US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Susan Glenn, Project Manager

Public Notice Date: October 22, 2004
Expiration Date: November 22, 2004
Reference: 200400302
Name: Everett, Port of

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT - Port of Everett
Mr. Graham Anderson
Post Office Box 538
Everett, Washington 98206
Telephone: (425) 388-0703

LOCATION - In the Snohomish River Navigation Channel, Port of Everett North Marina at Everett, Snohomish County, Washington.

WORK – Repair 1,626 lineal feet (ft) of a creosote treated timber bulkhead by placing a full height sheet pile wall in front of the existing bulkhead. The project will include the following:

a. Removal of 5,000 square ft of existing floats and gangways from the marina.

b. Installation of 23,000 square ft of gangways, piers, floats, and a walkway. Seventy percent functional grating will be incorporated in all gangways.

c. Installation of 120 – 18 inch diameter steel piles to secure new gangways, piers, and floats. Piles will be installed with both vibratory and impact hammers. Appropriate sound attenuation devices will be implemented when impact hammers are utilized.

In water work would occur during two consecutive work windows, July 16 to February 15 of 2004-2005, and July 16 to February 15 of 2005-2006.

PURPOSE – To repair a deteriorated bulkhead structure.

ADDITIONAL INFORMATION – There will be no change in overwater coverage since existing coverage is 18,000 square ft and net new coverage (23,000 square ft minus 5,000 square ft with removal of gangways and floats) is 0 square ft.

MITIGATION – The repair of the existing bulkhead will result in a net loss of 13,000 square ft of shaded marine habitat, which will be compensated with 13,000 square ft of existing functioning tidal marsh, channel, and mudflat habitat in the Port of Everett's Slough Restoration Site, reference number 199600815.

ENDANGERED SPECIES – The bald eagle (*Haliaeetus leucocephalus*), listed threatened; Puget Sound chinook salmon (*Oncorhynchus tshawytscha*), listed threatened; Coastal/Puget Sound bull trout (*Salvelinus confluentus*), listed threatened; and marbled murrelet (*Brachyramphus marmoratus*), listed threatened; Puget Sound/Georgia Strait coho (*Oncorhynchus kisutch*), proposed threatened, occur in the project area.

A preliminary determination indicated that the activity "may affect, but is not likely to adversely affect" Coastal/Puget Sound bull trout, Puget Sound chinook salmon, and bald eagles, marbled murrelet; and will not jeopardize the continued existence of Puget Sound/Georgia Strait coho (proposed), which are all listed endangered or threatened under the Endangered Species Act of 1973 (ESA). Consultation under Section 7 of the ESA was initiated with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) on July 28, 2004. Both the NMFS and the USFWS concurred with the project "may affect, but is not likely to adversely affect" listed species, on September 15, 2004, and September 16, 2004, respectively.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), 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). EFH occurs in the project area.

The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will temporarily adversely affect designated EFH for federally managed fisheries in Washington waters. The Corps initiated EFH consultation with the NMFS measures, to minimize the effect of the project on EFH and ESA listed species, will be incorporated into the project. No further EFH consultation is necessary.

CULTURAL RESOURCES - The District Engineer (DE) has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

The DE invites responses to this public notice from Native American Nations or tribal governments, Federal, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the area.

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 - The decision whether to issue a permit will be based on an evaluation of the probable impact, 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; 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. 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.

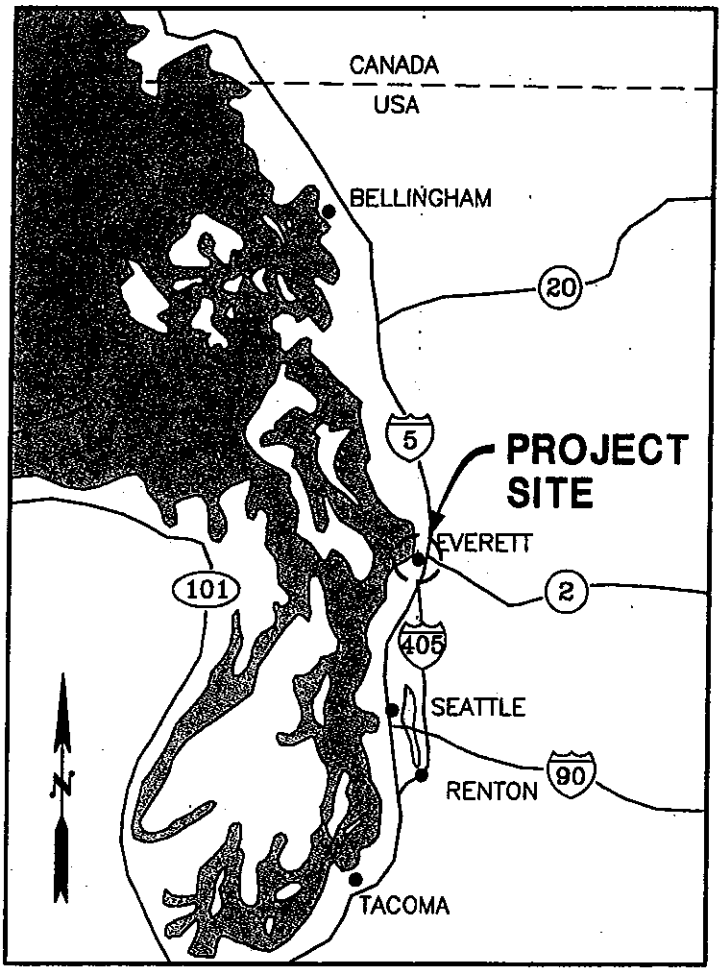
ADDITIONAL EVALUATION - The state of Washington (State) is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. SMA 04-003, which has been issued by the City of Everett.

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 it would be in the public interest to authorize this proposal. 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. All e-mail comments should be sent to Susan.S.Glenn@nws02.usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor'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. Please include the following name and reference number:

Everett, Port of
200400302

Encl
Drawings (17)



LOCATION MAP

NOT TO SCALE

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

ADJACENT PROPERTY OWNERS:
1. U.S. NAVY
2. CITY OF EVERETT R.O.W.

PORT OF EVERETT
14TH STREET BULKHEAD REPLACEMENT

NAME: PORT OF EVERETT
ADDRESS: 2911 BOND ST
EVERETT, WA 98201

IN: SNOHOMISH RIVER CHANNEL
AT: PORT OF EVERETT MARINA
COUNTY OF: SNOHOMISH
STATE OF: WASHINGTON
APPLICATION BY: PORT OF EVERETT

SHEET 1 OF 17 **DATE:** JAN. 2004

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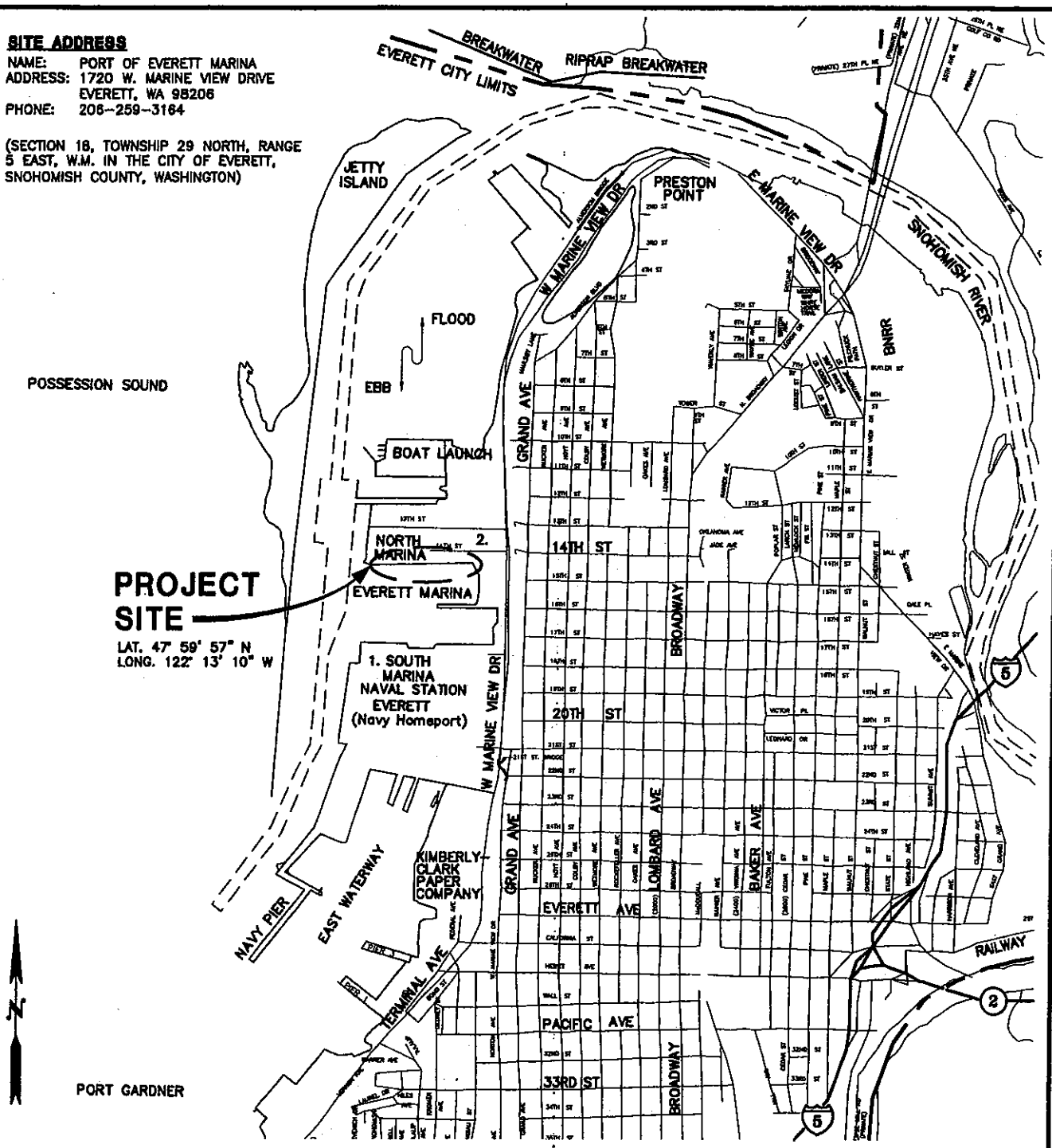
Attach 2

