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: September 13, 2004
Expiration Date: October 13, 2004
Reference: 200201278
Name: Marysville Public Works

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 - Marysville Public Works
80 Columbia Avenue
Marysville, Washington 98270
ATTN: Mr. Dave Lervik
Telephone: (360) 651-5100

AGENT - Hammond Collier Wade Livingstone
104 East Ninth Street
Wenatchee, Washington 98801
ATTN: Mr. Keith Anderson
Telephone: (509) 662-1762

LOCATION - In Ebey Slough, Snohomish River, at the City of Marysville, Snohomish County, Washington in Section 33, Township 30N, Range 5E.

WORK - The City of Marysville proposes to construct the Ebey Slough Waterfront Park, which will involve excavation, construction of a boat launching area, wetland restoration, upland development, and installation of a stormwater management system. Following are portions of the project within U.S. Army Corps of Engineers (Corps) Regulatory jurisdiction:

- Construct a concrete boat ramp (120' by 85'), including 50 cubic yards of riprap at the toe and sides of the ramp to prevent undercutting. The boat ramp will impact approximately 5,700 square feet of wetlands.
- Dredge 0.15 of an acre (470 cubic yards) of estuarine substrate with a land operated dragline bucket in order to establish suitable water depths for a boat launching area. The work will be done during extreme low tides when the area is free of water. A portion of the dredged material will be used for the wetland creation component of the proposed project. Unused dredged material will be disposed of in an approved upland area. Maintenance dredging will be required one or two times a year to remove accumulated sediments (180 cubic yards) from the ramp. The excavated material will be dewatered and disposed of in an approved upland area.
- Install 5 floats: 2 (8 by 40 foot), 2 (8 by 51 foot), and 1 (8 by 60 foot), which will include 8 steel support piles (12" diameter), which will be driven by impact hammer. The piles will be equipped with stops that will keep the structure elevated 12" above the substrate. The floats will have grating (60% open area) along the entire length and width.

- Install a log boom (75 feet), including 4 concrete piles (12" diameter) with pile stops to prevent the boom from grounding. The boom will be located immediately upstream of the ramp and will protect the ramp from wave action and floating debris.
- Construct a stormwater management system to detain and treat runoff from all new impervious surface (2.4 acres). The system will be constructed on uplands and will include the use of a grass filter strip measuring 6 feet wide, catch basin with an oil/water separator, a 430-foot long biofiltration swale containing an erosion control blanket and vegetation, and a box culvert.

PURPOSE – To provide public recreational access and to restore and redevelop a previously industrial shoreline property.

MITIGATION – Mitigation will include the removal of a 220-foot long timber bulkhead, restoration of 5,390 square feet estuarine wetlands, and installation of 4 habitat logs in the restored wetland and creation of 1,800 square feet of riparian buffer.

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 Puget Sound/Georgia Strait coho (*Oncorhynchus kisutch*), proposed threatened, occur in the proposed 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; 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. Consultation under Section 7 of the ESA was initiated with National Marine Fisheries Service and U.S. Fish and Wildlife Service on March 18, 2004. The USFWS concurred on August 16, 2004, that the proposal "may affect, but is not likely to adversely affect" Coastal/Puget Sound bull trout and bald eagles.

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 National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon occurs in the project area. The proposed action would impact approximately 0.4 of an acre of EFH for these species.

The Corps has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES - The District Engineer 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 District Engineer 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.

