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: Randel Perry, Project Manager

Public Notice Date: December 20, 2004
Expiration Date: January 20, 2005
Reference: 200401127
Name: Whatcom County Public Works

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 for certain work described below and shown on the enclosed drawings.

APPLICANT – Whatcom County Public Works
River and Flood Division
322 North Commercial Street, Suite 120
Bellingham, Washington 98225
ATTN: James Lee, River and Flood Engineer
Telephone: (360) 738-2468

LOCATION – Project is in the Nooksack River adjacent to the west end of Massey Road near Everson, Whatcom County, Washington.

WORK – Install 1,400 linear feet of bank stabilization material (rock, large woody debris, coir pillows).

PURPOSE – Arrest further bank erosion and prevent trans-basin overflow.

ADDITIONAL INFORMATION – Project is at identified point where Nooksack River overflows into the Sumas River basin during high flow events, which causes flood conditions in Sumas, Washington and the area around Abbottsford, British Columbia. Whatcom County's Lower Nooksack Flood Plan and reports of finding from the Nooksack River International Task Force recommend bank stabilization actions. 300 linear feet of bank armoring (rock) was placed at the project site during a flood event in October 2003. Project has been designed in accordance with Washington Department of Fish and Wildlife Integrated Streambank Protection Guidelines.

ENDANGERED SPECIES, ESSENTIAL FISH HABITAT, CULTURAL RESOURCES – For this project, the Federal Emergency Management Agency is the Federal lead agency responsible for compliance with Section 7 of the Endangered Species Act (ESA), the Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, and Section 106 of the National Historic Preservation Act. The U.S. Army Corps of Engineers (Corps) will require verification of compliance with the above laws prior to permit issuance.

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.

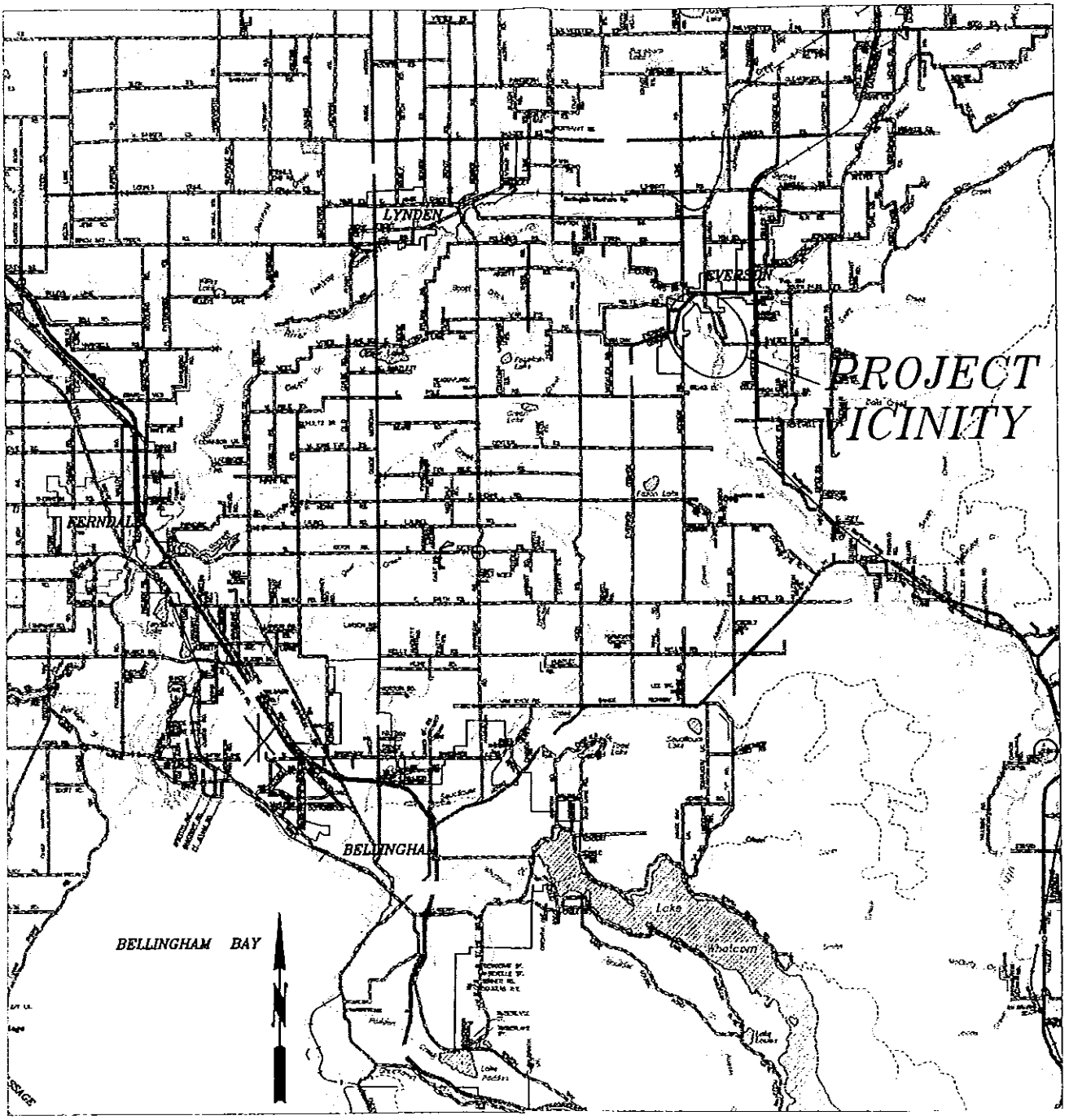
The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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 is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act and for consistency with the approved Washington Coastal Zone Management Program. This proposal is the subject of an application for a Shorelines Substantial Development Permit being processed by Whatcom County.

