

Public Notice of Application for Permit

US Army Corps of Engineers

Regulatory Branch

4735 E. Marginal Way S., Bldg 1202

Seattle, WA 98134-2388 Telephone: (360) 399-8034 ATTN: Lydia Baldwin,

Project Manager

Public Notice Date: January 26, 2024 Expiration Date: February 26, 2024

Reference No.: NWS-2024-27

Name: Bellingham Parks and Recreation

Department

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 1899 and Section 404 of the Clean Water Act (CWA) for certain work described below and shown on the enclosed drawings dated November 2023.

APPLICANT: Bellingham Parks and Recreation Department

210 Lottie Street

Bellingham, Washington 98225

Attention: Gina Austin Telephone: (360) 778-8000

AGENT: Waterfront Environmental

Post Office Box 228 Bow, Washington 98232 Attention: Gisele Sassen Telephone: (360) 464-9985

LOCATION: In Bellingham Bay at Bellingham, Whatcom County Washington

<u>WORK</u>: The applicant proposes multiple actions including debris and pile removal, revetment reconstruction and repair, drift sill construction, beach nourishment and native vegetation installation along two beaches, North Beach and South Beach, in a public city park (Boulevard Park).

<u>PURPOSE</u>: The purpose of the project is to stabilize and protect the shoreline, improve public shoreline access, restore safe use of existing park facilities, and restore and enhance intertidal shoreline/nearshore habitat.

<u>ADDITIONAL INFORMATION</u>: Approximately 1,000 cubic yards (CY) of scattered rubble, revetment rock and debris would be removed from 18,100 square feet (SF) of both beaches. 1,400 SF of beach would be planted with native vegetation, including dune grass, tufted hairgrass, Pacific silverweed, and Puget Sound gumweed, and/or similar plants adjacent to

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driftwood located between elevation 13 feet and 15 feet mean lower low water (MLLW) on both beaches.

North Beach: Approximately 360 CY of soil fill and pavement would be removed from 3,416 SF of backshore. Approximately 856 cubic yard (15,497 SF) of rock would be removed and 141 CY (1,019 SF) of material would be excavated for the construction of a drift sill and replacement revetment foundation. 255 lineal feet (LF) of existing rock revetment would be removed. No more than 180 LF of rock revetment would be constructed landward of the existing revetment. The new revetment would include the placement of no more than 317 CY of fill within a 1,213 SF below high tide line (HTL). 80 LF of existing revetment would be repaired with no more than 50 CY of rock placed within a 580 SF area above HTL. A soil berm planted with willow, ocean-spray, and snowberry would be constructed over the northern and southern rock revetment at north beach above HTL.

An approximately 70-foot-long drift sill extending off the reconstructed north revetment west of a park building would be constructed at the north beach. The sill would be 1,018 SF and be constructed of 360 CY of rock and spalls. It would extend from existing elevation 4.5 feet waterward to -2.5 feet MLLW. The top of the drift sill would be constructed 3 to 6 feet above existing down-drift beach grade and would hold proposed beach nourishment onsite. The drift sill base would be geotextile placed at elevation -4 feet to 2.5 feet MLLW overlaid with quarry spall to form a base for the armor rock. The entire north beach drift sill fill would be below HTL. Proposed beach nourishment material for the north beach consists of both cobble and sand-gravel beach nourishment. The lower beach nourishment covers 7,322 SF of beach surface area using gravelly cobble material at a quantity of 450 CY. The upper beach nourishment covers 8,632 SF of total area using 990 CY of coarse sand to coarse gravel mix. Total 7,322 SF/450 CY of gravelly cobble and 4,796 SF/ 640 CY of sand-gravel would be placed below HTL on the north beach.

South Beach: Thirty-seven derelict timber piles would be removed. A second, much smaller 22-foot-long drift sill would be built at the south end of the north beach revetment, partially on the existing revetment and extending south at the northern extent of the south beach. This drift sill would be 197 SF and would be constructed of 35 CY of rock and spalls. The sill would retain beach nourishment proposed on the south beach as part of the project and prevent erosion of the trestle abutment toe. The drift sill would be constructed similarly to the larger one but placed in a north-south orientation. The entire south beach drift sill fill would be below HTL. A boulder cluster (80 SF/18 CY) would be installed under the Prattle Point Trestle below HTL. A short, existing upland rock wall along the backshore of south beach would be partially reconstructed and extended; an additional 27 CY of rock and 215 SF would be added in the upland above HTL. Beach nourishment for the south beach consists of both cobble beach and sand-gravel beach nourishment. The lower beach between would be nourished with cobbles of 4" minus (approximately 140 CY/3,542 SF), and the upper beach would be nourished with the same sand-gravel mix used for the north beach (approximately 640 CY/8,183 SF). The purpose of the lower beach cobble placement is to dissipate approaching wave energy and to retain finer beach nourishment material placed on the upper beach. Prior to the upper beach placement of the sandy gravel material a lower cobble layer would be installed along the bank toe of the south beach (approximately 140 CY/1,725 SF) to protect the bank from wave erosion and this lower

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layer would be covered by the sandy gravel beach nourishment material. Total 3,542 SF/140 CY of gravelly cobble and 5,043 SF/ 323 CY of sand-gravel would be placed below HTL on the south beach.

