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: Rozwin Liera, Project Manager

Public Notice Date: February 15, 2005
Expiration Date: March 16, 2005
Reference: 200400208
Name: Lopresto, Marc and P and R Williams

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, for certain work described below and shown on the enclosed drawings.

APPLICANTS – Mr. Marc Lopresto, and Ms. Pamela and Mr. Roger Williams
Post Office Box 220
Friday Harbor, Washington 98250
Telephone: 360-378-2826

AGENT - Ms. Pauli Gavora
Gavora Inc.
Post Office Box 2838
Friday Harbor, Washington 98250
Telephone: 360-378-4348

LOCATION – In Friday Harbor, at Friday Harbor, San Juan County, Washington

WORK - Construct a pier, install a ramp and float, and drive piling.

PURPOSE - To provide joint-use moorage.

ADDITIONAL INFORMATION - The proposed structure will be joint use with Pamela and Roger Williams. The proposed structure will be on the Williams property. The proposed structure will replace an existing smaller pier/ramp/float/piling structure on the adjacent Lopresto lot. See Drawing Figure 2.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The following species in the state of Washington may occur in the proposed project area: Bald eagle (*Haliaeetus leucocephalus*) threatened; Puget Sound bull trout (*Salvelinus confluentus*) threatened; Puget Sound Chinook (*Oncorhynchus tshawytscha*) threatened; Marbled Murrelet *(Brachyramphus marmoratus),* threatened; Steller Sea-Lion, *(Eumetopias jubatus),* threatened; Leatherback Sea Turtle, (*Dermochelys coriacea)*, endangered; Humpback Whale, (*Megaptera novaeangliae)*, endangered; and Southern Resident killer whale, (*Orcinus orca*), proposed threatened. For Marbled Murrelet *(Brachyramphus marmoratus),* critical habitat has been designated; critical habitat for Chinook and bull trout is proposed. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to these species and their critical habitat.

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 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, Groundfish, Coastal Pelagic Species occurs in the project area. The proposed action would impact approximately 1,212.5 square feet of EFH for these species.

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 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. There are recorded historic properties within 1 mile of the proposed project. However, there are no recorded historic properties in the permit area. 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. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit 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 U.S. Army Corps of Engineers (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.

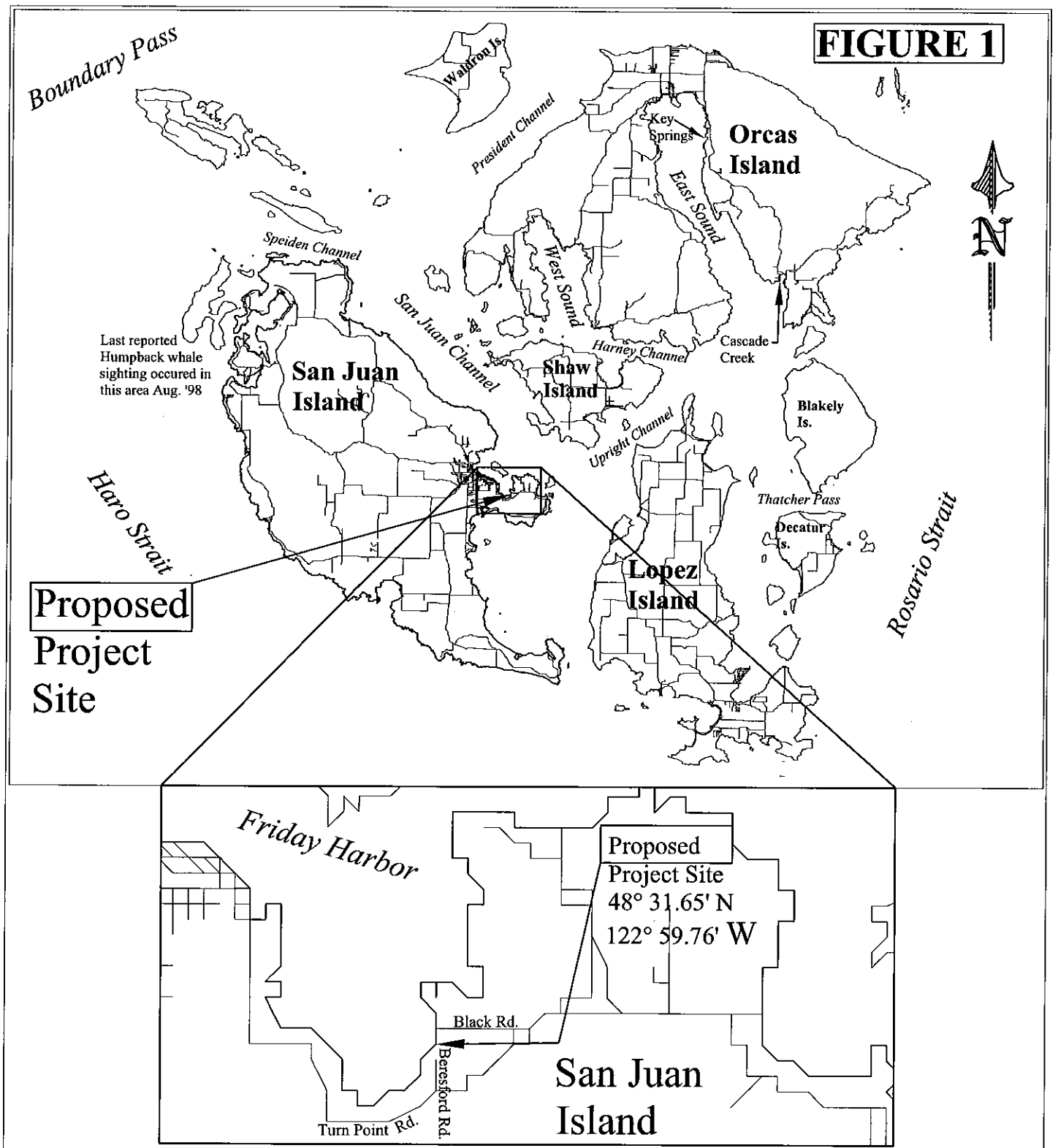
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Substantial Development Permit No. HE 17-04 (04SJ001) which has been issued by San Juan County.

