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: Suzanne Skadowski, Project Manager

Public Notice Date: August 18, 2004
Expiration Date: September 18, 2004
Reference: 200400816
Name: Seaborn Marine Terminal

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 1899 Rivers and Harbors Act for certain work described below and shown on the enclosed drawings.

APPLICANT - Seaborn Marine Terminal
5355 - 28th Avenue Northwest
Seattle, Washington 98107
ATTN: Mr. Richard Seaborn
Telephone: (206) 954-3434
Email: Richard@seaandshore.com

AGENT - Sea & Shore Construction, Inc.
5355 - 28th Avenue Northwest, Suite 100
Seattle, Washington 98107
ATTN: Mr. Shane Vandevere
Telephone: (206) 228-9503
Email: Shanevandevere@yahoo.com

LOCATION - In Salmon Bay, at Seattle, Washington.

WORK - Remove an existing 2,736 square foot float and creosote piles. Construct a new 4,025 square foot fixed pier and drive 118 steel piling.

PURPOSE - Provide additional small boat moorage.

MITIGATION - The applicant is proposing to remove inwater debris from the nearshore area of the site and install a buffer of native vegetation along the shoreline of the adjacent City of Seattle street-end property.

ENDANGERED SPECIES - The Endangered Species Act (ESA), as amended, requires assessment of potential impacts to listed and proposed species. The Puget Sound chinook salmon (*Oncorhynchus tshawytscha*), coastal-Puget Sound bull trout (*Salvelinus confluentus*), and bald eagle (*Haliaeetus leucocephalus*), listed threatened in the state of Washington, occur in the proposed project area. The U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to the above species and consult under Section 7 of the ESA with National Marine Fisheries Service and U.S. Fish and Wildlife Service.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the 1996 Sustainable Fisheries Act, requires all Federal agencies to consult with the NMFS on all 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. 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 National Marine Fisheries Service.

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: Known historic properties occur in the vicinity of the proposed project however, the work is of such a limited nature and extent that little likelihood exists for the project to impinge upon these or any unrecorded historic property. The District Engineer invites responses to this public notice from Federal, Native American Nations or tribal governments, 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.

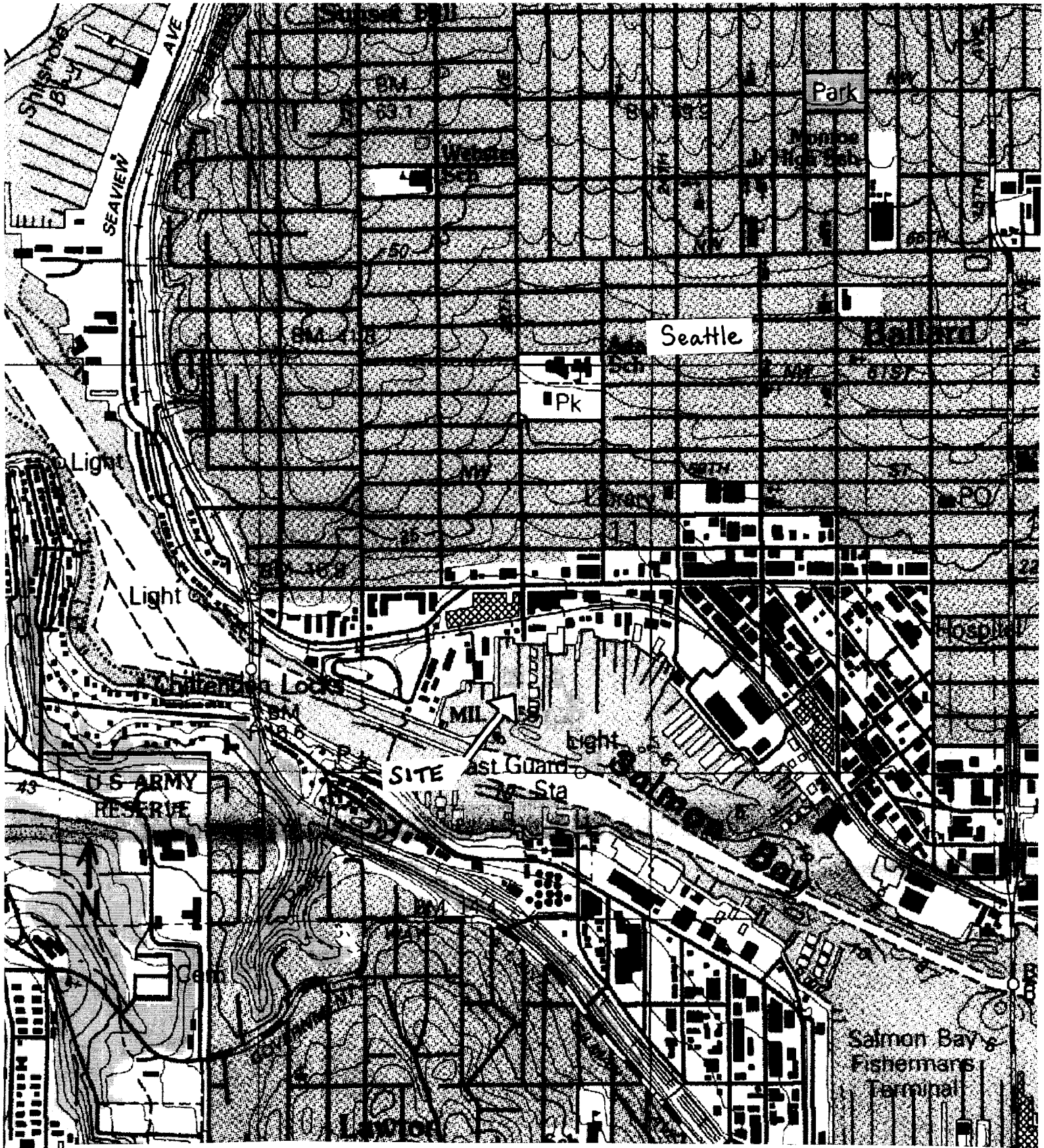
EVALUATION – The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits 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, land use, navigation, shoreline erosion, recreation, water quality, safety, 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 the public interest factors listed above. Comments are used in the preparation of an Environmental Assessment 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 application No. 2402174, which will be processed by the City of Seattle.