SITE ADDRESS

NAME: PORT OF EVERETT MARINA
ADDRESS: 1720 W. MARINE VIEW DRIVE
EVERETT, WA 98206
PHONE: 206-259-3164

(SECTION 18, TOWNSHIP 29 NORTH, RANGE 5 EAST, W.M. IN THE CITY OF EVERETT, SNOHOMISH COUNTY, WASHINGTON)



VICINITY MAP

1"=2500'

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT DATUM: MLLW = 0.0' (NOS) ADJACENT PROPERTY OWNERS: 1. U.S. NAVY 2. CITY OF EVERETT R.O.W.	**PORT OF EVERETT 14TH STREET BULKHEAD REPLACEMENT** NAME: PORT OF EVERETT ADDRESS: 2911 BOND ST EVERETT, WA 98201	IN: SNOHOMISH RIVER CHANNEL AT: PORT OF EVERETT MARINA COUNTY OF: SNOHOMISH STATE OF: WASHINGTON APPLICATION BY: PORT OF EVERETT SHEET 2 OF 17 DATE: JAN. 2004

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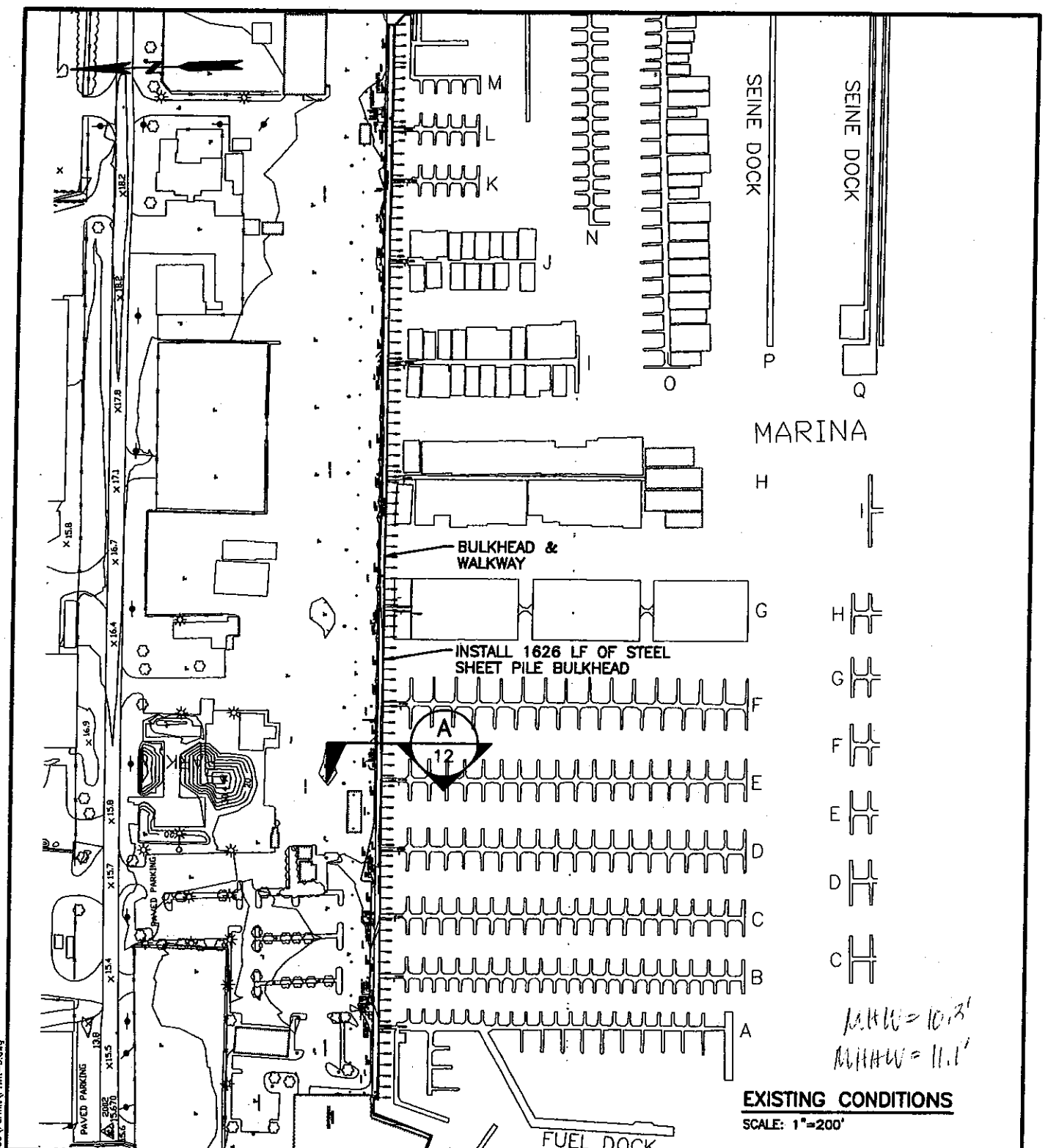

EXISTING CONDITIONS

SCALE: 1"=200'