Proposed adjacent upland work, outside of USACE jurisdiction includes trail realignment and widening, wooden guardrail installation, bench installation, picnic table relocation, landscaping, and utility relocation.

An excavator equipped with a rock bucket would be used for debris removal. The drift sills would be constructed using an excavator to place rock materials, and beach nourishment would be placed using the same equipment. Derelict piles would be removed at south Beach during low tides by "waking" the pile with a vibratory hammer to break the sediment bonds before pulling with a chain attached to an excavator or other equipment. If piles cannot be pulled, they would be cut off at the mudline.

Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at http://www.nws.usace.army.mil/ and under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project.]

The location of mean high water and high tide line shown on the project drawings have not yet been verified by the U.S. Army Corps of Engineers (Corps). If the Corps determines the boundaries of the wetland/waters are substantially inaccurate a new public notice may be published.

MITIGATION: No mitigation proposed. The project will enhance intertidal and nearshore habitat.

<u>ENDANGERED SPECIES</u>: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat species,

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). If the U.S. Army Corps of Engineers (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 Corps has reviewed the latest published version of the National Register of Historic Places, Washington Information System for Architectural and Archaeological Records Data and other sources of information. A historic properties investigation has been conducted within the permit area. No historic properties determined eligible for or listed on the National Register of Historic Places were found to exist within the permit area. The Corps invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Nations in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

<u>PUBLIC HEARING:</u> 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.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

<u>SOURCE OF FILL MATERIAL</u>: All fill material – sand, gravel/cobble, rounded boulders, and rocks/boulders will be clean material obtained from commercial sources.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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 Washington Department of Ecology has or will evaluate the proposed project in accordance with Section 401 of the Clean Water Act and for consistency with the Coastal Zone Management Act.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, 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

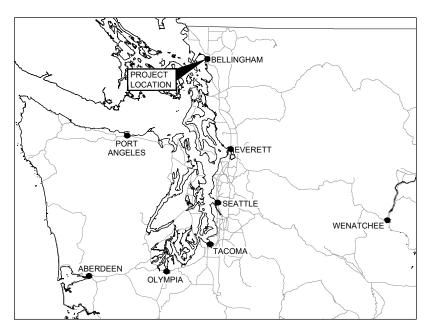
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Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

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 authorizing the work would not be contrary to the public interest. 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 Lydia.baldwin@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, 4735 E. Marginal Way S, Bldg 1202, Seattle, Washington, 98134-2388. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses. 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:

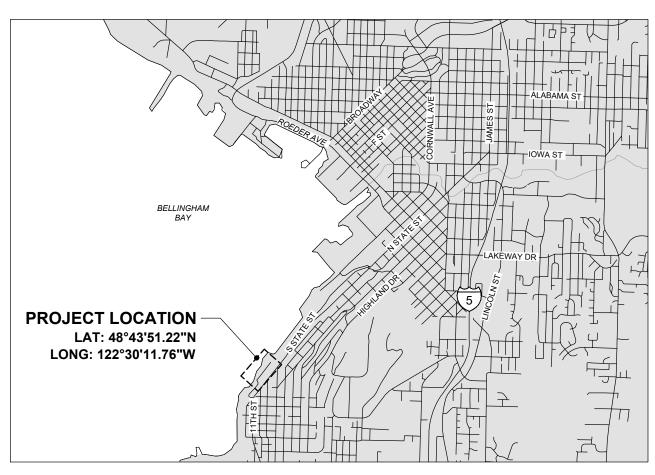
Bellingham Parks and Recreation Department, NWS-2024-27

Encl: Figures (12)



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9	SHORELINE SECTIONS - DRIFT SILLS & REVETMENT
10	PROPOSED SITE PLAN - UPLAND
11	PROPOSED PLANTING PLAN
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LOCATION MAP



VICINITY MAP

PURPOSE: SHORELINE HABITAT & PUBLIC ACCESS **ENHANCEMENT**

VERTICAL DATUM: NAVD88 APPLICANT REFERENCE: ADJACENT PROPERTY OWNERS: 1. Multiple, see JARPA 5.h.

