



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

July 19, 2010

Mr. Patrick Cagney
P.O. Box 3755
U.S. Army Corps of Engineers, Seattle District
Seattle WA 98124-3755

RE: U.S. Environmental Protection Agency (EPA) Comments on the Notice of Intent (NOI) to Prepare an Environmental Impact Statement (EIS) for the Elliott Bay Seawall Project (Project). (EPA Project Number: 06-016-COE)

Dear Mr. Cagney:

The EPA has reviewed the above-referenced NOI. We are providing comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

EPA's May 2, 2006 comments on the Army Corps of Engineers' (Corps) March 31, 2006 NOI continue to be relevant and are attached.

In addition, the Executive Order 13514 – Federal Leadership in Environmental Energy, and Economic Performance – was published in the Federal Register on October 8, 2009. This Order applies to federal actions and outlines actions to be taken to, among other things, increase energy efficiency; measure, report and reduce greenhouse gas emissions from direct and indirect activities; conserve and protect water resources, recycle and prevent pollution.

We are concerned that the NOI may not include sufficient information for agencies and the public to provide meaningful comment. We recommend that, for future projects, the Corps include more detailed information in the NOI or other scoping documents.

Given the lack of specificity in the NOI, our attached comments may not represent all of EPA's concerns. In order to best inform the Corps of EPA's potential concerns on this Project we are available to participate in your Draft EIS development process.

We appreciate this opportunity to comment and if you have any questions please contact me at (206) 553-6642 or by electronic mail at nearman.maryjane@epa.gov.

Sincerely,

MJ Nearman,
NEPA Reviewer
Environmental Review and Sediment Management Unit

Attachment