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 Suzanne.A.Skadowski@nws02.usace.army.mil. Conventional mail comments should be sent ATTN: Suzanne Skadowski, Regulatory Branch. Comments must include the permit applicant's name and reference number, and the author's name, address, and phone number. Comments must reach this office no later than the expiration date of this public notice to ensure consideration and include the name and reference number:

Seaborn Marine Terminal
200400816

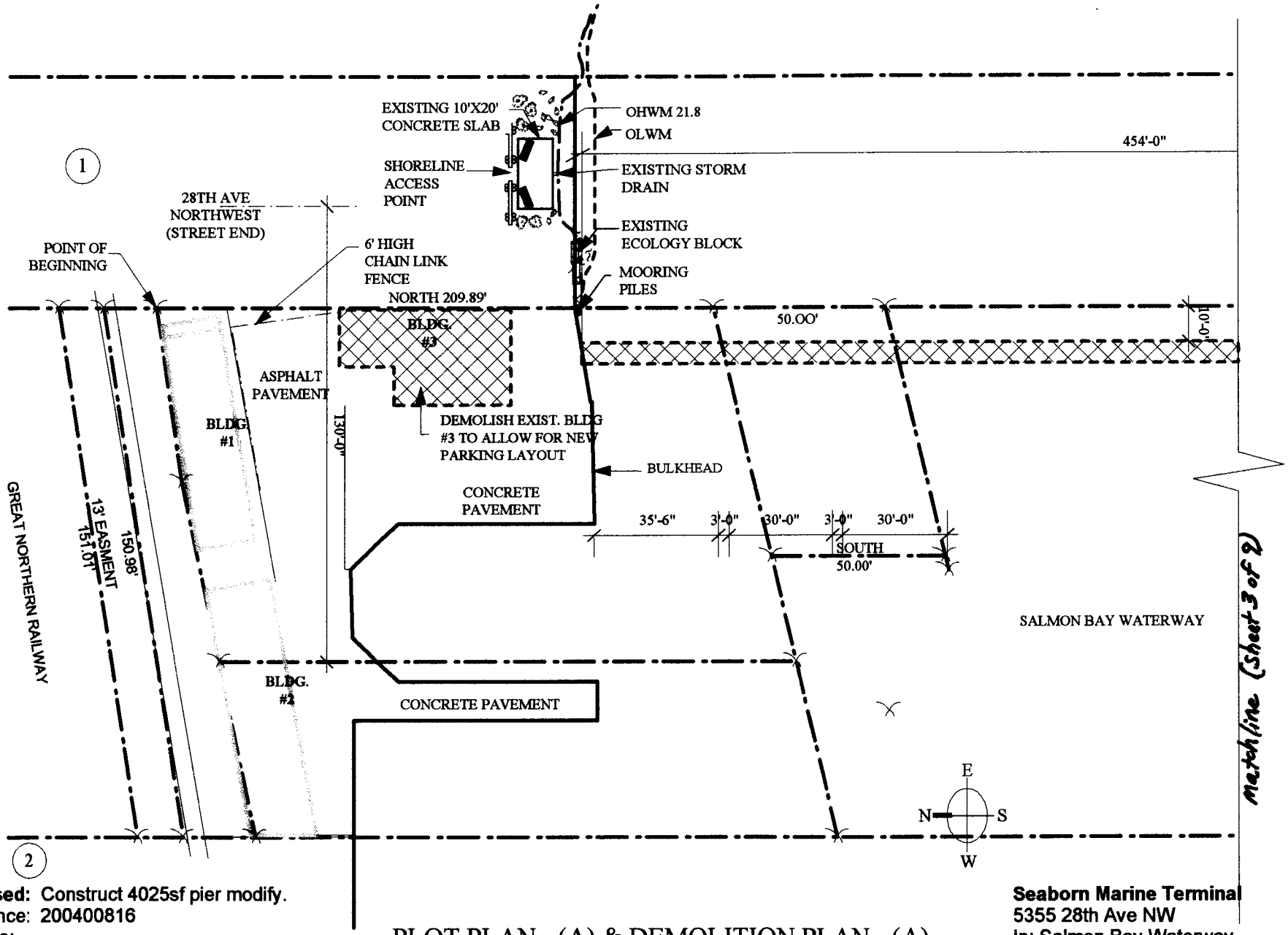
Encl
Drawings (9)