Vicinity and Location Map

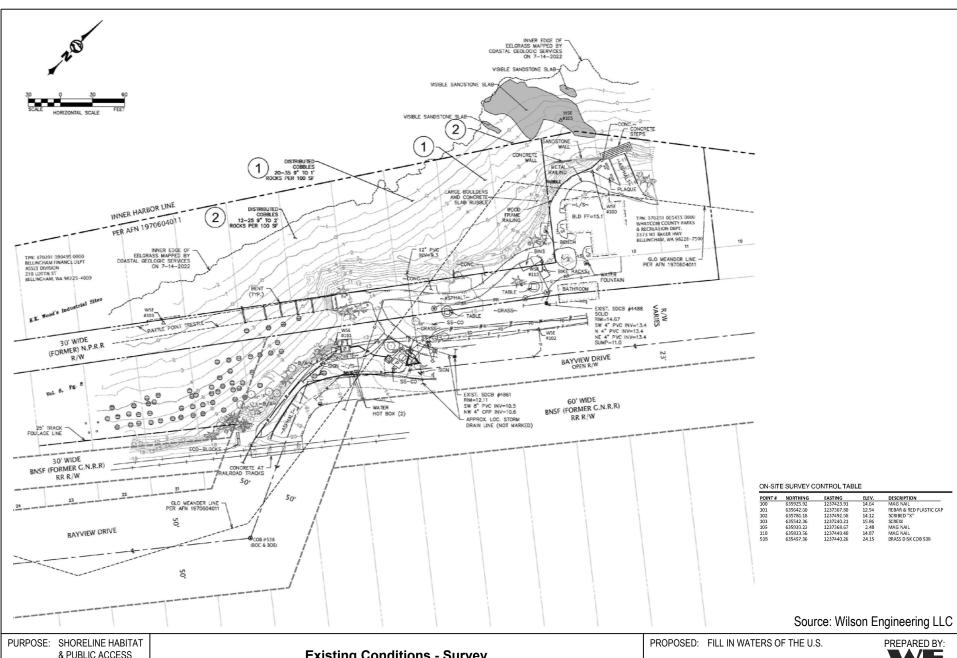
PROJECT NAME: BOULEVARD PARK SHORELINE ENHANCEMENT LOCATION ADDRESS: 470 BAYVIEW DRIVE,

480 BAYVIEW DRIVE BELLINGHAM, WASHINGTON 98225 PROPOSED: FILL IN WATERS OF THE U.S.

USACE #: NWS-2024-27 IN: BELLINGHAM BAY NEAR/AT: BELLINGHAM COUNTY: WHATCOM STATE: WASHINGTON SHEET: 1 OF 12

SEC: 1 T: 37 N R: 2 E DATE: NOVEMBER 2023





& PUBLIC ACCESS **ENHANCEMENT** VERTICAL DATUM: NAVD88 APPLICANT REFERENCE: ADJACENT PROPERTY OWNERS: 1. Multiple, see JARPA 5.h.

