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:** Olivia Romano, Project Manager

Public Notice Date: June 4, 2004
Expiration Date: July 4, 2004
Reference: 200400230
Name: Evans, Robert

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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.

APPLICANT - Mr. Robert Evans
Post Office Box 95
Tahuya, Washington 98588
Telephone: (360) 275-3678

AGENT - Marine Surveys and Assessments
Ms. Amy Leitman
521 Snagstead Way
Port Townsend, Washington 98368
Telephone: (306) 385-4073

LOCATION – In Hood Canal, near the confluence of Tahuya River and Hood Canal, in Tahuya, in Mason County, Washington.

WORK - Construction of a pier, ramp, and float, which will extend from the existing bulkhead approximately 100-feet waterward of the mean high water (MHW) line. Work consist of the installation of 4 ammoniacal copper zinc arsenate (ACZA) treated wood piles, 1 ACZA treated wood stub pile, 4-foot by 40-foot fixed pier, 4-foot by 40-foot ramp, and one 8-foot wide by 25-foot long float. The float will have 4-foot wide grating installed down the middle with 60% open area and the stud pile will prevent grounding of the float during low tide.

PURPOSE – Private recreational access to Hood Canal.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The Puget Sound chinook (*Oncorhynchus tshawytscha*), listed threatened; Hood Canal summer-run chum (*Oncorhynchus keta*), listed threatened; coastal/Puget Sound bull trout (*Salvelinus confluentus)*, listed threatened; bald eagle (*Haliaeetus leucocephalus*), listed threatened; marbled murrelet (*Brachyramphus marmoratus)*, listed threatened, Steller sea lion (*Eumetopias jubatus),* listed threatened; humpback whale (*Eumetopias jubatus)*; listed threatened; and leatherback sea turtle *(Dermochelys coriacea)*, listed endangered may occur in the proposed project vicinity. For marbled murrelet critical habitat has been designated. A preliminary determination indicates that the activity "may affect", but is not likely to adversely affect" chinook, chum, bull trout, bald eagle, marbled murrelet and have "no effect" on Steller sea lion, humpback whale, and leatherback sea turtle.

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, and coastal pelagic species occurs in the project area. The proposed action would impact approximately 0.01 acres of EFH for these species. The U.S. Army Corps of Engineers (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 (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 proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The DE invites responses to this public notice from Federal, Native American Nations or tribal governments, State of Washington (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.