Proposed: Construct 4025 sf pier modify.
Reference: 200400816
Purpose:
Datum: 0.0 EST. By Corp of Engineers, 1919.
Adjacent Property Owners:
1. **City of Seattle Street End**
   28th Ave NW
2. **Jacobson Marina**
   5350 30th Ave NW

Seaborn Marine Terminal
5355 28th Ave NW
In: Salmon Bay Waterway
At: Seattle
County of King, State of Washington
Application by: Richard Seaborn

Sheet 1 of 9 Date: 7/27/04



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PLOT PLAN - (A) & DEMOLITION PLAN - (A)
SCALE: 1" = 40'-0"

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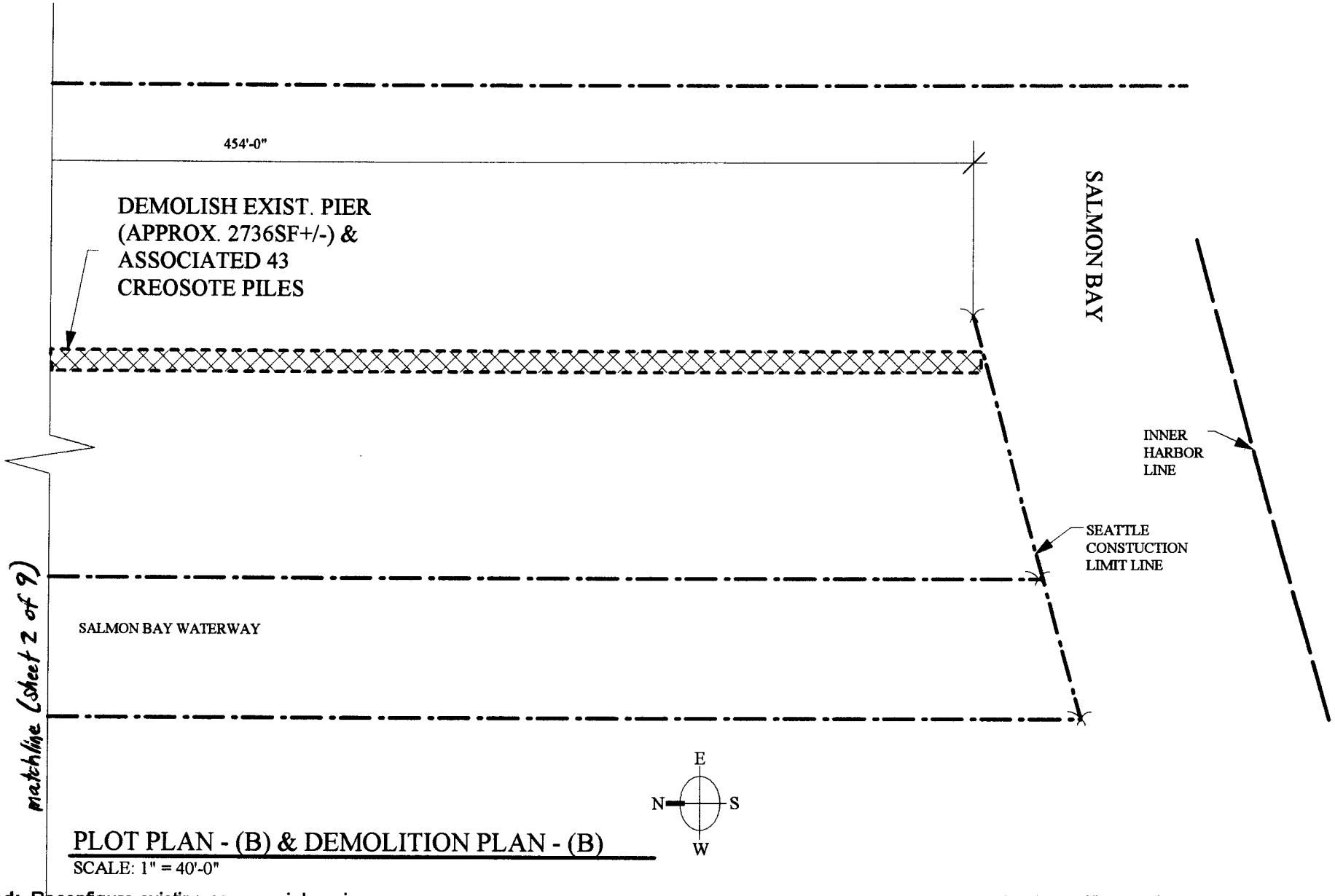

