US Army Corps of Engineers
Seattle District

WASHINGTON STATE DEPARTMENT OF ECOLOGY

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) 316-3153
ATTN: Ms. 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: July 23, 2014
Expiration Date: August 22, 2014

Reference No.: NWS-2014-543
Name: Tacoma Industrial Properties

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 U.S. as described below and shown on the enclosed drawings dated May 4, 2014.

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 (CZMA). In addition to the individual CZMA Federal Consistency determination, Ecology will be reviewing the project to determine whether a Section 401 of the Clean Water Act (CWA) will be required for the Corps Section 10 permit.

APPLICANT: Tacoma Industrial Properties
P.O. Box 2328
Gig Harbor Washington 98335
Attention: Mr. Brian Cunningham
Telephone: (253) 225-4256

AGENT: Soundview Consultants LLC
2907 Harborview Drive
Gig Harbor, Washington 98335
Attention: Ms. Railin Santiago
Telephone: (253) 514-8952

LOCATION: In the Hylebos Waterway at 1801 and 1851 Taylor Way, Tacoma, Washington 98421

WORK: The proposed work includes removal of the seven existing 3-pile dolphins, installation of six 3-pile dolphins and one 2-pile dolphin with 24-inch steel piles, construction of two concrete piers (T-dock and platform dock) with utilities, three pontoons, and four walkways with gangways.

The T-dock would be 10,232 square feet (sf) and supported by 33 30-inch piles. The T-dock would have 15 16-inch fender piles abutting the structure. The platform dock would be 2,600 sf and supported by nine 30-inch piles. The platform dock would have six 16-inch fender piles abutting the structure and would be connected by two 159 sf access tracts which would connect to an upland abutment. The upland abutment would be 824 square feet supported by eight 16-inch steel piles.

The three pontoons would be 1,040, 1,040, and 1,460 square feet square feet.

The pontoons would be connected to the concrete piers with walkways and gangways. Walkways would connect each concrete pier to gangways, which connect to the floats. There would be four walkways which are each 75 square feet. The individual gangways are 340 square feet, 372 square feet, 332 square feet, and 368 square feet for a total of 1,412 feet of overwater coverage with 60% grating. Each connection between walkway and gangway would each be supported by two 16-inch pipe piles.

Up to three 16-inch and six 30-inch contingency piles are proposed to ensure that the structure has adequate support.

PURPOSE: To support a heavy marine construction company in vessel moorage and material and equipment transloading operations.

ADDITIONAL INFORMATION: The proposed project is within a Natural Recovery Area of the Mouth of Hylebos Problem Area of the Commencement Bay Nearshore/ Tideflats Superfund site. The waterway embankment and channel area associated with the proposed project was not dredged as part of the Remedial Action performed in 2004/2005 (under the Mouth of Hylebos Consent Decree with the Port of Tacoma and Occidental Chemical Corporation) since the upper 10 cm of sediment was marginally above sediment quality objectives (SQOs), and expected to recover over time through deposition of clean sediment. The quality of subsurface sediment in the proposed project area has not been fully characterized. There are nearby active Remedial Action dredging and backfill areas located upstream, downstream and across the waterway where contaminated sediments were removed down to the native horizon.

To date the applicant has not provided a complete sediment characterization for the proposed project site. The Corps will continue working with the U.S. Environmental Protection Agency to ensure the project will not impact past and present Superfund remedial activities in the area.

MITIGATION: The applicant has proposed on site mitigation to compensate for impacts from the project. This includes removal of two overwater trail trestles (1,882 sf), removal of one overwater pier (2,430 sf), removal of 170 creosote piles, removal of concrete block shoreline hardening over a 12,290 sf area, and removal of intertidal fill above mean higher high water to create salt marsh habitat. The applicant has also proposed removal of invasive species from the shoreline and planting with native vegetation to improve onsite habitat functions.

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 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. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

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. 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 evaluate the impacts of this activity.

ADDITIONAL EVALUATION: This proposal is the subject of a Shorelines Substantial Development Permit being processed by the City of Tacoma.

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. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Lori Lull, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

NWS-2014-0543, Tacoma Industrial Properties

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: 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: Tacoma Industrial Properties; NWS-2014-543

Encl: Figures (11)

LOCATION:

A PORTION OF THE SW ¼ OF THE SE ¼ OF SECTION 26, TOWNSHIP 21 N, RANGE 03 E, W.M.
PIERCE COUNTY PARCEL NUMBERS: 0321264008 & 032164075
LAT 47.27814° N LONG 122.38593° W

VICINITY MAP

ADJACENT OWNERSHIP

ADJACENT OWNERS:

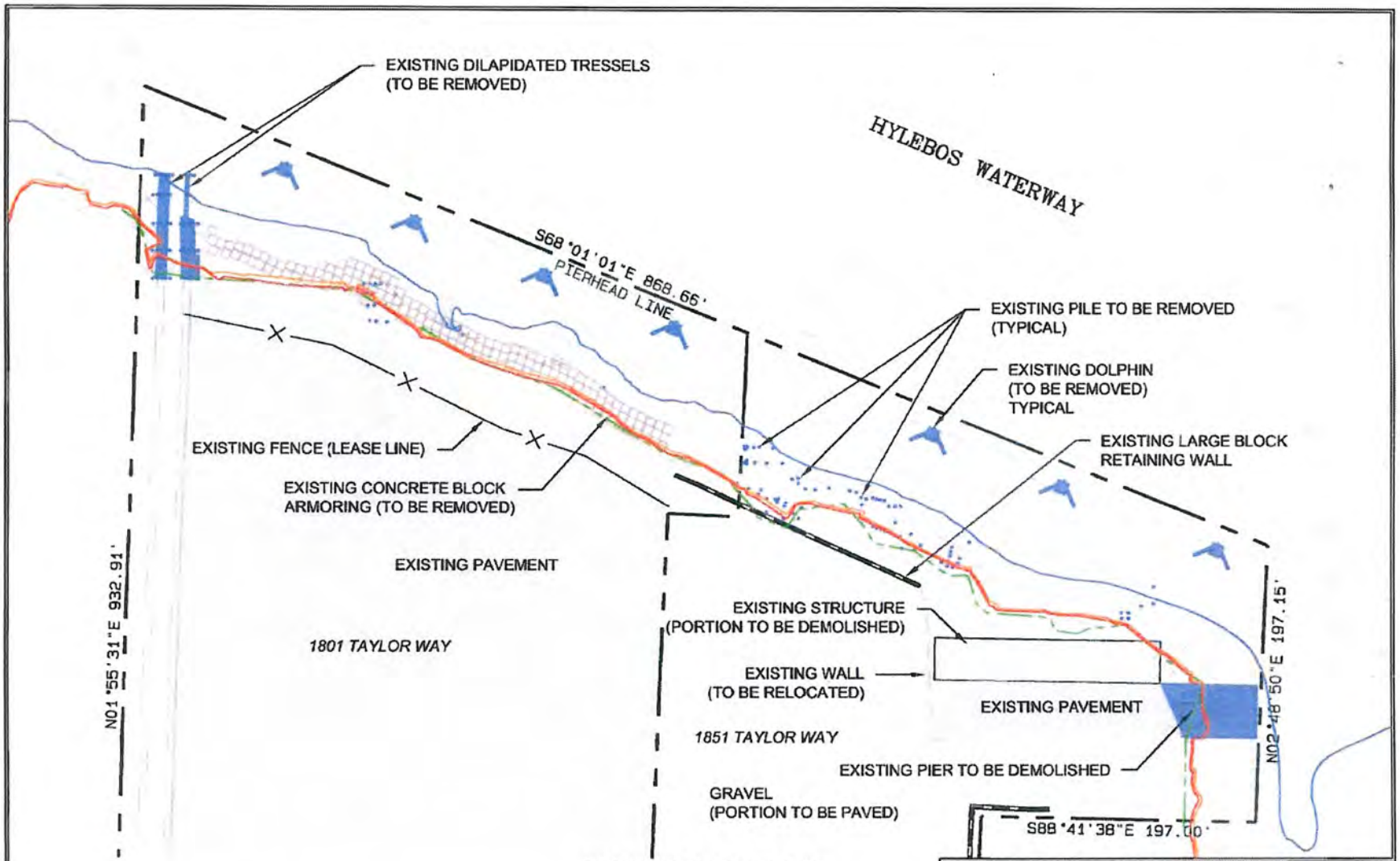
1. SOUND REFINING, INC
2. NORLUND, NORMAN A. ETOX
3. BUFFELEN WOODWORKING CO.
4. PORT OF TACOMA

PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING & MOORAGE FACILITIES

PURPOSE: PROVIDE TRANSLOADING FACILITIES FOR MARINE CONSTRUCTION SERVICE SITE.

SITE ADDRESS:
1801 & 1851 TAYLOR WAY
TACOMA, WA 98421

REFERENCE #: NWS-2014-543
IN: HYLEBOS WATERWAY
NEAR: TACOMA, WA
COUNTY: PIERCE
APPLICANT: CUNNINGHAM, BRIAN
SHEET: 1 of 11 **DATE:** 5/4/2014



EXISTING CONDITIONS

TIDAL DATUM (NGVD 29)

MEAN HIGHER HIGH WATER	= +5.67
MEAN HIGHER WATER	= +4.79
MEAN LOWER LOW WATER	= -6.17
ORDINARY HIGH WATER MARK	

NOTE: TIDAL ELEVATIONS DRAWN APPROXIMATELY.

