



US Army Corps
of Engineers
Seattle District



WASHINGTON STATE
DEPARTMENT OF
E C O L O G Y

Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers

Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone (206) 764-6901
Attn: Jacalen Printz, Project Manager

WA Department of Ecology

SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: July 25, 2012

Expiration Date: August 24, 2012

Reference No.: NWS-2012-423

Name: Elliott Bay Marina Inc

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings dated June 2012.

The Corps will review the work in accordance with Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to the Coastal Zone Management Act.

APPLICANT: Elliott Bay Marina Inc.
2601 West Marina Place
Seattle, Washington 98199
Attention: Mr. Dwight Jones
Telephone: (206) 285-4817

AGENT: Anchor QEA LLC
720 Olive Way, Suite 1900
Seattle, Washington 98101
Attention: Mr. Jason McKinney
Telephone: (206) 903-3388

LOCATION: In Elliott Bay, Puget Sound at Seattle, King County, Washington.

WORK: Install a 450-foot long sheet pile breakwater wall adjacent to the existing breakwater from -7.5 feet MLLW to -18 feet MLLW. The sheet pile wall would be installed using a vibratory pile driver. A construction barge would be used for the installation of the piles. The barge would use steel spuds to hold its position during the installation of the piles and would be move at intervals of approximately 50 to 75 feet along the wall as the piles are installed.

PURPOSE: The purpose of the project is to prevent wave transmission under the existing vertical breakwater and protect Elliott Bay Marina's docks and property from damage caused by wave action.

ADDITIONAL INFORMATION: Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of

this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and click on the green "Regulatory Branch Permitting Information" button on the right side for the Seattle District's Regulatory homepage. Select the prominently displayed "Public Notices" heading and a list of recently-issued public notices will appear, in chronological order of the date of issuance. Select and view the listing for this project.

MITIGATION: To mitigate for impacts to aquatic resources, the applicant has proposed an on-site riparian shoreline enhancement plan adjacent to the project area. The proposed enhancement would include the removal of non-native English Ivy and lawn area and the planting of native vegetation as shown on sheets 7 and 8 of the drawings. Existing Pacific madrona, red maples, and sword ferns would be preserved.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. A preliminary determination indicates that the activity will affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is required.

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 NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH 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 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 Corps has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The Corps invites responses to this public notice from Native American Tribes or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

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 – CORPS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, 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; Native American Nations or tribal governments; Federal, 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.

EVALUATION – ECOLOGY: Ecology 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. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit being 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. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentator'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.