PLOT PLAN - (B) & DEMOLITION PLAN - (B)

SCALE: 1" = 40'-0"

Proposed: Reconfigure existing commercial marina.
Reference:
Purpose:
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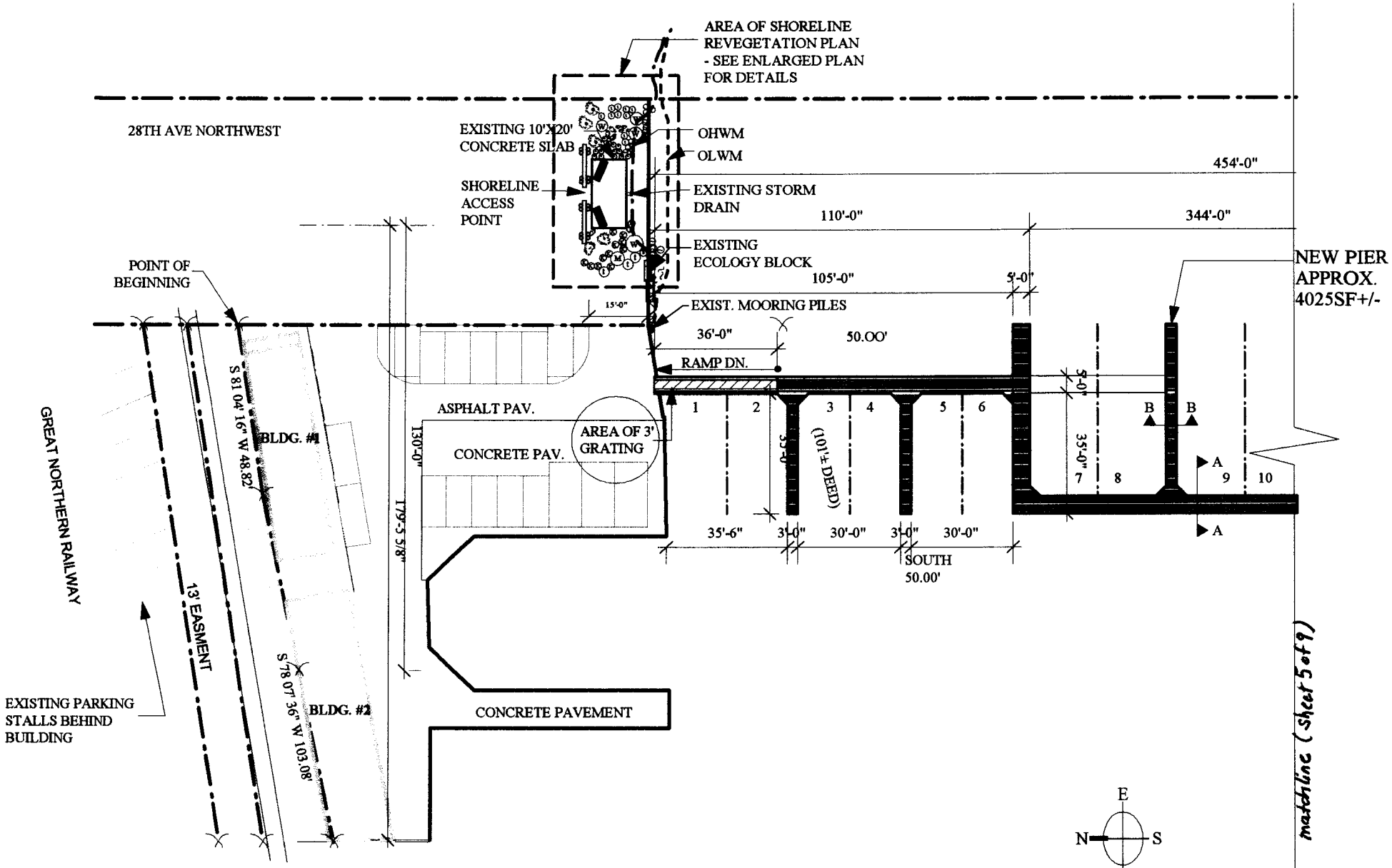