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 Randel.J.Perry@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:

Whatcom County Public Works
200401127

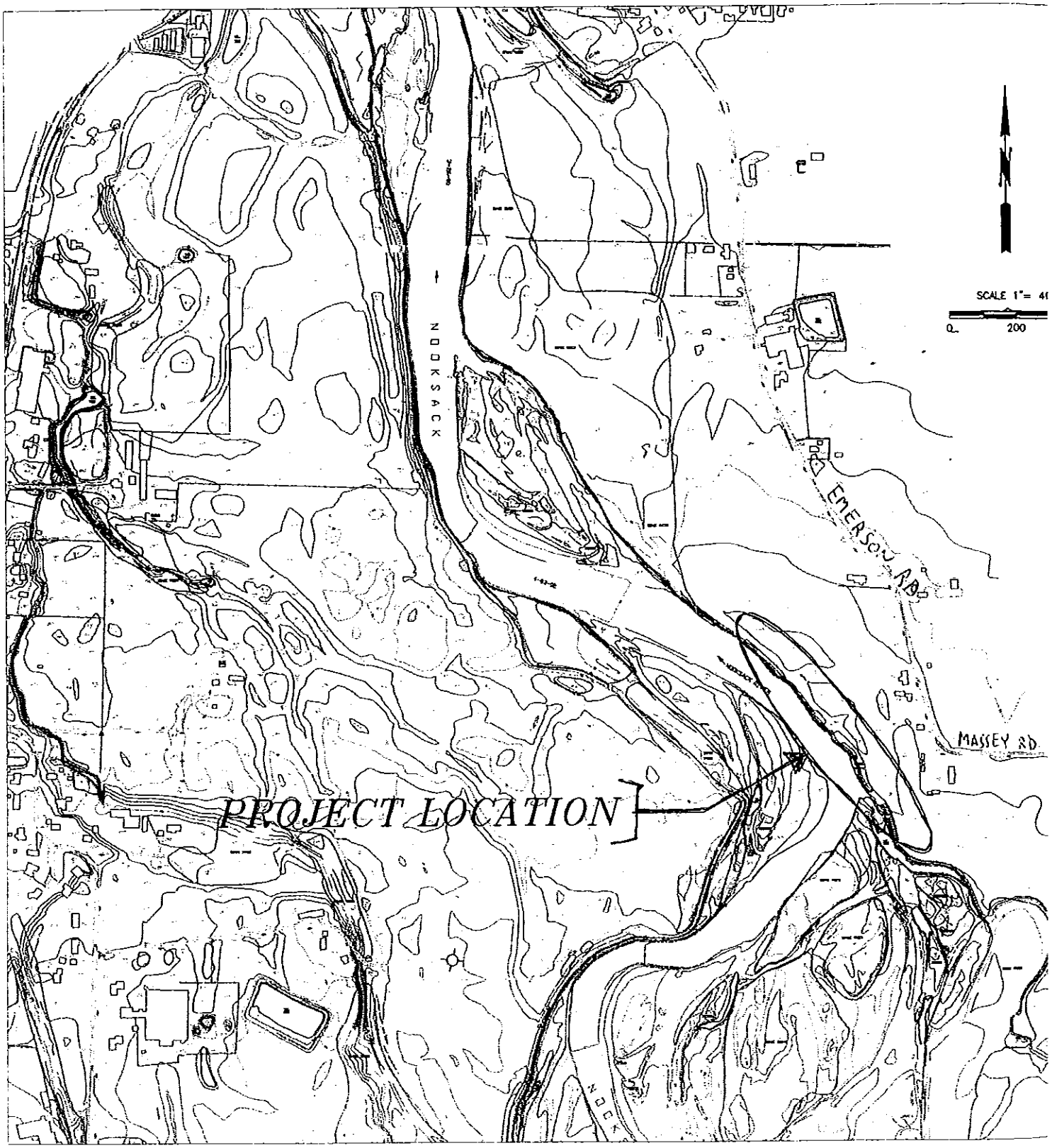
Encl
Drawings (5)