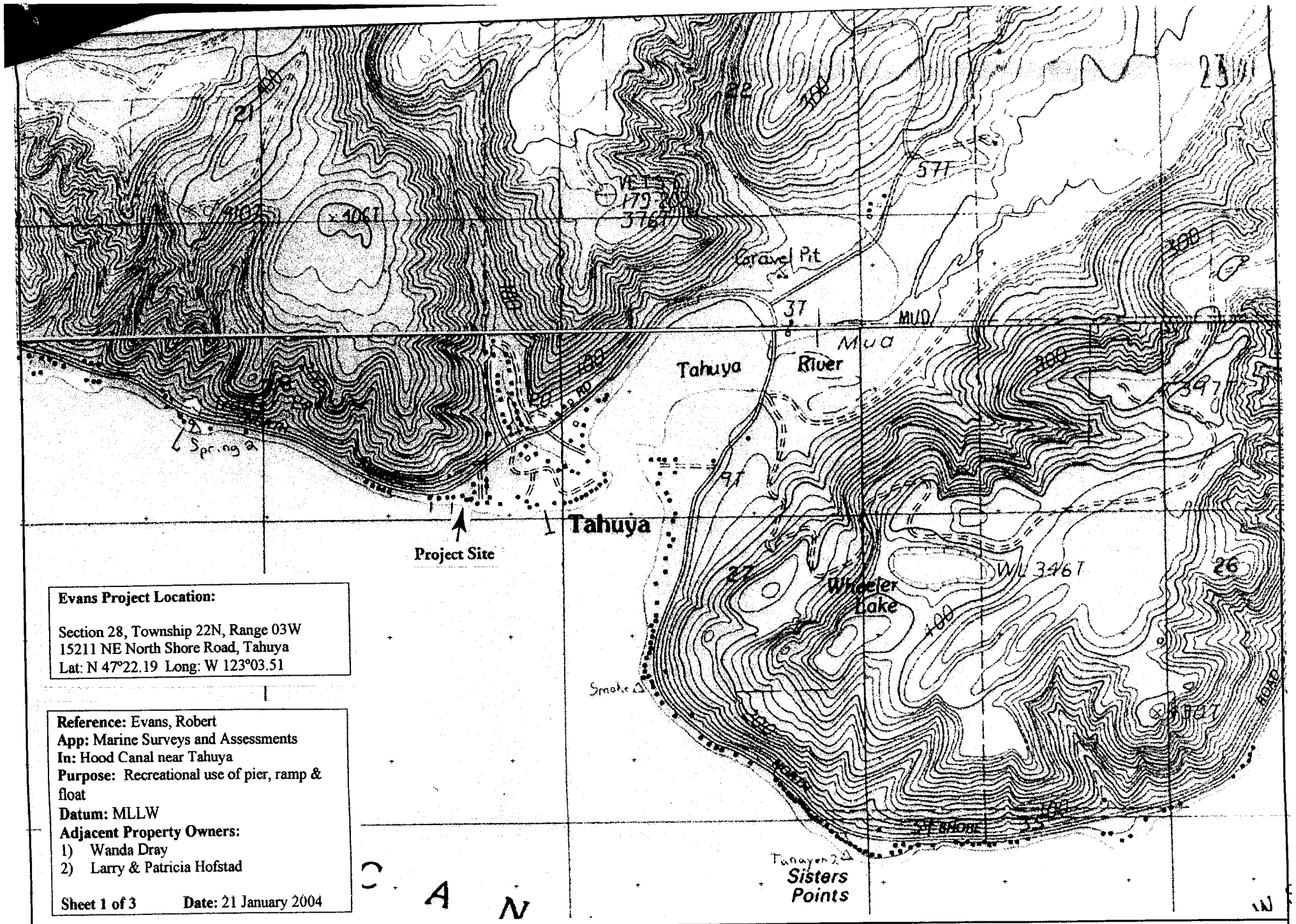
ADDITIONAL EVALUATION - The State is reviewing this work for consistency with the approved Washington Coastal Zone Management Program. This proposal is the subject of Shorelines Substantial Development Permit being processed by Mason County.

COMMENT AND REVIEW PERIOD – Conventional mail or email 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, email comments must originate from the author's email account and must include on the subject line of the email message the permit applicant's name and

reference number as shown below. All email comments should be sent to Olivia.H.Romano@nws02.usace.army.mil. Conventional mail comments should be sent to Corps, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or email 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 email 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:

Evans, Robert, 200400230

Encl
Drawings (3)