PROPOSED PLOT PLAN - (A)

SCALE: 1" = 40'-0"

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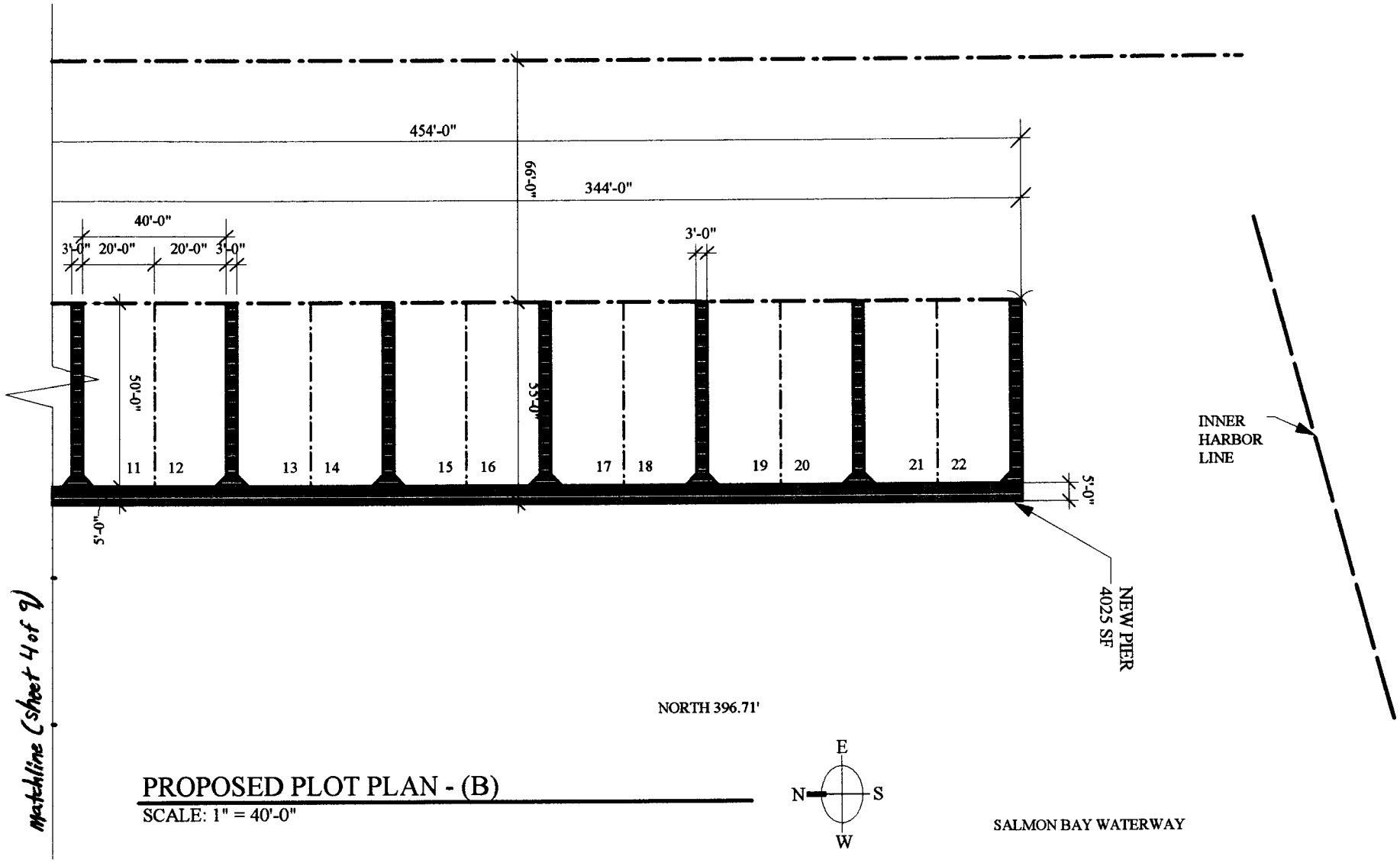