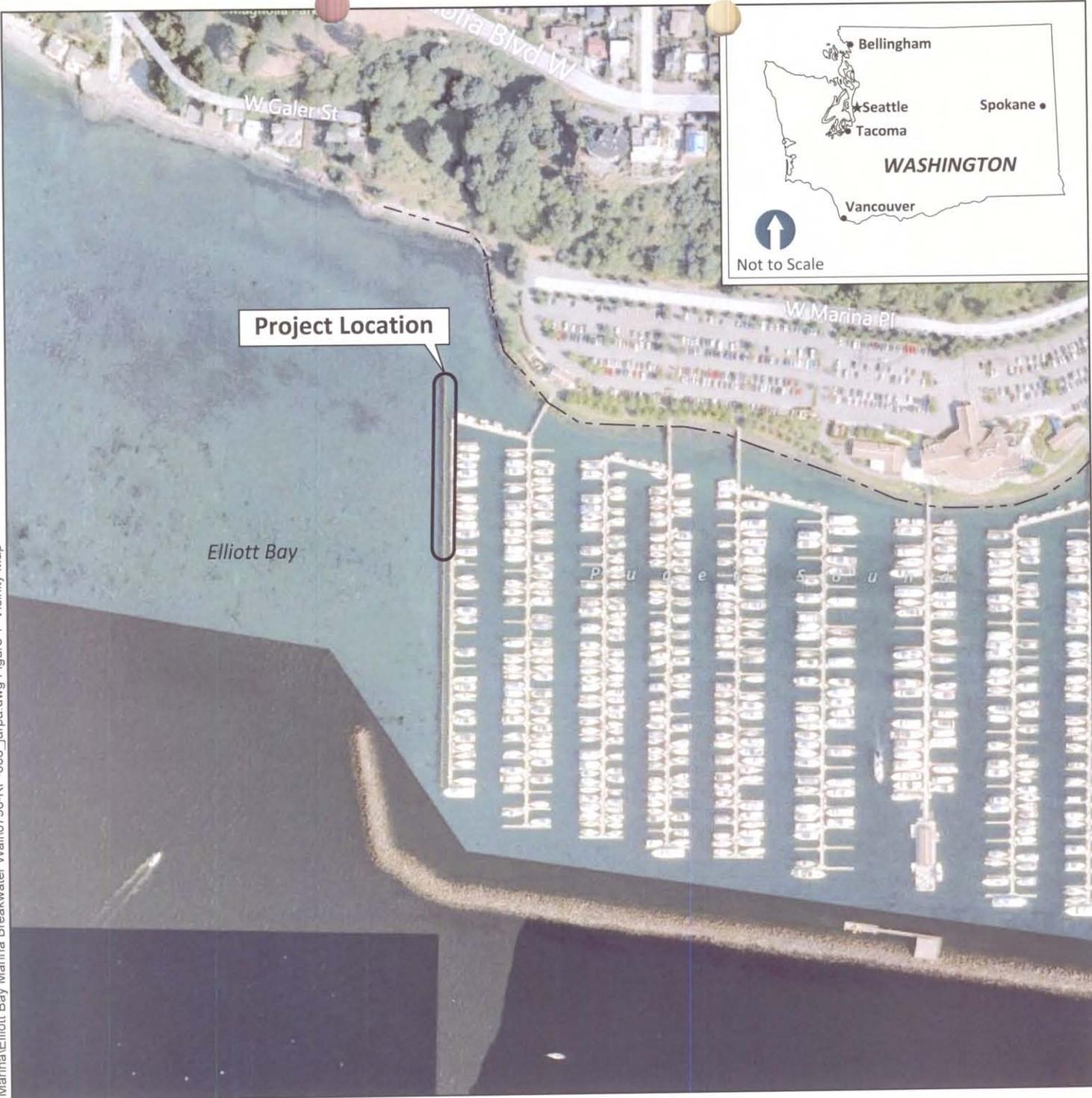
CORPS COMMENTS: All e-mail comments should be sent to jacalen.m.printz@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Jacalen Printz, Post Office Box 3755, Seattle, Washington 98124-3755.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: SEA program – Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Elliott Bay Marina, NWS-2012-423

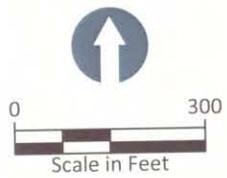
Encl: Figures (8 sheets)

K:\Projects\0790-Elliott Bay Marina\Breakwater Wall\0790-RP-008_jarpa.dwg Figure 1 Vicinity Map



AERIAL SOURCE: Bing, 2010.

LEGEND:
 - - - - MHHW (+11.3')



VICINITY MAP

<p>PURPOSE: Repair existing breakwater</p> <p>DATUM: MLLW 0.0' MHHW +11.3' MHW +10.5' S-T-R: S25-T25 NORTH-R3 EAST</p> <p>SITE LOCATION ADDRESS: 2601 WEST MARINA PLACE SEATTLE, WA 98199</p>	<p>NAME: Elliott Bay Marina Breakwater Repair Project</p> <p><i>NWS-2012-423</i></p> <p>ADJACENT PROPERTY OWNERS: 1-CITY OF SEATTLE 2-WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES</p>	<p>PROPOSED: SHEETPILE WALL INSTALLATION AND RIPARIAN MITIGATION</p> <p>IN: PUGET SOUND, ELLIOTT BAY NEAR/AT: CITY OF SEATTLE COUNTY OF: KING STATE: WASHINGTON</p> <p>DATE: JUNE 2012</p>	 <p>720 Olive Way, Suite 1900 Seattle, WA 98101 206-287-9130</p>
			<p>SHEET: 1 OF 8</p>