0 50 100 200

GRAPHIC SCALE
1"=100'

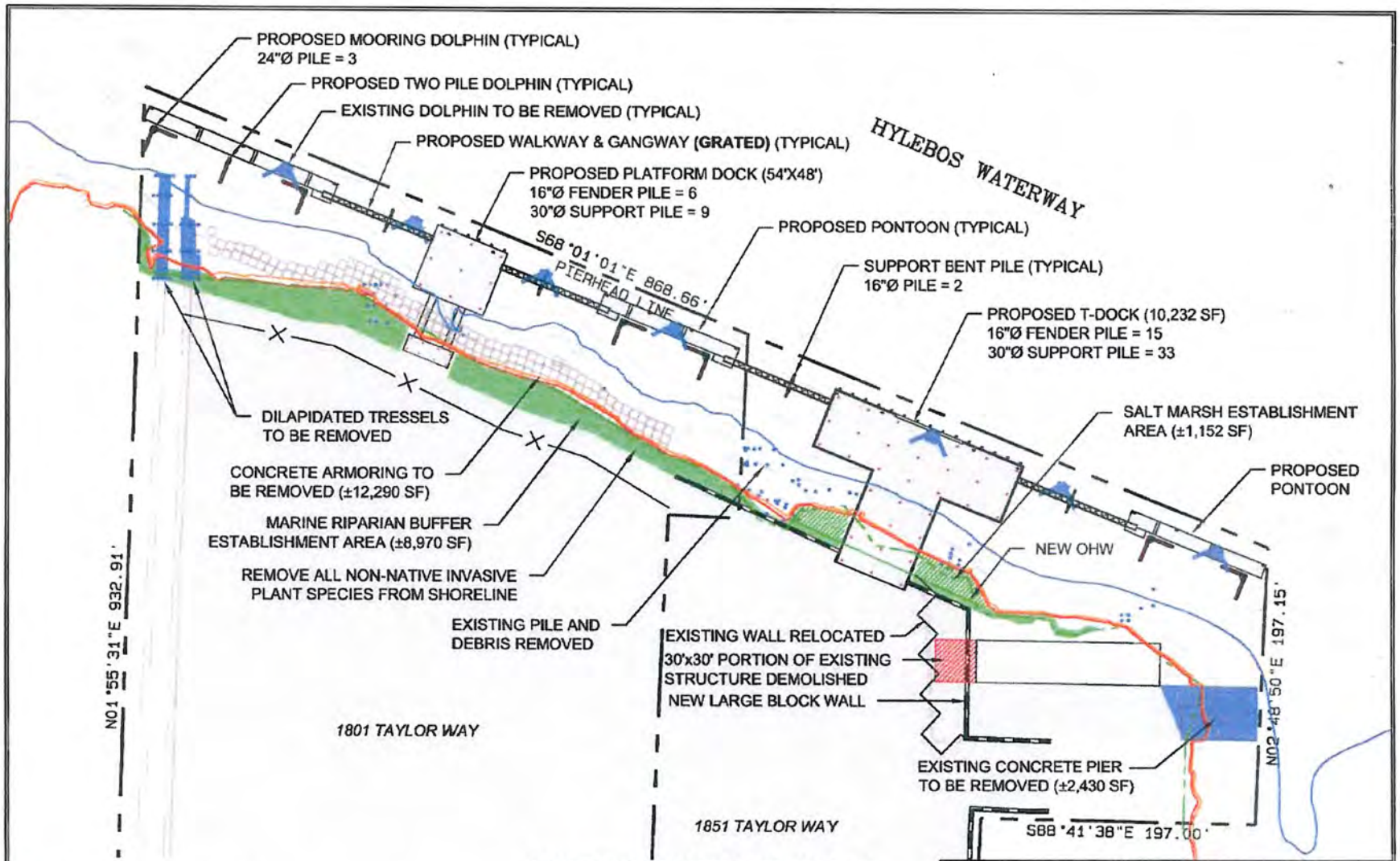
PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES

REFERENCE# NWS-2014-543

APPLICANT: CUNNINGHAM, BRIAN

LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421

SHEET: 2 of 11 | **DATE:** 5/4/2014



CONCEPTUAL MITIGATION PLAN

TIDAL DATUM (NGVD 29)

MEAN HIGHER HIGH WATER	= +5.67
MEAN HIGHER WATER	= +4.79
MEAN LOWER LOW WATER	= -6.17
ORDINARY HIGH WATER MARK	

NOTE: TIDAL ELEVATIONS DRAWN APPROXIMATELY.
ALL PROPOSED GRADING TO OCCUR AT OR ABOVE MHHW.

0 50 100 200

GRAPHIC SCALE
1"=100'