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 rozwin.k.liera@nws.usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, P.O. 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:

Lopresto, Marc and P and R Williams, 200400208

Encl
Drawings (5)



PURPOSE: Provide multiple family use access to Friday Harbor

DATUM: N.O.S. MLLW=0'

ADJACENT PROPERTY OWNERS:

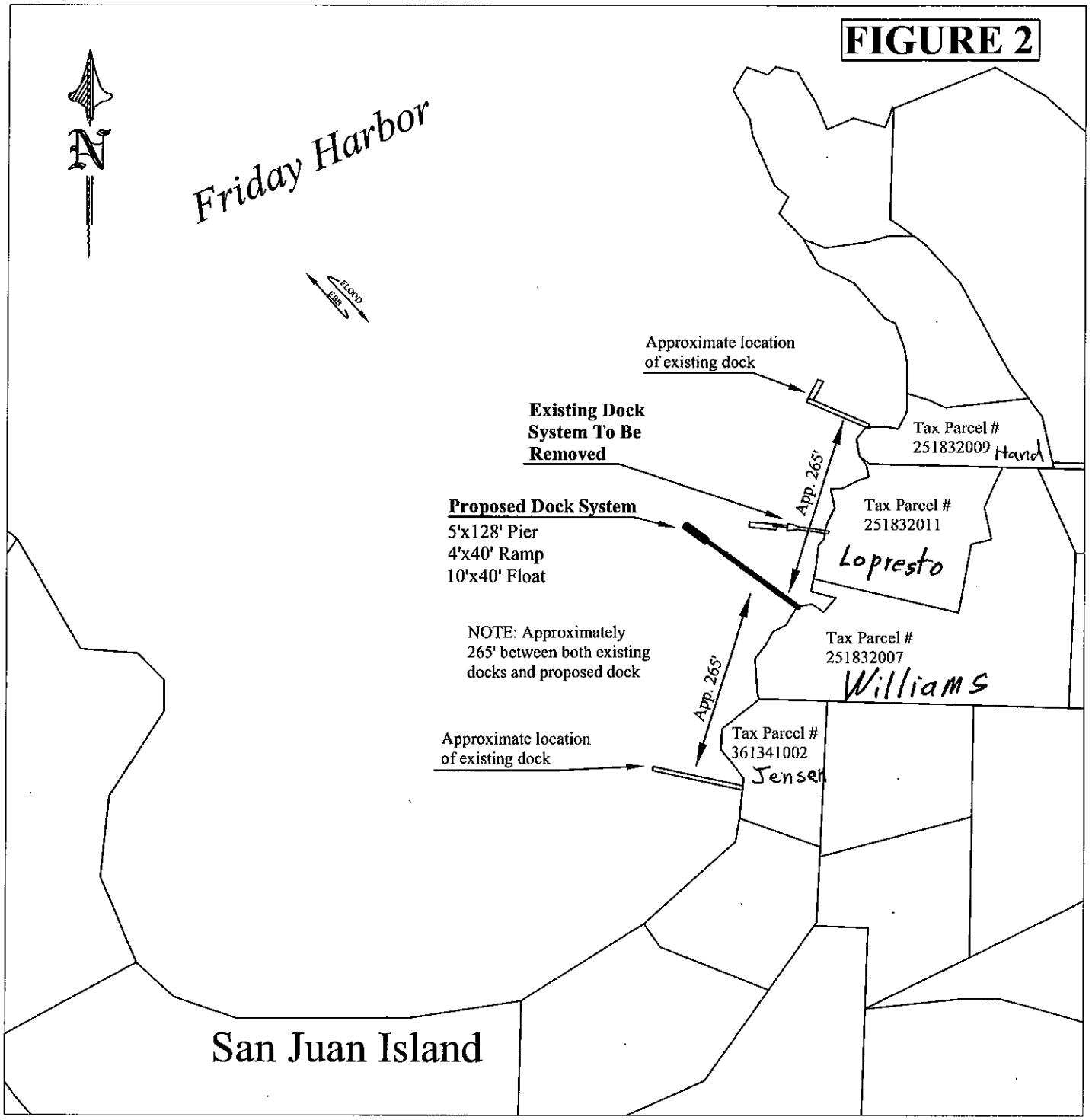
Russel & Karen Frash Hand TTEE
Nourdine W. Jensen LLC
Jen-Jay Diving, Inc.