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

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SHEET 3 OF 17

DATE: JAN. 2004

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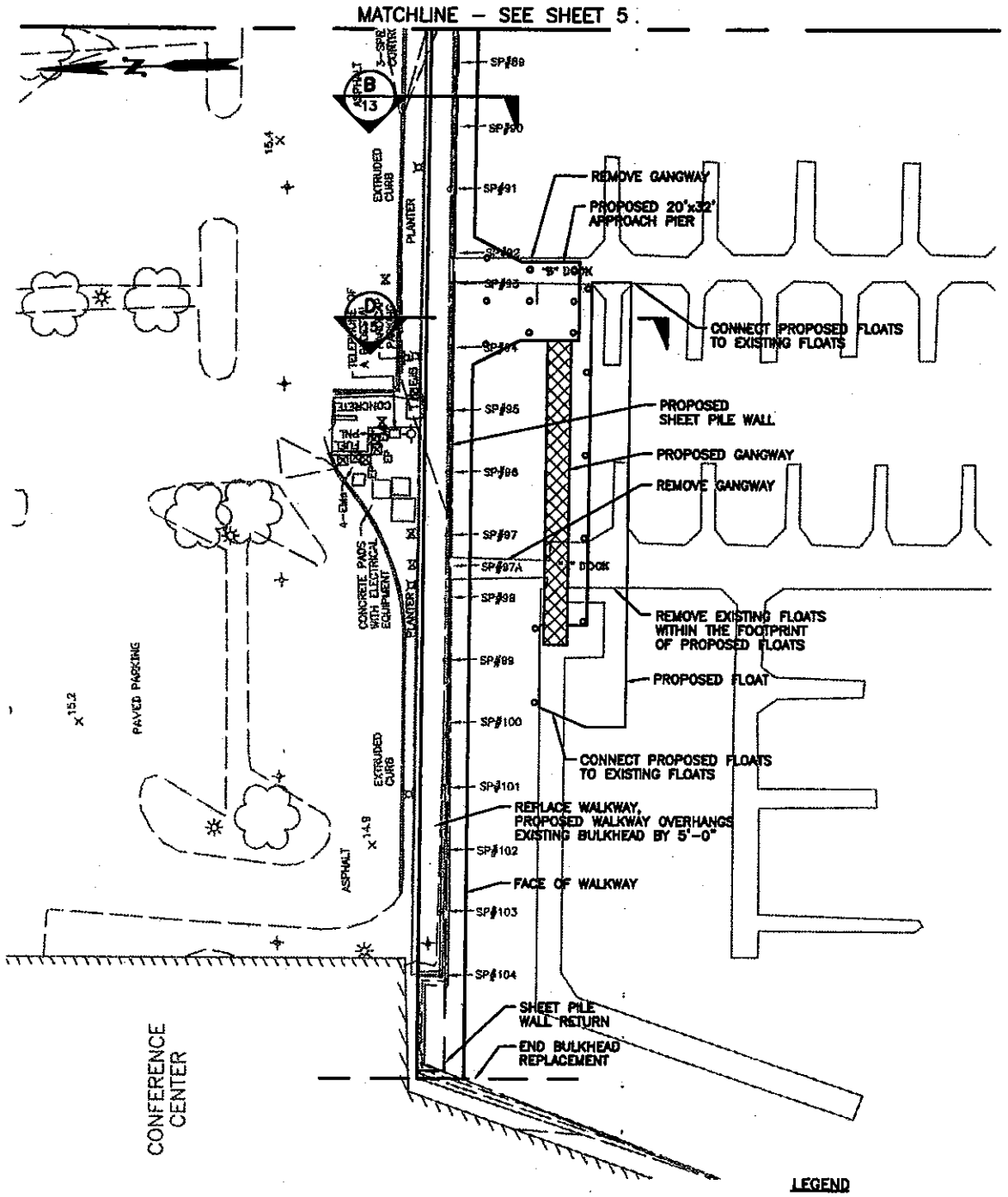

LEGEND

- EDGE OF EXISTING BULKHEAD
- EDGE OF PROPOSED CONCRETE
- PROPOSED PILE

PARTIAL SITE PLAN

SCALE: 1"=40'

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

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SHEET 4 OF 17 DATE: JAN. 2004

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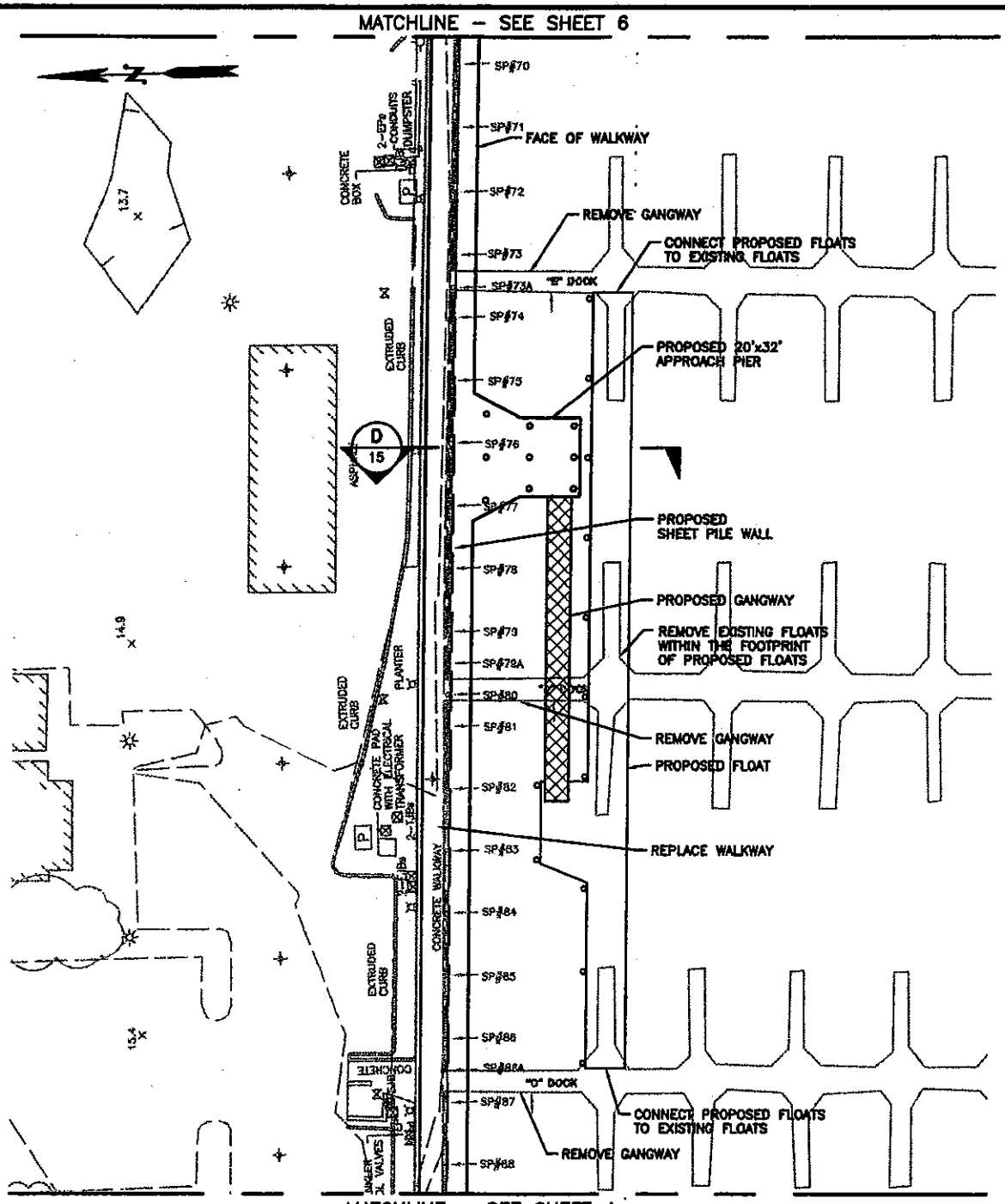

LEGEND

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- PROPOSED PILE

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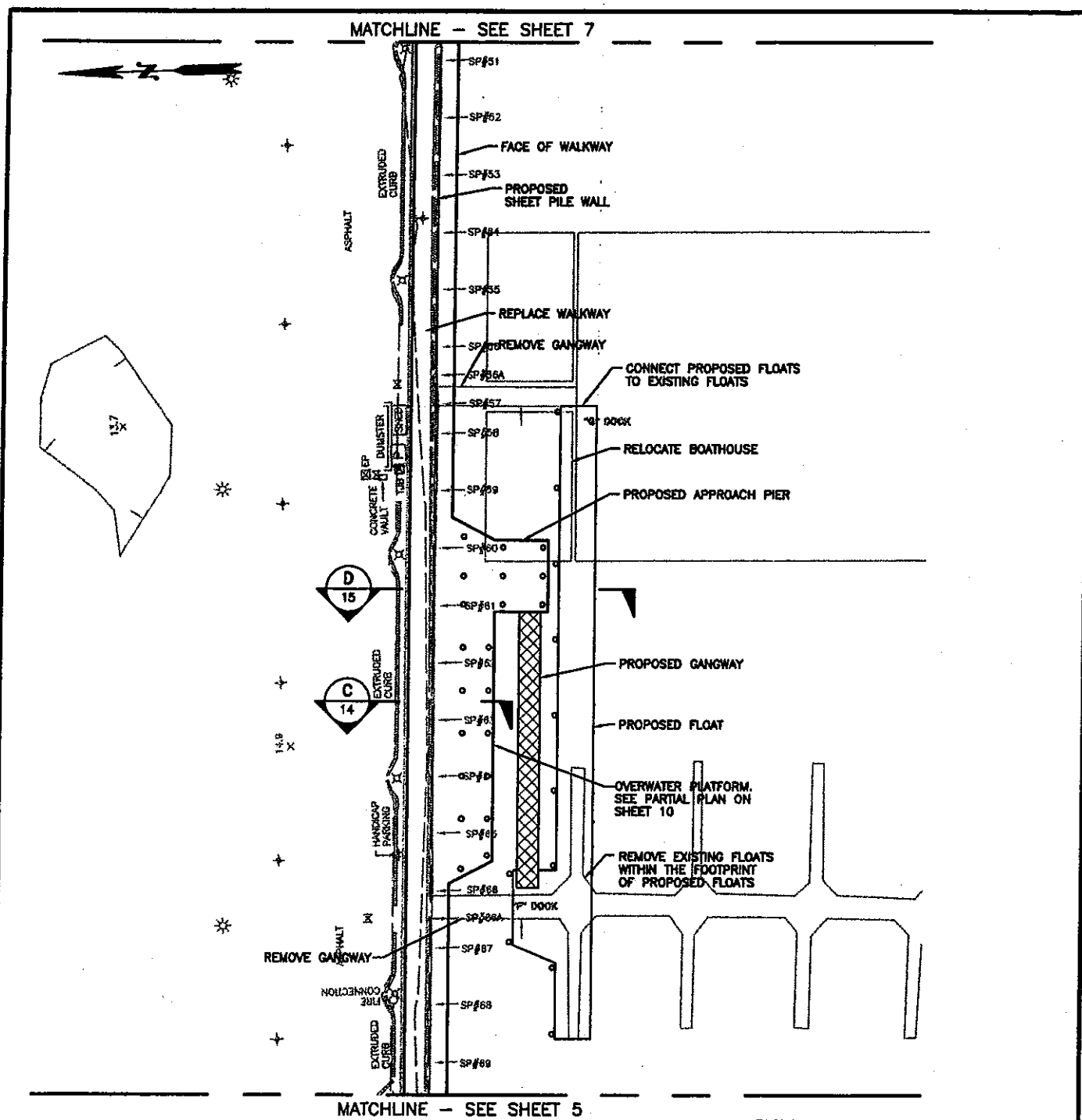

