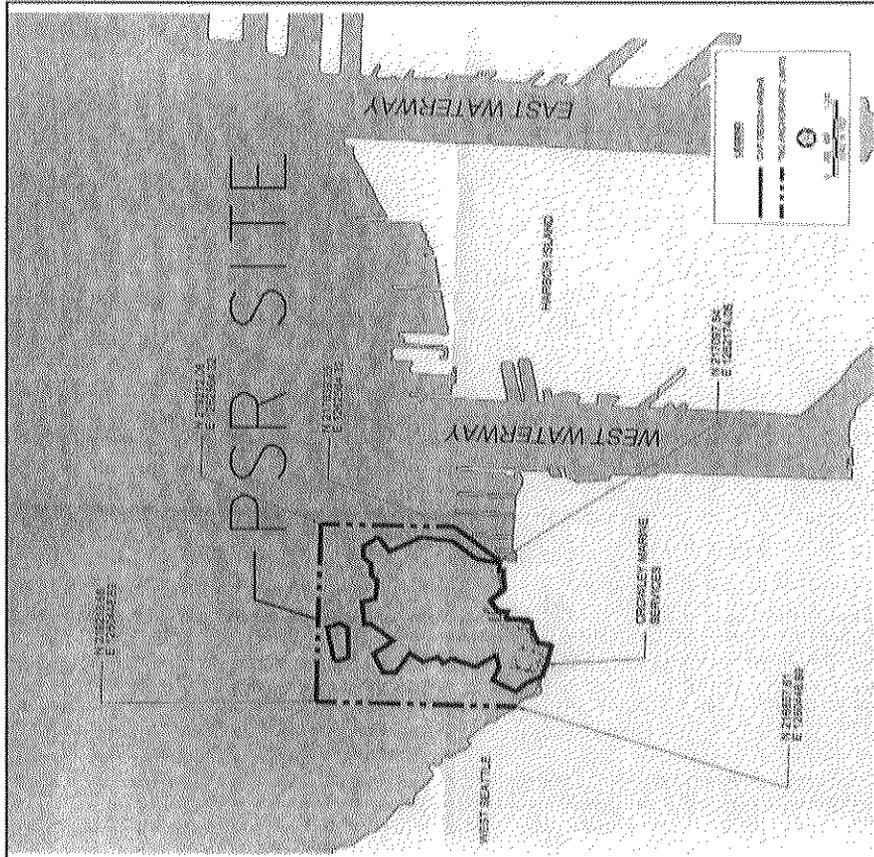
DATE AND TIME PLOTTED:

07-APR-2004

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**U.S. ARMY ENGINEERS DISTRICT, SEATTLE**  
**CORPS OF ENGINEERS**  
 Seattle, Washington

**FISCAL YEARS 2005-2009**  
**EVERETT HARBOR & SNOHOMISH RIVER, WA**  
**MAINTENANCE DREDGING**

DATE:	PUBLIC NOTICE:	SHEET 3 OF 3
15 MAR 04	CENWS-OD-TS-NS-ZZ	