

Prepared by:  
The Dredged Material Management Office  
Seattle District, U.S. Army Corps of Engineers

MEMORANDUM FOR RECORD

August 2, 2018

**SUBJECT:** DMMP NO-TEST DETERMINATION FOR MAINTENANCE DREDGING AT A RESIDENTIAL DOCK IN GIG HARBOR OWNED BY DENNIS GRAHAM (NWS-2018-240).

- 1. Introduction.** This memorandum documents the no-test determination by the Dredged Material Management Program (DMMP) agencies (U.S. Army Corps of Engineers, Washington Departments of Ecology and Natural Resources, and the Environmental Protection Agency) for maintenance dredging at a residential dock in Gig Harbor. The dock is associated with property owned by Dennis Graham on North Harborview Drive (Figure 1).

The existing dock was permitted by the Corps of Engineers in 1968 (Attachment 1). The proposed project includes replacement of the existing dock and maintenance dredging of the moorage slip. The dredged material will be placed upland on the property. Dredging will be limited to the same footprint and depth (-10 feet mean lower low water) as originally dredged. The calculated volume, including 1V:4H side slopes, is 713 cubic yards (Figure 2).

- 2. Evaluation.** The DMMP guidelines provide testing relief for small projects, depending on the rank of the project. According to the DMMP User Manual, projects in Gig Harbor are ranked as a 'moderate' risk for sediment contamination (DMMP, 2016). In a moderate-ranked area, a small project is defined as one with less than 1,000 cubic yards. With only 713 cubic yards, this project qualifies as a small project. Under the DMMP guidelines, sediment sampling and testing are not required for small projects in moderate-ranked areas.

The small-project guidelines were meant to apply to projects with proposed open-water disposal. For projects with upland disposal, the suitability of the dredged material for open-water disposal is not relevant. However, such projects are still subject to evaluation under the Department of Ecology's antidegradation standard (Ecology, 2013), which requires that the sediment to be exposed by dredging be of similar or better quality than the existing sediment surface. The DMMP agencies have agreed that the small-project guidelines apply equally to suitability determinations for open-water disposal and antidegradation evaluations.

- 3. No-Test Determination.** This project is located in an area of moderate concern with regard to sediment contamination and upland disposal is proposed. The proposed dredged material volume of 713 cubic yards is less than the "no-test" volume of 1,000 CY for moderate-ranked areas. Based on the DMMP small-project guidelines, the DMMP agencies have determined that sampling and testing are not required for this project.

This determination does *not* constitute final agency approval of the project. During the public comment period that follows a public notice, resource agencies and the public will provide input on the overall project. A final decision will be made after full consideration of public input.

4. **References.**

DMMP, 2016. Dredged Material Evaluation and Disposal Procedures (User Manual). Dredged Material Management Program, August 2016.

Ecology, 2013. *Sediment Management Standards – Chapter 173-204 WAC*. Washington State Department of Ecology, Revised February 2013.

5. **DMMO Signature.** This determination was coordinated by the undersigned with Laura Inouye (Ecology), Erika Hoffman (EPA) and Celia Barton (DNR).

**The signed copy is on file in the Dredged Material Management Office.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Fox, P.E. - Seattle District Corps of Engineers

Copies Furnished:

DMMP agencies

Jacalen Printz, USACE Regulatory

Railin Santiago, Shoreline Environmental Consulting LLC

DMMO File

Figure 1



Google earth





DEPARTMENT OF THE ARMY

NOTE.—It is to be understood that this instrument does not give any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State, or local laws or regulations, nor does it obviate the necessity of obtaining State assent to the work authorized. ~~IT MERELY EXPRESSES THE ASSENT OF THE FEDERAL GOVERNMENT SO FAR AS CONCERNS THE PUBLIC RIGHTS OF NAVIGATION.~~ (See *Cummings v. Chicago*, 188 U. S., 410.)