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SCALE: 1"=40'

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SHEET 6 OF 17

DATE: JAN. 2004

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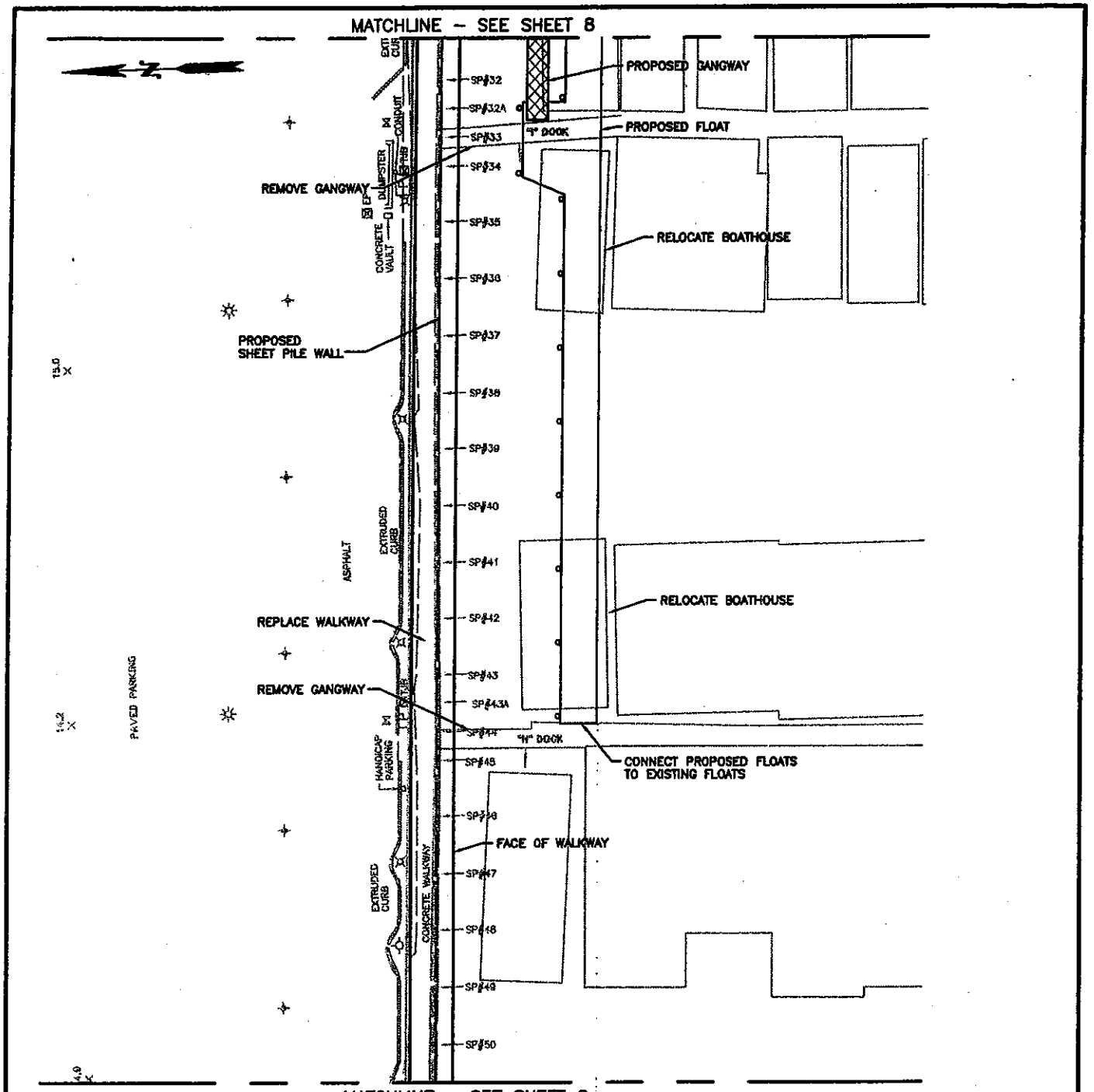

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SCALE: 1"=40'

LEGEND

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SHEET 7 OF 17 DATE: JAN. 2004

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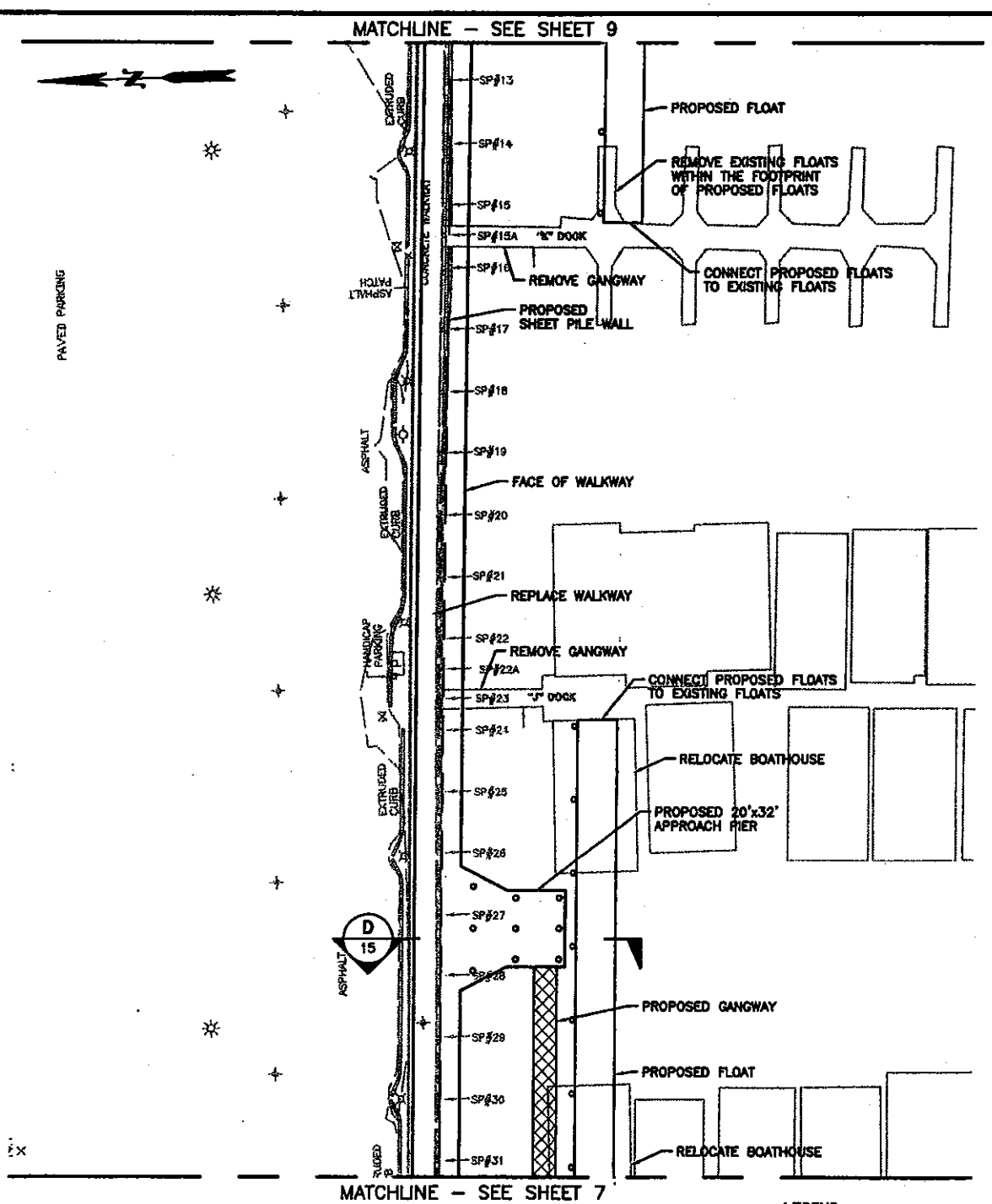

