



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

REPLY TO
ATTENTION OF

DEC 09 2011

Regulatory Branch

Reference: NWS

Dear Mr.

We have reviewed your application to replace a portion of an existing bulkhead with angular rock, fabric encased soil lifts, and native vegetation in Moses Lake near the city of Moses Lake, Grant County, Washington. Based on the information you provided to us, Nationwide Permit (NWP) 13, Bank Stabilization (Federal Register, March 12, 2007 Vol. 72, No. 47), authorizes your proposal. In order for this NWP authorization to be valid, you must ensure the work is performed in accordance with the enclosed *Nationwide Permit 13, Terms and Conditions*.

We are unable to determine whether or not your project requires individual Water Quality Certification from the Washington State Department of Ecology (Ecology). Before you may proceed with the work authorized by this NWP, you must contact the following Ecology office regarding these requirements:

Washington State Department of Ecology, Eastern Regional Office, 4601 North Monroe, Suite 202, Spokane, Washington 99205-1295; telephone (509) 329-3584.

If more than 180 days pass without Ecology responding to your individual WQC request, your requirement to obtain an individual WQC becomes waived. You may then proceed to construction.

We have reviewed your project pursuant to the requirements of the Endangered Species Act (ESA) and the Magnuson-Stevens Fishery Conservation and Management Act in regards to Essential Fish Habitat (EFH). We have determined that this project complies with the requirements of the NWP National General Condition regarding ESA and will not adversely affect EFH.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked on March 18, 2012. It is

incumbent upon you to remain informed of changes to the NWP. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before March 18, 2012, you will have until March 18, 2013 to complete the activity under the present terms and conditions of this NWP.

Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899. Also, you must obtain all State and local permits that apply to this project.

Upon completing the authorized work, you must fill out and return the enclosed *Certificate of Compliance with Department of the Army Permit* form. Thank you for your cooperation during the permit process. We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey form. This form and information about our program is available on our website.

A copy of this letter with enclosures will be furnished to
Washington 99224. If you have any questions about this letter, please contact
me at (509) or via email at

Sincerely,

Regulatory Branch

Enclosures