The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

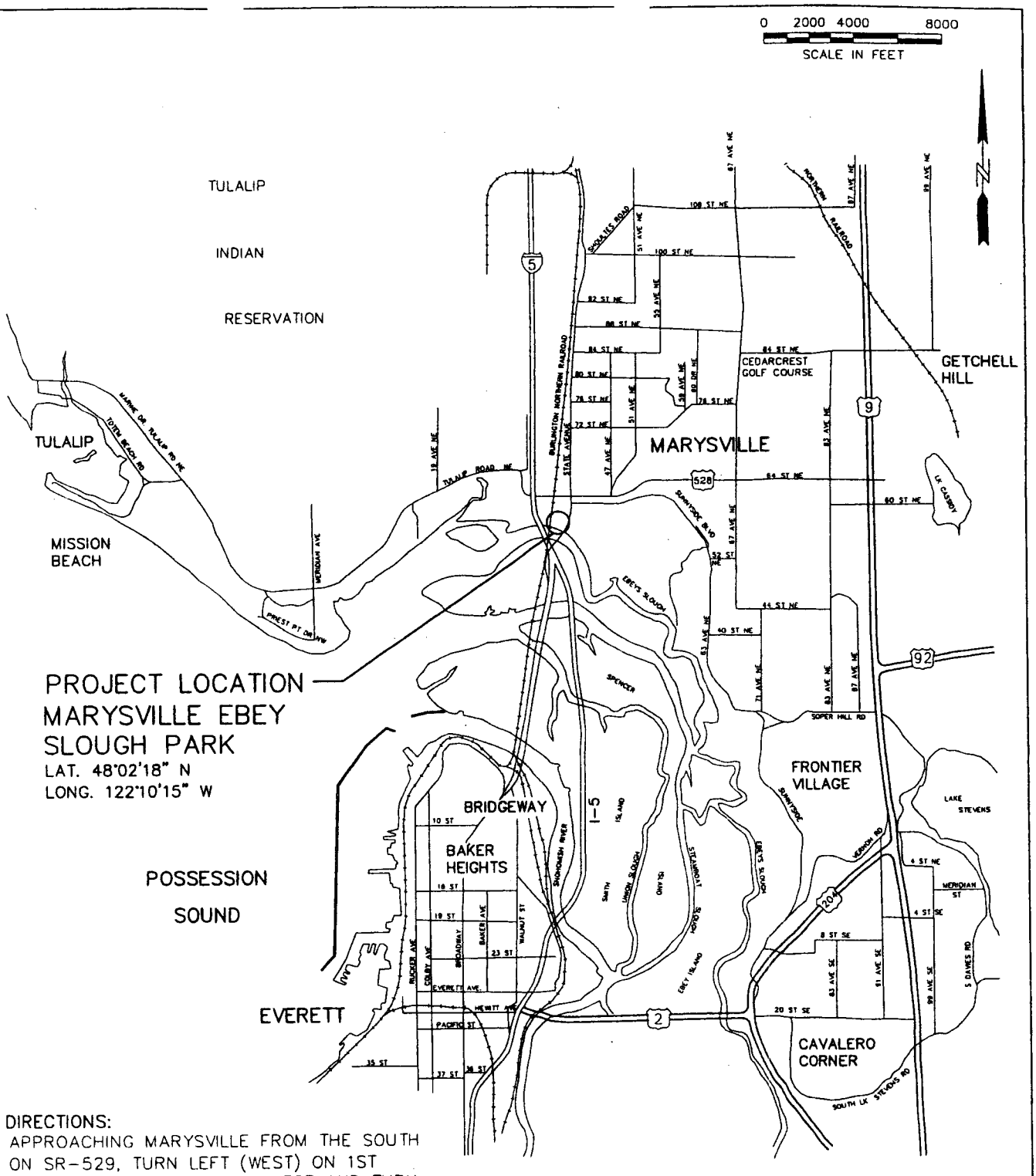
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. PA0102011, being processed by the City of Marysville.

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:

Marysville Public Works, 200201278

Encl
Drawings (7)



DIRECTIONS:
APPROACHING MARYSVILLE FROM THE SOUTH ON SR-529, TURN LEFT (WEST) ON 1ST STREET. PROCEED 1 BLOCK WEST AND TURN LEFT (SOUTH) ON DELTA AVENUE. THE SITE FRONTS THE EAST SIDE OF DELTA STREET FROM 1ST STREET TO EBEY SLOUGH.