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SCALE: 1"=40'

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SHEET 8 OF 17

DATE: JAN. 2004

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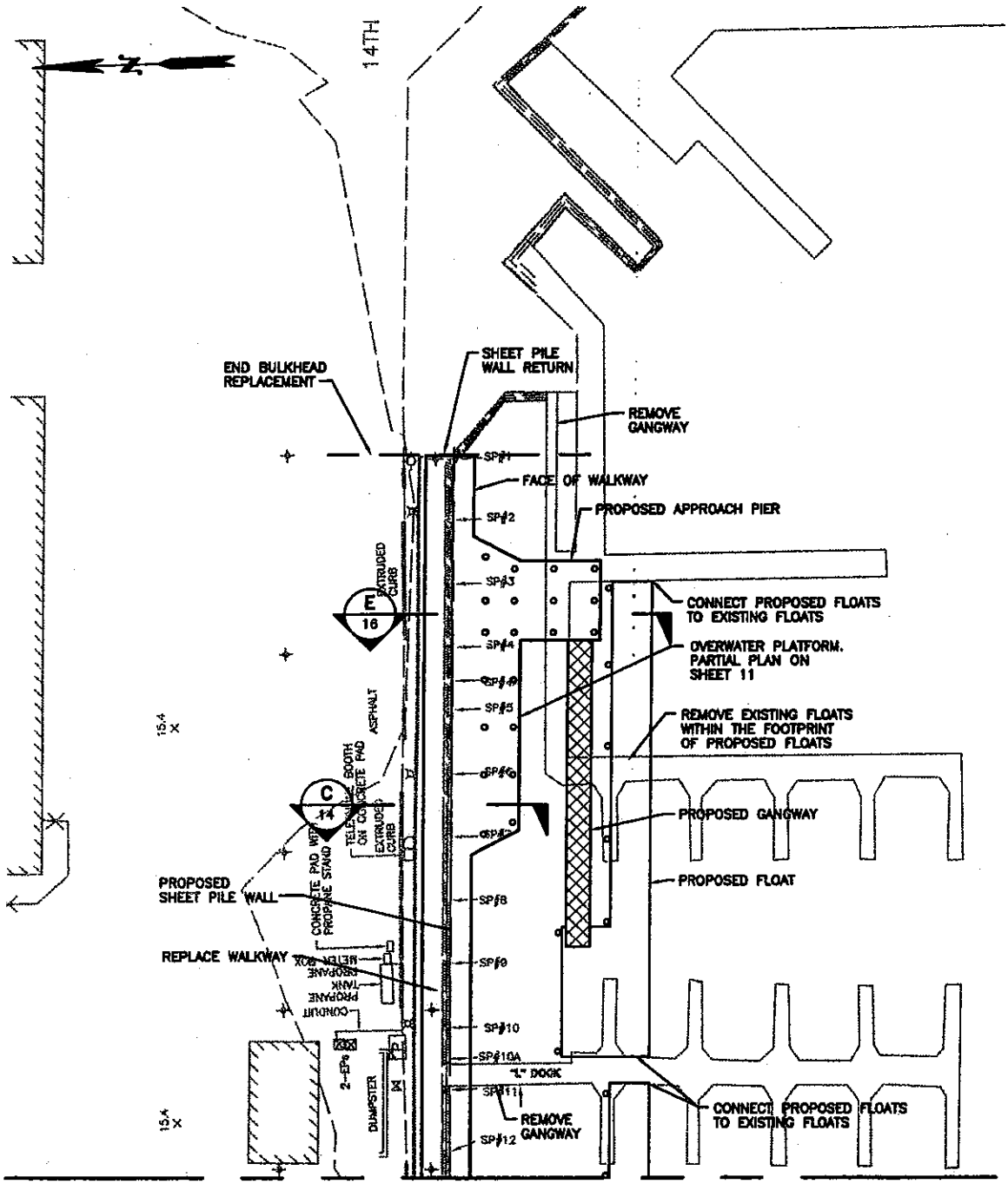

LEGEND

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EDGE OF PROPOSED CONCRETE

PROPOSED PILE

PARTIAL SITE PLAN

SCALE: 1"=40'

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SHEET 9 OF 17 DATE: JAN. 2004

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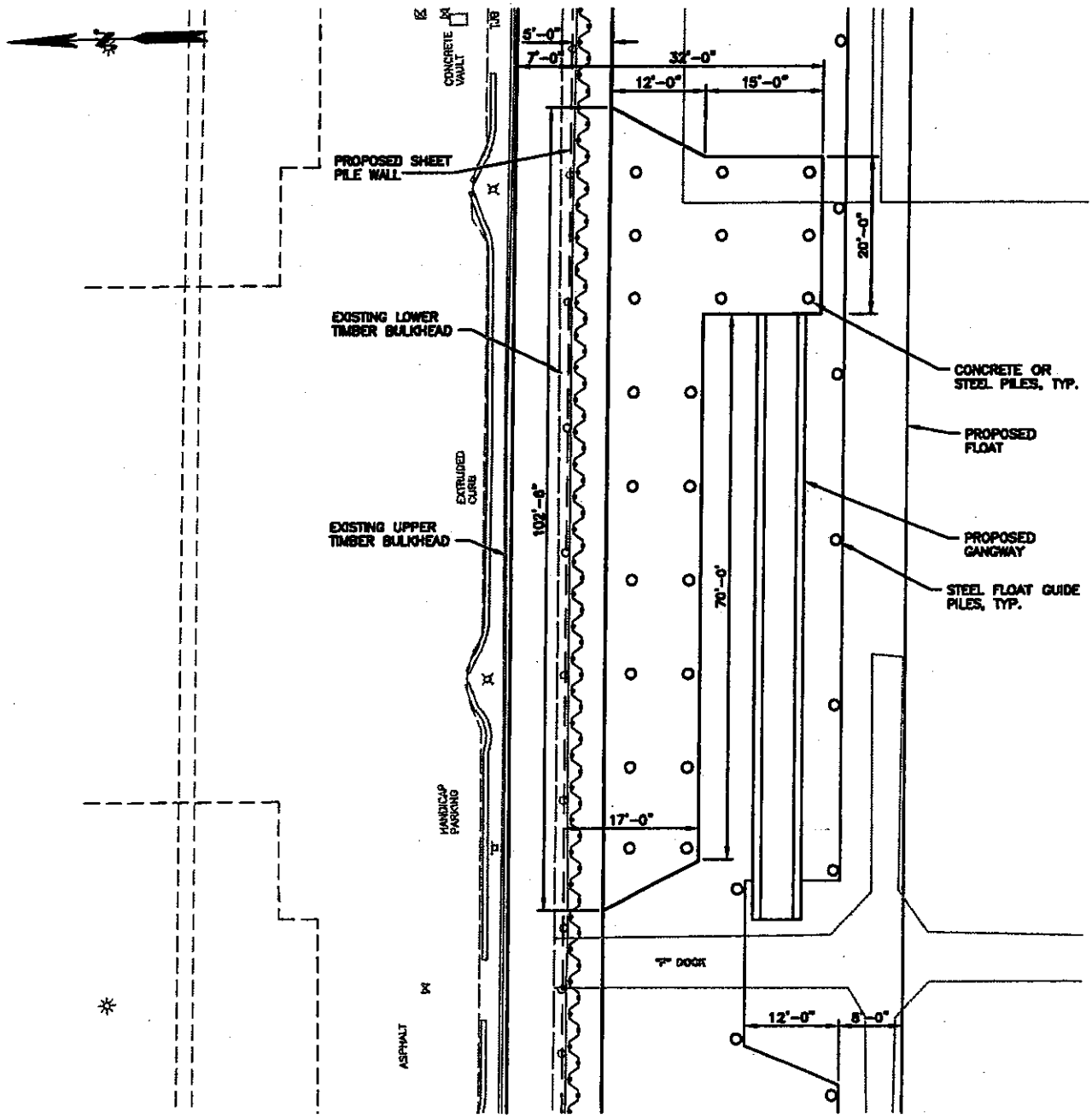