PROPOSED PLOT PLAN - (B)

SCALE: 1" = 40'-0"

Proposed: Construct 4025 sf piermodify.
Reference: 200400816
Purpose:
Datum: 0.0 EST. By Corp of Engineers, 1919.
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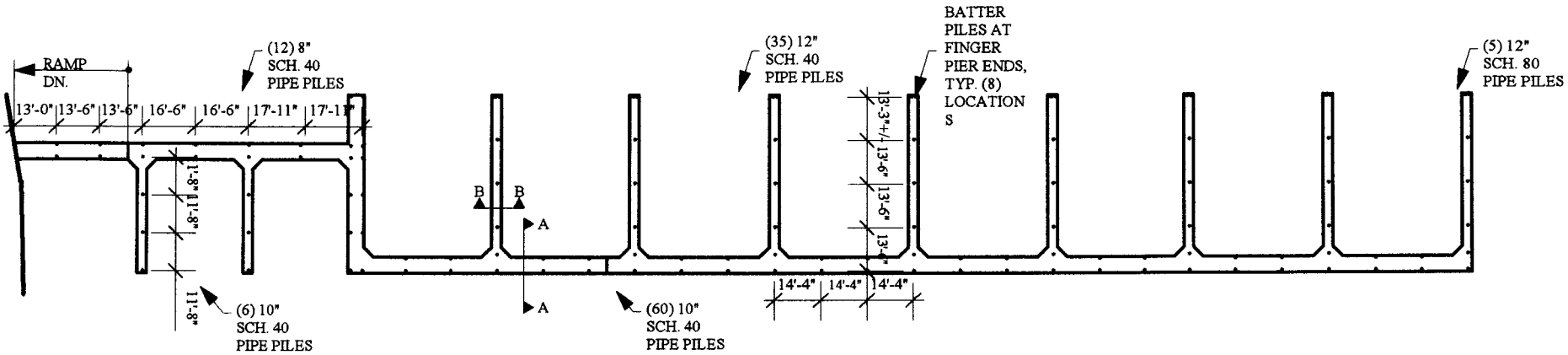
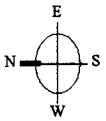


PROPOSED PILE PLAN - (A)

SCALE: 1" = 50'-0"



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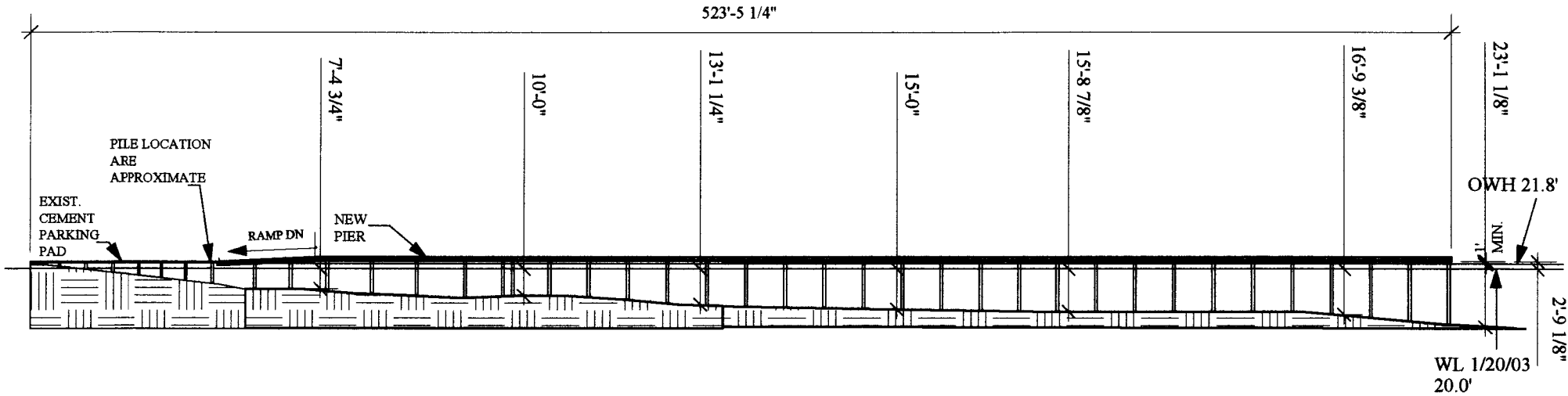

