US Army Corps of Engineers
Seattle District

Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (206) 764-6182
ATTN: Frank Nichols,
Project Manager

WA Department of Ecology
SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6068
ATTN: SEA Program,
Federal Permit Coordinator

Public Notice Date: May 1, 2015
Expiration Date: May 31, 2015

Reference No.: NWS-2014-1080
Name: Skagit, Port of

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the U.S. as described below and shown on the enclosed drawings dated February 24, 2015.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: Ms. Heather Haslip
Port of Skagit
15400 Airport Drive
Burlington, Washington 98233
Telephone: (360) 757-0014

LOCATION: At the Port of Skagit La Conner Marina in the Swinomish Channel at La Conner in Skagit County, Washington.

WORK: Dredge up to 136,500 cubic yards of sediment over approximately 634,570 square feet in the North Basin and 376,050 square feet in the South Basin from the entrance channel and main basins of the Port of Skagit Marina. Dredging would be performed to a target depth of -12 feet mean lower low water (MLLW) with up to one-foot of over-dredge to a maximum depth of -13 feet MLLW. Work would be completed using a barge-mounted clamshell dredge and/or excavator; dredged material would be placed on a barge and transported to the Port Gardner open-water site for disposal. A 10-year maintenance dredge and disposal cycle is proposed.

Additional work includes replacing broken, damaged, or decayed timber creosote piles within both the North and South basins. Piles to be replaced would be removed using vibratory methods and replaced in their existing locations with 12-inch-diameter steel piles. The steel piles would be driven by vibratory hammer. Pile replacement pertains only to float piles. Piles supporting other structures, such as approach piers, are not included. No change in the number of existing piles is proposed (currently there are 135 wood float piles in the North Basin and 192 in the South Basin). The applicant estimates replacement of up to 20 piles per year, per basin, as part of this proposal.

NWS-2015-01080, Skagit, Port of

PURPOSE: Restore navigable depths of a public marina and replace existing broken, damaged, or decayed timber creosote piles.

DREDGED MATERIAL MANAGEMENT PROGRAM (DMMP):

Dredged Material Testing: The proposed dredged material has been tested according to the procedures specified by DMMP, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Washington State. The DMMP evaluations may include both chemical and biological testing of sediments. For this project, the DMMP agencies determined that the 136,500 cubic yards to be dredged initially are suitable for unconfined disposal at the DMMP nondispersive (or dispersive) open-water disposal site in Port Gardner non-dispersive open-water site. The sediment testing data are available at the Corps, Seattle District, Dredged Material Management Office. Prior to each maintenance dredging cycle, the DMMP agencies will determine whether additional sediment testing is required. If additional testing is required, no disposal will take place at a DMMP site until the material has been determined suitable for open-water disposal by the DMMP agencies.

Disposal Site Use Conditions: The following standard site-use conditions will be specified by the Corps and the Washington Department of Natural Resources as part of the Federal/State permitting processes if a permit is issued: (1) disposal operations must not interfere with Indian treaty fishing at the disposal site, including gill nets and other fishing gear; (2) the permittee must coordinate any nighttime disposal with the Corps, Seattle District, Regulatory Branch Project Manager; and (3) approval must be received from the District Engineer prior to conducting nighttime disposal. Other appropriate special conditions may be added as a result of comments received during the public review period for this public notice.

MITIGATION: No mitigation is currently proposed.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area. If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The Corps has reviewed the latest published version of the National Register of Historic Places, Washington Information System for Architectural and Archaeological Records Data and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The Corps invites responses to this public notice from Native American Tribes or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

NWS-2015-01080, Skagit, Port of

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION – ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: The town of La Conner has issued an exemption from the requirement of obtaining a Shorelines Substantial Development permit for this project.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether authorizing the work would not be contrary to the public interest. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

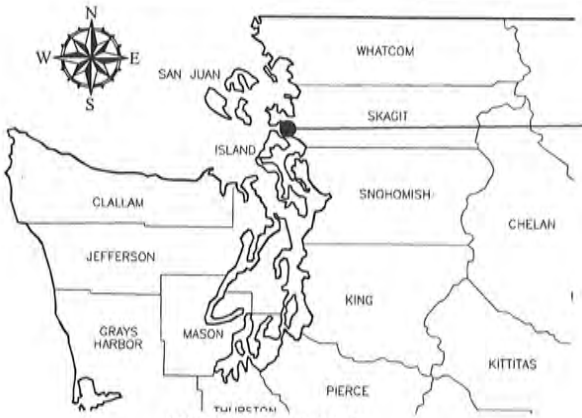
CORPS COMMENTS: All e-mail comments should be sent to frank.t.nichols@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Frank Nichols, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

NWS-2015-01080, Skagit, Port of

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

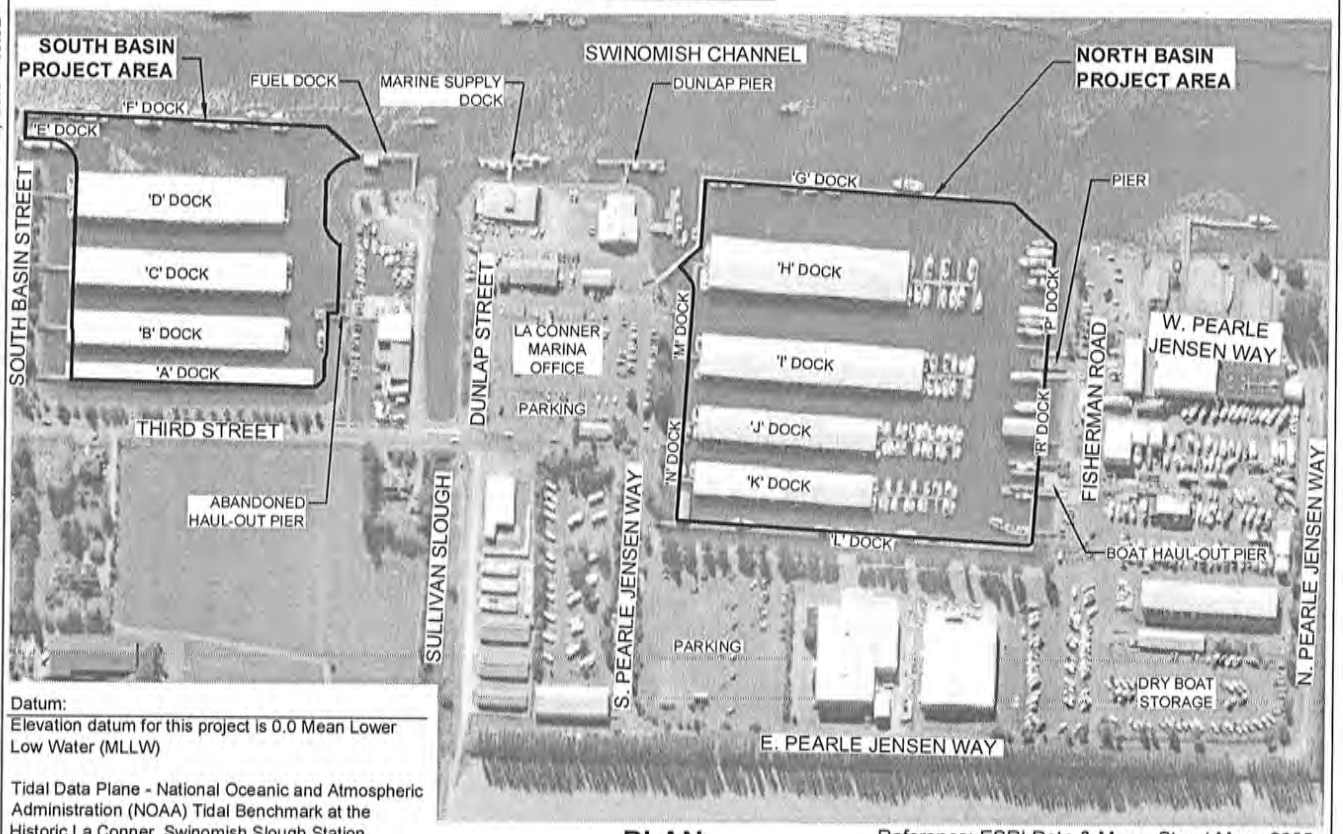
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Skagit, Port of; NWS-2015-01080

