

of Engineers Seattle District

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: (206) 348-3999 ATTN: Danette L. Guy Senior Project Manager Public Notice Date: July 11, 2025 Expiration Date: August 10, 2025

Reference No.: NWS-2012-0157 Name: Willapa Harbor, Port of (Maintenance Dredging)

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) has received a revised application to perform work in waters of the U.S. as described below and shown on the enclosed revised drawings dated March 9, 2025. The work was previously described in Public Notices Reference No. NWS-2012-0157, dated August 27, 2019, and October 5, 2022. The revision, as shown on sheets 11, 12, 13, and 14, is for additional dredging at the Tokeland Marina moorage basin with in-water disposal.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act.

<u>APPLICANT</u>: Port of Willapa Harbor Attention: Mr. Jim Sayce 1725 Ocean Ave. Raymond, Washington 98577 Telephone: (360) 942-7294

<u>AGENT</u>: Leon Environmental, LLC Attention: Mr. Bill Rehe 8047 Burke Ave N Seattle, Washington 98103 Telephone: (253) 389-0712

<u>LOCATION</u>: Tokeland Marina moorage basin, in Willapa Bay at Tokeland, Pacific County, Washington.

<u>WORK</u>: Dredge up to 54,000 cubic yards of accumulated sediment from the moorage basin. Dredging would occur with a 10-inch hydraulic suction dredge to a maximum depth of -19 feet Mean Low Lower Water (MLLW) which includes 2-feet over depth and 2-feet advance maintenance allowance. Dredged material would be pumped approximately 200 feet downstream through a 10-inch pipe and disposed of in-water. The discharge pipeline would be placed on a float with the capability of adjusting the depth of discharge in the water column.

PURPOSE: Maintenance dredging for vessel navigation and mooring.

<u>Dredged Material Testing</u>: The proposed dredged material has been tested according to the procedures specified by DMMP, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Washington State. The DMMP evaluations may include both chemical and biological testing of sediments. For this project, the DMMP agencies determined that all 54,000 cubic yards were suitable for in-water disposal. The sediment testing data are available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

<u>Disposal Site Use Conditions</u>: 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) disposal operations must not interfere with Indian treaty fishing at the disposal site, including gill nets and other fishing gear; (2) the permittee must coordinate any nighttime disposal with the Corps, Seattle District, Regulatory Branch Project Manager; and (3) approval must be received from the District Engineer prior to conducting nighttime disposal. 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 moorage basin was previously dredged in 2018.

The line of mean high water and mean higher high 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 is proposed.

<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. A preliminary determination indicates that the activity does affect endangered or threatened species, or their 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.

<u>ESSENTIAL FISH HABITAT</u>: 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.

<u>CULTURAL RESOURCES</u>: 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. There are no recorded historic properties within the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. 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.

<u>EVALUATION:</u> 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 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.

<u>COMMENT AND REVIEW PERIOD</u>: 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

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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 danette.l.guy@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:

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Encl: Figures (14)





Port of Willapa Maintenance Dredging Program:

Bay Center - 21,000 cubic yards (cy) Willapa Landing Park Boat Ramp - 9,181 cy Tokeland Marina Moorage Basin - 54,000 cy

TOKELAND FISH AND OYSTER CO. INC.

Vicinity Map 4,000 Feet 0 500 1,000 2,000 3,000

PROPOSED: BAY CENTER MAINTENANCE DREDGING IN: PALIX RIVER Revised March 9, 2025 AT: BAY CENTER Revised: 6/17/2021 DATE: 2/17/2012

NWS-2012-157

Map Scale 1:24,000

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POSE: BAY CENTER Mark NTENANCE DREDGING DATUM: MLLW IN: THE PALIX RIVER	Bay Center Mariculture Site Map	MAP LEGEND Revised March 9, 2025 CROSS SECTION LOCATIONS 2011 PACIFIC COUNTY TAXLOTS DREDGING FOOTPRINTRevised:

AT: BAY CENTER

Map Scale 1:1,000

 DREDGING FOOTPRINTRevised:

 6/17/2021

 SHEET 5 OF 6, 14



REvisEd March 9, 2025

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