Existing Conditions - Survey

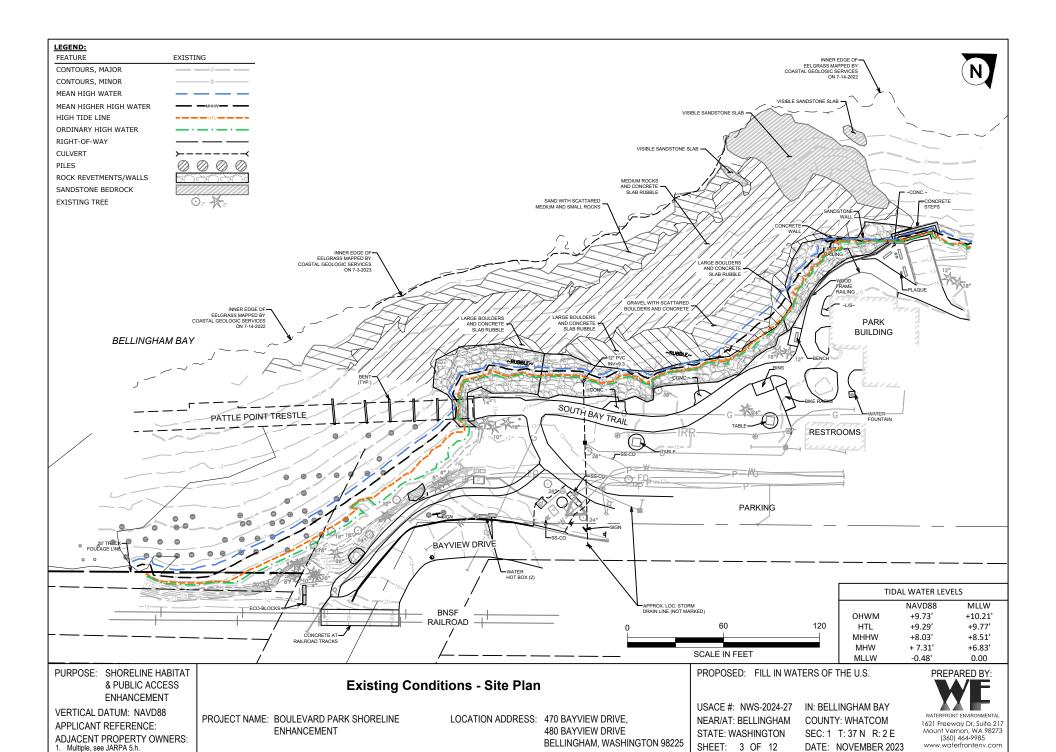
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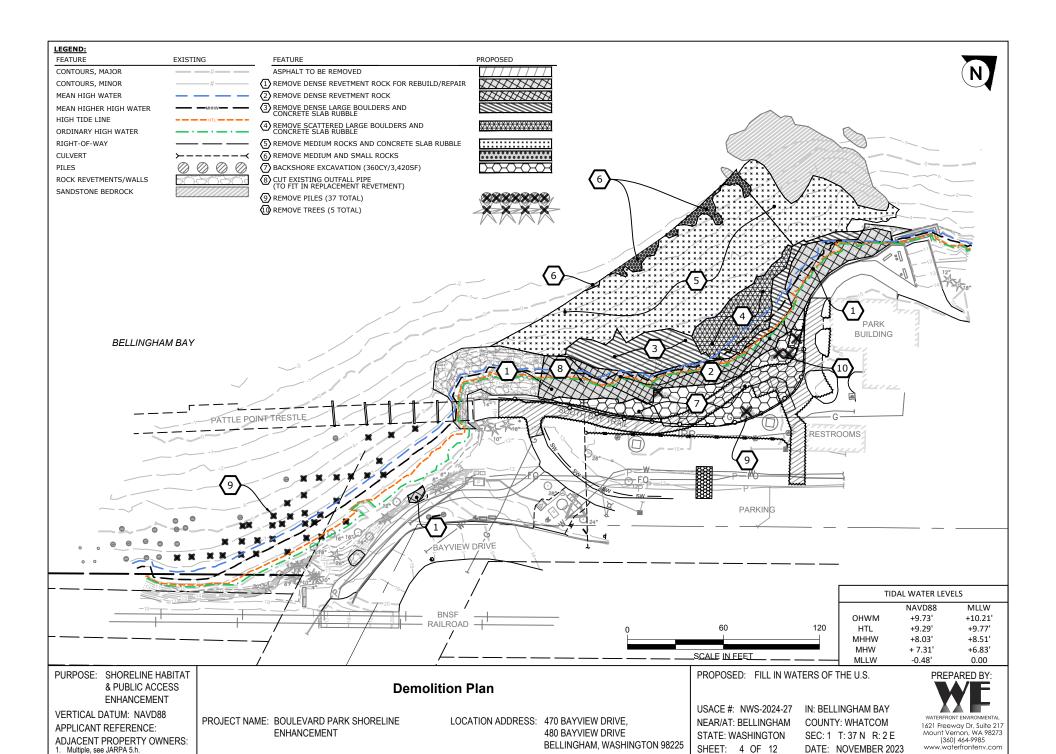
LOCATION ADDRESS: 470 BAYVIEW DRIVE,