16-13108-2

PERMIT

Seattle District, Corps of Engineers.  
Seattle, Washington

.....11 December, 19 68

Mr. Silas E. Nelsen  
2715 Center Street  
Tacoma, Washington 98409

Dear Mr. Nelsen:

Referring to written request dated \_\_\_\_\_ 8 July 1968 \_\_\_\_\_

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army.

to dredge, construct a pier, boat moorage float, and bulkhead, and to fill  
(Here describe the proposed structure or work.)  
shoreward of the bulkhead (dredged material is to be used for the fill)

in Gig Harbor \_\_\_\_\_  
(Here to be named the river, harbor, or waterway concerned.)

at Gig Harbor, Washington \_\_\_\_\_  
(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

in accordance with the plans shown on the drawing attached hereto and marked:  
(Or drawings: give file number or other definite identification marks.)  
"Proposed Bulkhead, Pier & Dredging in Town of Gig Harbor at end of Bay County -  
Pierce State Wash. Application by Silas Nelsen July 8, 1968 (in 2 shts)"

subject to the following conditions:

**NOTE**

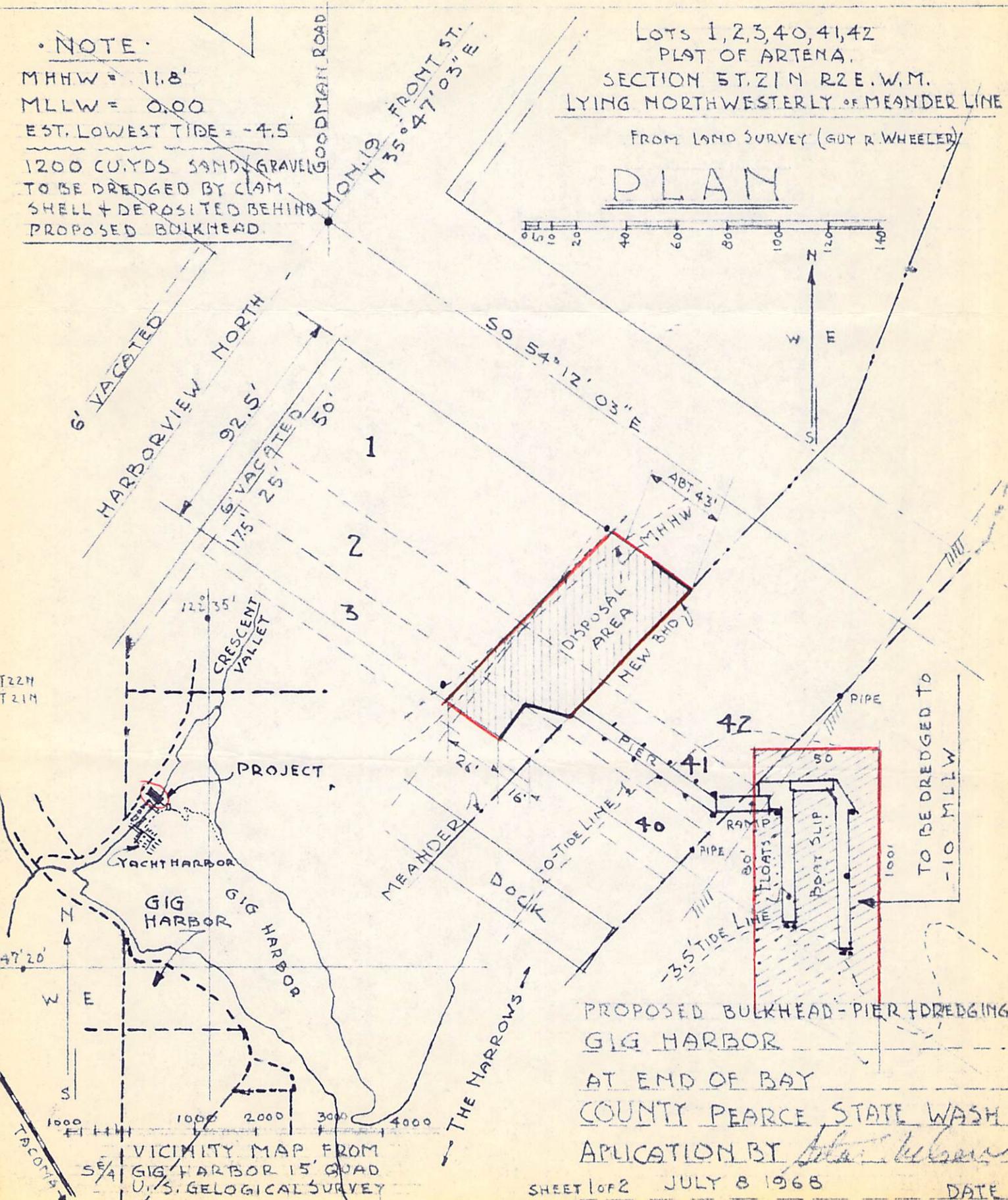
MHHW = 11.8'  
 MLLW = 0.00  
 EST. LOWEST TIDE = -4.5'