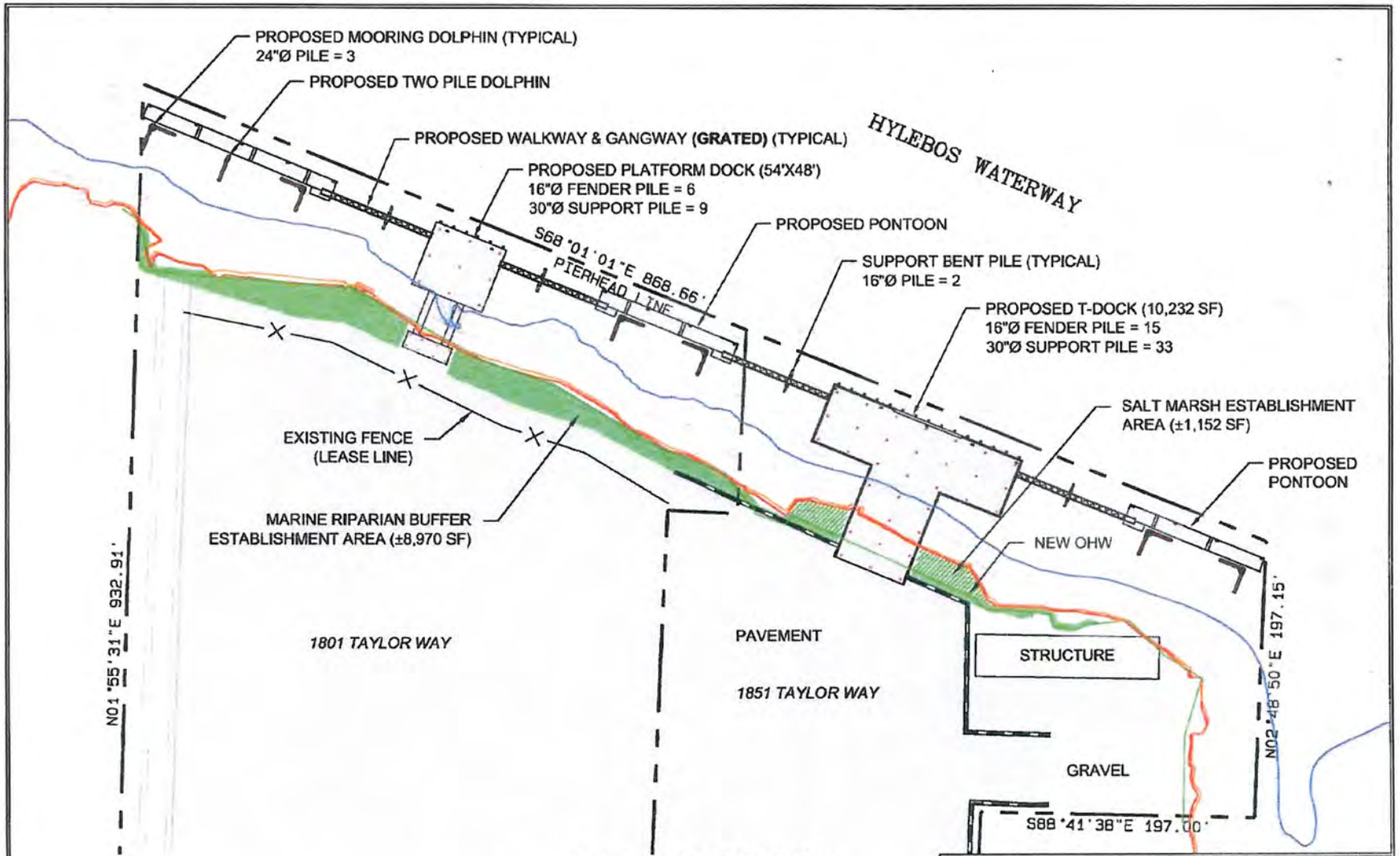
PROJECT: 1801/1851 TAYLOR WAY
TRANSLOADING AND MOORAGE FACILITIES

REFERENCE# NWS-2014-543

APPLICANT: CUNNINGHAM, BRIAN

LOCATION: 1801 & 1851 TAYLOR WAY
TACOMA WA, 98421

SHEET: 3 of 11 | **DATE:** 5/4/2014



PROPOSED SITE LAYOUT

TIDAL DATUM (NGVD 29)

MEAN HIGHER HIGH WATER	= +5.67
MEAN HIGHER WATER	= +4.79
MEAN LOWER LOW WATER	= -6.17
ORDINARY HIGH WATER MARK	

NOTE: TIDAL ELEVATIONS DRAWN APPROXIMATELY.
ALL PROPOSED GRADING TO OCCUR AT OR ABOVE MHHW.

0 50 100 200

GRAPHIC SCALE
1"=100'

PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES

REFERENCE# NWS-2014-543

APPLICANT: CUNNINGHAM, BRIAN

LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421

SHEET: 4 of 11 | **DATE:** 5/4/2014

MARINE RIPARIAN BUFFER ESTABLISHMENT AREA

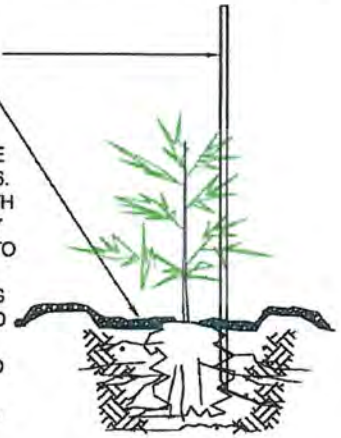
8,611 SF (0.20 ACRES)