480 BAYVIEW DRIVE BELLINGHAM, WASHINGTON 98225 USACE #: NWS-2024-27 NEAR/AT: BELLINGHAM STATE: WASHINGTON SHEET: 2 OF 12

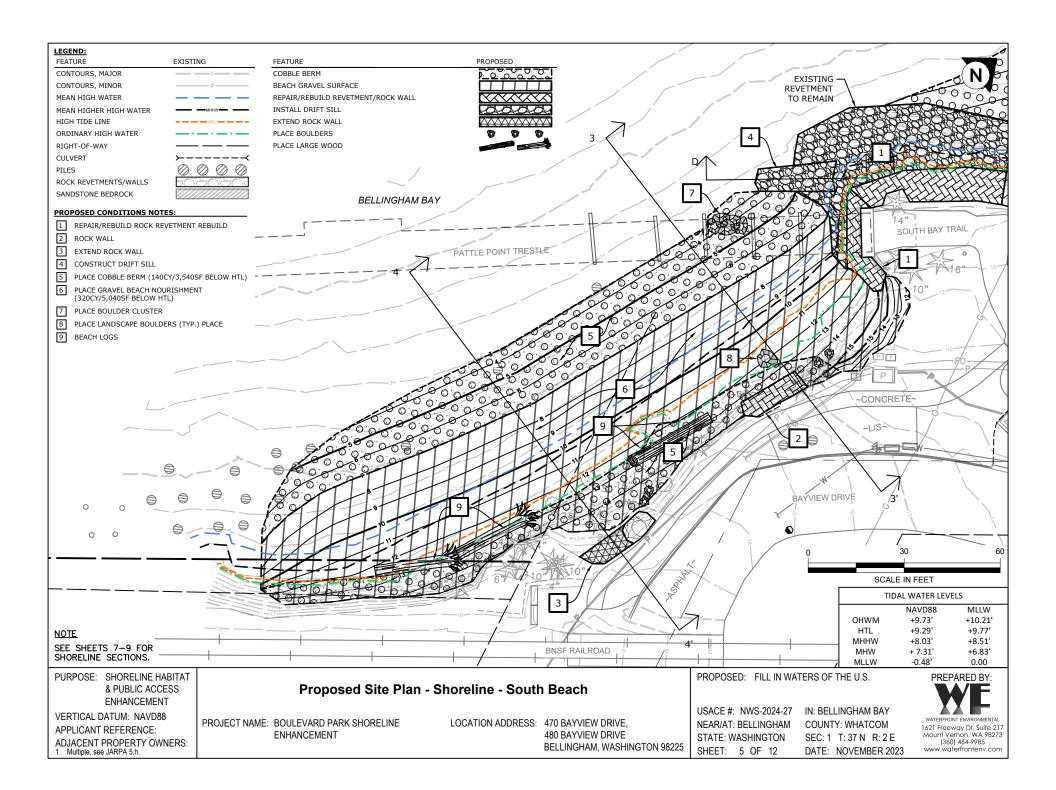
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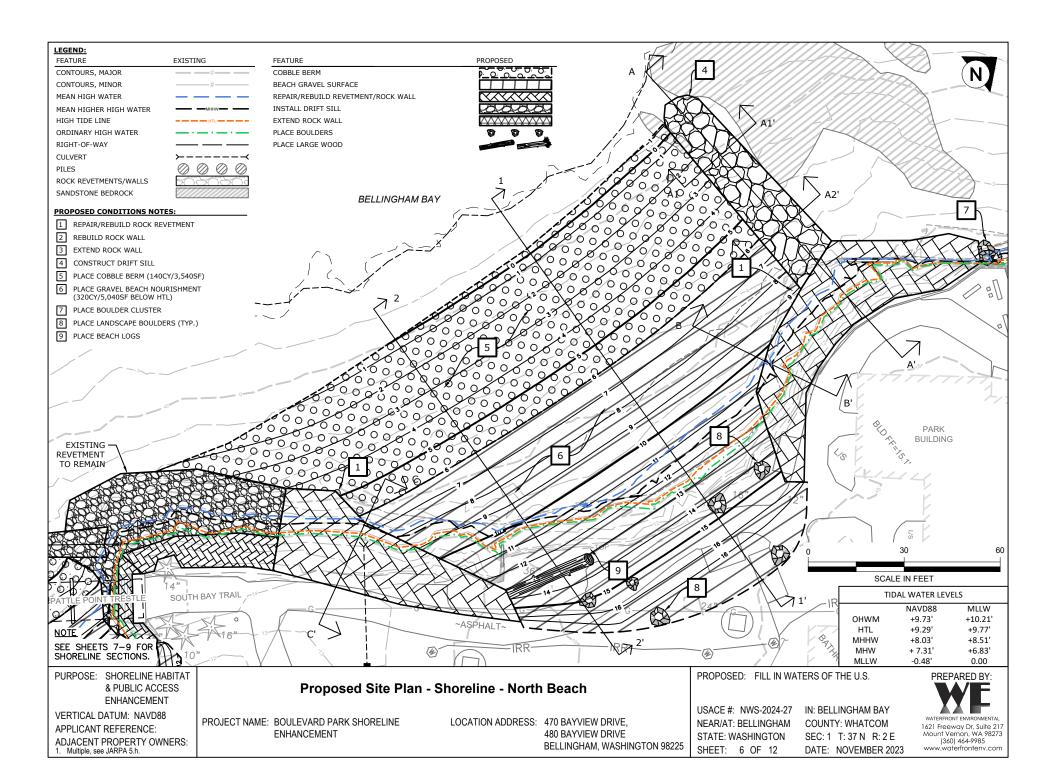
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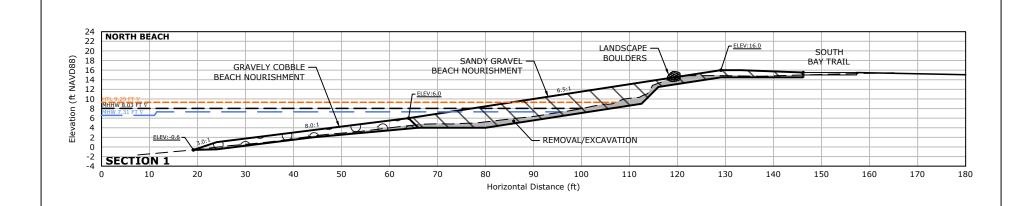