AERIAL: Bing 2010

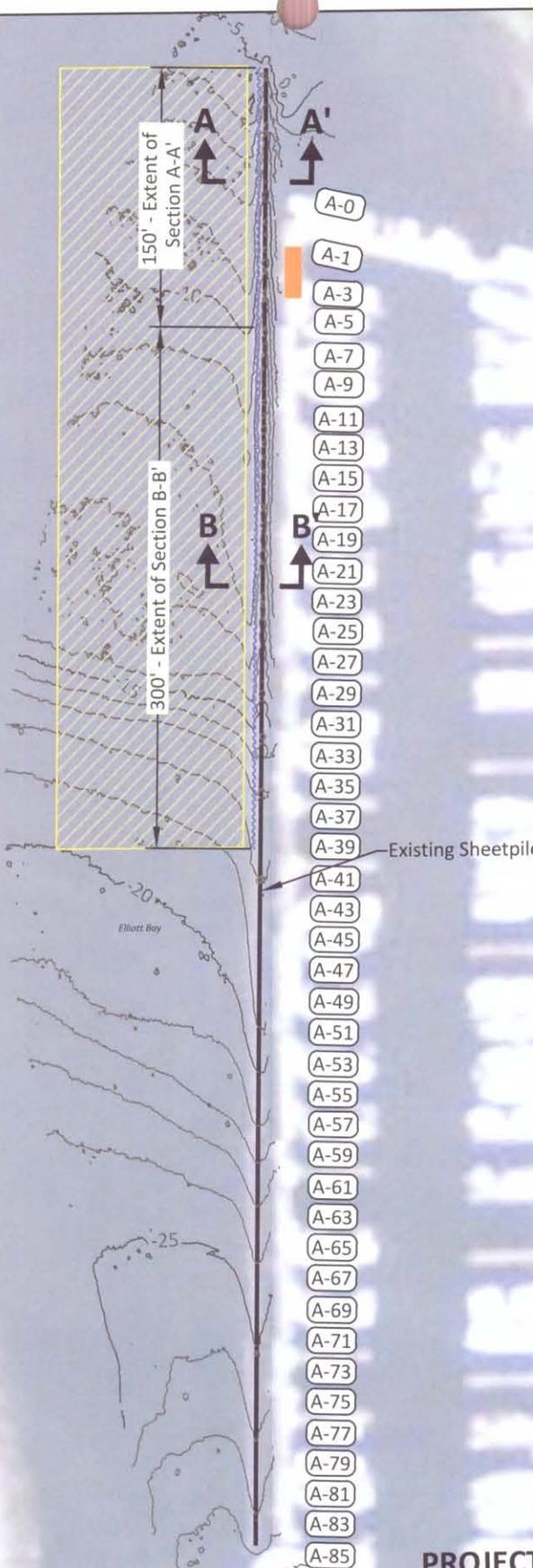
DATUM: MLLW 0.0'
MHHW +11.3'
MHW +10.5'

NOTES:

- 1. Bathymetric survey data by eTrac dated Feb 13, 2012.

LEGEND:

- 10— Existing Bathymetric Contour, 6/11/11 (1 foot interval)
- (A-0) Existing Slip Number
- Existing Breakwater Wall
- ~ Proposed New Steel Sheetpile Breakwater
- Orange bar Location of Previous Repair of Existing Decking
- Yellow box Proposed Barge Area



PROJECT AREA VIEW

AERIAL SOURCE: Bing, 2010.

K:\Projects\0790-Elliott Bay Marina\Elliott Bay Marina Breakwater Wall\0790-RP-008_jarpa.dwg Figure 2 Project Area

