



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 Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

**US Army Corps of Engineers**  
Regulatory Branch  
Post Office Box 3755  
Seattle, WA 98124-3755  
Telephone (206) 766-6438  
Attn: Lori C. Lull, 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: August 8, 2012**  
**Expiration Date: September 7, 2012**

Reference No.: NWS-2007-1672  
Name: Port of South Whidbey

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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 November 15, 2011.

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:** Port of South Whidbey  
1804 Scott Road, Suite 101  
Freeland Washington 98249  
Attention: Edwin S. Field  
Telephone: (360) 331-5494

**AGENT:** GeoEngineers, Inc.  
1101 South Fawcett Avenue, Suite 200  
Tacoma Washington 98402  
Attention: Joe Callaghan  
Telephone: (253) 383-4940

**LOCATION:** The project is located at 228 Wharf Street in Saratoga Passage, Puget Sound at Langley, Washington.

**WORK:** The proposed work includes relocating the wave attenuator. Up to 14 steel H-piles will be driven to the mudline as anchor points to secure the attenuator. Shackle plates, cables, and chains will be used to secure the breakwater. The cables will have clump weights attached. In addition, an 80-foot grated gangway will be attached to the upper boardwalk, connected to the wave attenuator. The project also includes removal of the decking of the adjacent Hein Dock.

**PURPOSE:** The purpose of the project is to protect wave attenuator and existing pile wall and open up the structure to public access.

**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. The Corps has evaluated the potential impacts to proposed and/or listed species and their designated critical habitat and determined that the project may affect, but is not likely to adversely affect listed species and their designated critical habitat. NMFS and USFWS have concurred with that determination.

**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. 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 Corps 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 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 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

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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 No. 2012-NW-1031, which has been issued by the City of Langley.

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.

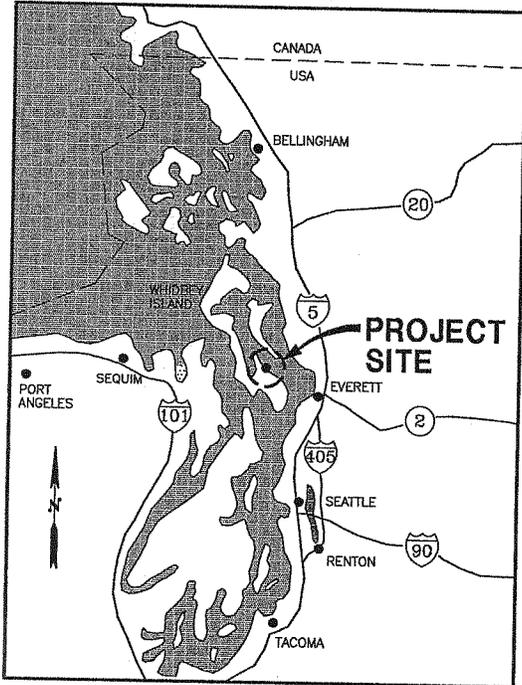
CORPS COMMENTS: All e-mail comments should be sent to [lori.c.lull@usace.army.mil](mailto:lori.c.lull@usace.army.mil). Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Lori Lull, P.O. Box 3755, Seattle, Washington 98124-3755.

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, P.O. Box 47600, Olympia, Washington 98504-7600, or e-mail to [ecyrefedpermits@ecy.wa.gov](mailto: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: Port of South Whidbey; NWS-2007-1672

Encl: Figures (5)

