Memorandum for Record

February 11, 2025

Subject: Tier 1 Evaluation for the Lower Cherry Creek Restoration Phase II - III, King County, Washington (NWS-2024-926)

Introduction

This memorandum documents the Tier 1 sediment quality and antidegradation evaluation conducted by the Dredged Material Management Program (DMMP) agencies (U.S. Army Corps of Engineers, Washington Department of Ecology and Natural Resources, and the U.S. Environmental Protection Agency) regarding the suitability of excavated material from the proposed channel restoration. The evaluation followed the guidance in the DMMP User Manual (2021).

Project Description

The Lower Cherry Creek project site is located north of Duvall, Washington (Figure 1). The purpose of the project is to modify approximately 2,000 linear feet of streambank to improve habitat for multiple fish species. The project is designed to restore the river habitat by placing large woody materials instream to create log jams, remove invasive vegetation and noxious weeds, and plant native riparian species. The proposed modification will promote drainage and supplement the existing levee on the southern streambank.

Track-hoe excavators will be used to modify the banks and remove material to proposed elevations. Any equipment that will be used in or near the water will be cleaned away from the water body and prior to beginning work. Heavy equipment will use vegetable-based products in place of petroleum-based fluids. A temporary flow diversion will be constructed upstream to isolate the work area. Sediment barriers will be constructed at the end of the channel to mitigate downstream mobilization of fine sediment during construction.

Work will be performed in the lowest flow conditions possible between June and January. Across the worksite, an estimated 21,518 cubic yards will be excavated: 19,400 cy for the streambank modifications, 2,100 cy for the log jam installations, and 18 cy of rip rap that has accumulated under the State Route (SR) 203 bridge. Excavated soils will be inspected for invasive vegetation and large rocks (e.g., rip rap) and set aside to be repurposed onsite. Approximately 14,900 cy of inspected soils will be placed to supplement the levee on the southern bank. A projected 90% of the remaining 6,600 cy of soil and rip rap will be distributed on-site in designated buffer areas and below ordinary highwater level. The 10% of remaining material will be transported by dump trucks to a certified receiving pit or quarry. Demolition of a livestock crossing bridge near SR-203 will result in approximately 20 cy of debris (piles, rip rap, etc.) to be hauled off-site. The proposed location for the new livestock crossing will import 8 cy of rip rap material from a local quarry. See Figure 2 for the site restoration plan.

Tier 1 Evaluation

Available data were obtained and reviewed by the Dredged Material Management Office (DMMO) to evaluate the project location's sediment chemical quality and understand whether sources of contamination could have historically impacted or currently be impacting the project site. The following resources were reviewed to conduct this evaluation:

- 1. Previous studies, suitability determinations or antidegradation assessments conducted by DMMO or other agencies. No previous assessments were conducted at this site.
- 2. Ecology's Environmental Information Management (EIM) Database. A search was conducted to

review chemical or biological data within the vicinity of the project location. No sediment data was available for the site. Water quality samples from near the project site and upstream are seen in Figure 3.

- 3. Ecology's "What's in My Neighborhood" Site Cleanup Database. A search was conducted to look at historical and active cleanup sites within a 0.5-mile radius of the site. There were no cleanup sites near the project area.
- 4. **Ecology's Spill Map.** A search was conducted to look at spills within the last 9 years within a 0.5-mile radius of the project. No spills were reported upstream or near the project area.

No Test Determination

The project is in a rural area with no reported cleanup sites or spills within the vicinity. A buffer around the abandoned railroad tracks will avoid potential creosote impacted sediments that may be associated with old railroad ties. The majority of excavated material will be beneficially used on-site. Excess excavated material, included soils with invasive vegetation, will be taken off-site. The potential for contamination to be present is low and "like on like placement" is not anticipated to degrade the downstream reaches.

The DMMP agencies have determined that no testing is required for this project based on Clean Water Act Subpart G, Section 230.60(b)(6)(c) which states: where the discharge site is adjacent to the extraction site and subject to the same sources of contaminants, and materials at the two sites are substantially similar, the fact that the material to be discharged may be a carrier of contaminants is not likely to result in degradation of the receiving site. In such circumstances, when dissolved material and suspended particulates can be controlled to prevent carrying pollutants to less contaminated areas, testing will not be required.

This No Test determination does **not** constitute final agency approval of the project. During the public comment period that follows a public notice, resource agencies will provide input on the overall project. A final decision will be made after full consideration of agency input, and after an alternatives analysis is done under section 404(b)(1) of the Clean Water Act.

References

DMMP, 2021. Dredged Material Evaluation and Disposal Procedures (User Manual). Dredged Material Management Program, updated July 2021.

Ecology's EIM Database Search: https://apps.ecology.wa.gov/eim/search/default.aspx

Ecology's Spill Incidents Database: <u>https://ecology.wa.gov/Spills-Cleanup/Spills/Spill-preparedness-</u> response/Responding-to-spill-incidents/Spill-incidents

Ecology's What's in My Neighborhood Search: https://apps.ecology.wa.gov/neighborhood/

Washington State's JARPA Form and Drawings for #NWS-2024-926 provided to USACE Regulatory Department.

Figures

Figure 1: Project Location (excerpt from JARPA)



Figure 2: Project Site Restoration Plan (excerpt from JARPA)



Figure 3: EIM Data Search



*Blue squares represent water quality data near the project site and within the watershed of Cherry Creek.

Agency Signatures

The signed copy is on file in the Dredged Material Management Office, Seattle District U.S. Army Corps of Engineers

Date	Sarah Benson – U.S. Army Corps of Engineers, Seattle District
Date	Whitney Conard, PhD. – U.S. Environmental Protection Agency, Region 10
Date	Laura Inouye, PhD. – Washington State Department of Ecology
Date	Shannon Soto – Washington State Department of Natural Resources

Copies Furnished: DMMP agencies Shane Shelburne, USACE Regulatory Project Manager Micah Wait, Wild Fish Conservancy DMMO File