ay 25, 2012 3:07pm dgaffney

PURPOSE: Repair existing breakwater

DATUM: MLLW 0.0'
MHHW +11.3'
MHW +10.5'
S-T-R: S25-T25 NORTH-R3 EAST

SITE LOCATION ADDRESS:
2601 WEST MARINA PLACE
SEATTLE WA 98199

NAME:
Elliott Bay Marina Breakwater Repair Project

NWS-2012-423

ADJACENT PROPERTY OWNERS:
1-CITY OF SEATTLE
2-WASHINGTON STATE DEPARTMENT OF
NATURAL RESOURCES

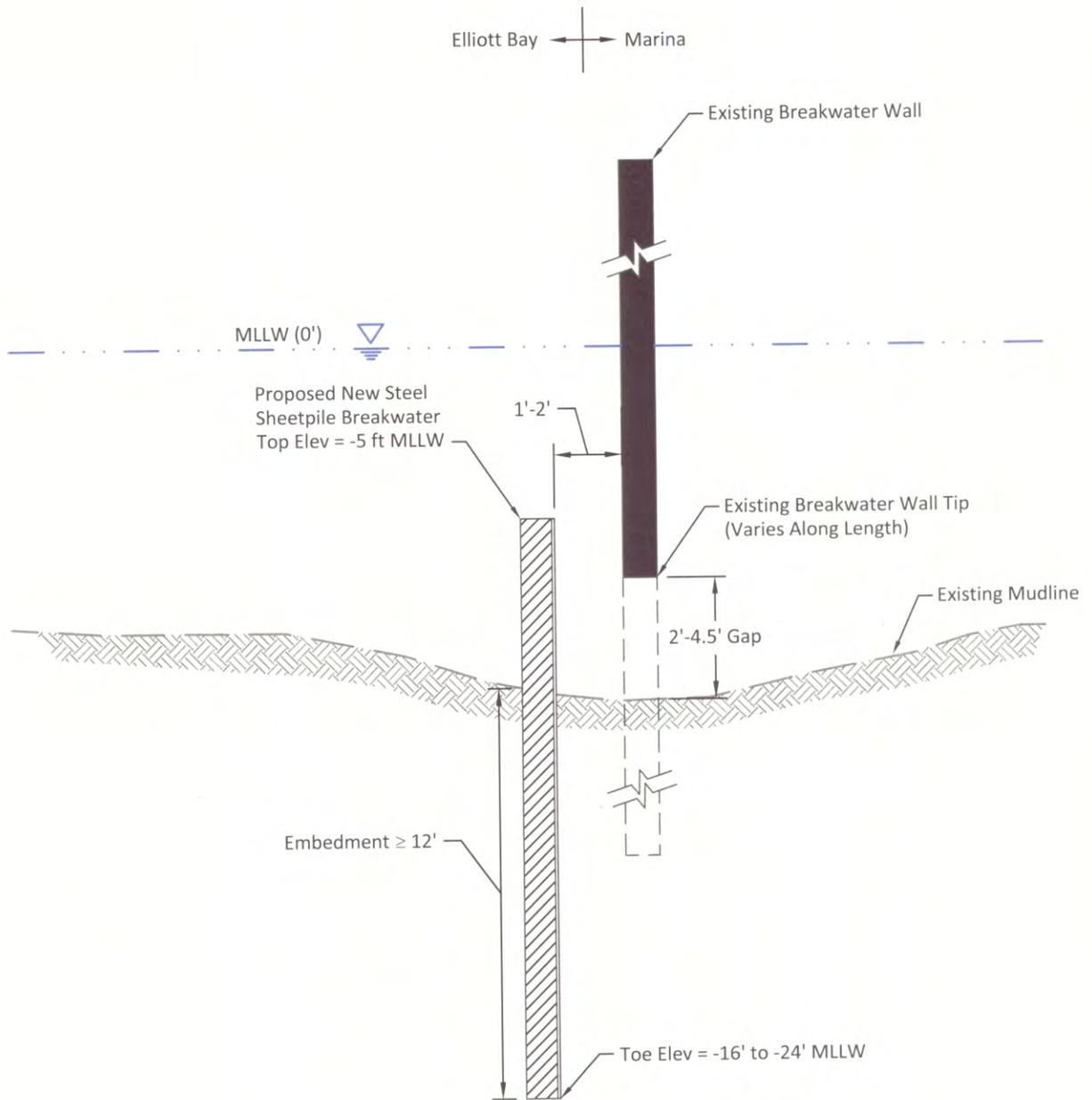
PROPOSED: SHEETPILE WALL
INSTALLATION AND RIPARIAN
MITIGATION
IN: PUGET SOUND, ELLIOTT BAY
NEAR/AT: CITY OF SEATTLE
COUNTY OF: KING
STATE: WASHINGTON

DATE: JUNE 2012

ANCHOR
QEA
720 Olive Way, Suite 1900
Seattle, WA 98101
206-287-9130

SHEET: 2 OF 8

K:\Projects\0790-Elliott Bay Marina\Breakwater Wall\0790-RP-008_jarpa.dwg Figure 3 Cross Section A-A'