# PORT OF SOUTH WHIDBEY LANGLEY SMALL BOAT HARBOR EXPANSION



**VICINITY MAP**  
NOT TO SCALE

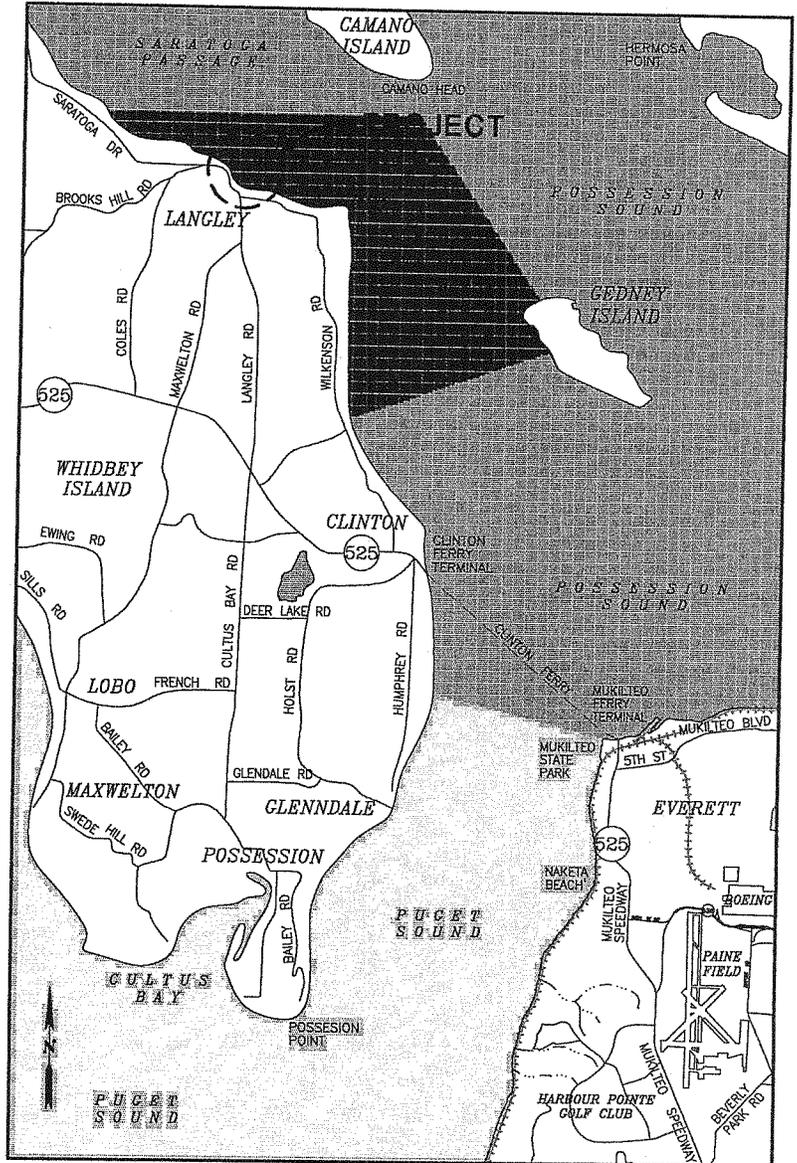
**SITE ADDRESS**

PORT OF SOUTH WHIDBEY  
228 WHARF STREET  
LANGLEY, WA 98260

(SECTION 34, TOWNSHIP 30 N,  
RANGE 03 E, W.M. IN THE COUNTY  
OF ISLAND, STATE OF WASHINGTON)

LATITUDE: 48° 02' 17"  
LONGITUDE: -122° 24' 16"

48.0388  
-122.4028



**LOCATION MAP**  
NOT TO SCALE

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PURPOSE: MARINA EXPANSION AND  
NEW BREAKWATER

DATUM: MLLW = 0.0'

ADJACENT PROPERTY OWNERS:

1. SEE ATTACHED
- 2.
- 3.

**SOUTH WHIDBEY SMALL BOAT HARBOR  
WAVE ATTENUATOR RELOCATION**

**REVISED  
NWS-2007-1672**

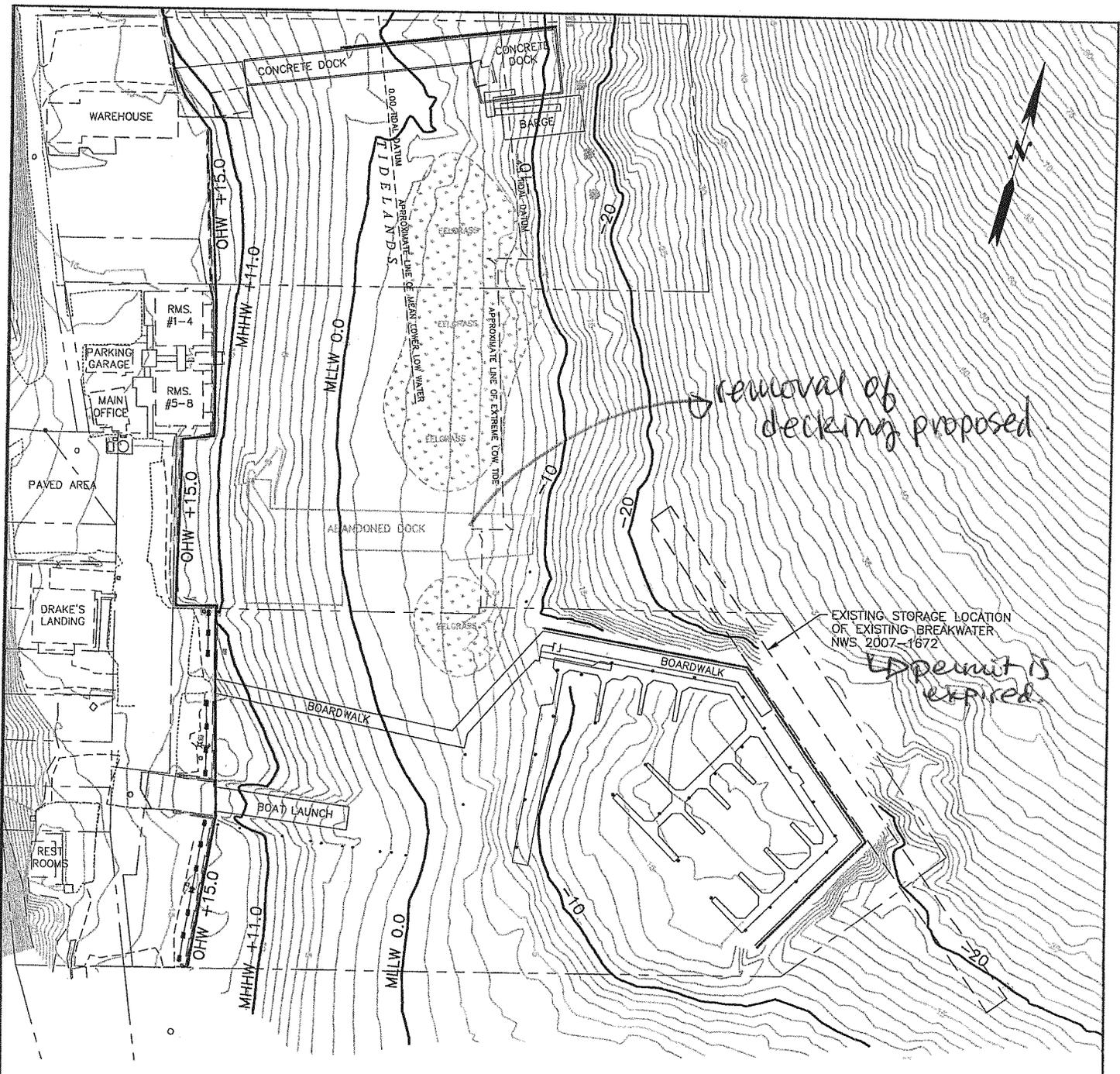
NAME: PORT OF SOUTH WHIDBEY  
ADDRESS: P.O. BOX 872  
FREELAND, WA 98249

**ReidMiddleton**

728 134th Street SW · Suite 200  
Everett, Washington 98204  
Ph: 425 741-3800

IN: SARATOGA PASSAGE  
AT: LANGLEY SMALL BOAT HARBOR  
COUNTY OF: ISLAND  
APPLICATION BY: PORT OF SOUTH WHIDBEY

SHEET 1 OF 5      DATE: NOV 15, 2011



TIDE	ELEVATION
OHW	15.0
MHHW	11.0
MHW	--
MLW	--
MLLW	0.00
ELW	--

**EXISTING CONDITIONS**  
SCALE: 1"=100'

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DATUM: MLLW = 0.0'

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WAVE ATTENUATOR RELOCATION**