1200 CU. YDS SAND/ GRAVEL  
 TO BE DREDGED BY CLAM  
 SHELL & DEPOSITED BEHIND  
 PROPOSED BULKHEAD.

LOTS 1, 2, 3, 40, 41, 42  
 PLAT OF ARTENA,  
 SECTION 5T. 21N R2E. W.M.  
 LYING NORTHWESTERLY OF MEANDER LINE

FROM LAND SURVEY (GUY R. WHEELER)

**PLAN**

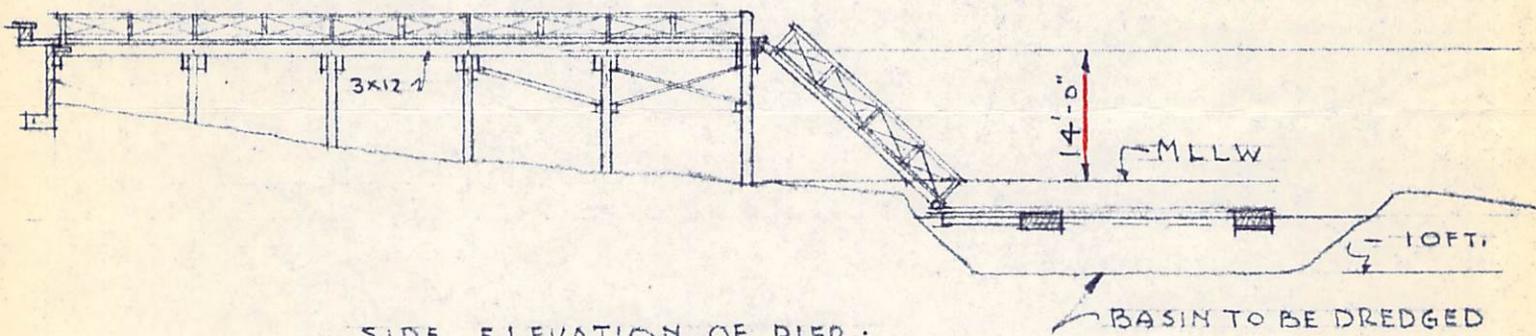


PROPOSED BULKHEAD - PIER + DREDGING  
 GIG HARBOR  
 AT END OF BAY  
 COUNTY PEARCE STATE WASH.  
 APPLICATION BY *John Wilson*