Encl: Figures (11)



PROJECT SITE
LAT: 48°23'45"N
LONG: 122°29'40"W

VICINITY MAP



PLAN

Reference: ESRI Data & Maps, Street Maps 2005.

Datum:
Elevation datum for this project is 0.0 Mean Lower Low Water (MLLW)

Tidal Data Plane - National Oceanic and Atmospheric Administration (NOAA) Tidal Benchmark at the Historic La Conner, Swinomish Slough Station 944-8558.

Mean Higher High Water (MHHW)	+10.35 ft
Mean High Water (MHW)	+ 9.43 ft
Mean (Half) Tide Level (MTL)	+ 6.06 ft
Mean Sea Level (MSL)	+ 5.96 ft
NGVD29	+ 5.30 ft
Mean Low Water (MLW)	+ 2.70 ft
NAVD88	+ 1.51 ft
Mean Lower Low Water (MLLW)	+ 0.00 ft

400 0 400
FEET

PURPOSE:
- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA MAINTENANCE DREDGING AND PILE REPLACEMENT

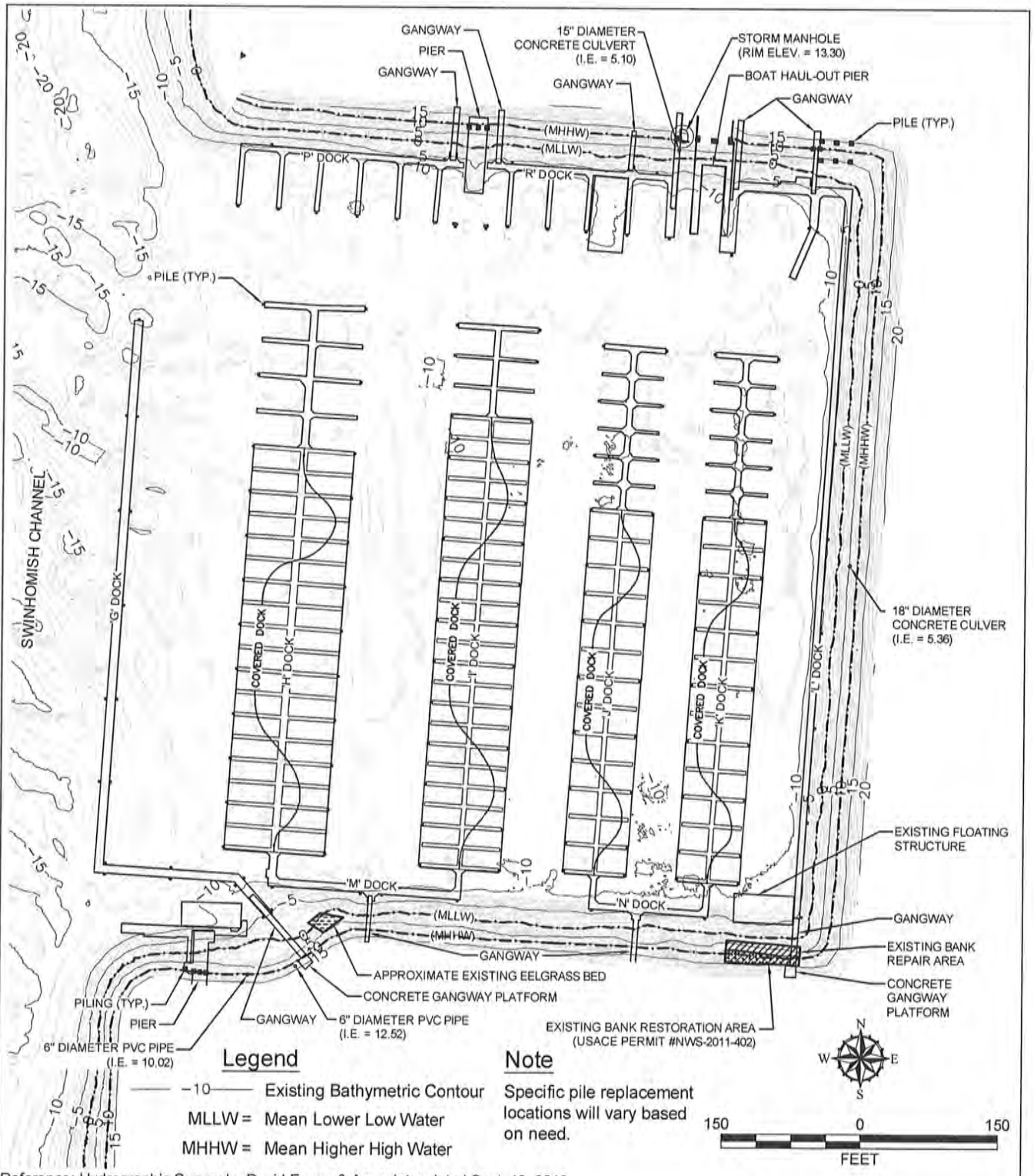
SITE PLAN

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:
- MAINTENANCE DREDGING OF UP TO 136,500 CY OF SEDIMENTS OVER A 10 YEAR PERIOD.
- REMOVE AND REPLACE DAMAGED TIMBER PILES WITH STEEL PILES.

IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011
SHEET: 1 OF 10 DATE: FEB. 24, 2015

P:\15\536401\02\CAD\JARPA FOR DREDGING AND PILE REPLACEMENT\536401-00 JARPA SHT_1.DWG\TAB:SITE PLAN MODIFIED BY TMICHAUD ON FEB 24, 2015 - 15:32



Legend

—10— Existing Bathymetric Contour

MLLW = Mean Lower Low Water

MHHW = Mean Higher High Water

Note

Specific pile replacement locations will vary based on need.

Reference: Hydrographic Survey by David Evans & Associates dated Sept. 12, 2013.

PURPOSE:

- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA MAINTENANCE DREDGING AND PILE REPLACEMENT

NORTH BASIN

EXISTING CONDITIONS AND PILE LOCATIONS

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:

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IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 2 OF 10 DATE: FEB. 24, 2015

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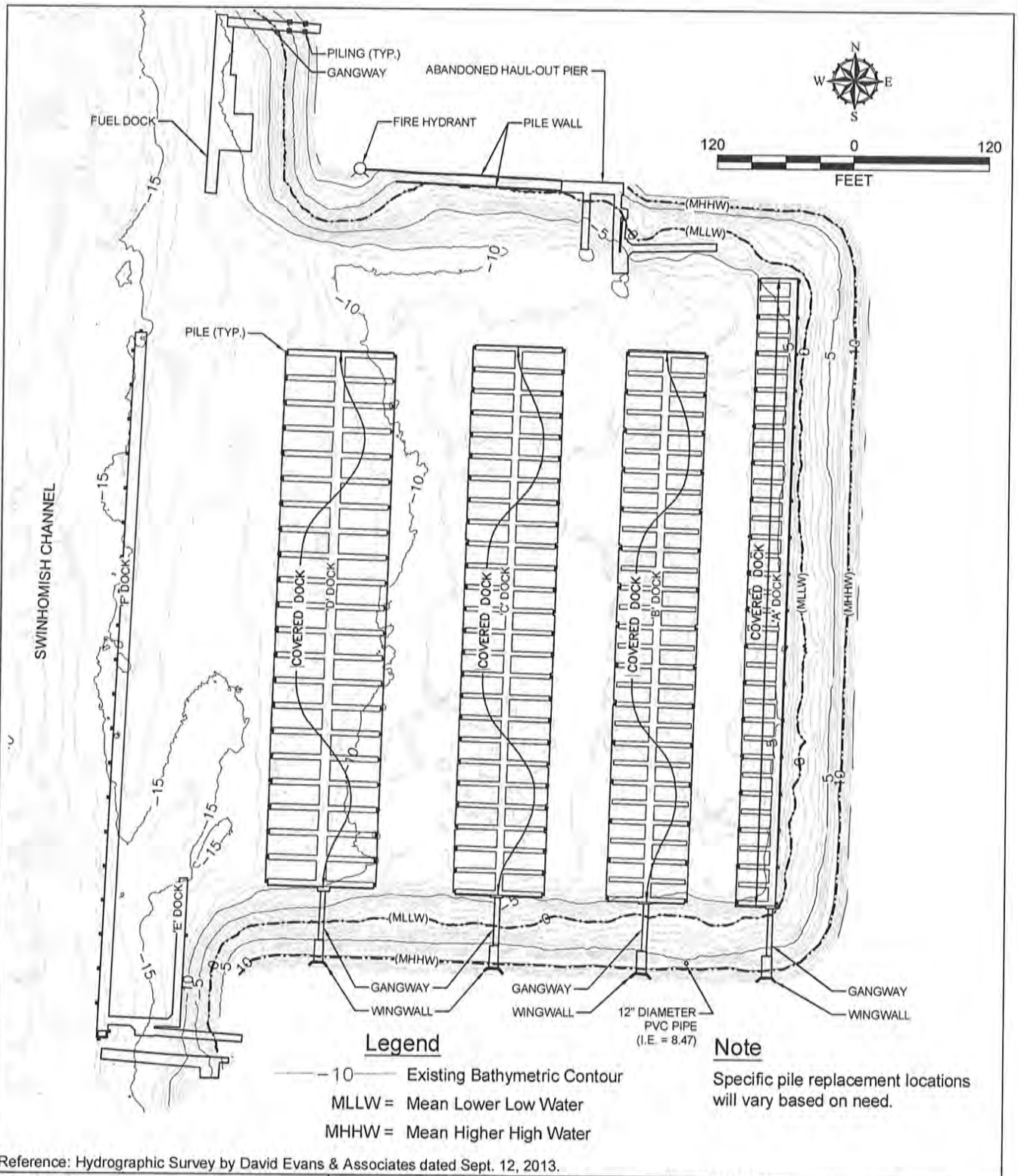

Reference: Hydrographic Survey by David Evans & Associates dated Sept. 12, 2013.

PURPOSE:

- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA MAINTENANCE DREDGING AND PILE REPLACEMENT

SOUTH BASIN EXISTING CONDITIONS AND PILE LOCATIONS

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:

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IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 3 OF 10 DATE: FEB. 24, 2015