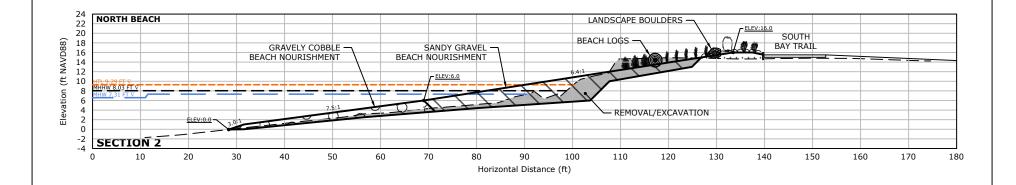


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Shoreline Sections - North Beach

PROJECT NAME: BOULEVARD PARK SHORELINE ENHANCEMENT

LOCATION ADDRESS: 470 BAYVIEW DRIVE, 480 BAYVIEW DRIVE

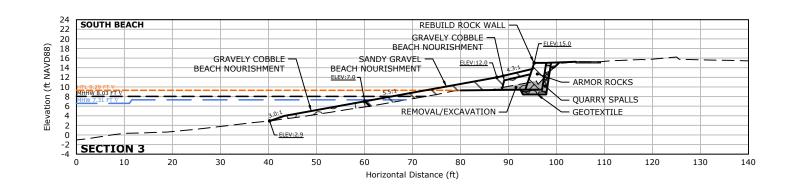
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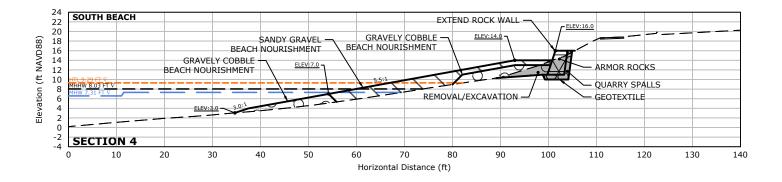
USACE #: NWS-2024-27 NEAR/AT: BELLINGHAM STATE: WASHINGTON

SHEET: 7 OF 12

IN: BELLINGHAM BAY COUNTY: WHATCOM SEC: 1 T: 37 N R: 2 E DATE: NOVEMBER 2023 PREPARED BY:

WATERFRONT ENVIRONMENTAL
1621 Freeway Dr. Sulie 217
Mount Vernon, WA 98273
(360) 464-9985
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PURPOSE: SHORELINE HABITAT
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ENHANCEMENT
VERTICAL DATUM: NAVD88

ADJACENT PROPERTY OWNERS:

APPLICANT REFERENCE:

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PROJECT NAME: BOULEVARD PARK SHORELINE ENHANCEMENT

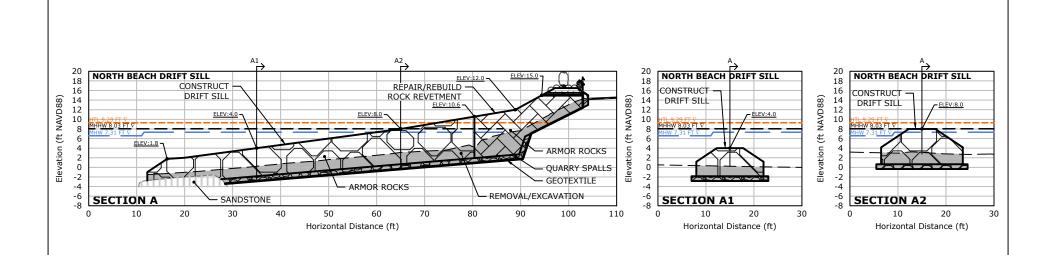
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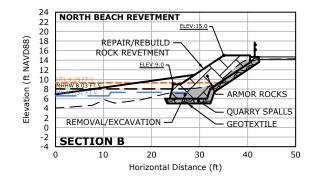
Shoreline Sections - South Beach

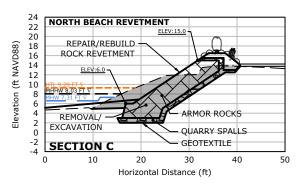
470 BAYVIEW DRIVE, 480 BAYVIEW DRIVE BELLINGHAM, WASHINGTON 98225 PROPOSED: FILL IN WATERS OF THE U.S.