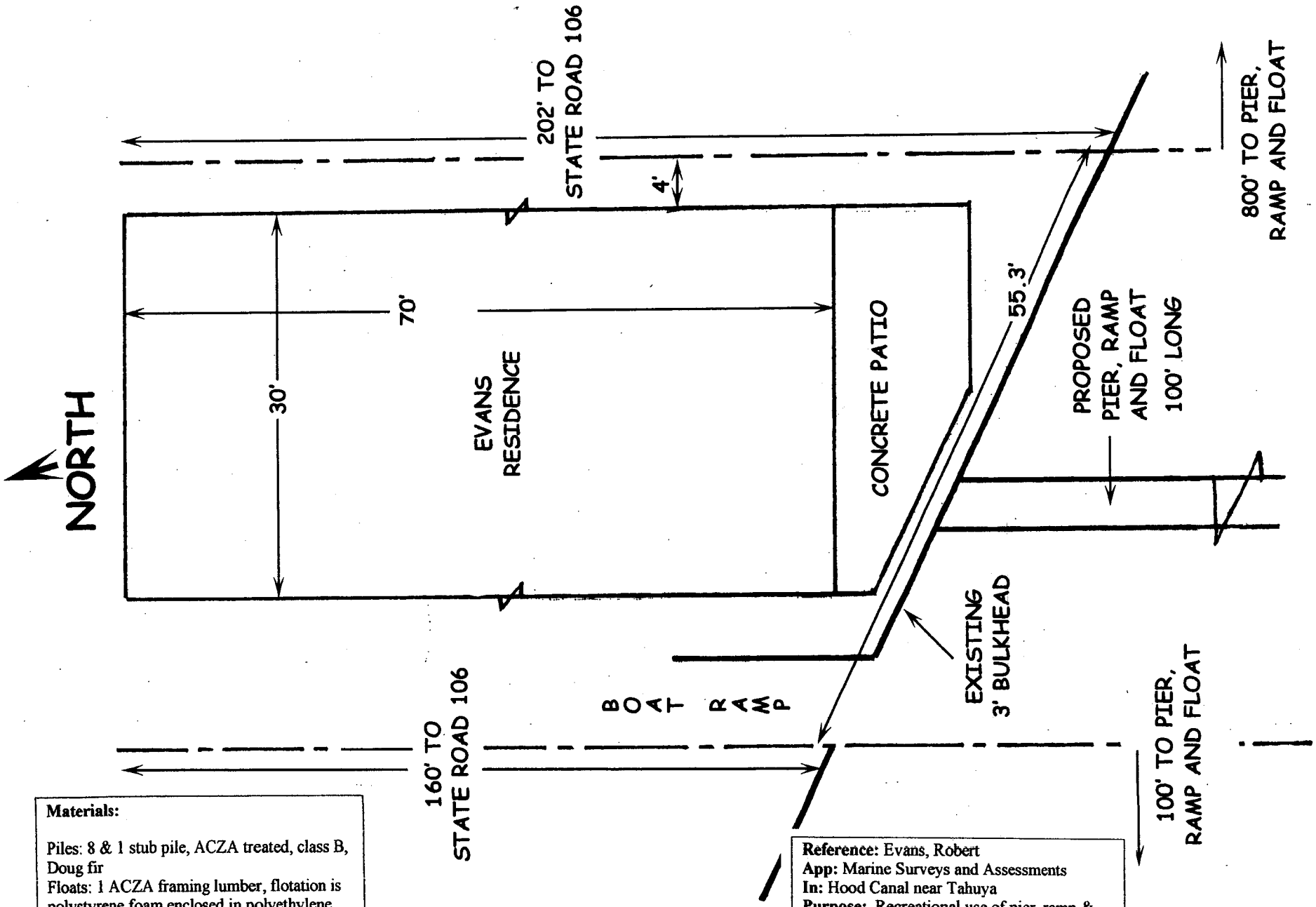

**Evans Project Location:**

Section 28, Township 22N, Range 03W
15211 NE North Shore Road, Tahuya
Lat: N 47°22.19 Long: W 123°03.51

**Reference:** Evans, Robert
**App:** Marine Surveys and Assessments
**In:** Hood Canal near Tahuya
**Purpose:** Recreational use of pier, ramp & float
**Datum:** MLLW
**Adjacent Property Owners:**
1) Wanda Dray
2) Larry & Patricia Hofstad

**Sheet 1 of 3** **Date:** 21 January 2004

Scale: 1 inch equals 1333 feet




**Materials:**

Piles: 8 & 1 stub pile, ACZA treated, class B, Doug fir
Floats: 1 ACZA framing lumber, flotation is polystyrene foam enclosed in polyethylene resin shells
Pier: ACZA framing lumber, galvanized fastenings
Ramp: prefabricated aluminum

