

From: [Schmalz, Austin \(ECY\)](#)
To: [Mark Kushino](#)
Subject: RE: NWS-2023-728 ECY SEPA 202400236 - Phillips Dredging Project - Comments
Date: Monday, February 26, 2024 9:46:51 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi Mark,

With no federal nexus, and as long as disposal remains upland, no further action regarding Ecology review is required for this scope of work.

Thanks,

Austin Schmalz

Regional 401/CZM Federal Permit Manager

Shorelands & Environmental Assistance

WA State Department of Ecology, NW Region

austin.schmalz@ecy.wa.gov | (425) 301-6989

From: Mark Kushino <mark@waterfrontconstruction.com>
Sent: Tuesday, February 20, 2024 1:13 PM
To: Schmalz, Austin (ECY) <AUSC461@ECY.WA.GOV>
Subject: FW: NWS-2023-728 ECY SEPA 202400236 - Phillips Dredging Project - Comments

External Email

Good afternoon Austin,

Please see the attached construction BMPs, as well as Shane's response below regarding the dredging approval from the Corps. Can you please confirm that no further action should be required regarding Ecology review? If not, can you please illustrate what next steps will be required?

Thank you,

Mark Kushino | Permit Coordinator | Department Lead

He/him

Waterfront Construction, Inc.

205 NE Northlake Way, Suite 230, Seattle, WA 98105

Cell: 206-407-5859 | Office: 206-548-9800

mark@waterfrontconstruction.com



From: Shelburne, Shane M CIV USARMY CENWS (USA) <Shane.M.Shelburne@usace.army.mil>
Sent: Tuesday, February 20, 2024 11:54 AM
To: Mark Kushino <mark@waterfrontconstruction.com>
Cc: Williams, Trevor P CIV USARMY CENWS (USA) <Trevor.Williams@usace.army.mil>
Subject: RE: NWS-2023-728 ECY SEPA 202400236 - Phillips Dredging Project - Comments

Hi Mark,

You may assume the previously approved amount of dredging would still cover the reduced amount. And according to our DMMO Team "Evaluation of the dredged material or the exposed sediment surface will not be required". I hope this answers your questions.

Regards,
Shane Shelburne

From: Mark Kushino <mark@waterfrontconstruction.com>
Sent: Tuesday, February 20, 2024 8:58 AM
To: Shelburne, Shane M CIV USARMY CENWS (USA) <Shane.M.Shelburne@usace.army.mil>
Cc: Williams, Trevor P CIV USARMY CENWS (USA) <Trevor.Williams@usace.army.mil>
Subject: [Non-DoD Source] RE: NWS-2023-728 ECY SEPA 202400236 - Phillips Dredging Project - Comments

Good morning Shane,

The only change in scope was that the client decided to reduce the amount of proposed dredging from +/- 385 cubic yards to about 200 cy. No other changes have been made.

- May we assume that no further action means that the current amount of dredging was previously approved?
- If so, then may I presume that no sediments will need to be characterized?

Thank you,

Mark Kushino | Permit Coordinator | Department Lead
He/him

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From: Shelburne, Shane M CIV USARMY CENWS (USA) <Shane.M.Shelburne@usace.army.mil>

Sent: Tuesday, February 20, 2024 7:03 AM

To: Mark Kushino <mark@waterfrontconstruction.com>

Cc: Williams, Trevor P CIV USARMY CENWS (USA) <Trevor.Williams@usace.army.mil>

Subject: NWS-2023-728 ECY SEPA 202400236 - Phillips Dredging Project - Comments

Mark,

According to our Dredge Management Office, this project was evaluated, last year, under NWS-2023-728. Their determination "was that no further DMMP involvement was needed based on the information provided (This decision was made on the basis on multiple factors including the proposed dredging volume (<400 cy), DMMP project rank (moderate), disposal location (upland), and existing/available chemical data for the area)."

You can see their complete response in the attached email.

The project is currently assigned to Trevor Williams, and he is copied on this email.

Let me know if this answers your question, or if you need more clarification.

Regards,

Shane Shelburne

Biologist, Regulatory Project Manager

U.S. Army Corps of Engineers

Regulatory Branch, Seattle District

Office: (206) 316-3156

Cell: (206) 586-7250

From: Mark Kushino <mark@waterfrontconstruction.com>

Sent: Thursday, February 15, 2024 11:13 AM

To: Shelburne, Shane M CIV USARMY CENWS (USA) <Shane.M.Shelburne@usace.army.mil>

Subject: [Non-DoD Source] FW: ECY SEPA 202400236 - Phillips Dredging Project - Comments

Shane,

Please see the attached comment letter from Ecology. Just to sum up, it appears the Ecology needs to know if the Corps will ask us to determine whether the sediments need to be characterized. This will determine next steps in their review.

Can you please provide a response, if you are able to?

Thank you very much,

Mark Kushino | Permit Coordinator | Department Lead

He/him

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From: Nishikawa, Tracy (ECY) <tnis461@ecy.wa.gov> **On Behalf Of** ECY RE NW SEPA (NWRO)

Sent: Thursday, February 15, 2024 11:00 AM

To: molly.mcguire@mercerisland.gov

Cc: Mark Kushino <mark@waterfrontconstruction.com>; Schmalz, Austin (ECY) <AUSC461@ECY.WA.GOV>

Subject: ECY SEPA 202400236 - Phillips Dredging Project - Comments

Good morning,

Thank you for the opportunity to comment on the Phillips Dredging Project (Lead Agency File No(s). SHL23-059 & SEP23-019). Ecology's comments are attached.

[Statewide SEPA Register No. 202400236]

Thank you,

Tracy Nishikawa

Administrative Assistant to Northwest Region Director Tom Buroker