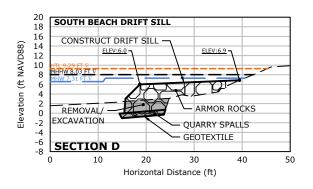
USACE #: NWS-2024-27 NEAR/AT: BELLINGHAM STATE: WASHINGTON SHEET: 8 OF 12

IN: BELLINGHAM BAY COUNTY: WHATCOM SEC: 1 T: 37 N R: 2 E DATE: NOVEMBER 2023 WATERFRONT ENVIRONMENTAL.
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PURPOSE: SHORELINE HABITAT & PUBLIC ACCESS

ENHANCEMENT VERTICAL DATUM: NAVD88 APPLICANT REFERENCE:

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Shoreline Sections - Drift Sills & Revetment

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LOCATION ADDRESS: 470 BAYVIEW DRIVE,

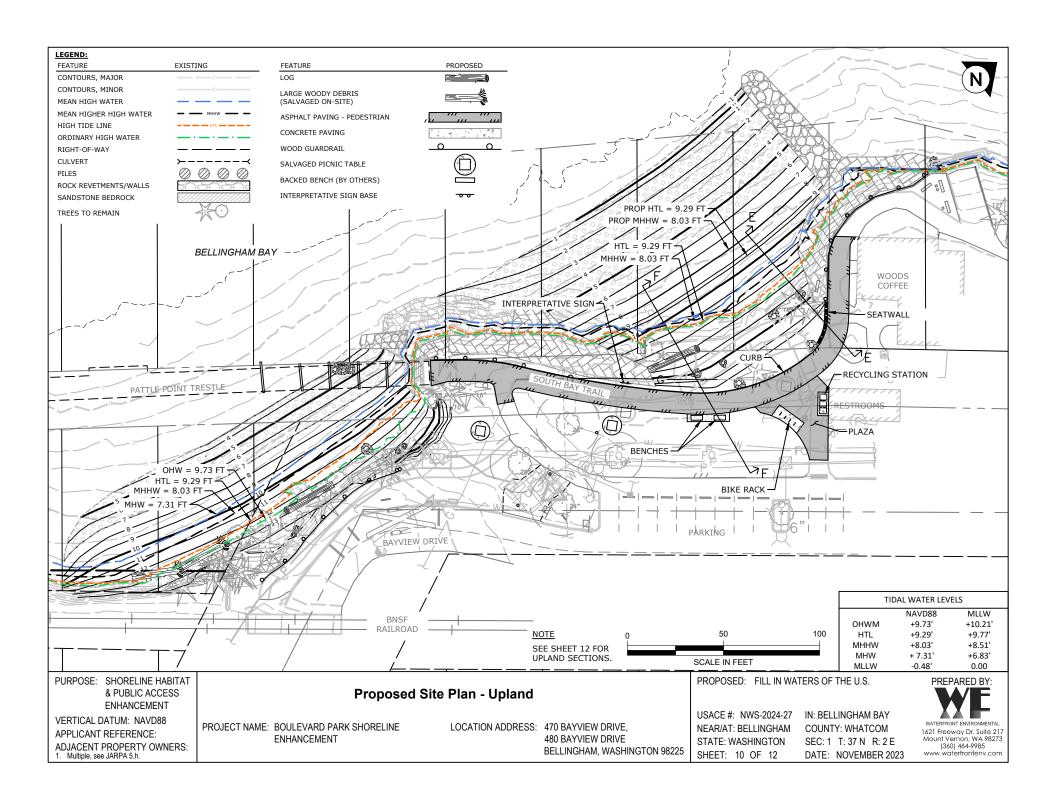
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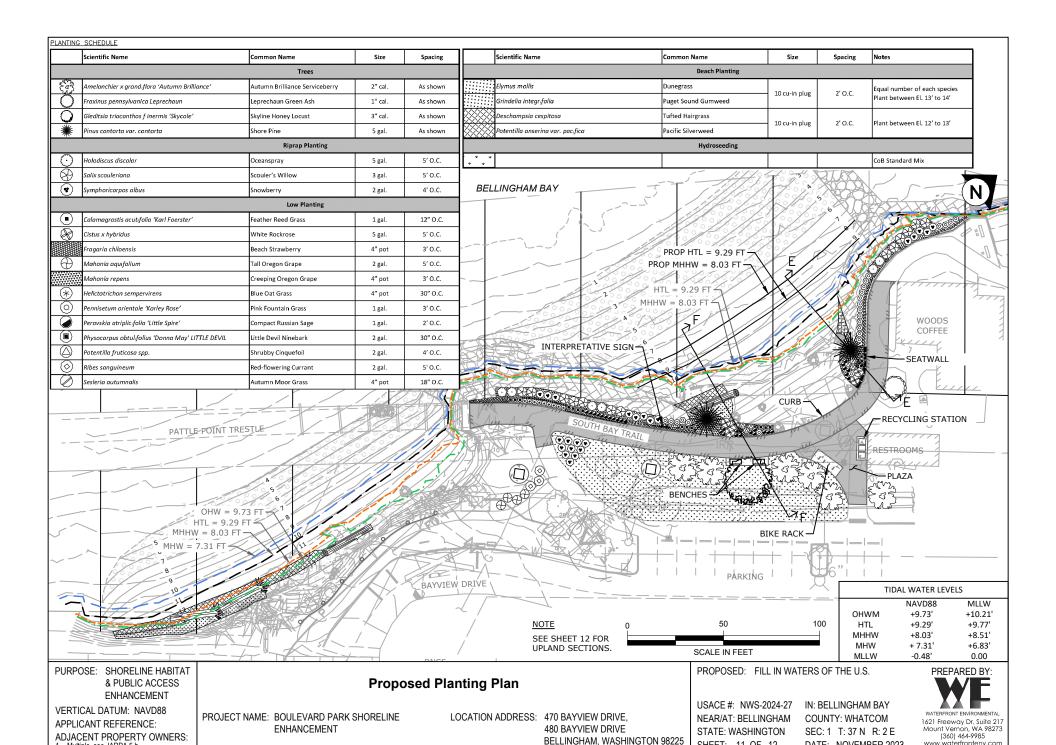
USACE #: NWS-2024-27 NEAR/AT: BELLINGHAM STATE: WASHINGTON