VICINITY MAP

R. and P. Williams
APPLICANT: Marc Lopresto
SITE ADDRESS: 169 Black Rd.
Friday Harbor, WA
98250

REFERENCE: # 200400208
PROPOSED: Construct a new dock system

IN: Friday Harbor
AT/NEAR: Friday Harbor, San Juan Is.
COUNTY: San Juan, WA
FIGURE 1 OF 5
DATE: 11/04 Rev 1-05



PURPOSE: Provide multiple family use access to Friday Harbor

SITE PLAN

REFERENCE: # 200400208
PROPOSED: Construct a new dock system

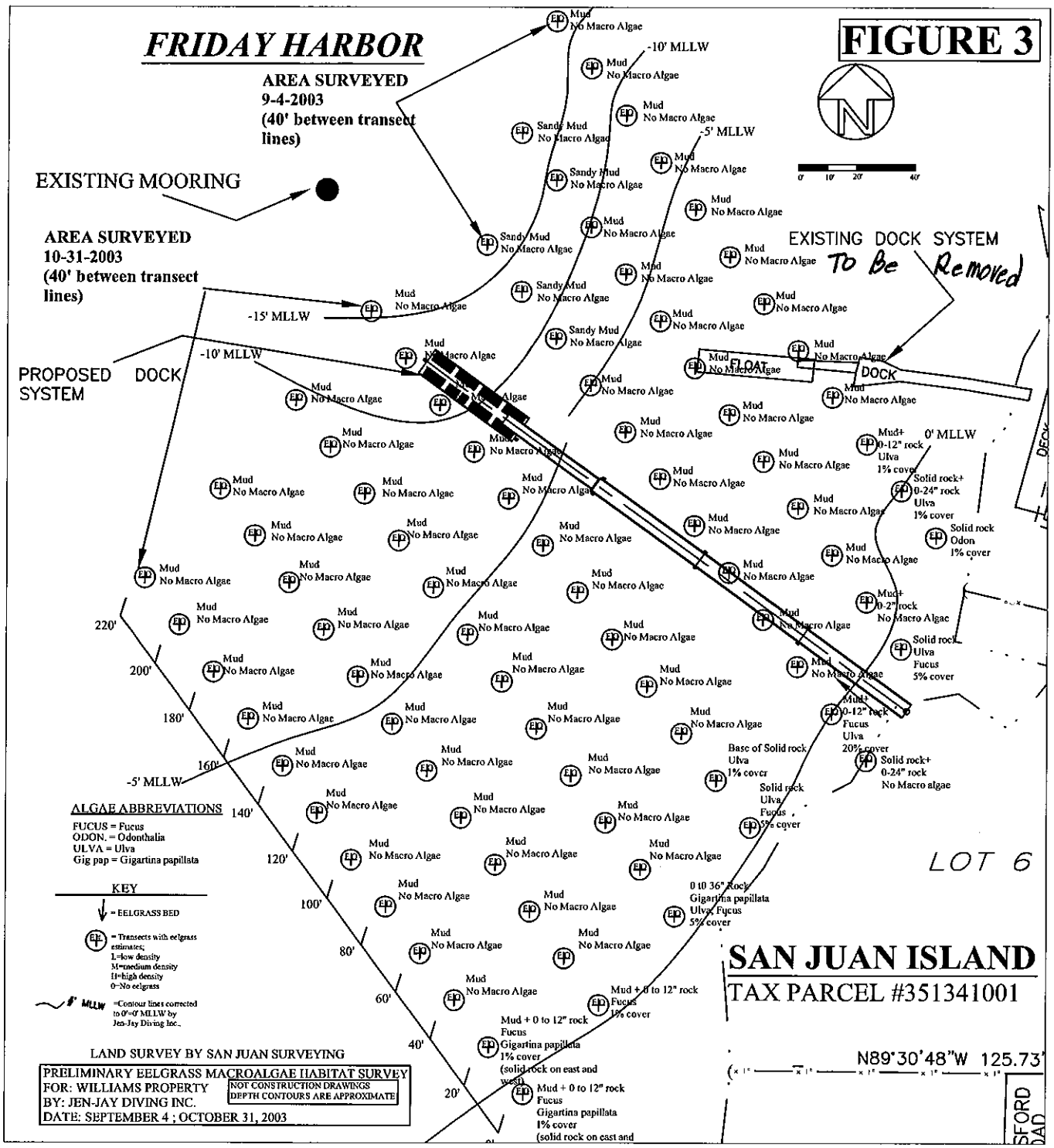
DATUM: N.O.S. MLLW=0'