PROPOSED SECTION - (A)

SCALE: 1" = 55'-0"

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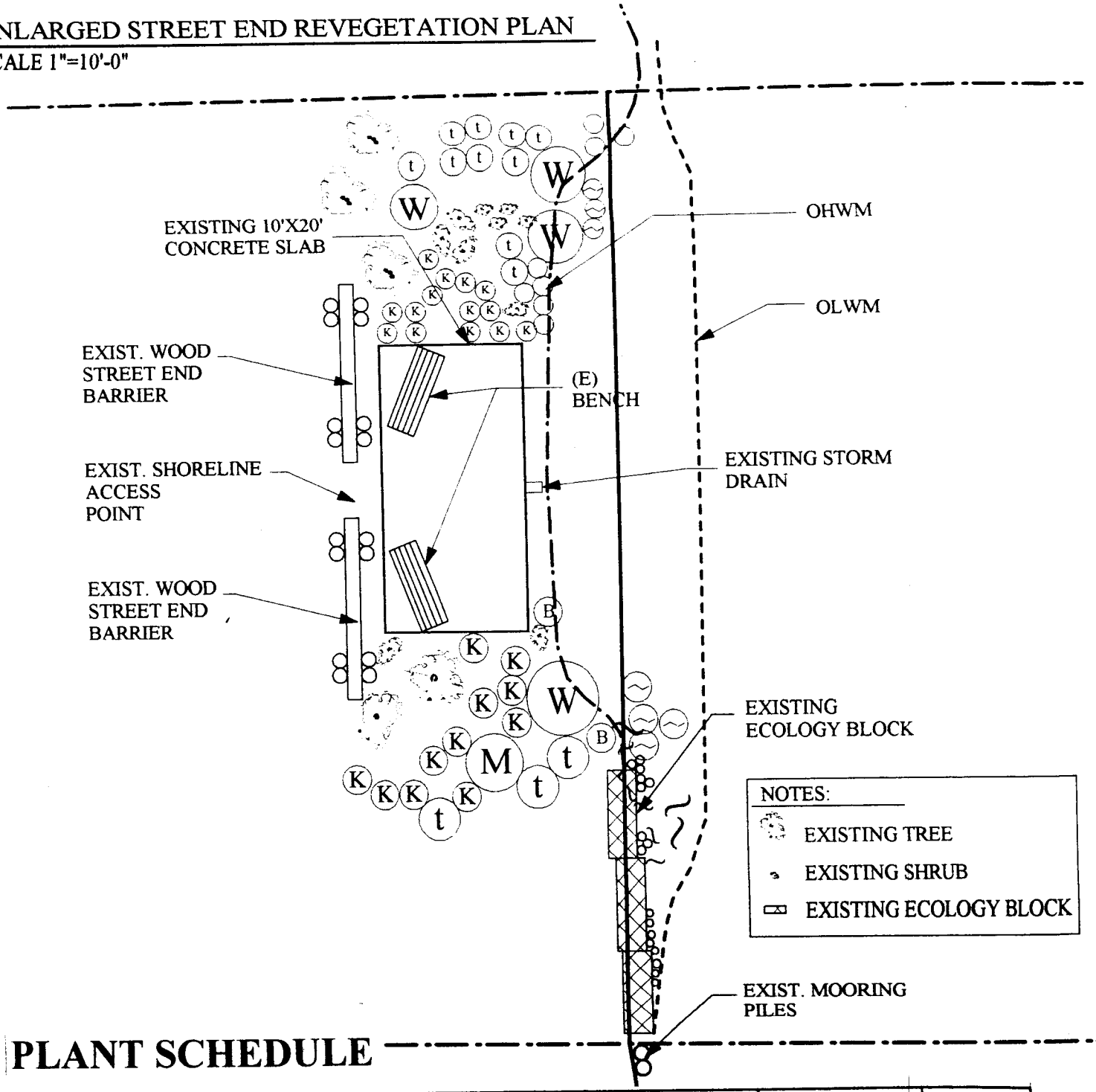
ENLARGED STREET END REVEGETATION PLAN

