

Review by the U.S. Army Corps of Engineers

The Army Engineers have repeatedly indicated that they were on the verge of rendering their decision on the third application. But each of these reports has failed to pan out. Early on, the Corps said that it would not act until the State had finished its part of the process. The Corps seemed to be unsure whether the certificate was in force, after the Pollution Control Hearings Board (the State's official body for reviewing such certificates) had ruled that it was *not*.

The Corps has a huge mass of materials under consideration, hundreds upon hundreds of documents, including everything submitted to Ecology and much more. The Corps is considering difficult issues of "public need", the stability of the proposed runway embankment, and issues of Federal water-quality and wildlife standards. The Corps has said in the past that this is the largest sec. 404 proceeding that has come before it to date. It is certainly the largest public works project in our State since the Grand Coulee Dam.

RCAA believes that the civilian technicians in the Seattle District Office are drafting possible conditions that might be included in a permit, as a way of gauging whether there is any way to approve the application. This work is separate from the Corps' necessary evaluation of the "public need" for the runway, and of course writing a draft is not the same as making a decision to issue it. Typically, in a complicated situation, the Engineers (like Ecology) will condition their approval of a project by laying out various steps that must be taken by the project proponent. These are often negotiated between the proponent and the agency. Sometimes critics of a project also participate in writing the conditions of a permit. In this case, participation by critics of the project has been in the form of detailed written comments, critiquing the proposals and reports submitted on behalf of the Airport. An agency might simply accept the proposals from the proponent, but in this case, it is likely that the Army Engineers will have ideas of their own as well.

Topics for conditions in a sec. 404 permit

(Wetlands) Certainly, any permit issued by the Corps will

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have highly detailed requirements for replacement of lost wetlands. Whether the Auburn replacement-wetlands approach will be approved is unknown.

(Streamflow) The difficult problems of streamflow will also be addressed, no doubt; we do not believe that the Corps will simply define goals for future levels of streamflow. Rather, we believe that the Corps will impose specific requirements for specific measures to be taken. We would hope that if the Corps decides to issue the permit, there will be fail-safe provisions to guarantee future streamflow volumes.

(Embankment issues) Three groups of hard questions are raised by the embankment. First, what about passage of rainwater through the embankment? Will the embankment allow water to percolate down to the wetlands and stream at its foot, or will it hold that water back? The Port has said, rather improbably, that it will do both at once. Second, what about contaminated fill, past & prospective? Will the Corps require the Port to find, and then to remove, the various shipments of contaminated fill that were received in earlier years? Will the Corps devise a plan to prevent such fill from being accepted in the future? Finally, what can the Corps require to ensure that the embankment will be seismically stable? Will it disallow the semi-experimental mechanically stabilized embankment (MSE) approach, in favor of something more conventional, more proven (such as a real concrete retaining wall)?

There is no deadline for action by the Engineers.

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