VICINITY MAP

CITY OF MARYSVILLE – EBEY SLOUGH PARK

PURPOSE: PROVIDE PUBLIC ACCESS TO EBEY SLOUGH

PROPOSED: BOAT LAUNCH AND PUBLIC AMMENITIES

IN: SNOHOMISH COUNTY, WA AT: MARYSVILLE

PREPARED BY: HAMMOND COLLIER WADE LIVINGSTONE
104 EAST NINTH STREET WENATCHEE, WA 98801 509-662-1762

TAX PARCEL: 30053300200800 & 30053300201000

APPLICANT: CITY OF MARYSVILLE

DATUM: NAVD 88

COUNTY: SNOHOMISH STATE: WA

VICINITY MAP SCALE: AS SHOWN

DATE 12/2/02 PAGE 1 OF 7

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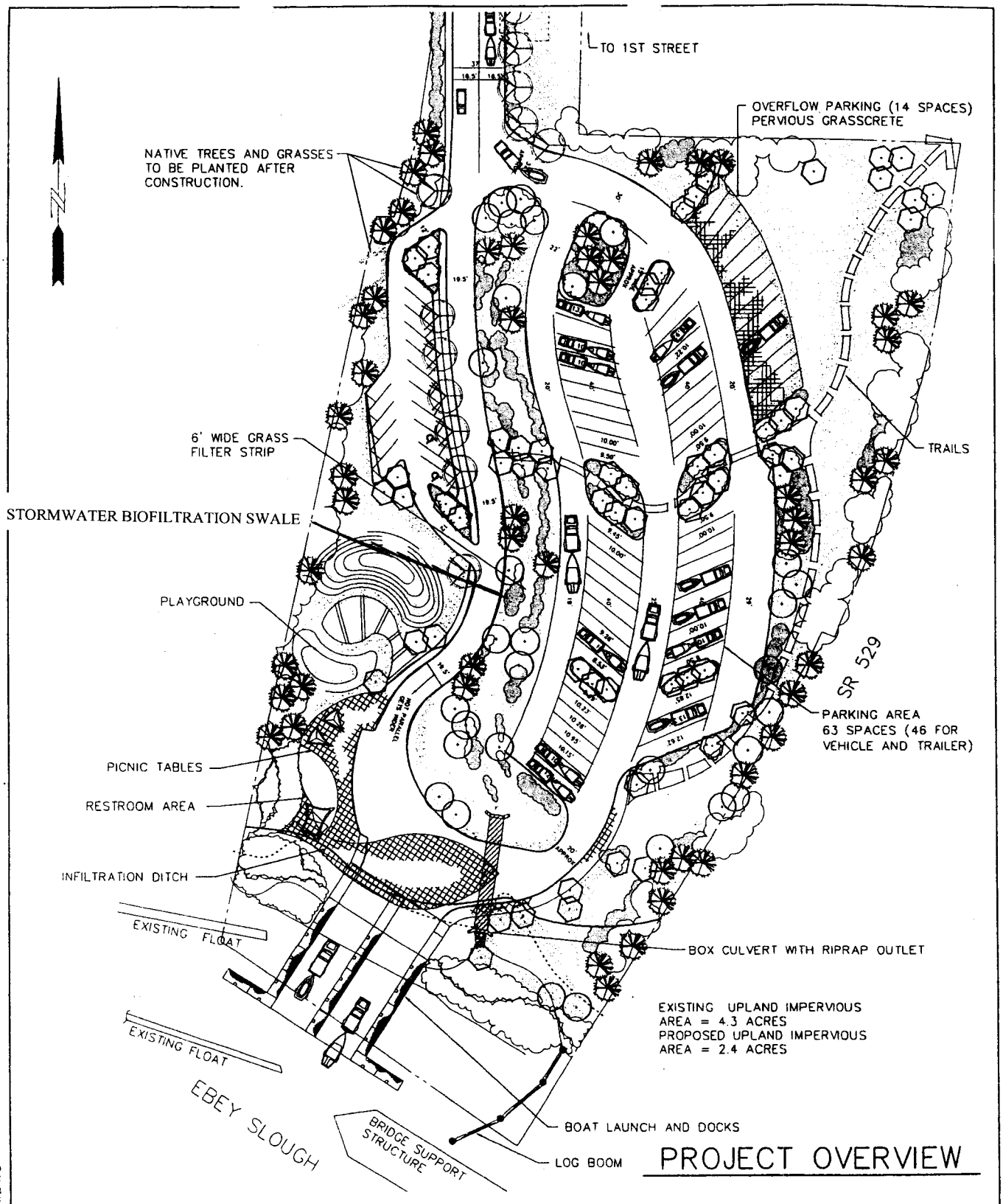

PROJECT OVERVIEW

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DATUM: NAVD 88

COUNTY: SNOHOMISH **STATE:** WA

PROJECT OVERVIEW **SCALE:** 1"=100'