SCIENTIFIC NAME	COMMON NAME	SPACING (FT O.C.)	QUANTITY (APPROX.)	SIZE (MIN)	NOTES
ROSA NUTKANA	NOOTKA ROSE	4	70	BARE ROOT	PLANT IN CLUSTERS OF 3-6 NEAR THE TOP OF BANK.
MAHONIA AQUIFOLIUM	TALL OREGON GRAPE	4	70	BARE ROOT	PLANT IN CLUSTERS OF 3-6 NEAR THE TOP OF BANK.
SYMPHORICARPOS ALBUS	SNOWBERRY	4	70	BARE ROOT	PLANT IN CLUSTERS OF 3-6 NEAR THE TOP OF BANK.
ARCTOSTAPHYLOS UVA-URSI	KINNICKINICK	2	200	4" PLUG	PLANT INTERMIXED WITHIN SHRUBS AND ABOVE DUNEGRASS.
ELYMUS MOLLIS	DUNEGRASS	2	200	4" PLUG	PLANT IS STAGGERED ROWS BELOW KINNICKINICK AND ABOVE OHW.
CAREX LYNGBYEI	LYNGBY SEDGE	2	200	4" PLUG	PLANT IN STAGGERED ROWS BETWEEN OHW AND MHHW.

SALT MARSH ESTABLISHMENT AREA

1,467 SF (0.03 ACRES)

SCIENTIFIC NAME	COMMON NAME	SPACING (FT O.C.)	QUANTITY (APPROX.)	SIZE (MIN)	NOTES
SALCORNIA PERENNIS	PICKLEWEED	2	95	4" PLUG	PLANT IN CLUSTERS OF 3-6 IN DELINEATED SALT MARSH AREA.
JAEMEA CARNOSA	FLESHY JAEMEA	2	95	4" PLUG	PLANT IN CLUSTERS OF 3-6 IN DELINEATED SALT MARSH AREA.



NOTES:

- PLANT SHRUBS OF THE SAME SPECIES IN GROUPS OF 3 to 6.
- EXCAVATE PIT TO FULL DEPTH OF ROOT MASS AND CANOPY DIAMETER. SPREAD ROOTS TO FULL WIDTH OF CANOPY.
- MIDWAY THROUGH PLANTING ADD AGROFORM TABLET AND WATER THOROUGHLY.
- BACKFILL TO BE COMPACTED USING WATER ONLY.
- WATER IMMEDIATELY AFTER INSTALLATION.

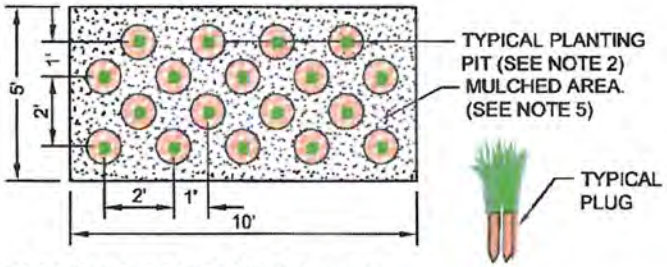
SHRUB PLANTING DETAIL

NOT TO SCALE

NOTES:

1. PLANT PLUGS STAGGERED 2'-0" O.C.
2. EXCAVATE PLANTING PIT TO 6" DIA. AND ADEQUATE DEPTH.
3. FORM A RING OF SOIL AROUND THE EDGE OF EACH PLANTING PIT.
4. WATER IMMEDIATELY AFTER INSTALLATION.
5. AFTER PLANTING IS COMPLETE PLACE 3 to 4 INCHES OF MULCH.