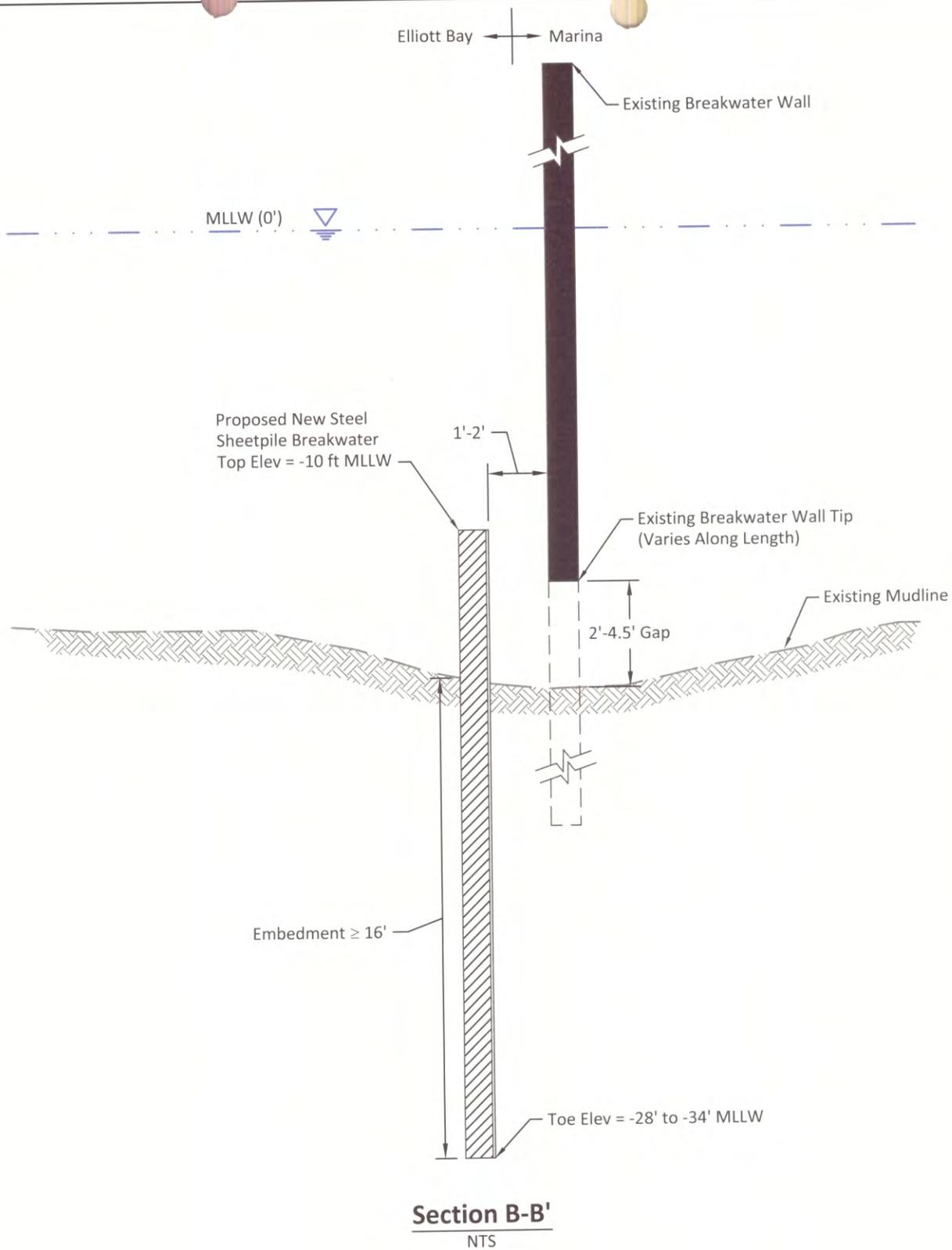
Section A-A'
NTS

VERTICAL DATUM: Mean Lower Low Water (MLLW).