DATE 12/2/02

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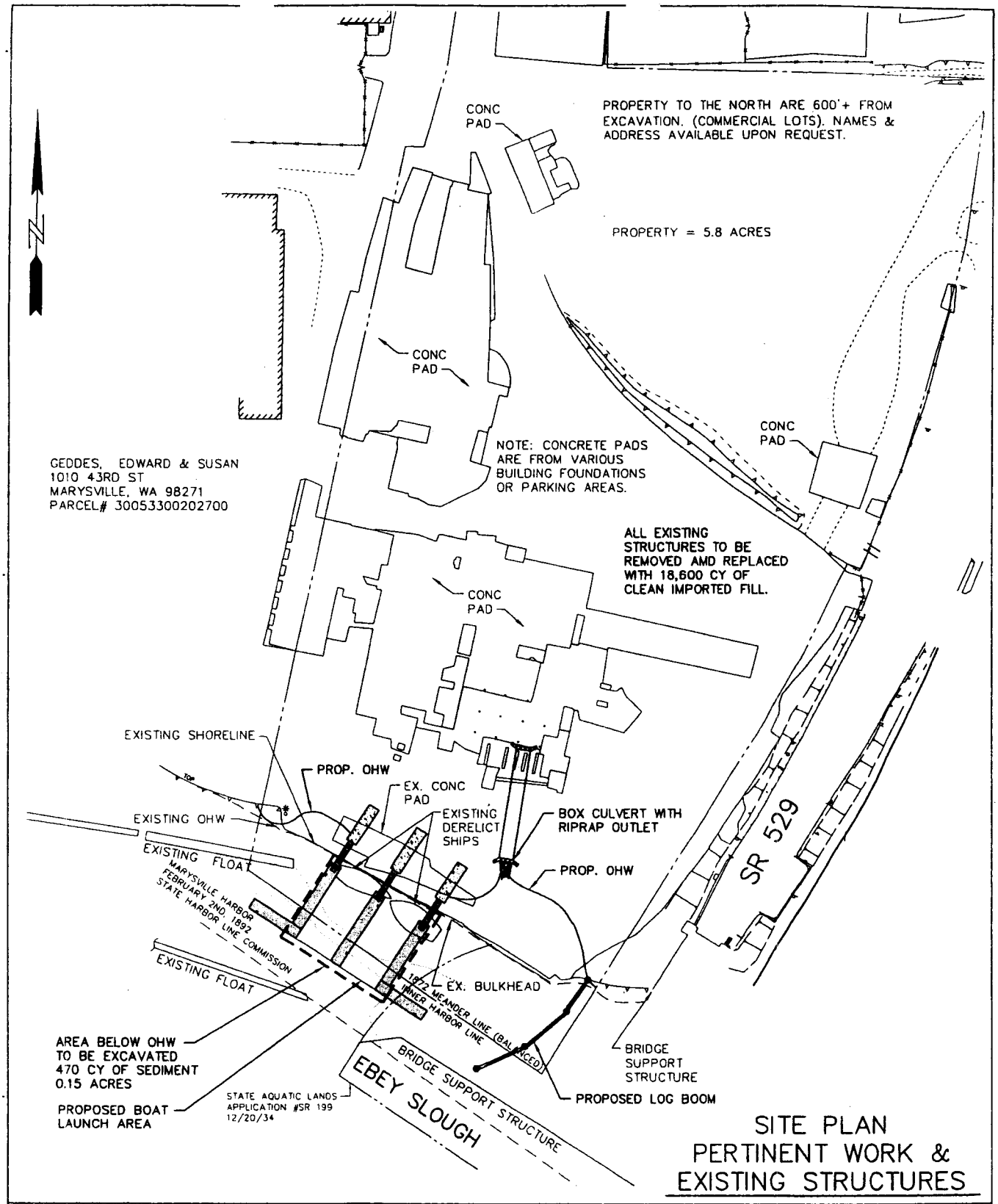

SITE PLAN PERTINENT WORK & EXISTING STRUCTURES

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PLAN **SCALE:** 1"=100'