PARTIAL PLAN

SCALE: 1"=20'

LEGEND

- — — — EDGE OF EXISTING BULKHEAD
- ——— EDGE OF PROPOSED CONCRETE
- o PROPOSED PILE

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

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SHEET 10 OF 17 DATE: APRIL 2004

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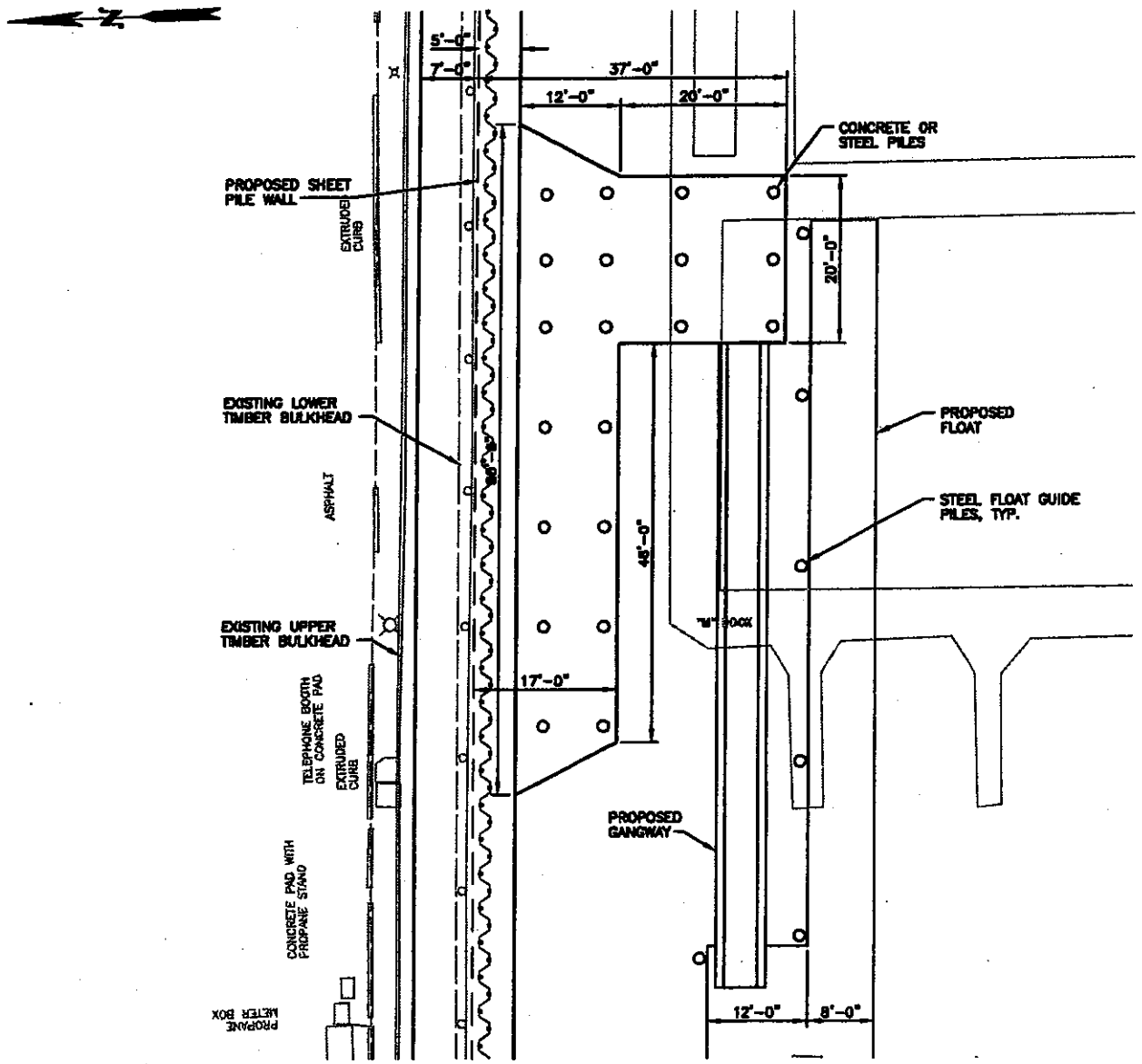

PARTIAL PLAN

SCALE: 1"=20'

LEGEND

- — — — EDGE OF EXISTING BULKHEAD
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- o PROPOSED PILE

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SHEET 11 OF 17 DATE: APRIL 2004

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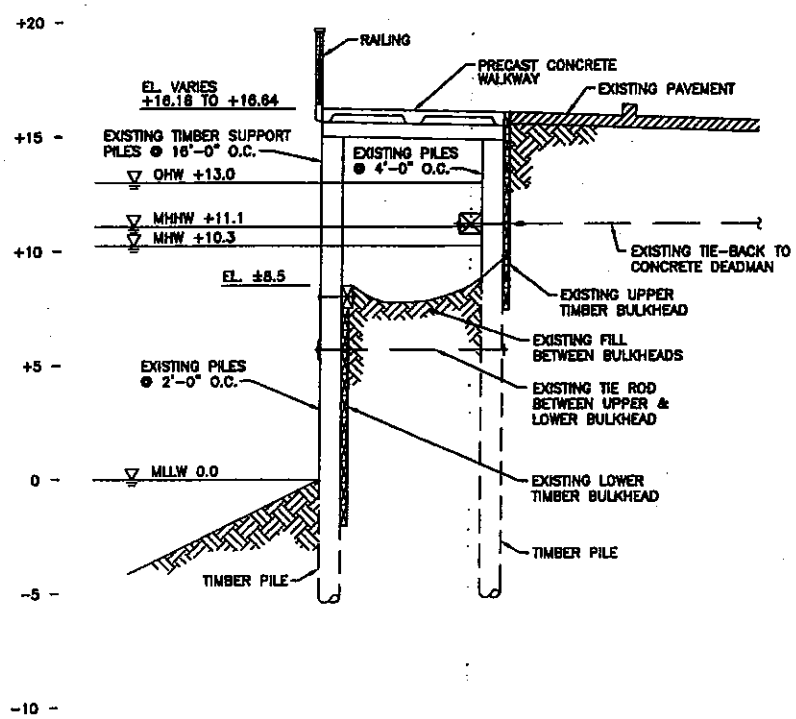

A/3 SECTION–TYPICAL EXISTING BULKHEAD
SCALE: 1/8"=1'-0"

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

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SHEET 12 OF 17 **DATE:** JAN. 2004

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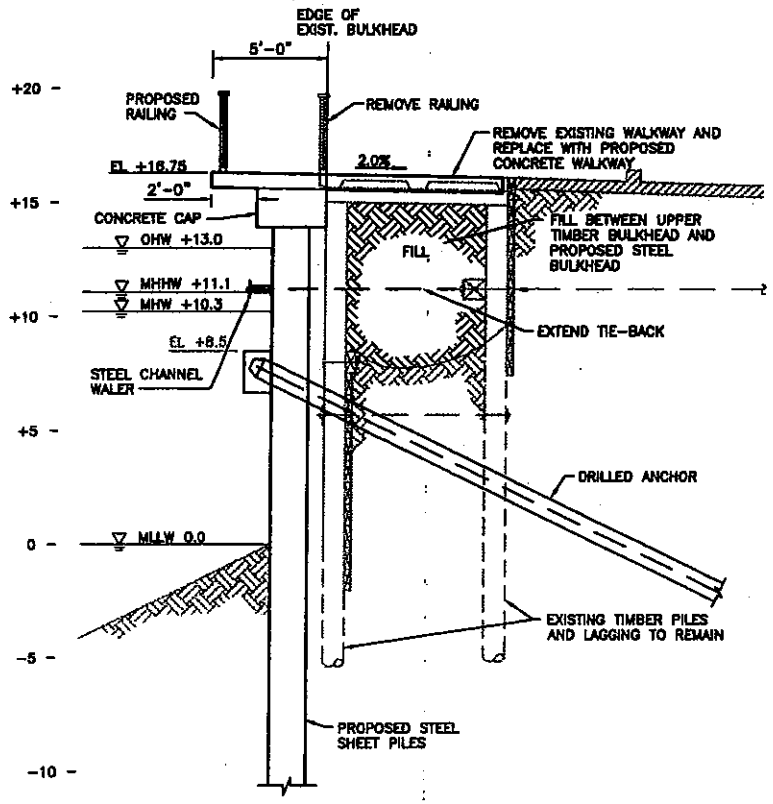