CROSS SECTION A-A'

<p>PURPOSE: Repair existing breakwater</p> <p>DATUM: MLLW 0.0' MHHW +11.3' MHW +10.5' S-T-R: S25-T25 NORTH-R3 EAST</p> <p>SITE LOCATION ADDRESS: 2601 WEST MARINA PLACE SEATTLE WA 98199</p>	<p>NAME: Elliott Bay Marina Breakwater Repair Project</p> <p><i>NWS-2012-423</i></p> <p>ADJACENT PROPERTY OWNERS: 1-CITY OF SEATTLE 2-WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES</p>	<p>PROPOSED: SHEETPILE WALL INSTALLATION AND RIPARIAN MITIGATION</p> <p>IN: PUGET SOUND, ELLIOTT BAY NEAR/AT: CITY OF SEATTLE COUNTY OF: KING STATE: WASHINGTON</p> <p>DATE: JUNE 2012</p>	<p>ANCHOR QEA</p> <p>720 Olive Way, Suite 1900 Seattle, WA 98101 206-287-9130</p>
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K:\Projects\0790-Elliott Bay Marina\Breakwater Wall\0790-RP-008_jarpa.dwg Figure 4 Cross Section B-B



VERTICAL DATUM: Mean Lower Low Water (MLLW).

CROSS SECTION B-B'

<p>PURPOSE: Repair existing breakwater</p> <p>DATUM: MLLW 0.0' MHHW +11.3' MHW +10.5' S-T-R: S25-T25 NORTH-R3 EAST</p> <p>SITE LOCATION ADDRESS: 2601 WEST MARINA PLACE SEATTLE WA 98109</p>	<p>NAME: Elliott Bay Marina Breakwater Repair Project</p> <p><i>NWS-2012-423</i></p> <p>ADJACENT PROPERTY OWNERS: 1-CITY OF SEATTLE 2-WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES</p>	<p>PROPOSED: SHEETPILE WALL INSTALLATION AND RIPARIAN MITIGATION</p> <p>IN: PUGET SOUND, ELLIOTT BAY NEAR/AT: CITY OF SEATTLE COUNTY OF: KING STATE: WASHINGTON</p> <p>DATE: JUNE 2012</p>	<p></p> <p>720 Olive Way, Suite 1900 Seattle, WA 98101 206-287-9130</p> <p>SHEET: 4 OF 8</p>
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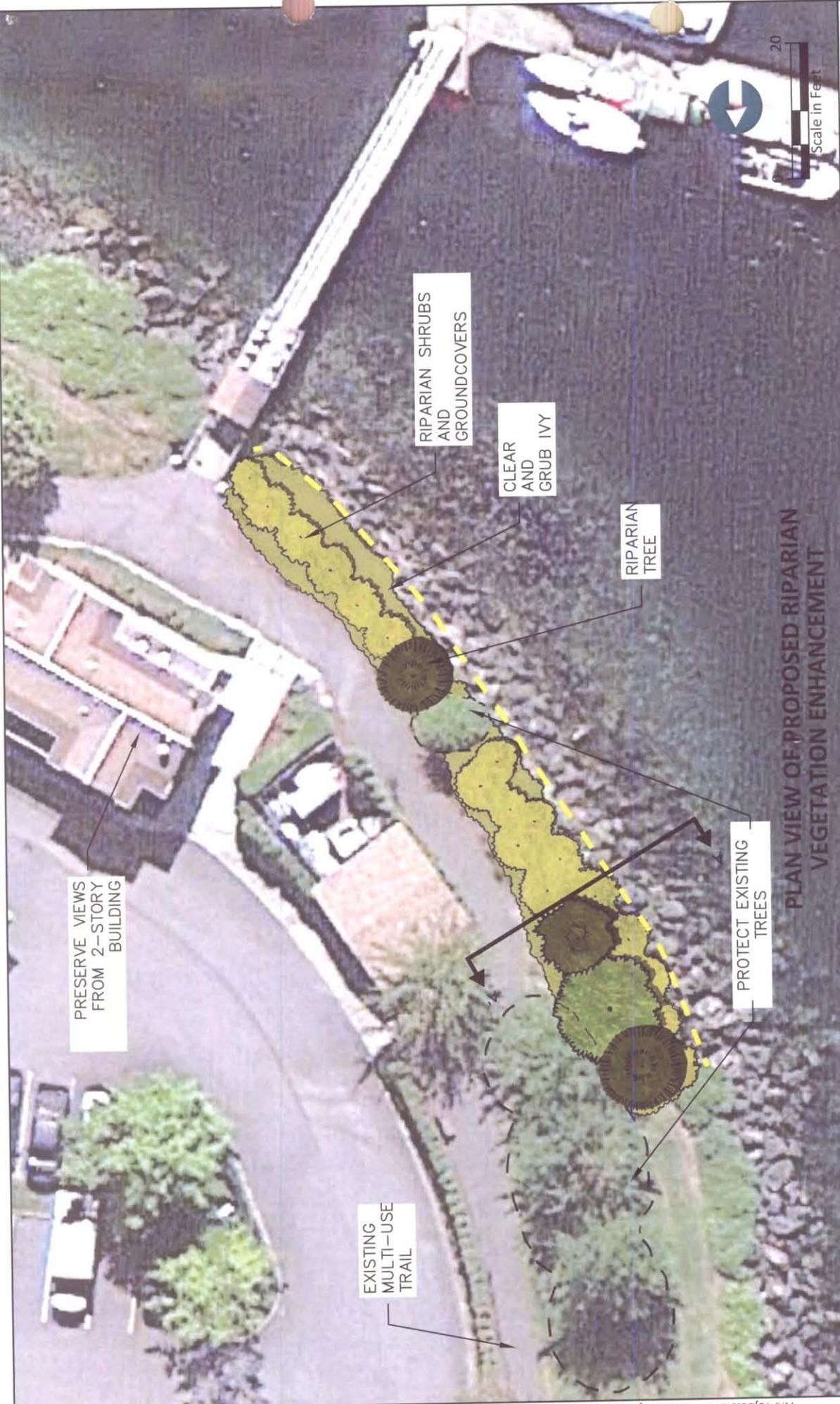
K:\Projects\0790-Elliott Bay Marina Breakwater Wall\0790-RP-008_jarpa.dwg Figure 5 Sediment Accretion Areas