DATE 12/2/02 PAGE 3 OF 7

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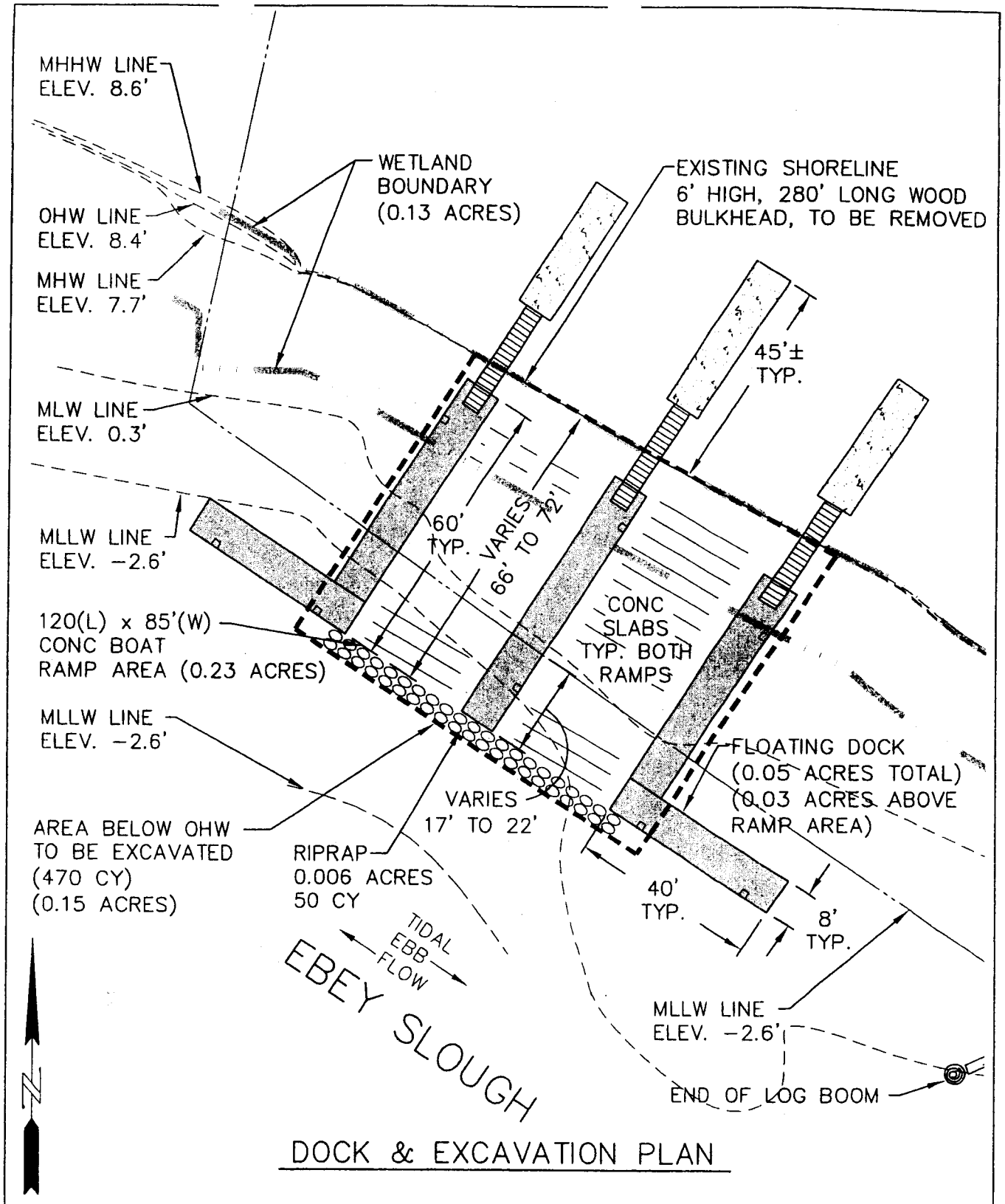

DOCK & EXCAVATION PLAN

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TAX PARCEL: 30053300200800 & 30053300201000