T22M  
T21M

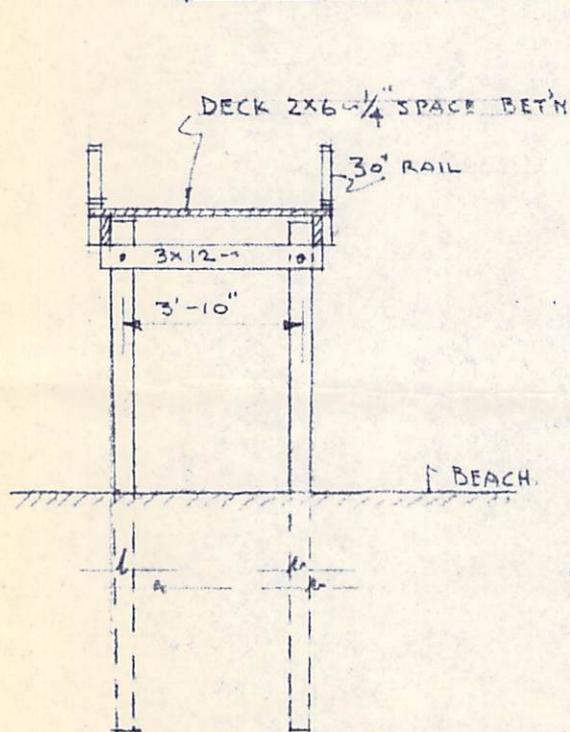
TACOMA

VICINITY MAP FROM  
 GIG HARBOR 15' QUAD  
 U.S. GEOLOGICAL SURVEY



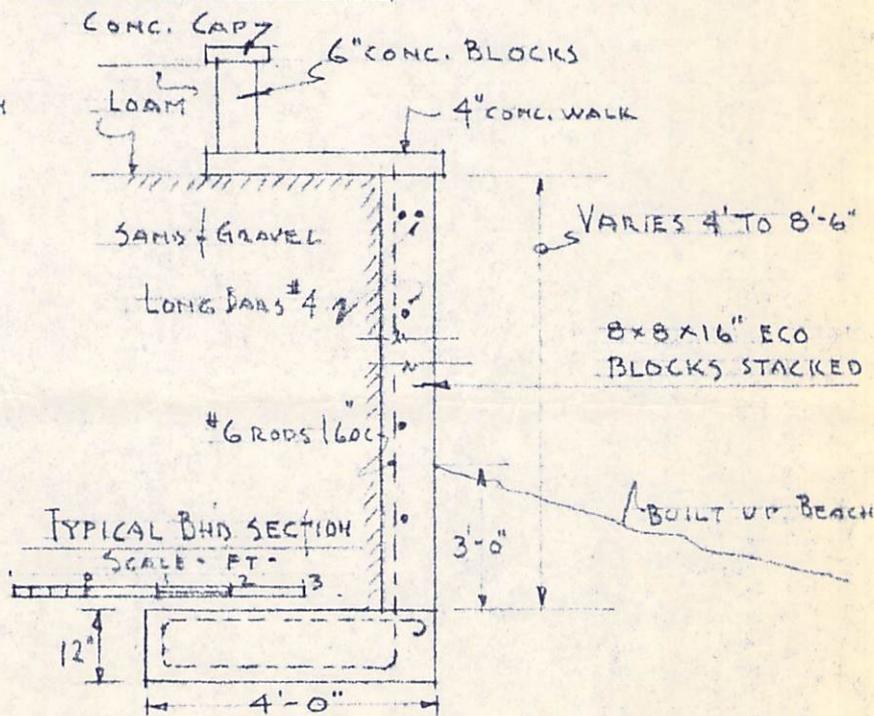
SIDE ELEVATION OF PIER.

SCALE OF FEET



TYPICAL CROSS SECTION THRU PIER.

SCALE OF FEET



TYPICAL BULKHEAD SECTION

SCALE - FT.

PROPOSED BULKHEAD PIER + DREDGING  
IN TOWN OF GIG HARBOR

AT END OF BAY  
COUNTY - PEARCE - STATE WASH.

APPLICATION BY *John Nelson*

SHEET 2 OF 2 JULY 8 1968 DATE

(a) That the work shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pipe, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit therefor must be previously obtained from the Supervisor of New York Harbor, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use by the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the Secretary of the Army, to remove or alter the structural work or obstructions caused thereby without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the United States, and to such extent and in such time and manner as the Secretary of the Army may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the United States on account of any such removal or alteration.

(g) That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

(h) That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the U. S. Coast Guard, shall be installed and maintained by and at the expense of the owner.

(i) That the permittee shall notify the said district engineer at what time the work will be commenced, and as far in advance of the time of commencement as the said district engineer may specify, and shall also notify him promptly, in writing, of the commencement of work, suspension of work, if for a period of more than one week, resumption of work, and its completion.

(j) That if the structure or work herein authorized is not completed on or before -----31st----- day of December -----, 19 71, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

(k) That the permittee shall comply promptly with any regulations, conditions, or instructions affecting the work hereby authorized if and when issued by the Federal Water Pollution Control Administration and/or the State water pollution control agency having jurisdiction to abate or prevent water pollution. Such regulations, conditions, or instructions in effect, or prescribed by the Federal Water Pollution Control Administration or State agency are hereby made a condition of this permit.

By authority of the Secretary of the Army:



R. E. MC CONNELL  
Colonel, Corps of Engineers  
District Engineer