Construction and site details are contained in the project Biological Evaluation

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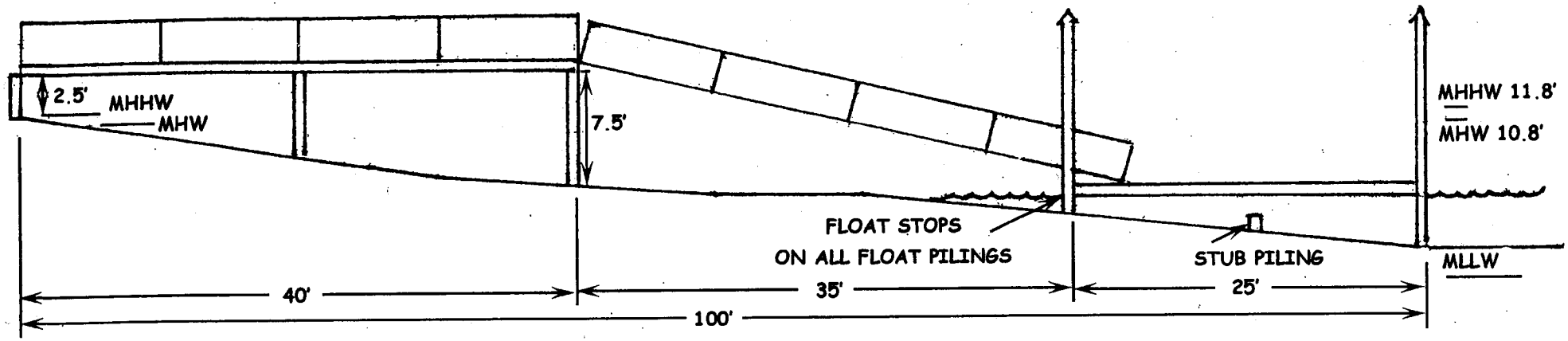
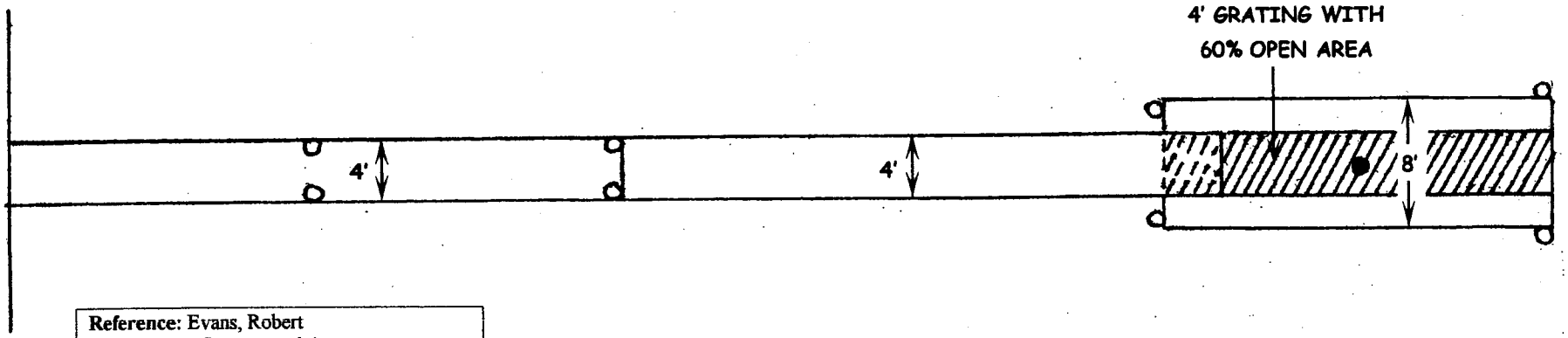
**Sheet 2 of 3** **Date:** 21 January 2004

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**Sheet 3 of 3** **Date:** 21 January 2004

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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
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: 06/04/04

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. 200400230 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