Proposed: Install rock/LWD/dirt fill
Reference: 200401127
Purpose: Bank stabilization.
App. By: Whatcom County Public Works
In Nooksack River
near Everson, Whatcom County, Washington

Sheet 1 of 5 Date 11-16-04

)D PROJECT BLIC WORKS	EVERSON OVERFLOW BANK STABILIZATION PROJECT–COVER SHEET



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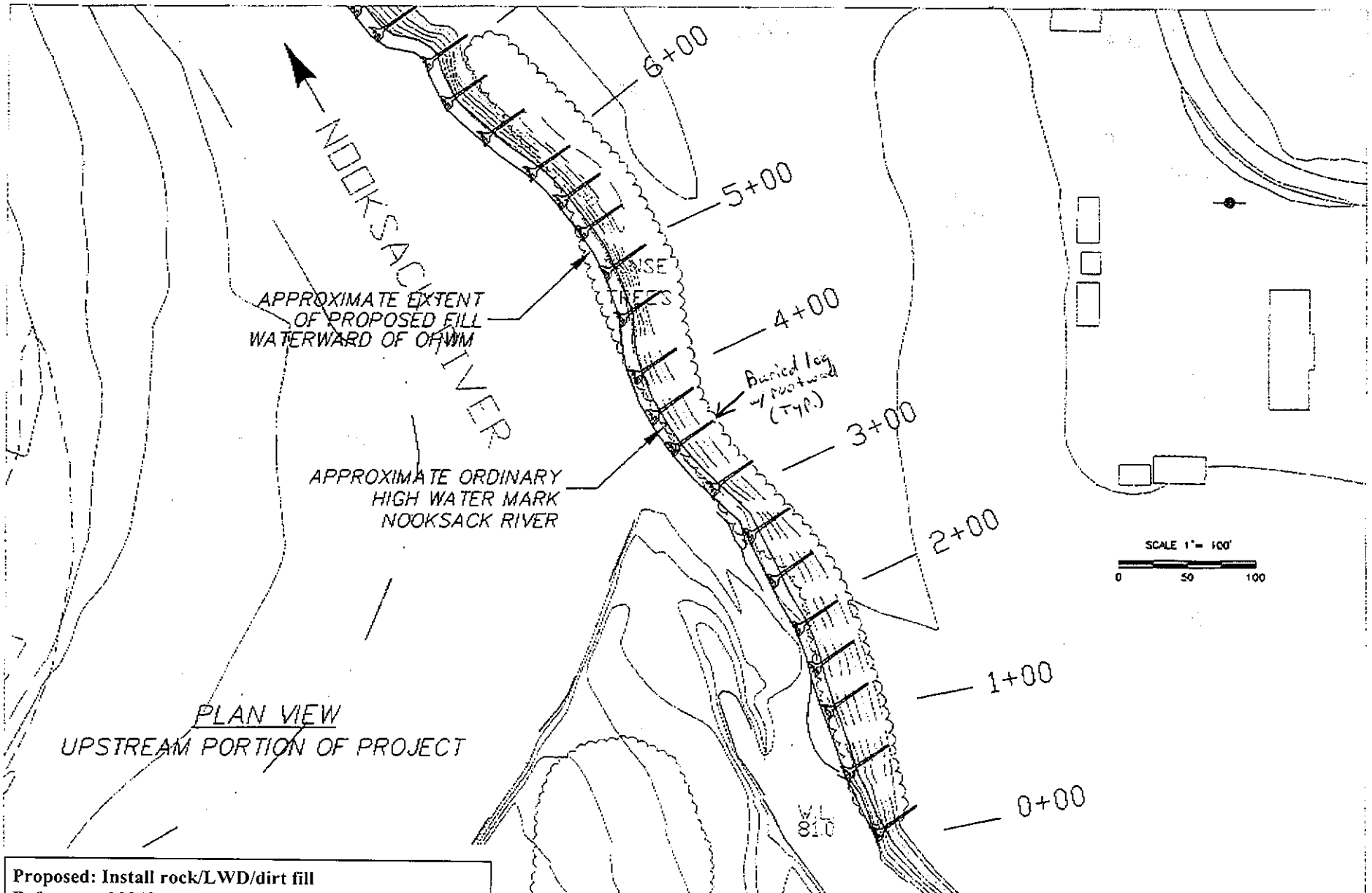
Sheet 2 of 5 Date 11-16-04