EXISTING RIPARIAN CONDITIONS IN PROPOSED MITIGATION AREA

<p>PURPOSE: Repair existing breakwater</p> <p>DATUM: MLLW 0.0'</p> <p>MHHW +11.3'</p> <p>MHW +10.5'</p> <p>S-T-R: S25-T25 NORTH-R3 EAST</p> <p>SITE LOCATION ADDRESS: 2601 WEST MARINA PLACE SEATTLE, WA 981199</p>	<p>NAME: Elliott Bay Marina Breakwater Repair Project</p> <p>NWS-2012-423</p> <p>ADJACENT PROPERTY OWNERS: 1 - CITY OF SEATTLE 2 - WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES</p>	<p>PROPOSED: SHEETPILE WALL INSTALLATION AND RIPARIAN MITIGATION</p> <p>IN: PUGET SOUND, ELLIOTT BAY NEAR/AT: CITY OF SEATTLE COUNTY OF: KING STATE: WASHINGTON</p> <p>DATE: JUNE 2012</p>
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PLAN VIEW OF PROPOSED RIPARIAN VEGETATION ENHANCEMENT

PRESERVE VIEWS FROM 2-STORY BUILDING

EXISTING MULTI-USE TRAIL

RIPARIAN SHRUBS AND GROUNDCOVERS

CLEAR AND GRUB IVY

RIPARIAN TREE

PROTECT EXISTING TREES

ANCHOR OEA
 720 Olive Way, Suite 1900
 Seattle, WA 98101
 206-287-9130

PROPOSED: SHEETPILE WALL INSTALLATION AND RIPARIAN MITIGATION
 IN: PUGET SOUND, ELLIOTT BAY
 NEAR/AT: CITY OF SEATTLE
 COUNTY OF: KING
 STATE: WASHINGTON