SCALE 1"=10'-0"



PLANT SCHEDULE

QUANTITY.	COMMON NAME	BOTANICAL NAME	SIZE	CONDITION	SYMBOL	SPACING
3	**scouler's willow**	Salix scouleriana	**2 gal.**	**container**	**W**	**5' o.c.**
2	**Mock orange**	Philadelphus lewisii	**2 gal.**	**container**	**M**	**5' o.c.**
13	**Tufted Hairgrass**	Polystichum munitum	**4" pot**	**container**	**t**	**2' o.c.**
26	**Kinnikinnick**	Arctoostaphylos uva-urs	**4" pot**	**container**	**K**	**2' o.c.**
10(60)	**Small-Fruited Bulrush**	Scirpus Microcarpus	**10"**	**plugs**		**1' o.c.**
15(90)	**Hardstem Bulrush**	Scirpus acutus	**10"**	**plugs**	~	**1" o.c.**

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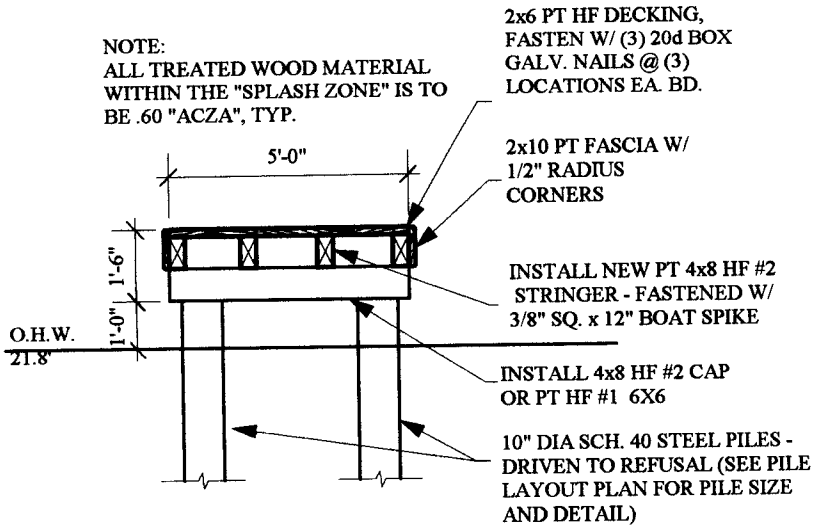
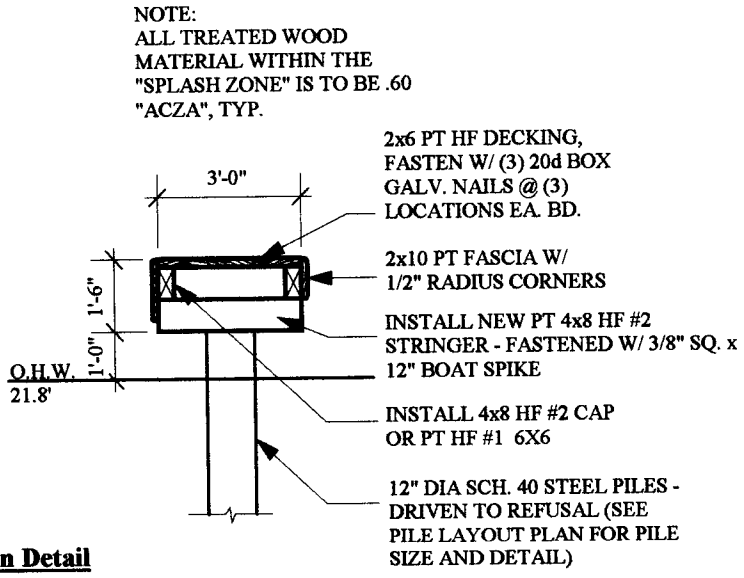


A-A Section Detail

SCALE = 1/4"



B-B Section Detail

SCALE = 1/4"

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Sheet 9 of 9 Date: 7/27/04

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: August 18, 2004

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. 200400816 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