APPLICANT: R. and P. Williams Marc Lopresto
SITE ADDRESS: 169 Black Rd. Friday Harbor, WA 98250

IN: Friday Harbor
AT/NEAR: Friday Harbor, San Juan Is.
COUNTY: San Juan, WA
FIGURE 2 OF 5
DATE: 11/04 REV 1-05

ADJACENT PROPERTY OWNERS:

Russel & Karen Hand TTEE
Nourdine W. Jensen LLC
Jen-Jay Diving, Inc.



PURPOSE: Provide multiple family use access to Friday Harbor

DATUM: N.O.S. MLLW=0'

ADJACENT PROPERTY OWNERS:

Russel & Karen Frash Hand TTEE
Nourdine W. Jensen LLC

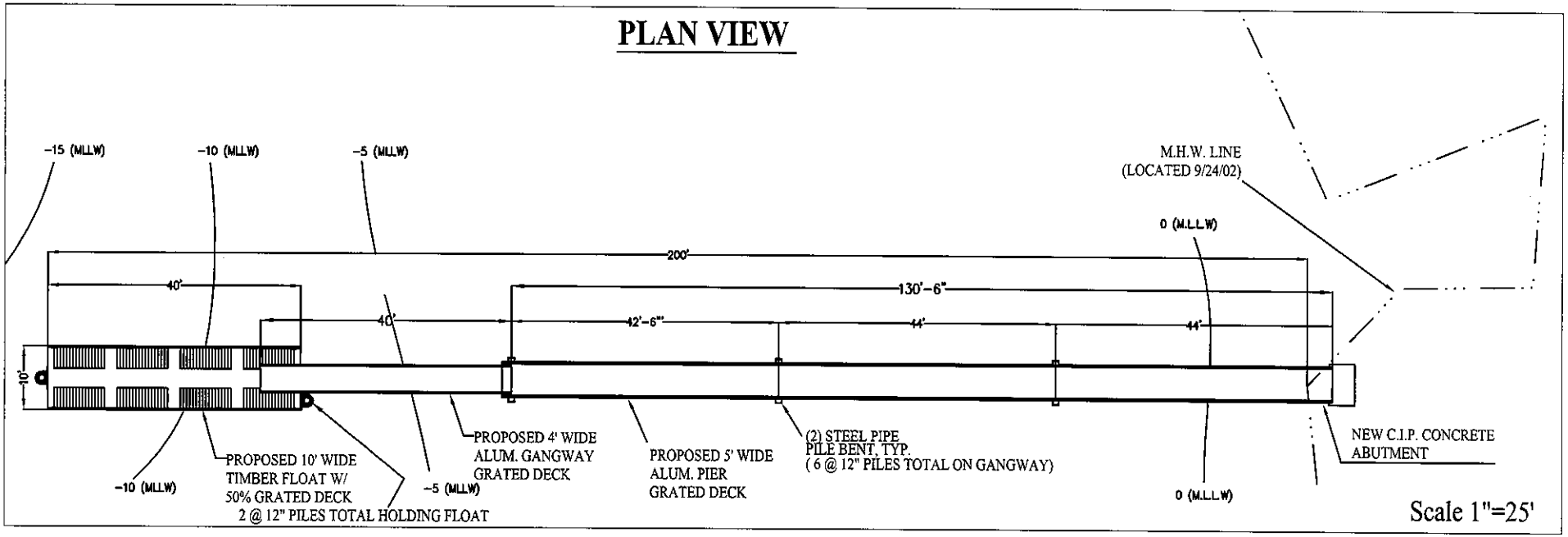
PLAN VIEW and EELGRASS SURVEY

APPLICANT: Marc Lopresto, Williams