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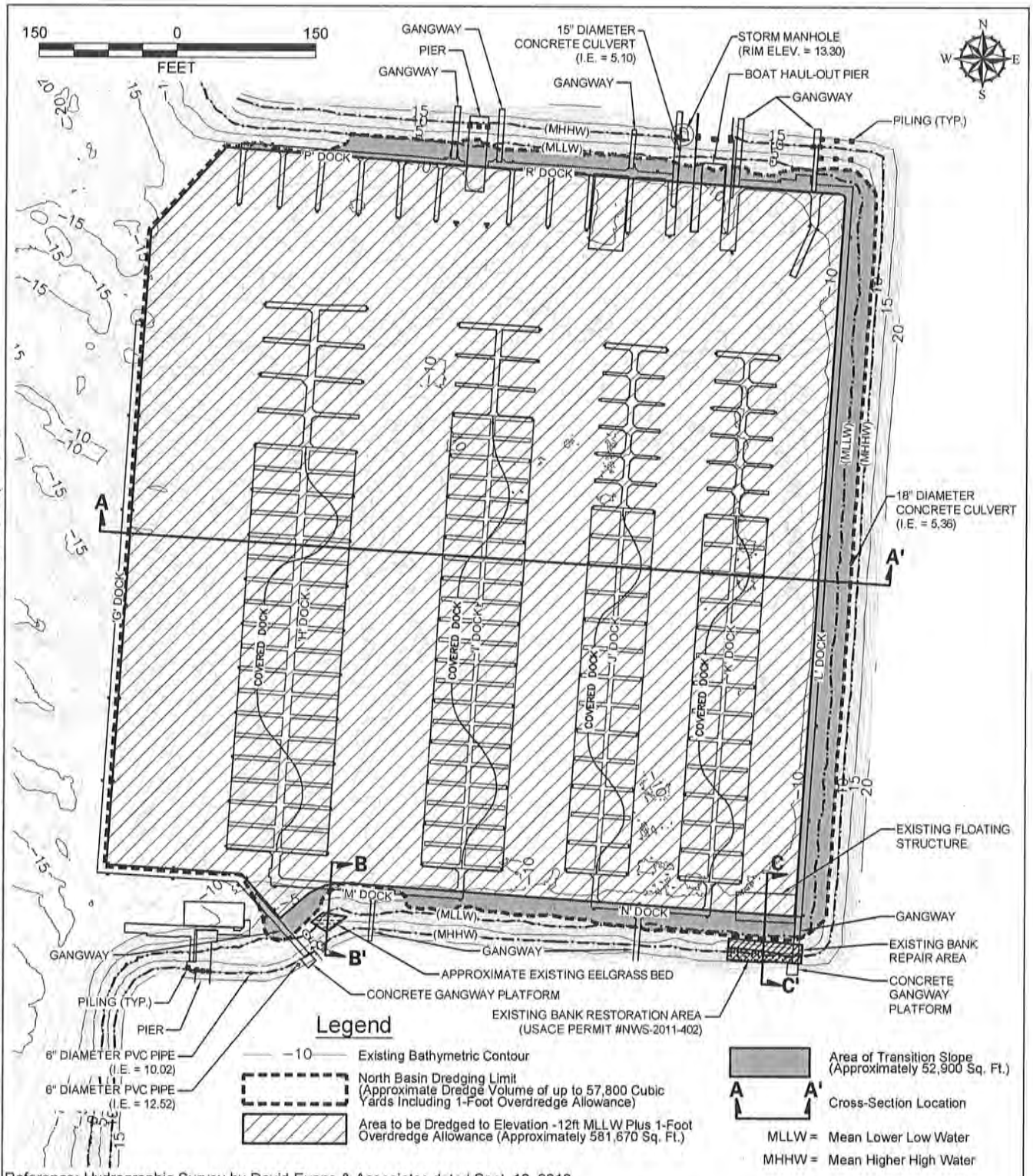
Corps ID: NWS-2014-01080



Reference: Hydrographic Survey by David Evans & Associates dated Sept. 12, 2013.

PURPOSE:

- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA MAINTENANCE DREDGING AND PILE REPLACEMENT

NORTH BASIN DREDGING PLAN

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:

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IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 4 OF 10 DATE: FEB. 24, 2015

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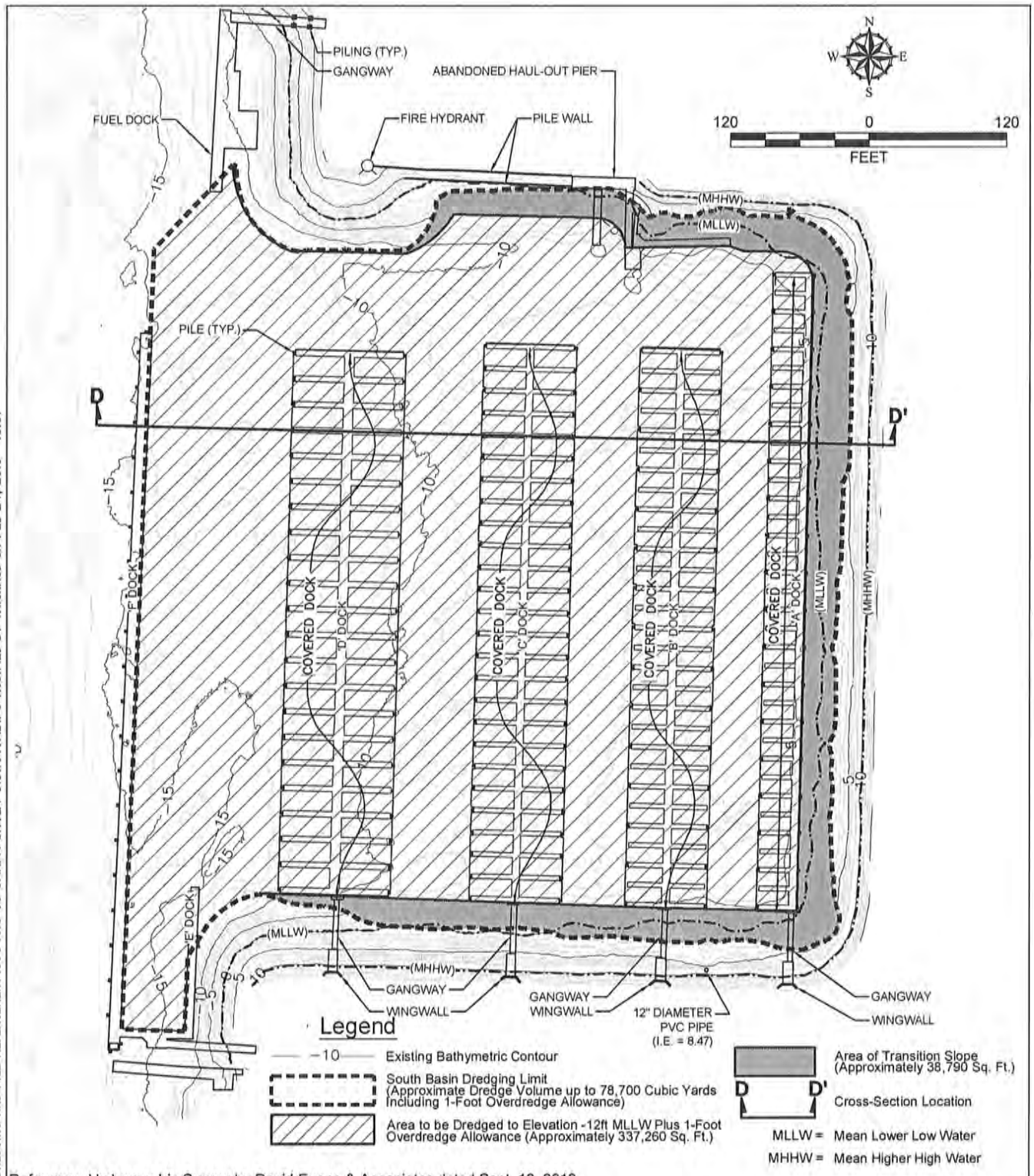

Reference: Hydrographic Survey by David Evans & Associates dated Sept. 12, 2013.

