



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

Regulatory Branch

May 9, 2016

Mr. Michael Marshall
Gibbs & Olson, Inc.
2604 12th Courth SW, Suite A

Reference: NWS-2016-285
City of Elma
Bank Stabilization

Dear Mr. Marshall:

We have received your application for a Department of the Army (DA) permit to replace an outfall and stabilize a river bank in the Chehalis River at Elma, Washington. We have assigned the project the reference number listed above. Please cite the reference number in any correspondence with us concerning this project. I will be the project manager processing this application. I have completed my initial review of the application and it is incomplete. Additional information is required to complete the application.

Because your project involves bank stabilization activities, as required by NWP Regional General Condition 4, you must submit the following information:

- a. Need for the work, including the cause of the erosion and the threat posed to structures, infrastructure, and/or public safety. The notification must also include a justification for the need to place fill or structures waterward of the line of the Corps' jurisdiction (typically, the ordinary high water mark or mean higher high water mark).
- b. Current and expected post-project sediment movement and deposition patterns in and near the project area. In tidal waters, describe the location and size of the nearest bluff sediment sources (feeder bluffs) to the project area and current and expected post-project nearshore drift patterns in the project area.
- c. Current and expected post-project habitat conditions, including the presence of fish, wildlife and plant species, submerged aquatic vegetation, spawning habitat, and special aquatic sites (e.g., vegetated shallows, riffle and pool complexes, or mudflats) in the project area.
- d. In rivers and streams, an assessment of the likely impact of the proposed work on upstream, downstream and cross-stream properties (at a minimum the area assessed should extend from the nearest upstream bend to the nearest downstream bend of the watercourse). Discuss the methodology used for determining effects. The Corps reserves the right to request

an increase in the reach assessment area to fully address the relevant ecological reach and associated habitat.

e. For new bank stabilization activities in rivers and streams, describe the type and length of existing bank stabilization within 300 feet up and downstream of the project area. In tidal areas, describe the type and length of existing bank stabilization within 300 feet along the shoreline on both sides of the project area.

f. Demonstrate the proposed project incorporates the least environmentally damaging practicable bank protection methods. These methods include, but are not limited to, the use of bioengineering, biotechnical design, root wads, large woody material, native plantings, and beach nourishment in certain circumstances. If rock must be used due to site erosion conditions, explain how the bank stabilization structure incorporates elements beneficial to fish. If the Corps determines you have not incorporated the least environmentally damaging practicable bank protection methods and/or have not fully compensated for impacts to aquatic resources, you must submit a compensatory mitigation plan to compensate for impacts to aquatic resources.

g. A planting plan using native riparian plant species unless the applicant demonstrates a planting plan is not appropriate or not practicable.

In addition to the information described above, your project may require an individual Water Quality Certification consistency determination concurrence from the Washington State Department of Ecology (Ecology) prior to commencing any work. Please send a completed *Joint Aquatic Resources Permit Application* form to Ecology to assist in expediting their review.

In addition to a Department of the Army permit, the proposed project may require other local, State, and/or Federal authorizations. For assistance in determining other permit requirements for the proposed project, we recommend you contact the Washington State Office of Regulatory Assistance via the internet at www.oria.wa.gov.

Please submit all of the required information within 30 days of the date of this letter. After receiving this information, I may contact you to discuss specific aspects of your proposal. If you do not submit the required information or contact me within 30 days, the application will be canceled. However, cancellation of the application would not preclude you from submitting another application in the future. Items referenced in *italicized text* can be found on our webpage at www.nws.usace.army.mil, select (“Regulatory Branch, Permit Information”, then “Forms”).

We recommend that you do not award construction contracts until the Corps has made a permit decision. Since a Department of the Army permit is necessary for this work, do not commence construction before obtaining a valid permit. If you have any questions, please contact me at: jason.p.fiorentini@usace.army.mil or at (206) 764-6071.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Fiorentini', written in a cursive style.

Jason Fiorentini, Project Manager
Regulatory Branch