



US Army Corps  
of Engineers  
Seattle District

# Special Public Notice

**Regulatory Branch**  
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**Seattle, Washington 98134**  
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**Public Notice Date: December 23, 2022**

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**ANNOUNCEMENT:** Special processing procedures for NWS-2022-929-DOT; WSDOT (SR 109 MP 39.1 Unnamed Tributary to the Pacific Ocean Emergency Embankment Repair)

**BACKGROUND:** Per 33 CFR 325.2(e)(4), Division engineers are authorized to approve special processing procedures in emergency situations. An “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures. In emergency situations, the district engineer will explain the circumstances and recommend special procedures to the division engineer who will instruct the district engineer as to further processing of the application. Even in an emergency situation, reasonable efforts will be made to receive comments from interested Federal, state, and local agencies and the affected public. Also, notice of any special procedures authorized and their rationale is to be appropriately published as soon as practicable.

**PURPOSE:** The purpose of this Special Public Notice is to publish the special processing procedures undertaken for the above-referenced project.

**EMERGENCY WORK:** The repair is to construct an access road to the culvert outlet, clear displaced slide debris from the stream channel, relocate downed trees to the lower channel, clear the culvert of debris, construct a rock armored spillway from the culvert outlet to the base elevation of the stream (approximately 8 feet vertically below culvert outlet), repair the failed slope with riprap and quarry spalls, replace the guardrail, and repave the road. Impacts to Waters of the U.S. are 20 cubic yards of excavation and 80 cubic yards of fill in 325 square feet waterward of the ordinary high water mark of an unnamed tributary to the Pacific Ocean. The emergency work is depicted on the enclosed drawings dated December 16, 2022.

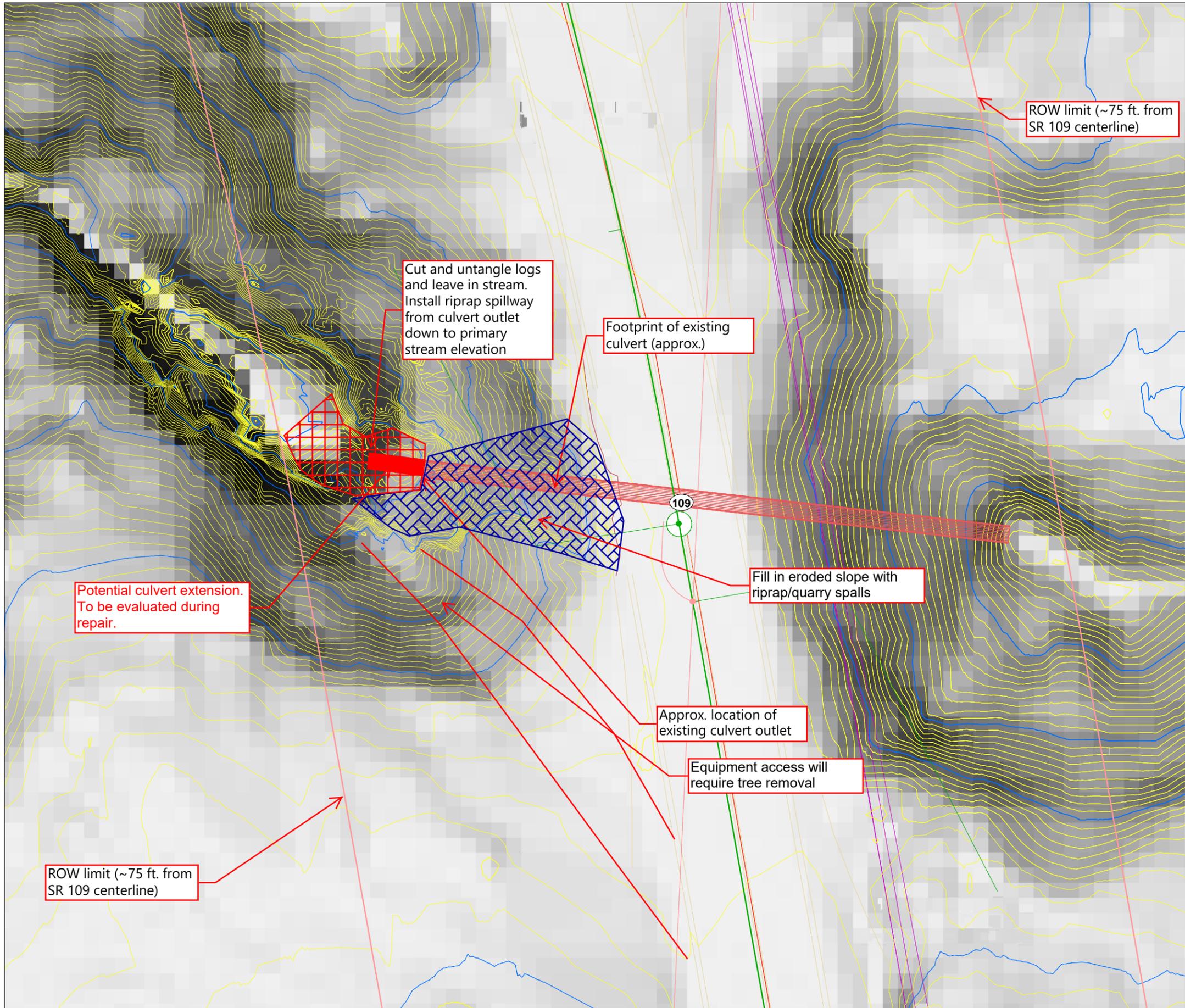
**DETERMINATION:** The U.S. Army Corps of Engineers, Seattle District (Seattle District) determined the proposed emergency work met the above definition of an “emergency” and coordinated with the U.S. Army Corps of Engineers’ Northwestern Division (NWD) Commander for approval to implement special processing procedures. On December 20, 2022, the NWD Commander approved use of special processing procedures.

SPECIAL PROCESSING PROCEDURES: The Seattle District shall:

1. Ensure only the minimal amount of work is proposed to remedy the emergency.
2. Notify appropriate resource agencies and Tribes for their recommendations to minimize impacts to be considered for possible inclusion in the emergency authorization.
3. Special conditions can be added to the emergency authorization to ensure impacts are minimized.
4. After emergency authorization is granted, Seattle District will publish a public notice of these procedures.
5. Additional coordination with agencies and tribes may occur as necessary to complete certain processes after the emergency authorization is granted.

On December 21, 2022, emergency authorization was granted to the applicant. Publication of this public notice is part of the special processing procedures.

Encl: Drawings (1)



**Legend**

- 1-ft. contour - 2022-12-05 terrestrial lidar
- 10-ft. contour - 2022-12-05 terrestrial lidar
- State Route

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FEET

0 5 10 20 30 40

1:240  
1 INCH = 20 FEET

JOB # DMC304 STATE ROUTE 109 MILEPOST(S) 39.1

**FIGURE 1: SITE MAP**  
SR 109 / MP 39.1 Embankment Slope Displacement