PURPOSE:

- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA MAINTENANCE DREDGING AND PILE REPLACEMENT

SOUTH BASIN DREDGING PLAN

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:

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- REMOVE AND REPLACE DAMAGED TIMBER PILES WITH STEEL PILES.

IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 5 OF 10 DATE: FEB. 24, 2015

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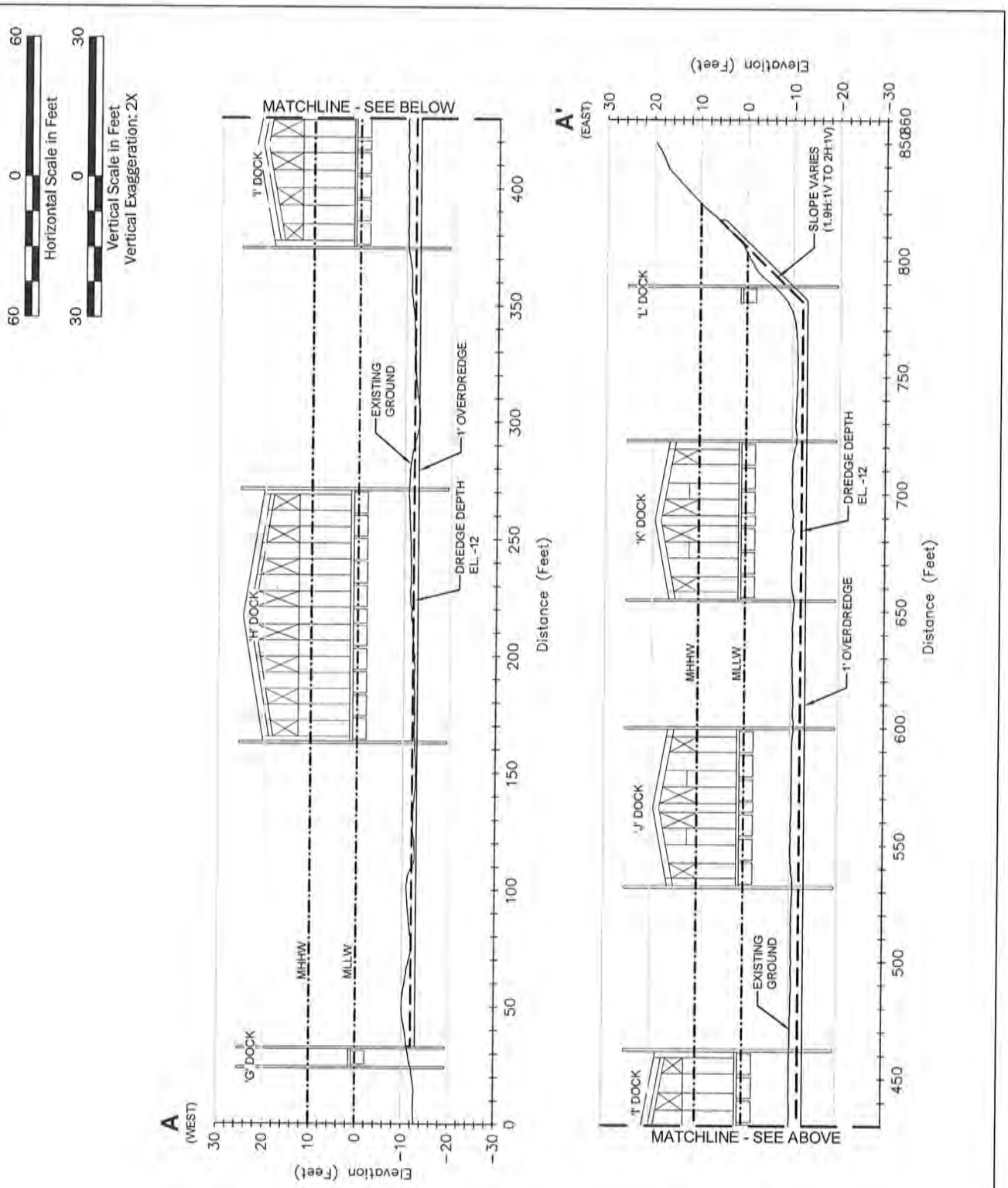

PURPOSE:

- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA
MAINTENANCE DREDGING AND PILE REPLACEMENT

DREDGING CROSS-SECTION A-A'

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:

- MAINTENANCE DREDGING OF UP TO 136,500 CY OF SEDIMENTS OVER A 10 YEAR PERIOD.
- REMOVE AND REPLACE DAMAGED TIMBER PILES WITH STEEL PILES.

IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 6 OF 10 DATE: FEB. 24, 2015

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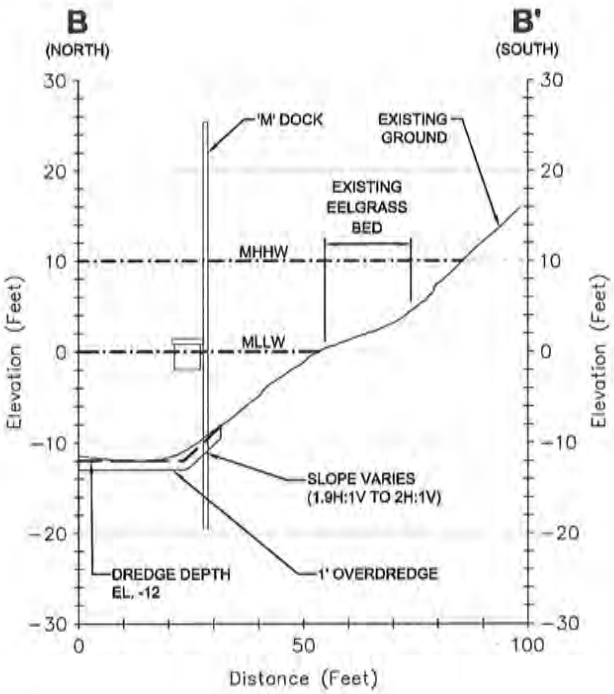