PLAN VIEW OF TYPICAL INSTALLATION

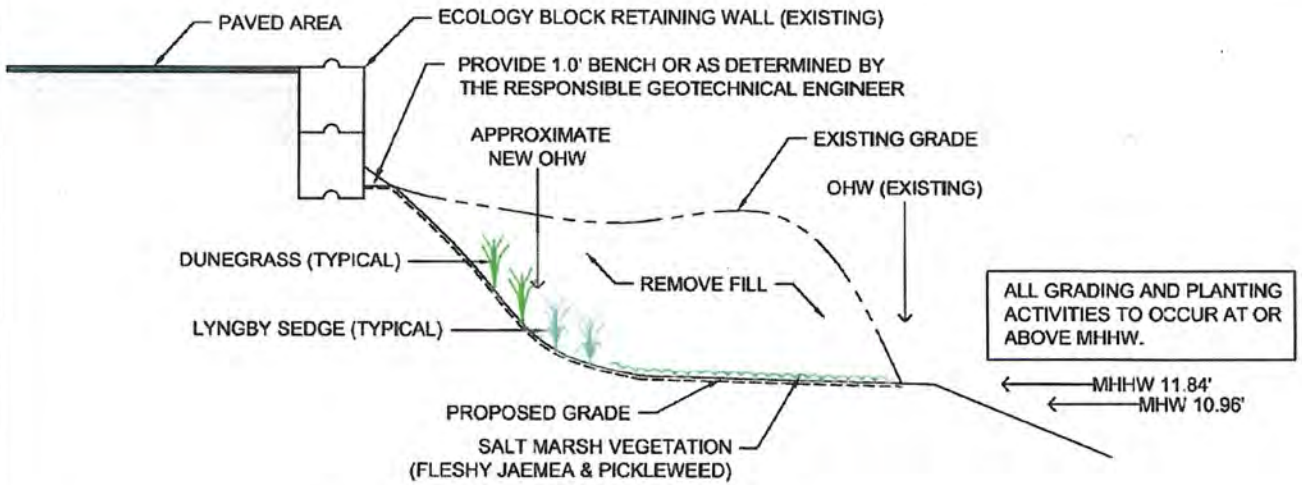


PLUG PLANTING DETAIL

NOT TO SCALE

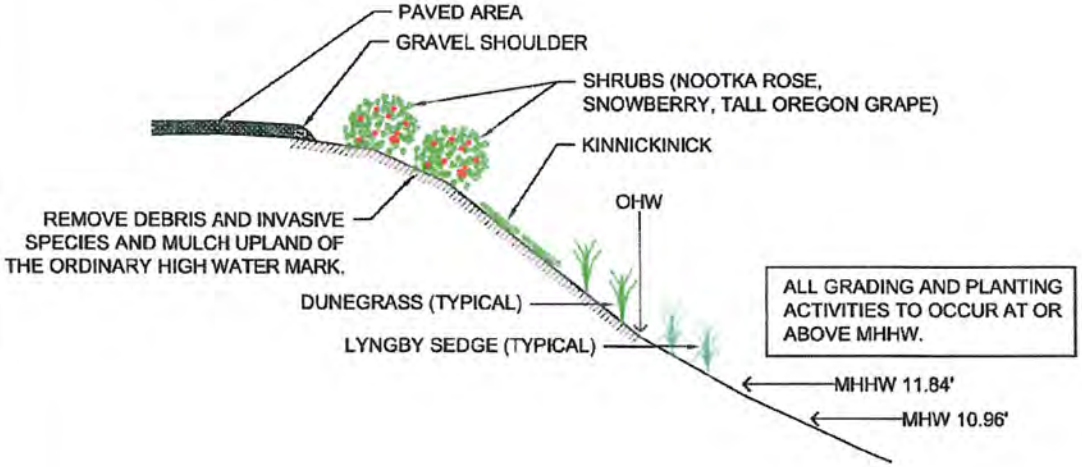
PLANTING LIST AND DETAILS

PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES	
REFERENCE# NWS-2014-543	
APPLICANT: CUNNINGHAM, BRIAN	
LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421	
SHEET: 5 of 11	**DATE:** 5/4/2014