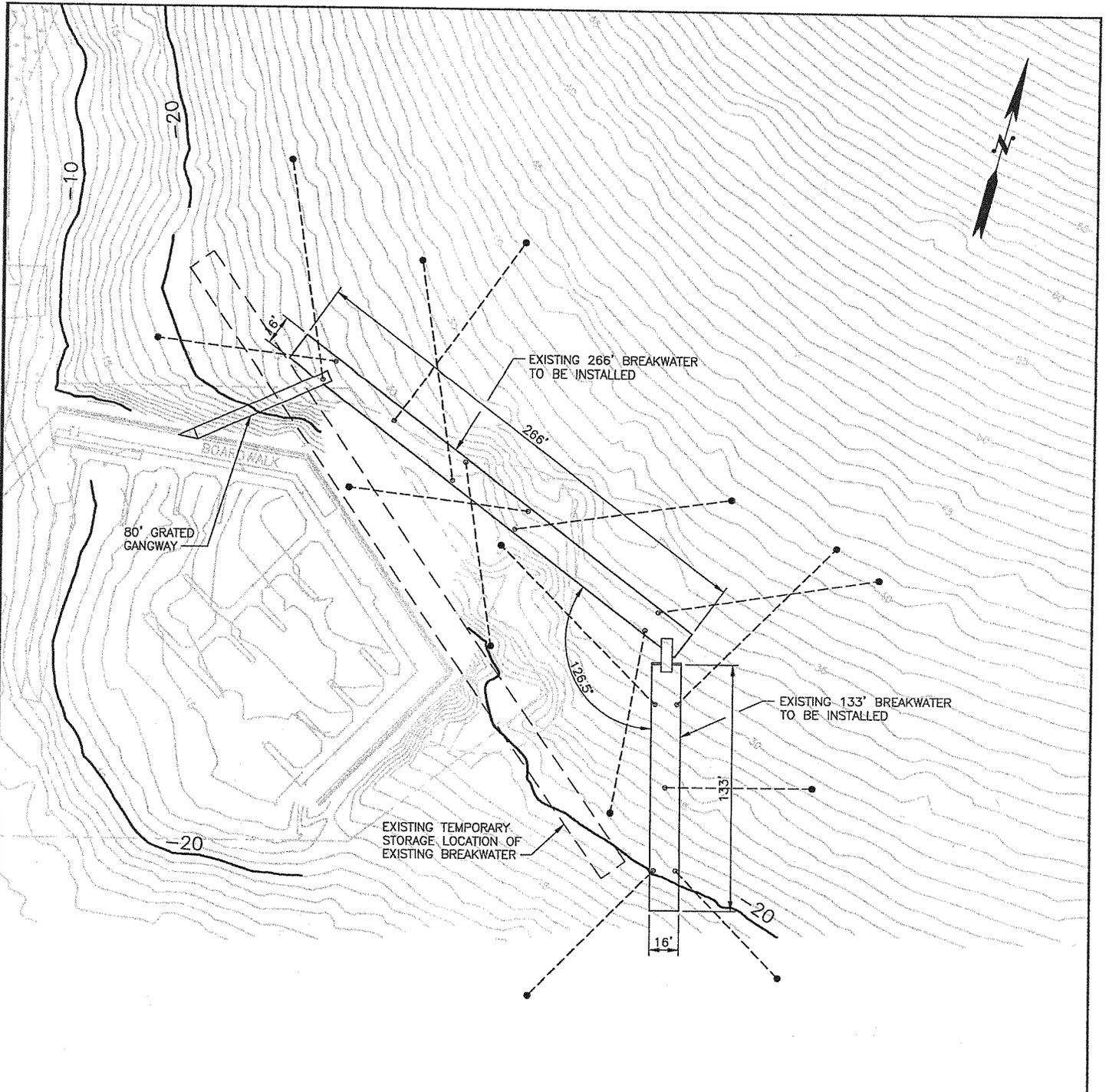
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**PROPOSED PHASE 1 SITE PLAN**  
 SCALE: 1"=80'

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DATUM: MLLW = 0.0'

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**REVISED  
 NWS-2007-1672**