SITE ADDRESS: 169 Black Rd.
Friday Harbor, WA
98250

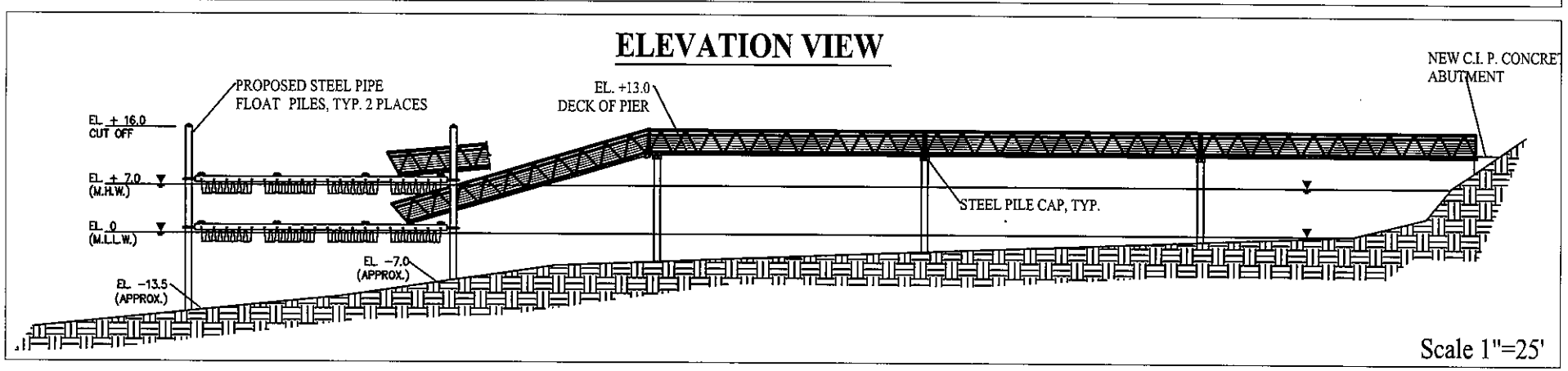
REFERENCE: # 200400208
PROPOSED: Construct a new dock system
IN: Friday Harbor
AT/NEAR: Friday Harbor, San Juan Is.
COUNTY: San Juan, WA
FIGURE 3 OF 5
DATE: 11/04 rev. 1-05

Jen-Jay Diving, Inc.

PLAN VIEW



ELEVATION VIEW



PURPOSE: Provide multiple family use access to Friday Harbor

DATUM: N.O.S. MLLW=0'

ADJACENT PROPERTY OWNERS:

Russel & Karen Frash Hand TTEE
Nourdine Jensen

PLAN VIEW and ELEVATION VIEW

APPLICANT: Marc Lopresto, R. + P. Williams
SITE ADDRESS: 169 Black Rd.
Friday Harbor, WA
98250