APPLICANT: CITY OF MARYSVILLE

DATUM: NAVD 88

COUNTY: SNOHOMISH **STATE:** WA

PLAN **SCALE:** 1"=30' DATE 12/2/02 PAGE 4 OF 7

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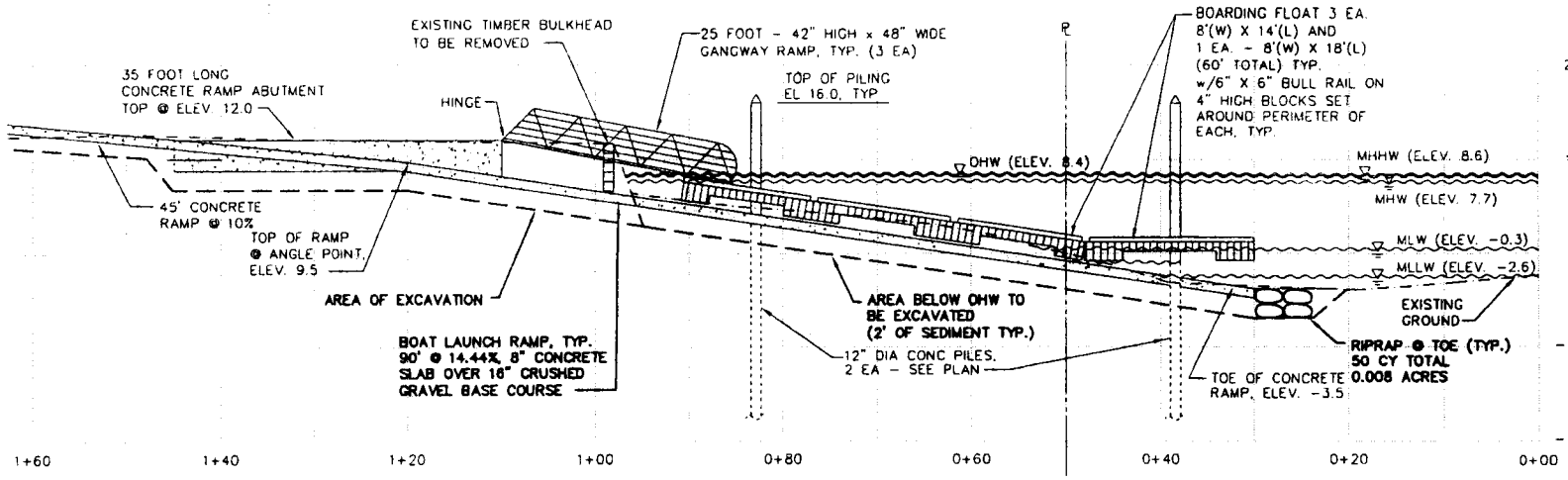
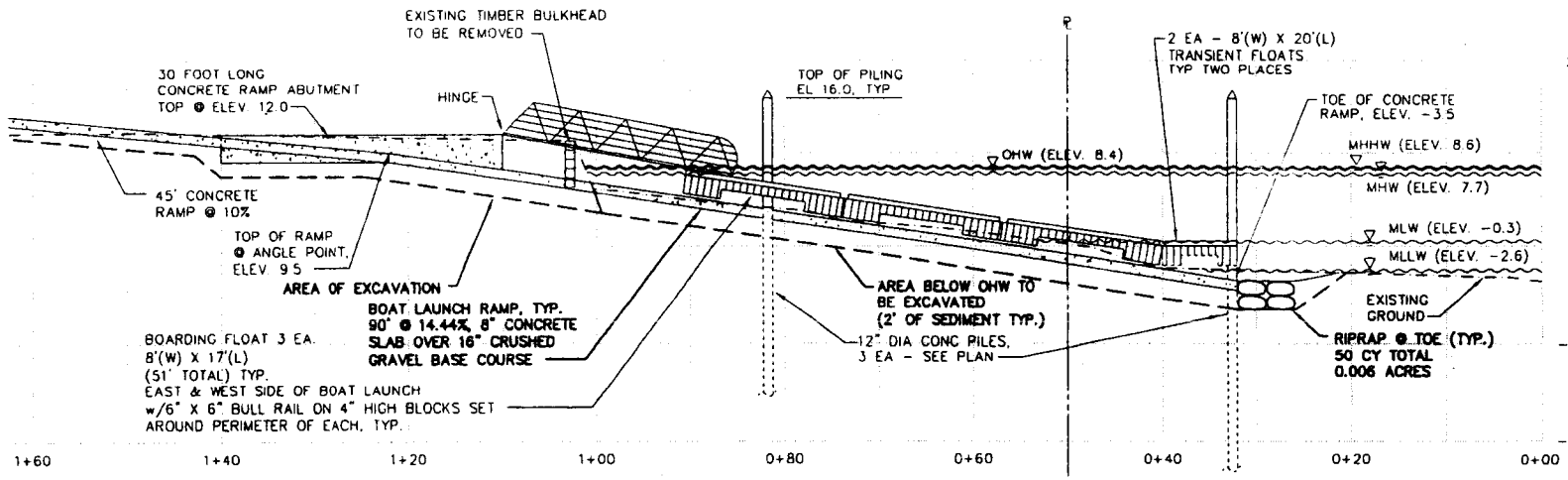


RAMP & DOCK - SIDE VIEW

SCALE 1" = 10'



RAMP & DOCK - SIDE VIEW

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CROSS SECTION **SCALE:** AS SHOWN