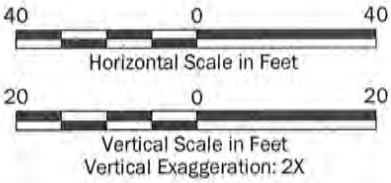

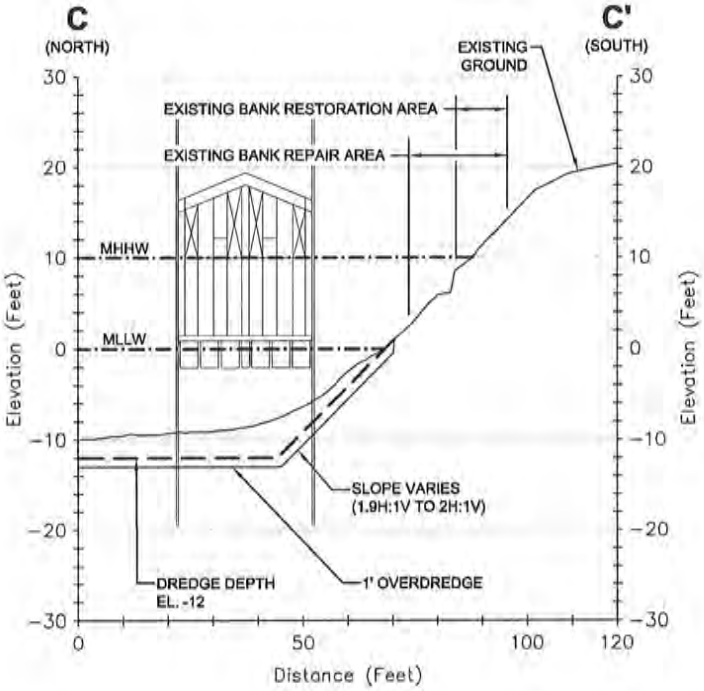

PURPOSE:
- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA
MAINTENANCE DREDGING AND PILE REPLACEMENT
DREDGING
CROSS-SECTION B-B' & CROSS-SECTION C-C'

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:
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- REMOVE AND REPLACE DAMAGED TIMBER PILES WITH STEEL PILES.

IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 7 OF 10 DATE: FEB. 24, 2015

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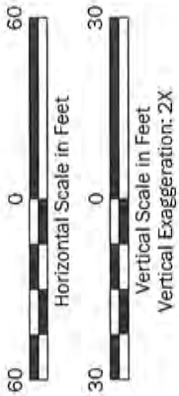

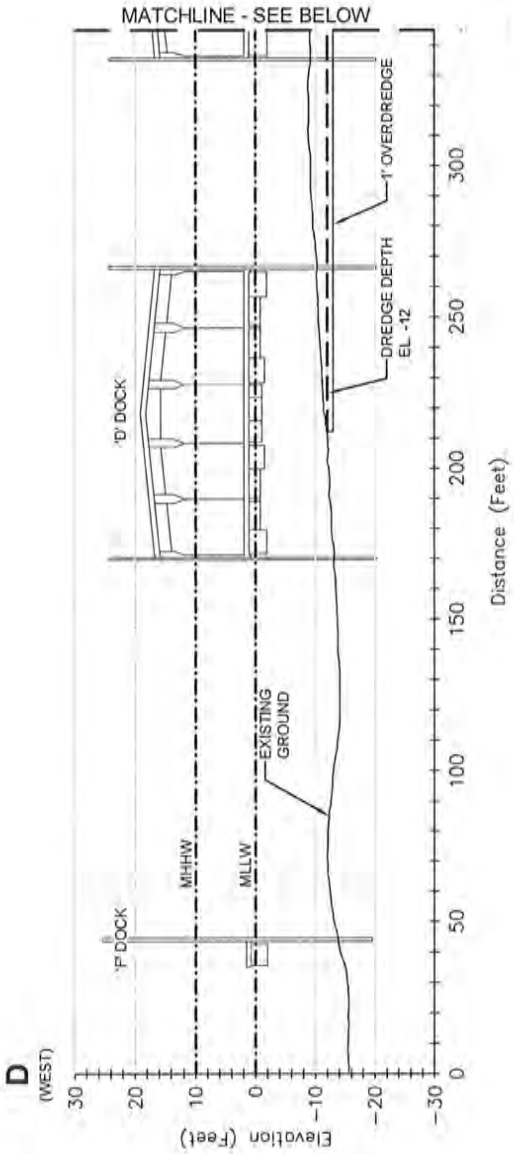

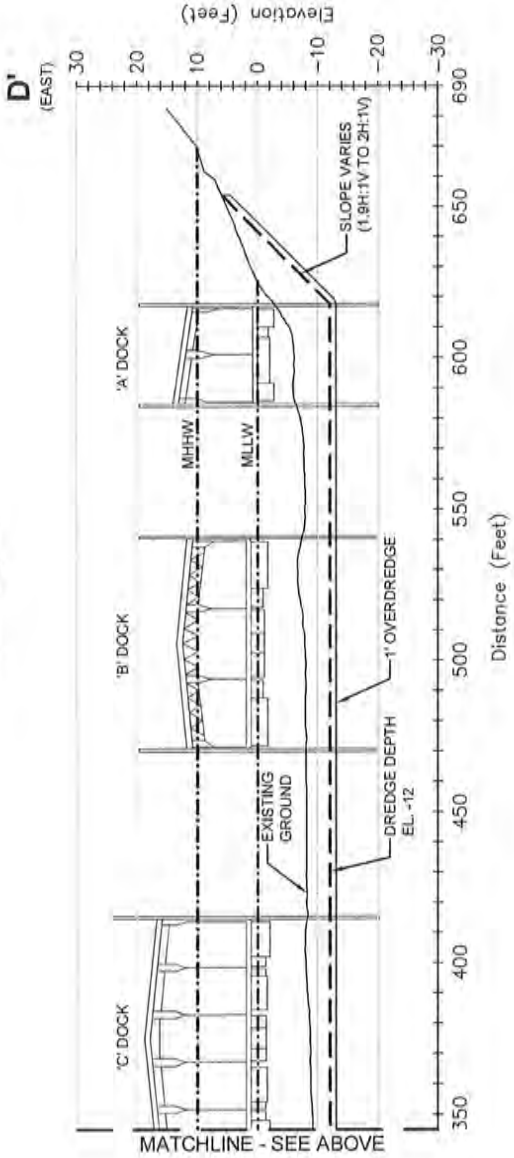

PURPOSE:
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- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA
MAINTENANCE DREDGING AND PILE REPLACEMENT

DREDGING CROSS-SECTION D-D'

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:
- MAINTENANCE DREDGING OF UP TO 136,500 CY OF SEDIMENTS OVER A 10 YEAR PERIOD.
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IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 8 OF 10 DATE: FEB. 24, 2015