SHEET: 9 OF 12

17 IN: BELLINGHAM BAY M COUNTY: WHATCOM SEC: 1 T: 37 N R: 2 E DATE: NOVEMBER 2023





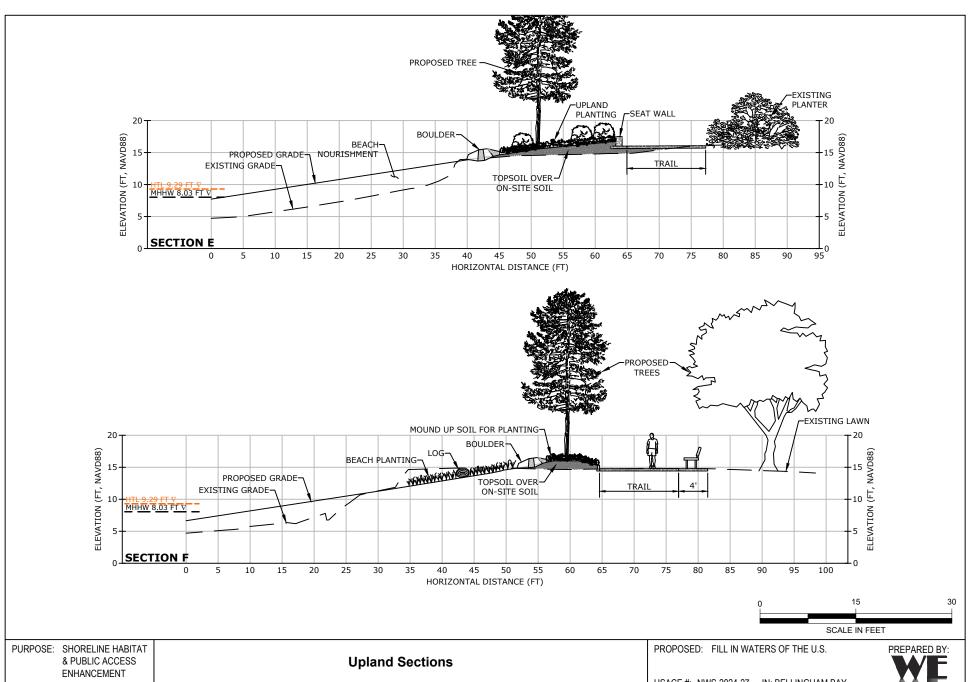


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SHEET: 11 OF 12

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DATE: NOVEMBER 2023



ENHANCEMENT
VERTICAL DATUM: NAVD88
APPLICANT REFERENCE:
ADJACENT PROPERTY OWNERS:
1. Multiple, see JARPA 5. h.

PROJECT NAME: BOULEVARD PARK SHORELINE ENHANCEMENT

LOCATION ADDRESS: 470 BAYVIEW DRIVE

480 BAYVIEW DRIVE BELLINGHAM, WASHINGTON 98225 USACE #: NWS-2024-27 NEAR/AT: BELLINGHAM STATE: WASHINGTON SHEET: 12 OF 12 IN: BELLINGHAM BAY COUNTY: WHATCOM SEC: 1 T: 37 N R: 2 E DATE: NOVEMBER 2023 WATERFRONT ENVIRONMENTAL 1621 Freeway Dr, Suite 217 Mount Vernon, WA 98273 (360) 464-97985 www.waterfrontenv.com