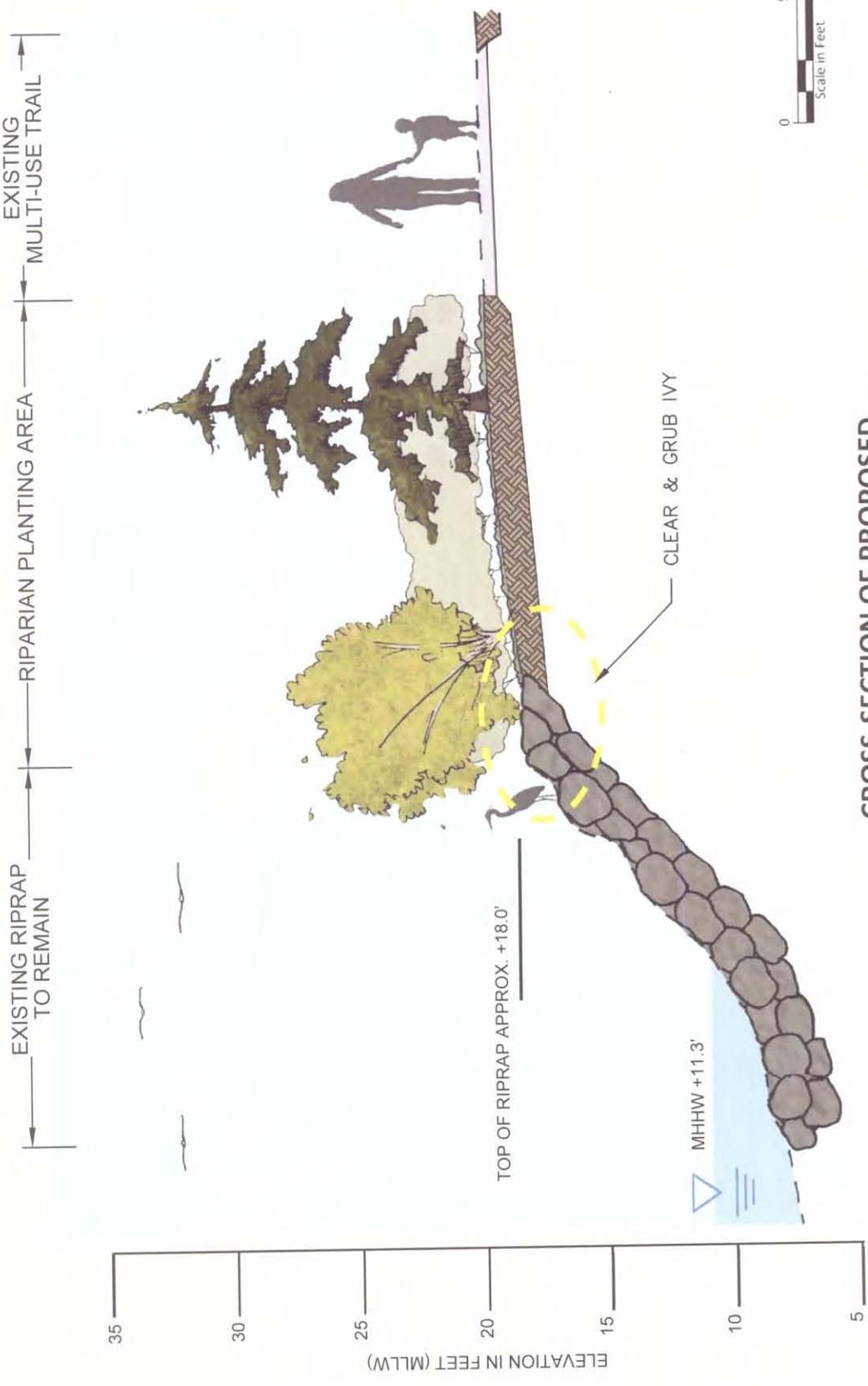
DATE: JUNE 2012
 SHEET: 7 OF 8

NAME: Elliott Bay Marina Breakwater Repair Project
 NWS-2012-423

ADJACENT PROPERTY OWNERS:
 1 - CITY OF SEATTLE
 2 - WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES

PURPOSE: Repair existing breakwater
 DATUM: MLLW 0.0'
 MHHW +11.3'
 MHW +10.5'
 S-T-R: S25-T25 NORTH-R3 EAST

SITE LOCATION ADDRESS:
 2601 WEST MARINA PLACE
 SEATTLE, WA 98199



**CROSS-SECTION OF PROPOSED
RIPARIAN VEGETATION ENHANCEMENT**

ANCHOR OEA
 720 Olive Way, Suite 1900
 Seattle, WA 98101
 206-287-9130

PROPOSED: SHEETPILE WALL
 INSTALLATION AND RIPARIAN
 MITIGATION
 IN: PUGET SOUND, ELLIOTT BAY
 NEAR/AT: CITY OF SEATTLE
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