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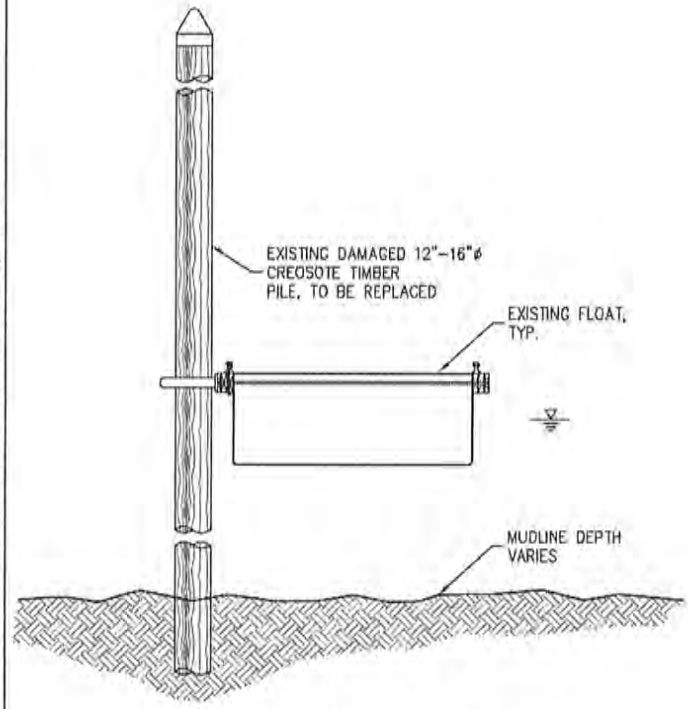
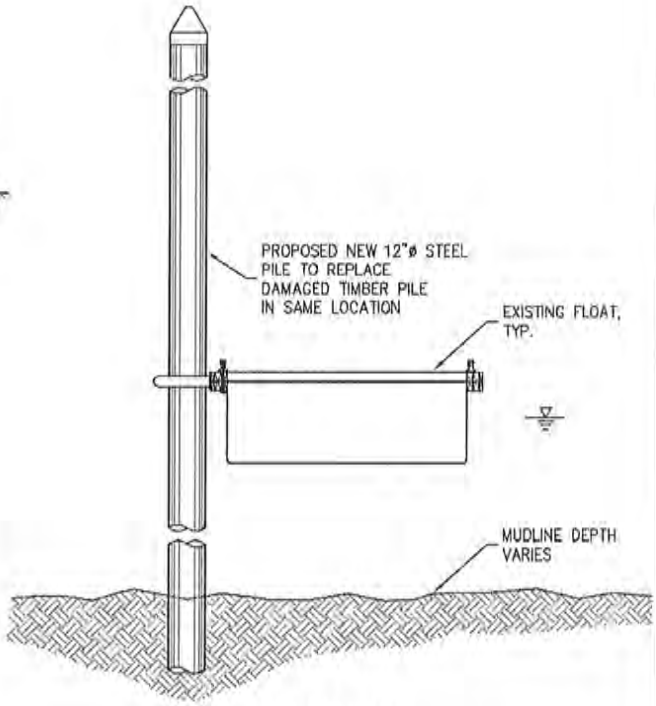


EXISTING PILE SECTION

0 2 4 8 16FT



PROPOSED PILE SECTION

0 2 4 8 16FT

PURPOSE:
- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA MAINTENANCE DREDGING AND PILE REPLACEMENT PROGRAM

OPEN MOORAGE PILE TYPICAL DETAIL

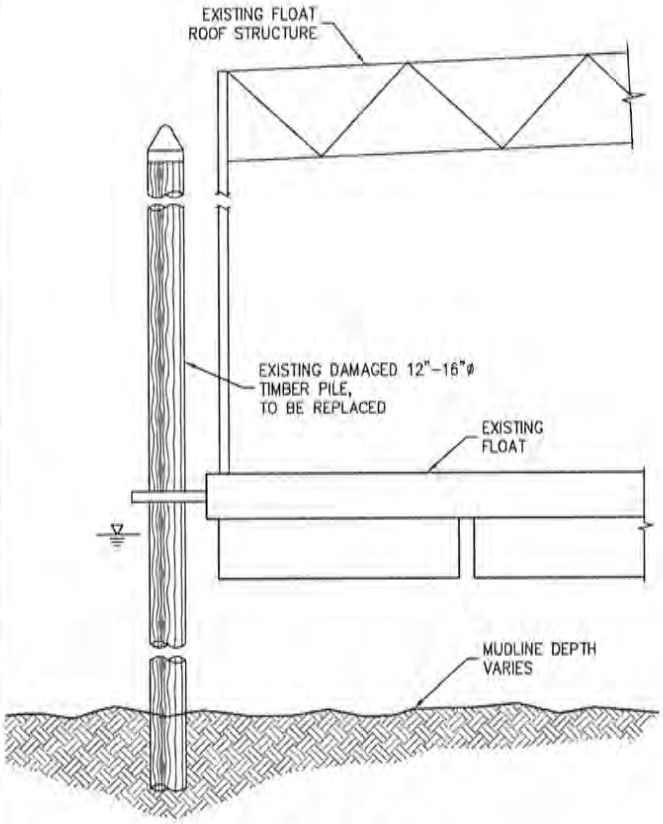
LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:
- MAINTENANCE DREDGING OF UP TO 136,500 CY OF SEDIMENTS OVER A 10 YEAR PERIOD.
- REMOVE AND REPLACE DAMAGED TIMBER PILES WITH STEEL PILES.

IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

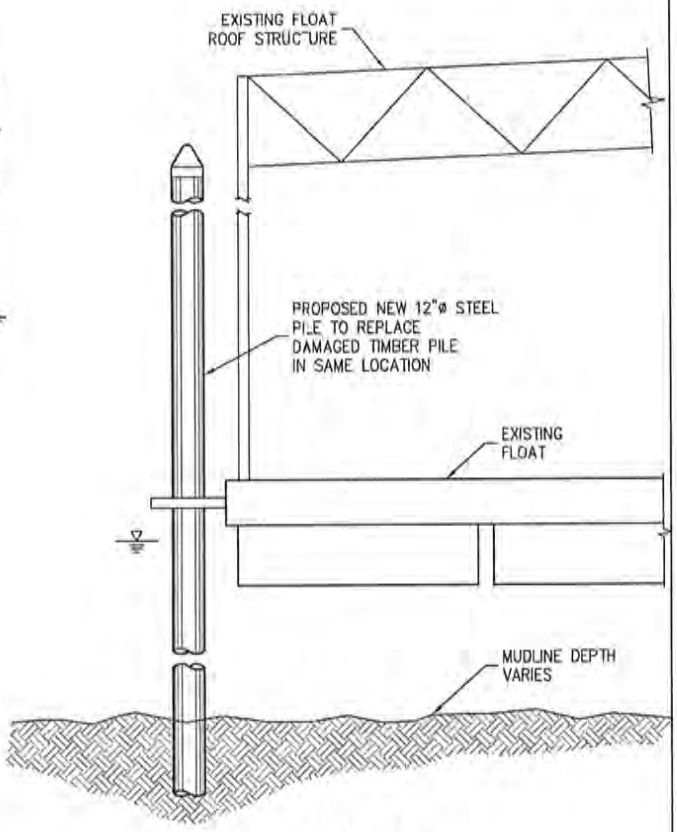
SHEET: 9 OF 10 DATE: FEB. 24, 2015

P:\15\1536401\5\02\CAD\JARPA FOR DREDGING AND PILE REPLACEMENT\1536401\5-00 JARPA SHT_9-10.DWG\TAB:SHT 9 OPEN MOORAGE PILE MODIFIED BY TMICHAUD ON FEB 26, 2015 - 14:45



EXISTING PILE SECTION

0 2 4 8 16FT



PROPOSED PILE SECTION

0 2 4 8 16FT

PURPOSE:
- MAINTAIN ADEQUATE DEPTH (-12 FEET MLLW) FOR VESSEL ACCESS THROUGHOUT THE MARINA BASINS.
- REPAIR AND MAINTENANCE OF EXISTING MARINA FACILITIES.

DATUM: 0.0 FEET MLLW

ADJACENT PROPERTY OWNERS:
SEE ATTACHED JARPA FORM

LA CONNER MARINA
MAINTENANCE DREDGING AND PILE REPLACEMENT PROGRAM

COVERED MOORAGE PILE TYPICAL DETAIL

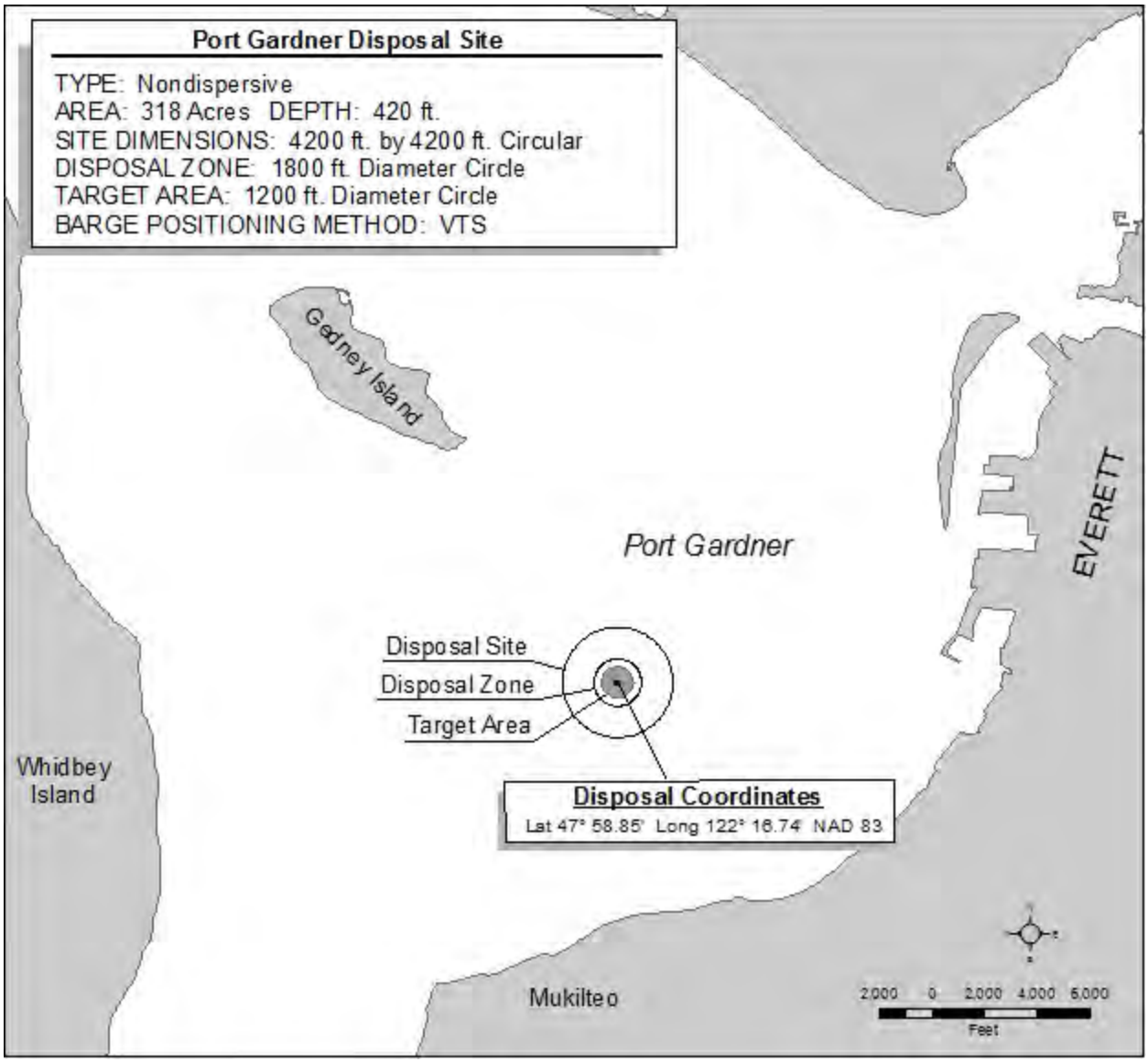
LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA 98257

PROPOSED:
- MAINTENANCE DREDGING OF UP TO 136,500 CY OF SEDIMENTS OVER A 10 YEAR PERIOD.
- REMOVE AND REPLACE DAMAGED TIMBER PILES WITH STEEL PILES.

IN: ADJ. TO SWINOMISH CHANNEL
AT: LA CONNER, WA
SEC 25, T34N, R2E AND SEC 36, T34N, R2E
APPLICATION BY:
PORT OF SKAGIT COUNTY
(360) 757-0011

SHEET: 10 OF 10 DATE: FEB. 24, 2015

P:\15\5364015\02\CAD\JARPA FOR DREDGING AND PILE REPLACEMENT\5364015-00 JARPA SHT_9-10.DWG\TAB:SHT 10 COVERED MOORAGE PILE MODIFIED BY TMICHAUD ON FEB 26, 2015 - 14:43



Corps ID: NWS-2014-01080