B/4 **SECTION–TYPICAL PROPOSED BULKHEAD**
SCALE: 1/8"=1'-0"

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

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SHEET 13 **OF** 17 **DATE:** JAN. 2004

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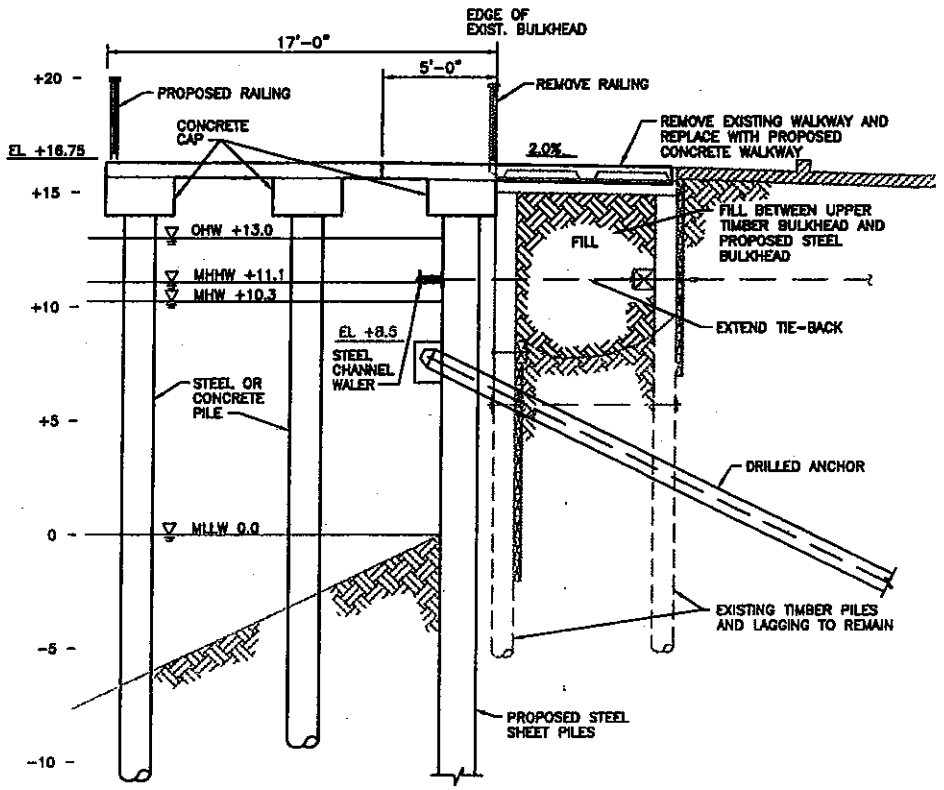

C / 6,9 **SECTION–TYPICAL OVER WATER PLATFORM**

SCALE: 1/8"=1'-0"

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

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SHEET 14 **OF** 17 **DATE:** JAN. 2004

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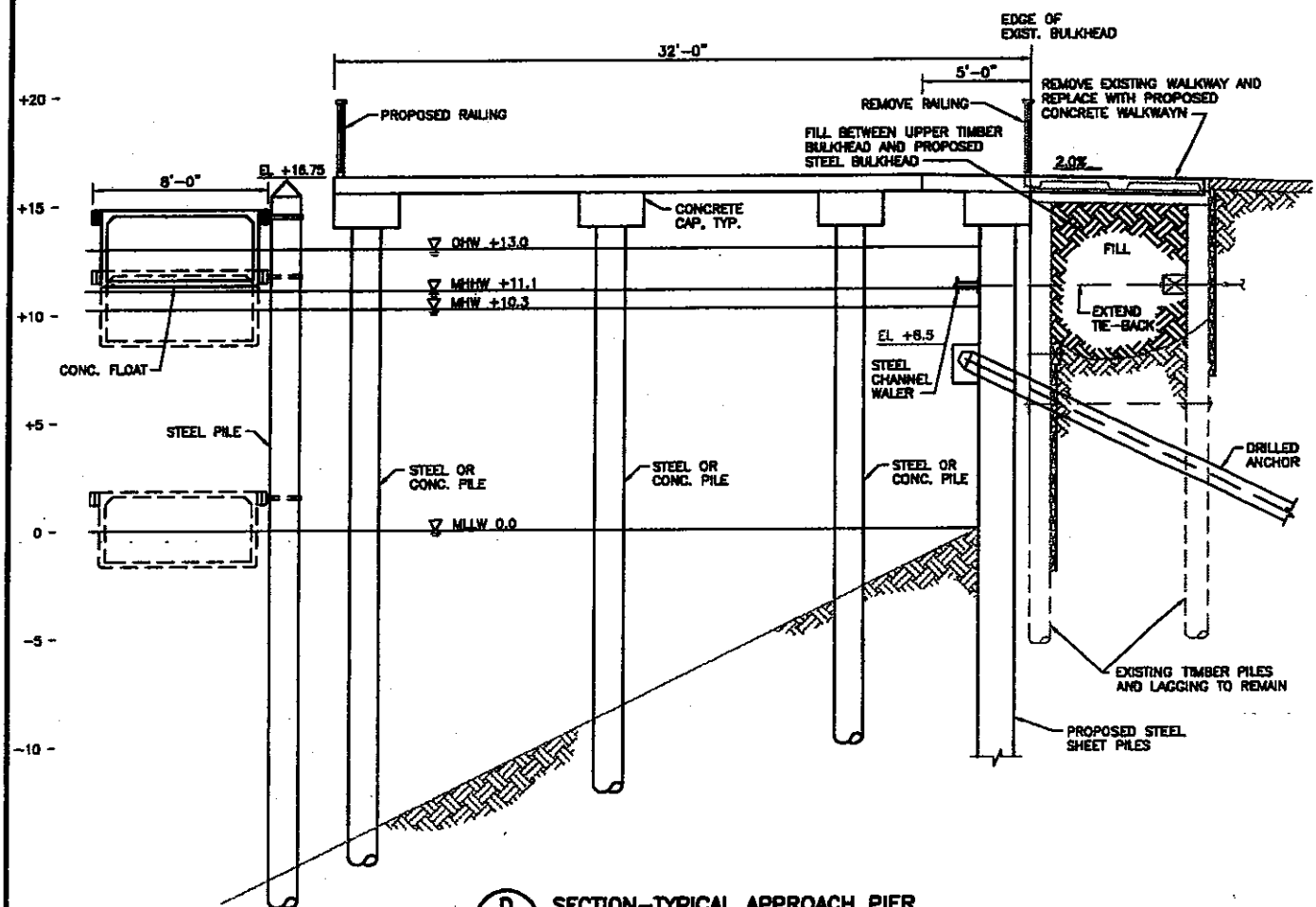

D 4,5,6,8 SECTION–TYPICAL APPROACH PIER
SCALE: 1/8"=1'-0"

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

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SHEET 15 OF 17 DATE: APRIL 2004