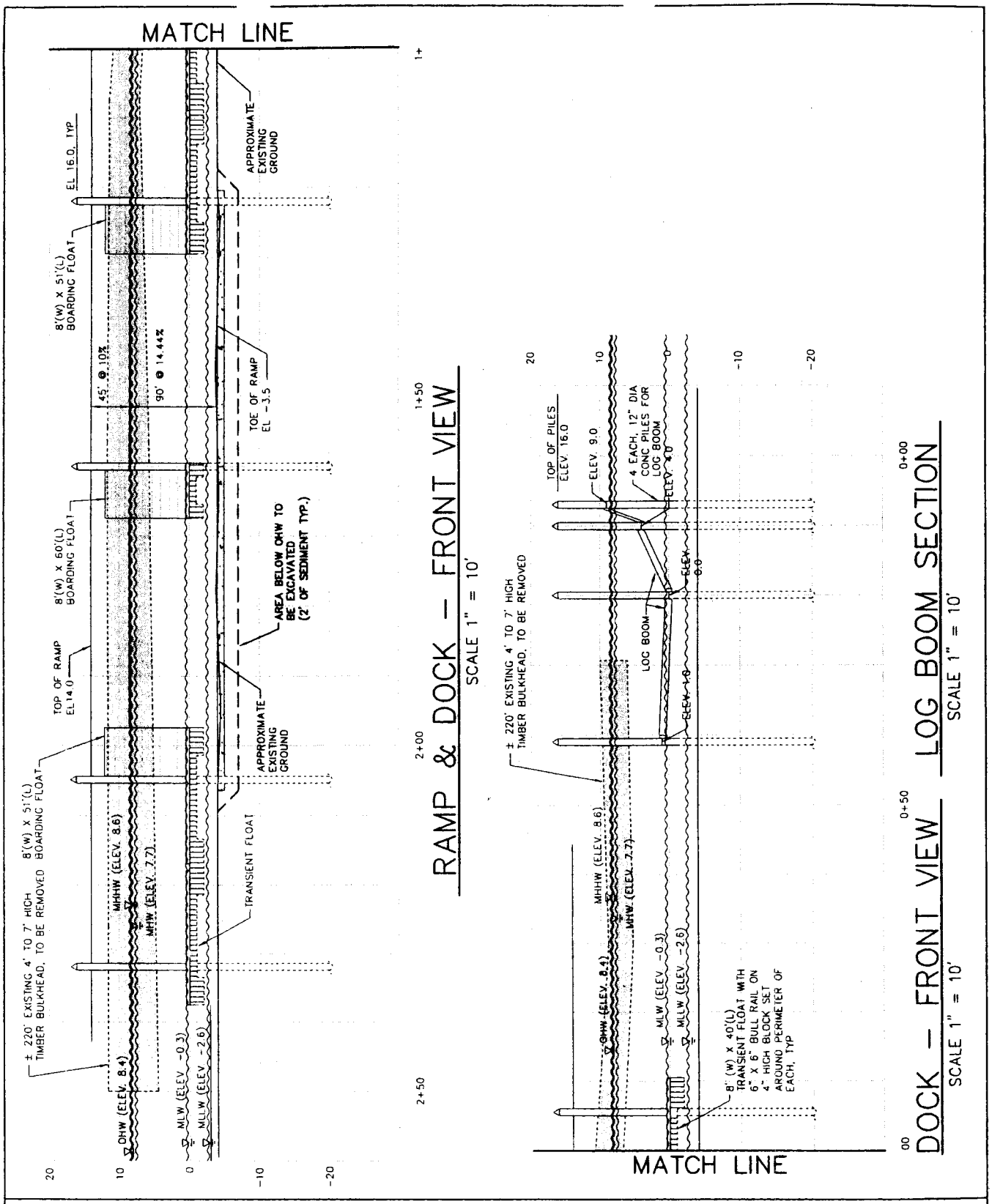
TAX PARCEL: 30053300200800 & 30053300201000

APPLICANT: CITY OF MARYSVILLE

DATUM: NAVD 88

COUNTY: SNOHOMISH **STATE:** WA

DATE 12/2/02



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CROSS SECTION SCALE: AS SHOWN