WHATCOM COUNTY

2003 RIVER & FL

WHATCOM COUNTY



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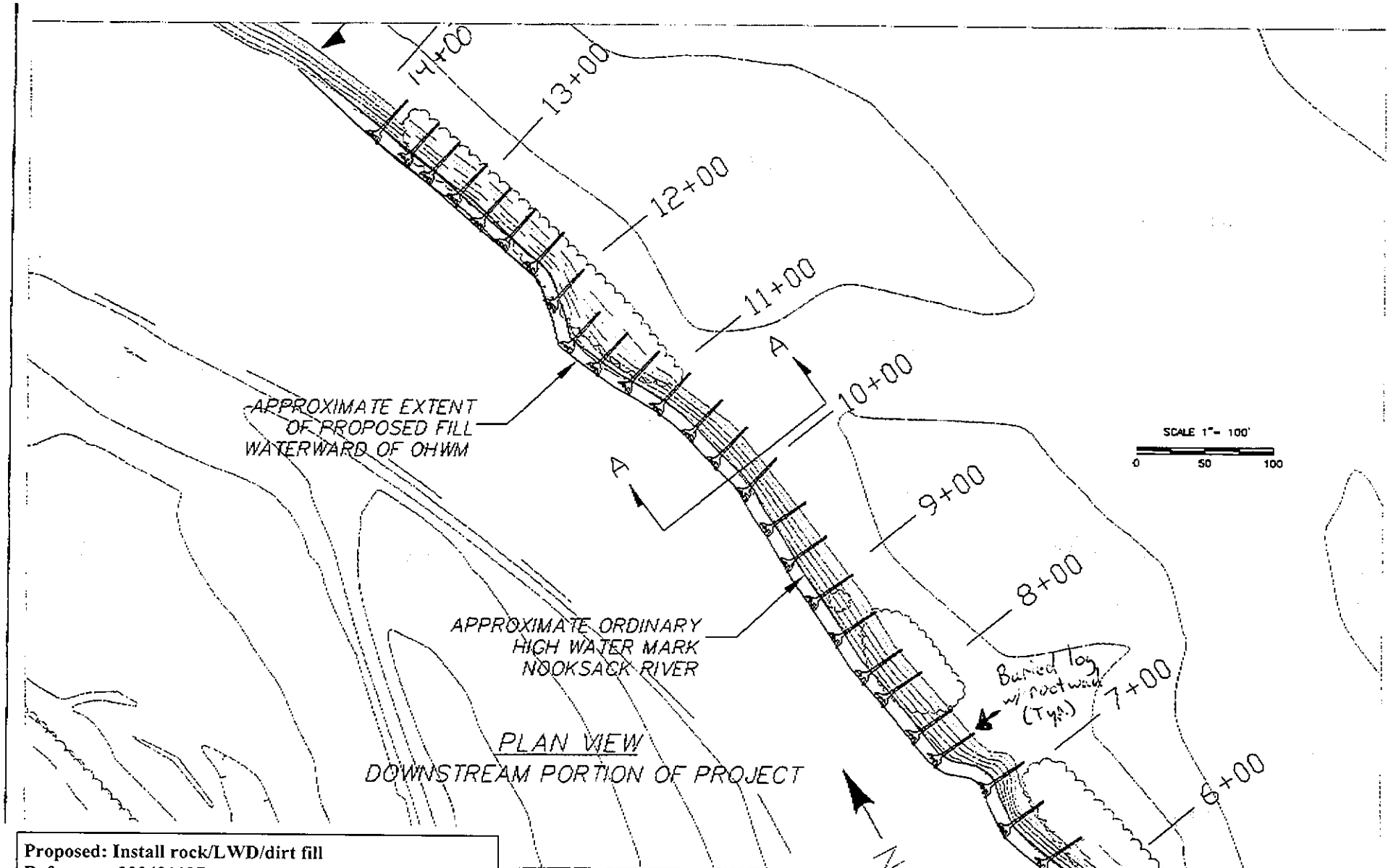
Sheet 3 of 5 **Date 11-16-04**

WHATCOM COUNTY

Everson Overflow Bank Stabilization Project
Reference: 200401127
Whatcom County Public Works
Nooksack River near Everson, WA