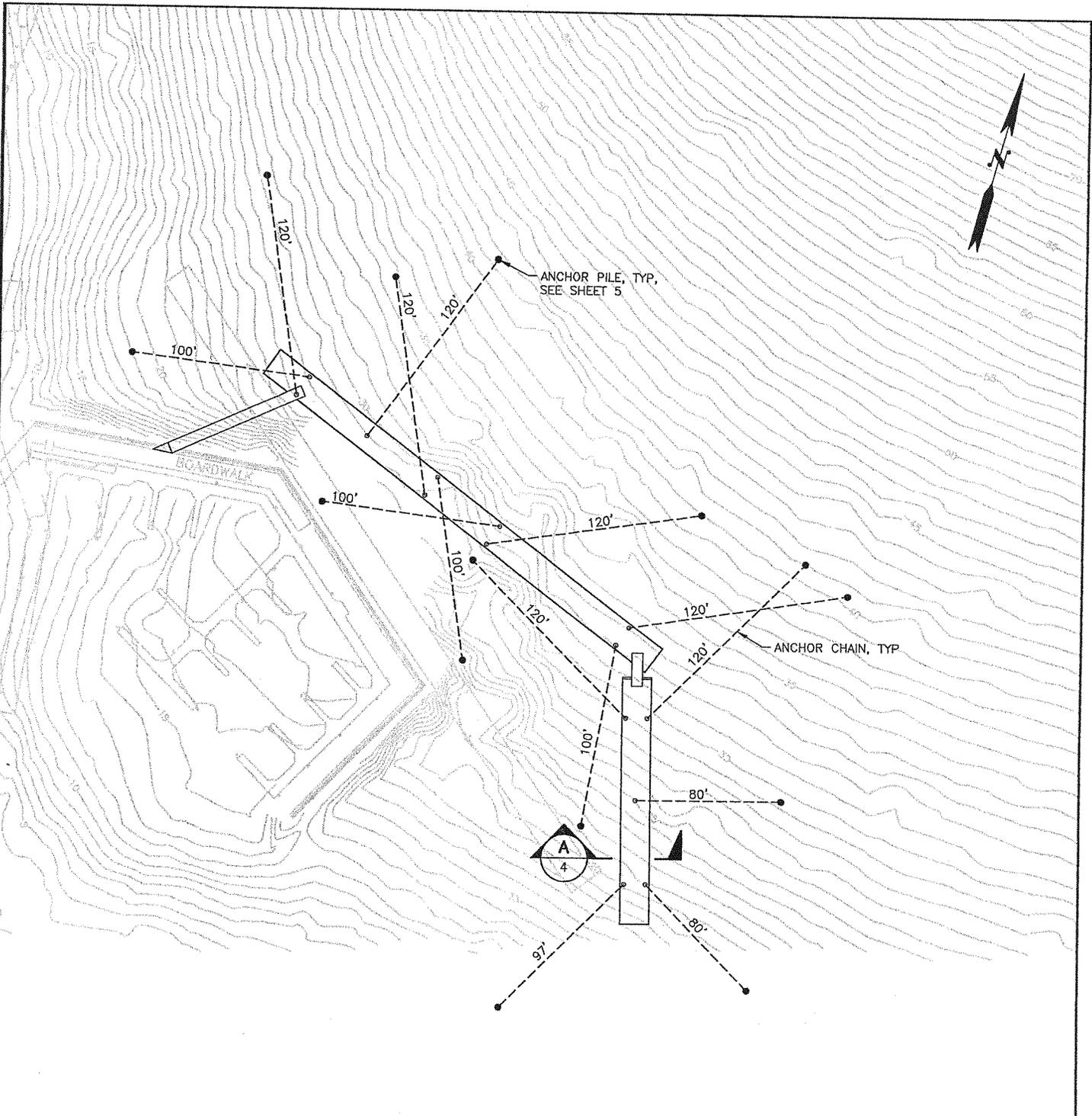
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SHEET 3 OF 5      DATE: NOV 15, 2011



**PHASE 1 – ANCHOR PILE PLAN**

SCALE: 1"=80'

NWS-2007-1672

PURPOSE: MARINA EXPANSION AND NEW BREAKWATER

DATUM: MLLW = 0.0'