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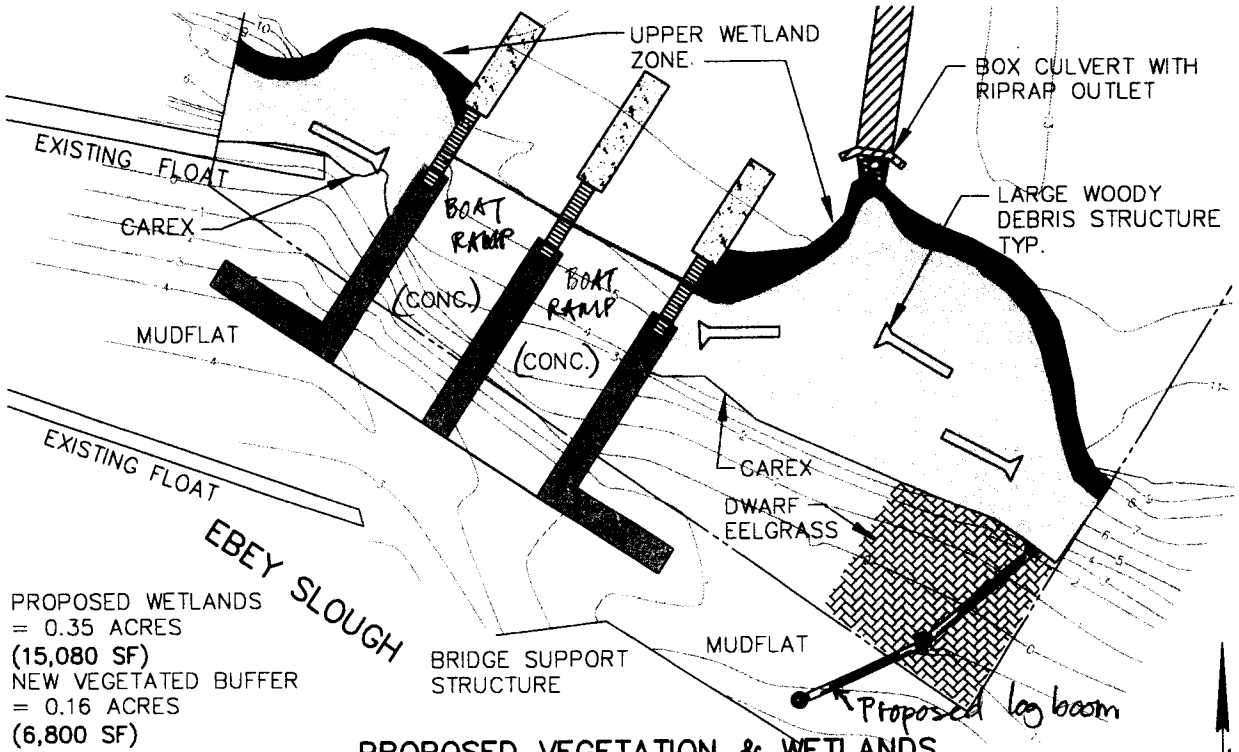
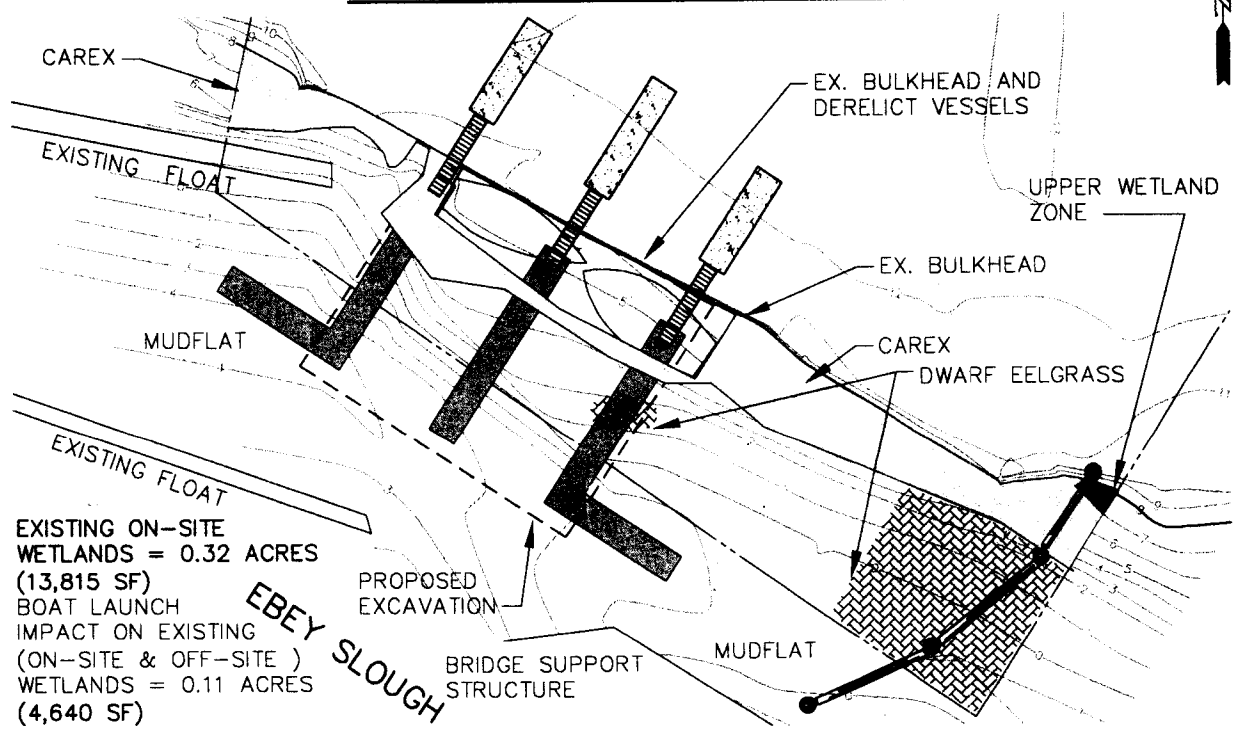


PROPOSED VEGETATION & WETLANDS



EXISTING VEGETATION & WETLANDS

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TAX PARCEL: 30053300200800 & 30053300201000

APPLICANT: CITY OF MARYSVILLE

DATUM: NAVD 88

COUNTY: SNOHOMISH **STATE:** WA

VEGETATION **SCALE:** 1" = 50' **REVISED:** 11/24/03 DATE 12/2/02 PAGE 7 OF 7

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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: September 13, 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. 200201278 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