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Sheet 4 of 5 **Date 11-16-04**

WHATCOM COUNTY

Everson Overflow Bank Stabilization Project
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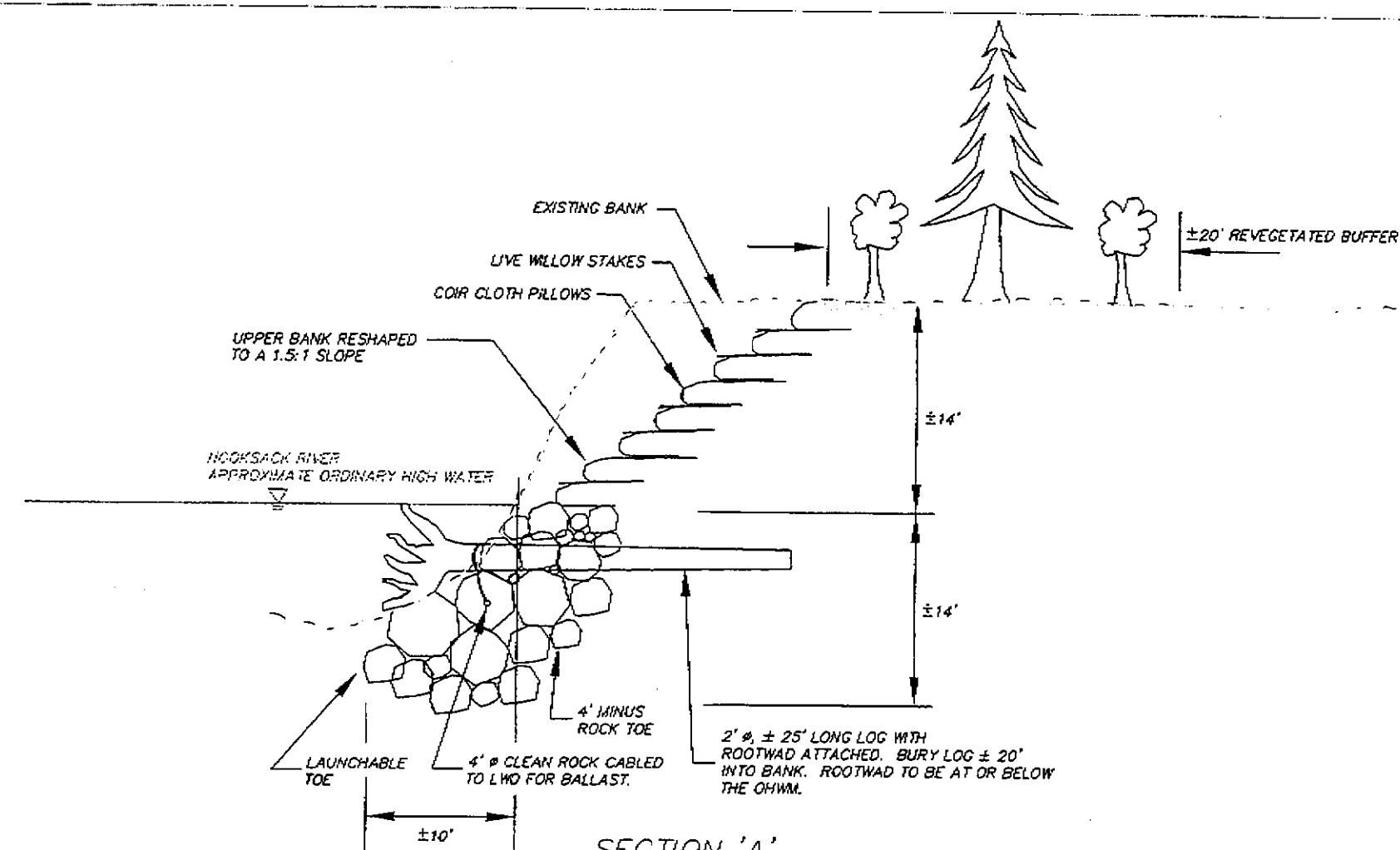
Whatcom County Public Works
Nooksack River near Everson, WA



SECTION 'A'
TYPICAL – NTS

Proposed: Install rock/LWD/dirt fill
Reference: 200401127
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App. By: Whatcom County Public Works
In Nooksack River
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Sheet 5 of 5 Date 11-16-04

WHATCOM COUNTY

Everson Overflow Bank Stabilization Project
Reference: 200401127
Whatcom County Public Works
Nooksack River near Everson, WA

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: December 20, 2004

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. 2004001127 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