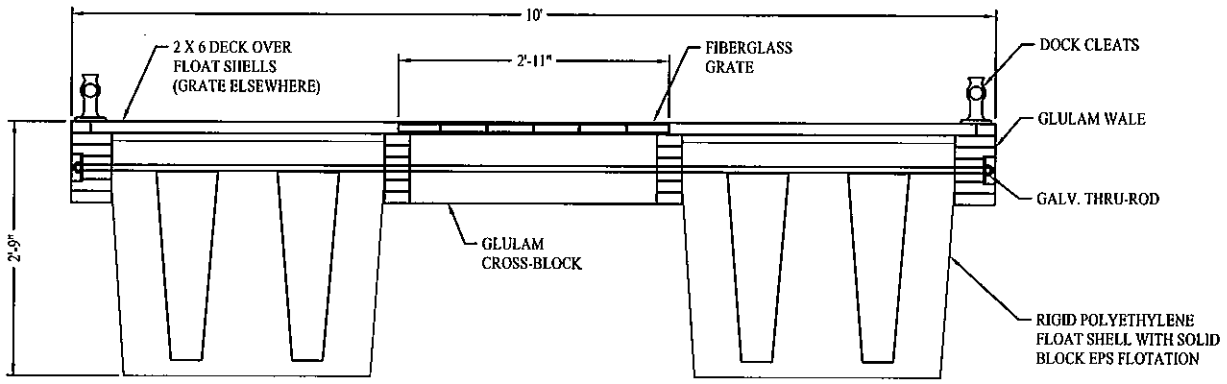
REFERENCE: # 200400208
PROPOSED: Construct a new dock system

IN: Friday Harbor
AT/NEAR: Friday Harbor, San Juan Is.
COUNTY: San Juan, WA
FIGURE 4 OF 5
DATE: January 2005

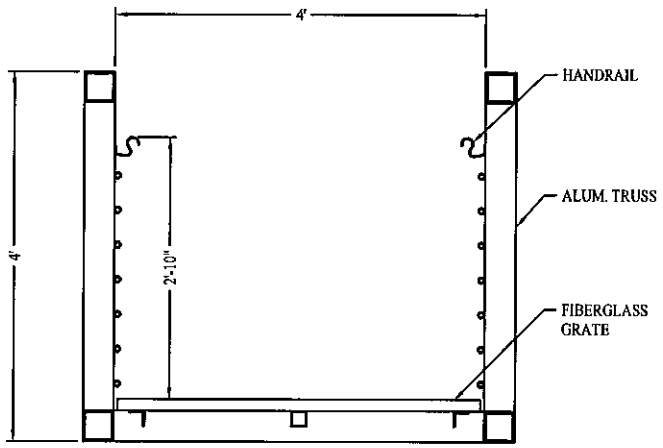
FIGURE 4

FLOAT CROSS SECTION

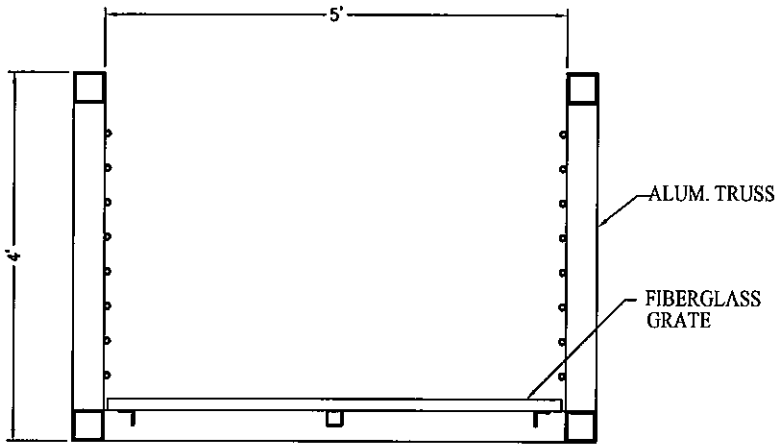
FIGURE 5



GANGWAY CROSS SECTION



PIER CROSS SECTION



PURPOSE: Provide multiple family use access to Friday Harbor

DATUM: N.O.S. MLLW=0'

ADJACENT PROPERTY OWNERS:

Russel & Karen Frash Hand TTEE

Nourdine Jensen

SECTION VIEW

APPLICANT: R.+P. Williams Marc Lopresto

SITE ADDRESS: 169 Black Rd. Friday Harbor, WA 98250

REFERENCE: # 200400208

PROPOSED: Construct a new dock system

IN: Friday Harbor

AT/NEAR: Friday Harbor, San Juan Is.

COUNTY: San Juan, WA

FIGURE 5 OF 5

DATE: 11/04 rev 1-05

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
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: February 15, 2005

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 project described in the U.S. Army Corps of Engineers Public Notice No. 200400208 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'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