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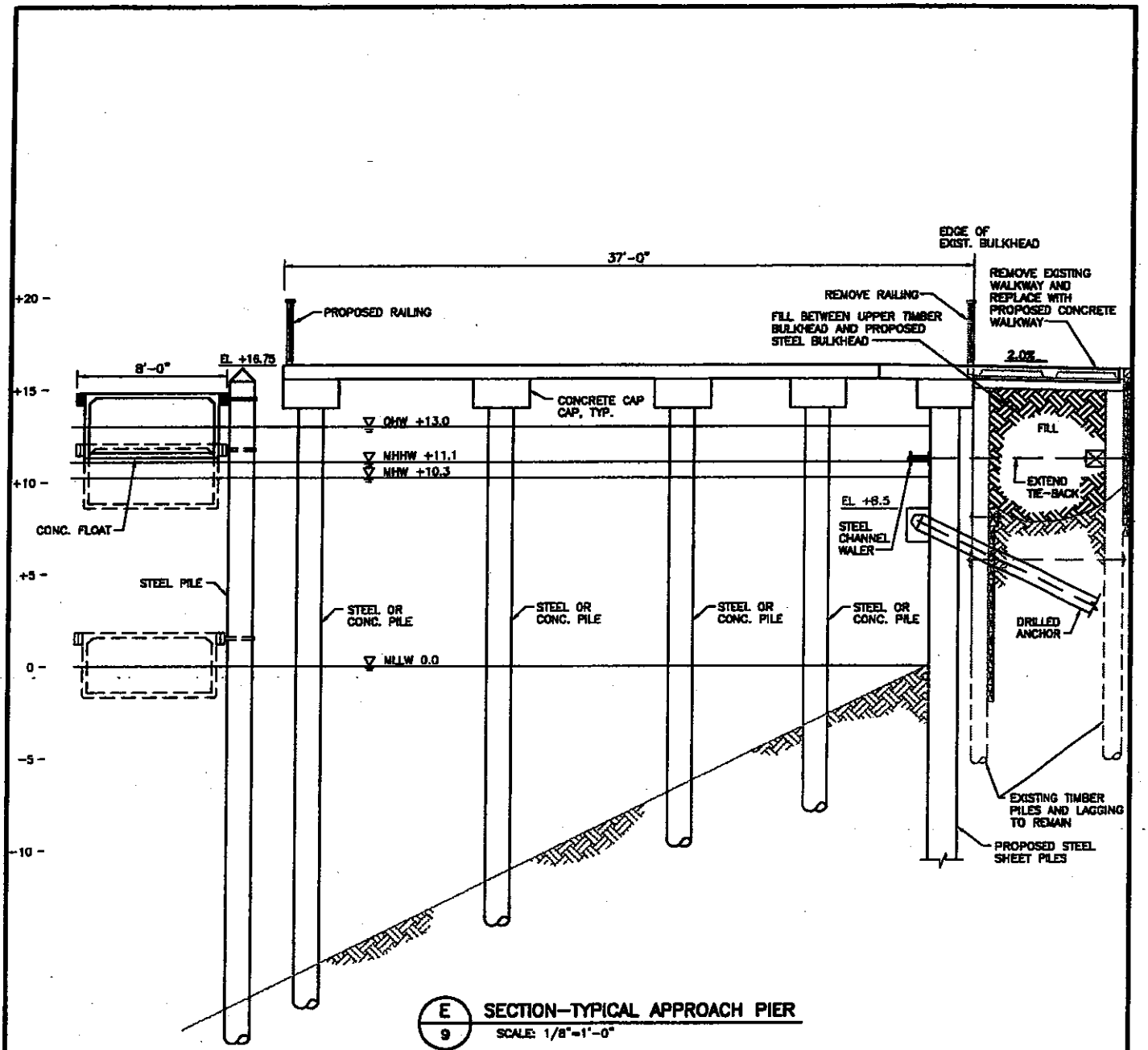

E/9 SECTION–TYPICAL APPROACH PIER
SCALE: 1/8"=1'-0"

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

ADJACENT PROPERTY OWNERS:
1. U.S. NAVY
2. CITY OF EVERETT R.O.W.

PORT OF EVERETT 14TH STREET BULKHEAD REPLACEMENT

NAME: PORT OF EVERETT
ADDRESS: 2911 BOND ST
EVERETT, WA 98201

IN: SNOHOMISH RIVER CHANNEL
AT: PORT OF EVERETT MARINA
COUNTY OF: SNOHOMISH
STATE OF: WASHINGTON
APPLICATION BY: PORT OF EVERETT

SHEET 16 OF 17 Rev DATE: APRIL 2004

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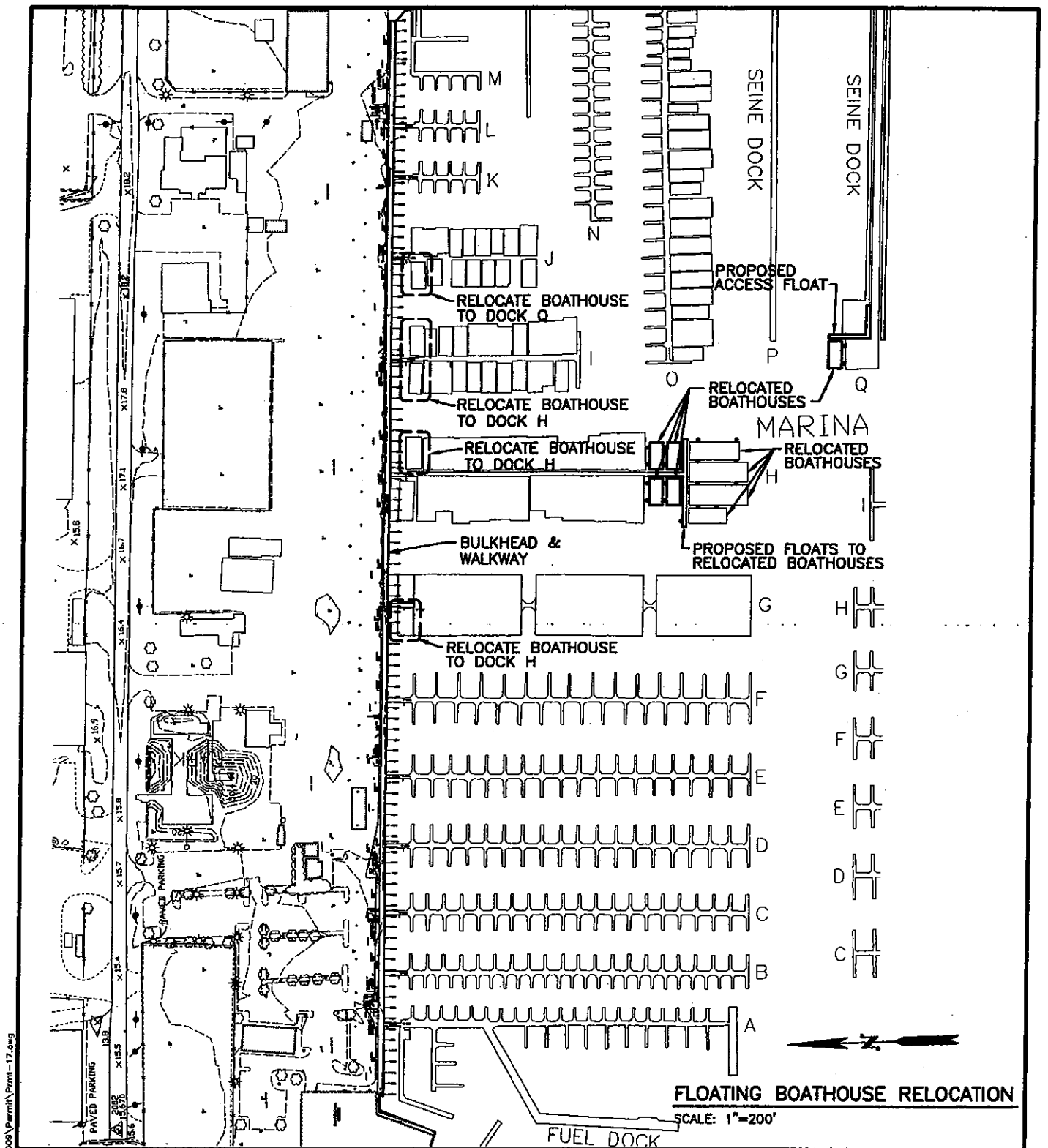

FLOATING BOATHOUSE RELOCATION

SCALE: 1"=200'

PURPOSE: REPLACE DETERIORATED TIMBER BULKHEAD, NORTH MARINA, PORT OF EVERETT

DATUM: MLLW = 0.0' (NOS)

ADJACENT PROPERTY OWNERS:
1. U.S. NAVY
2. CITY OF EVERETT R.O.W.

PORT OF EVERETT 14TH STREET BULKHEAD REPLACEMENT

NAME: PORT OF EVERETT
ADDRESS: 2911 BOND ST
EVERETT, WA 98201

IN: SNOHOMISH RIVER CHANNEL
AT: PORT OF EVERETT MARINA
COUNTY OF: SNOHOMISH
STATE OF: WASHINGTON
APPLICATION BY: PORT OF EVERETT

SHEET 17 OF 17 **DATE:** JAN. 2004

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2004 0302

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: October 22, 2004

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200400302 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600