



US Army Corps  
of Engineers®  
Portland District



# Joint Public Notice

## Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

**US Army Corps of Engineers**  
Regulatory Branch  
Post Office Box 2946  
Portland, OR 97208-2946  
Telephone (503) 808-4386  
Attn: Danielle Erb, Project Manager

**WA Department of Ecology**  
SEA Program  
Post Office Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6068  
ATTN: SEA Program,  
Federal Permit Coordinator

**Public Notice Date:** August 22, 2016  
**Expiration Date:** September 21, 2016

**Reference No.:** NWP-2008-472-1  
Chinook Marina Maintenance  
Dredging

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Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the U.S. as described below and shown on the enclosed drawings dated July 2016.

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. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

**APPLICANT:** Port of Chinook  
Attention: Guy Glenn  
P.O. Box 185  
Chinook, WA 98614  
Telephone: (360) 642-3143

**AGENT:** BergerABAM  
Attention: Carissa Watanabe  
210 East 13<sup>th</sup> Street, Suite 300  
Vancouver, WA 98660  
Telephone: (360) 823-6102

**LOCATION:** Port of Chinook Marina  
743 Water Street  
Chinook, WA 98614

**WORK:** The applicant proposes to continue annual maintenance dredging of the existing marina to a depth of -10 feet MLLW in the commercial area, and to -8 feet MLLW in the two recreational areas. Up to 20,000 cubic yards of sediments would be dredged from an approximate area of 9.7 acres within the marina per dredge event. Dredging would be accomplished by use of a hydraulic dredge and pipeline. Dredged materials would be placed at the Port's adjacent upland site for settling prior to discharging back into Baker Bay.

PURPOSE: Remove accumulated sediments to maintain boat access to the marina.

Dredged Material Testing: The proposed dredged material will be evaluated in accordance with the *Sediment Evaluation Framework for the Pacific Northwest* (SEF). The interagency Portland Sediment Evaluation Team (PSET) implements the SEF for the Corps Portland District. The PSET will determine if sediment testing is required for this project. Project sediments may require physical, chemical, and/or biological testing to support the permit application evaluation. The PSET will evaluate the applicant's sediment testing results and determine if project sediments are suitable for unconfined, aquatic disposal or exposure.

The proposed project includes future maintenance dredging. Prior to each maintenance dredging cycle the applicant would be required to coordinate with the Corps and the PSET to determine if additional sediment testing is required.

ADDITIONAL INFORMATION: The applicant is requesting a 10-year permit for maintenance dredging.

MITIGATION: The applicant has not proposed compensatory mitigation. The Corps will determine what is appropriate and practicable compensatory mitigation commensurate with the project impacts.

ENDANGERED SPECIES: 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.

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). The proposed action would impact EFH in the project area.

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. Historic properties are recorded near the proposed project. However, they do not occur in the permit area. The permit area was created in modern times and there is little likelihood that the proposed project will impinge on any historic property. The Corps invites responses to this public notice from Native American Tribes 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 Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

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**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 – CORPS:** 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 Corps 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.

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.

**EVALUATION – ECOLOGY:** Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

**ADDITIONAL EVALUATION:** Pacific County has issued an exemption (P1600405) from the requirement of obtaining a Shorelines Substantial Development permit for this project on August 15, 2016.

**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. 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 whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

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 Portland District's web page at <http://www.nwp.usace.army.mil/> under 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.

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CORPS COMMENTS: All e-mail comments should be sent to [Danielle.H.Erb@usace.army.mil](mailto:Danielle.H.Erb@usace.army.mil)  
Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch,  
Attention: Danielle Erb, P.O. Box 2946, Portland, OR 97208-2946. 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.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water  
quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence,  
may do so by submitting written comments to the following address: Washington State Department of Ecology,  
Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov).

To ensure proper consideration of all comments, responders must include the following name and reference number  
in the text of their comments: Chinook Marina Maintenance Dredging, NWP-2008-472-1.

Encl: Figures