- ADJACENT PROPERTY OWNERS:
1. SEE ATTACHED
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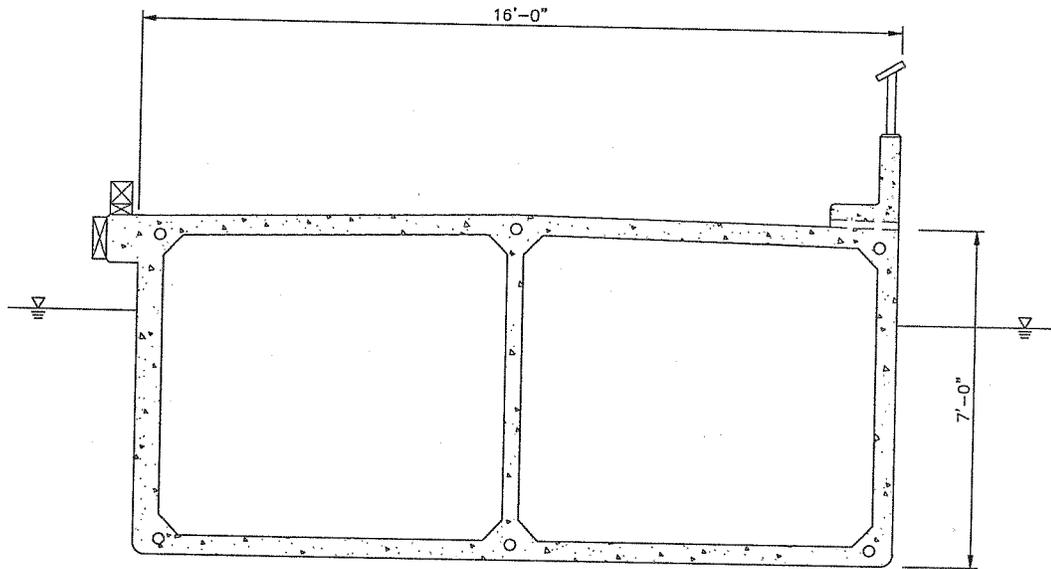
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WAVE ATTENUATOR RELOCATION**

**REVISED  
NWS-2007-1672**

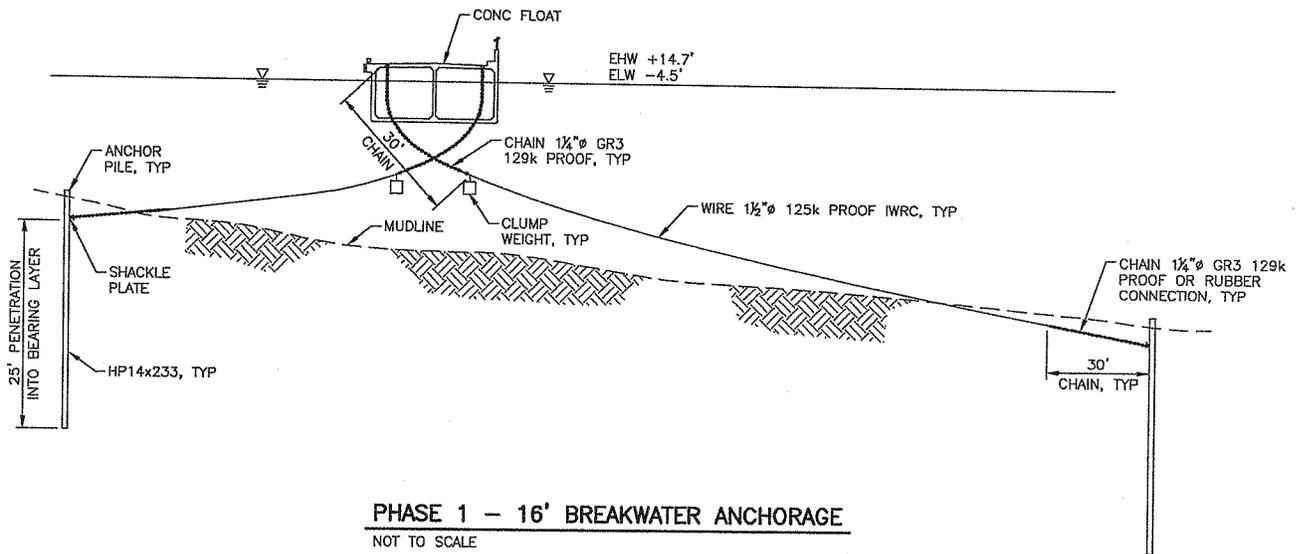
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**A** PHASE 1 - EXISTING BREAKWATER SECTION  
 4 SCALE: 1/4"=1'-0"



**PHASE 1 - 16' BREAKWATER ANCHORAGE**  
 NOT TO SCALE

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 NEW BREAKWATER

DATUM: MLLW = 0.0'

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