TYPICAL SALT MARSH CROSS-SECTION

NOT TO SCALE

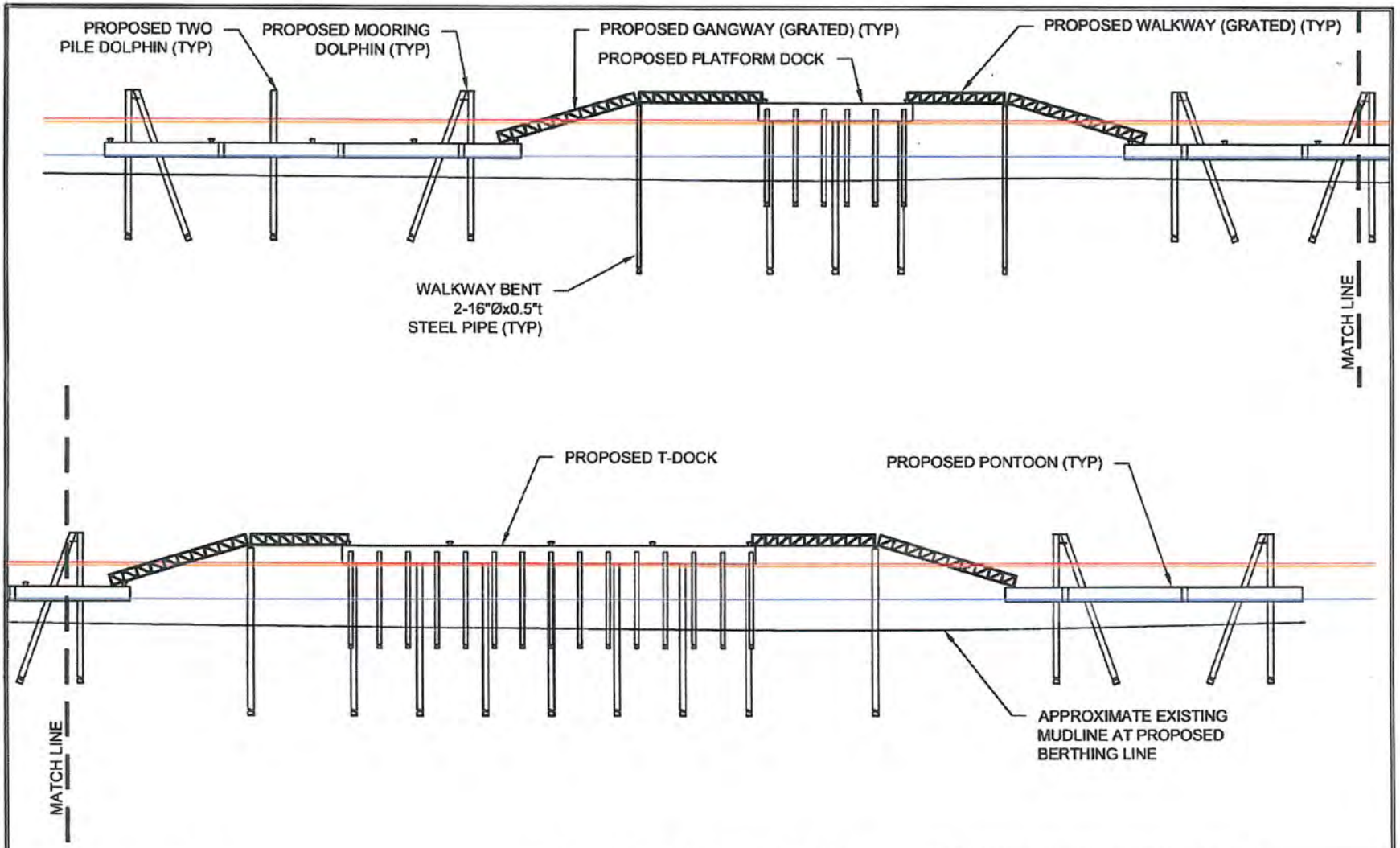


TYPICAL MARINE BUFFER ESTABLISHMENT CROSS-SECTION

NOT TO SCALE

SHORELINE ENHANCEMENT CROSS-SECTIONS

PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES	
REFERENCE# NWS-2014-543	
APPLICANT: CUNNINGHAM, BRIAN	
LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421	
SHEET: 6 of 11	**DATE:** 5/4/2014



NORTHWEST ELEVATION VIEW

TIDAL DATUM (NGVD 29)

MEAN HIGHER HIGH WATER	= +5.67
MEAN HIGHER WATER	= +4.79
MEAN LOWER LOW WATER	= -6.17

DRAWING NOT TO SCALE
SCHEMATIC COURTESY OF WORLEY PARSONS

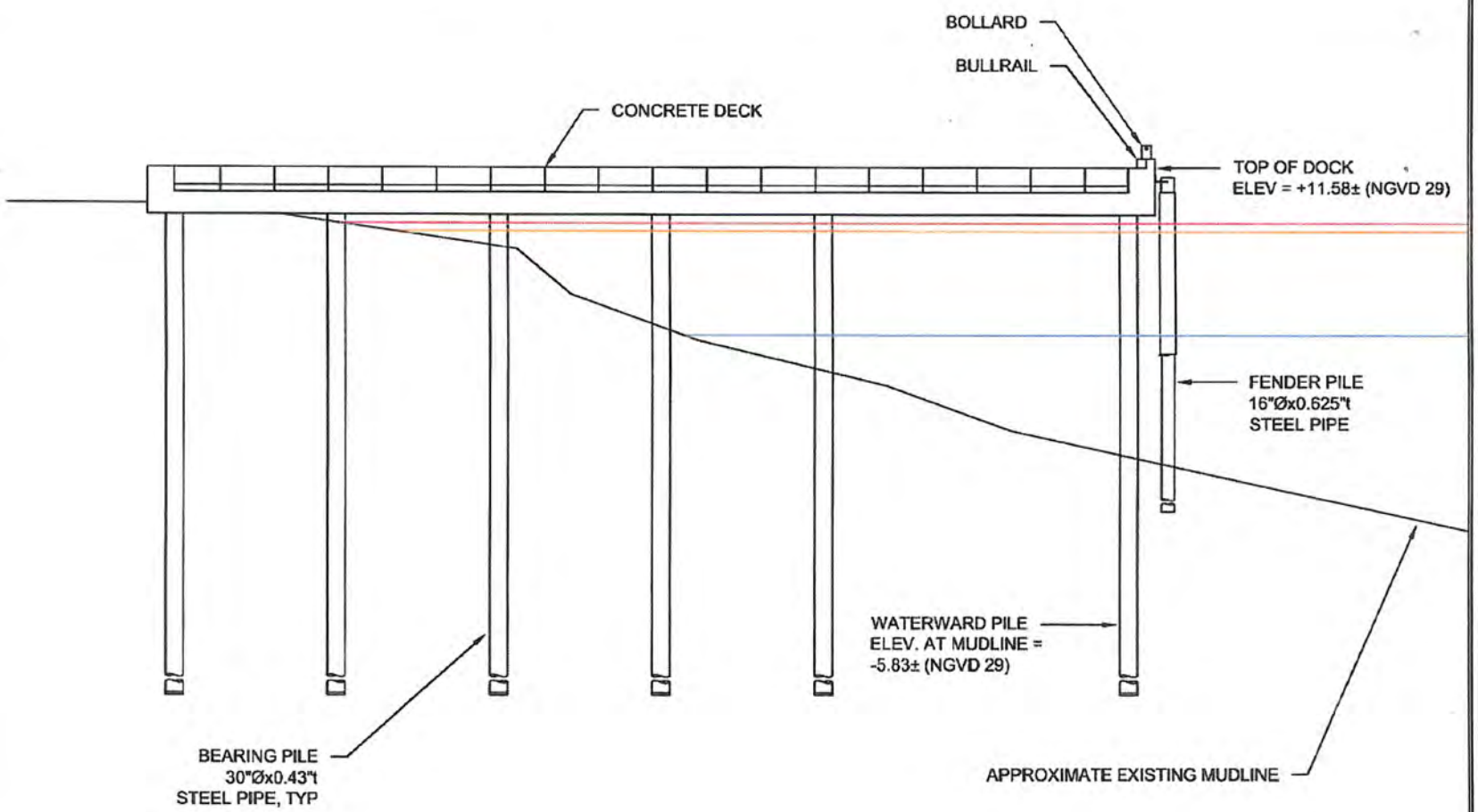
PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES

REFERENCE# NWS-2014-543

APPLICANT: CUNNINGHAM, BRIAN

LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421

SHEET: 7 of 11 | **DATE:** 5/4/2014



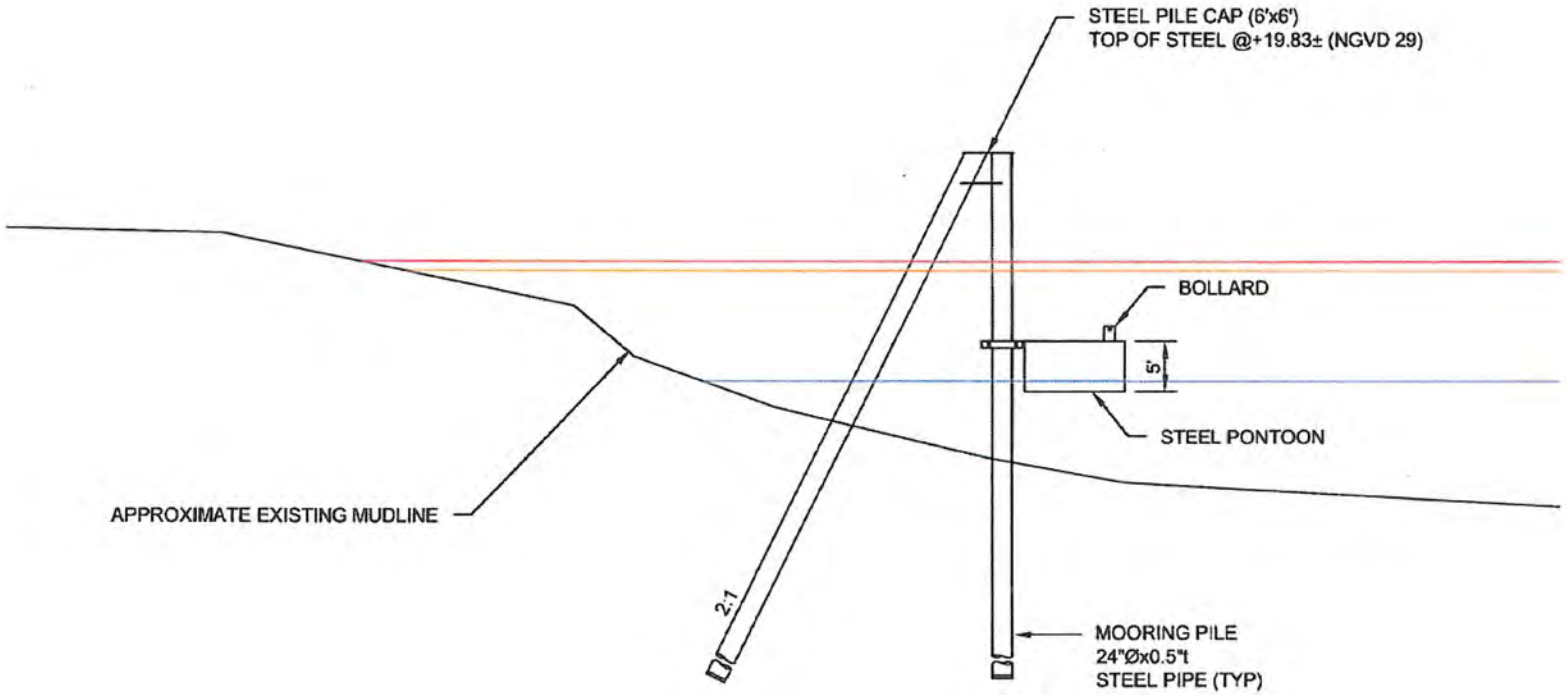
T-DOCK ELEVATION VIEW

TIDAL DATUM (NGVD 29)

MEAN HIGHER HIGH WATER	= +5.67
MEAN HIGHER WATER	= +4.79
MEAN LOWER LOW WATER	= -6.17

DRAWING NOT TO SCALE
SCHEMATIC COURTESY OF WORLEY PARSONS

PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES	
REFERENCE# NWS-2014-543	
APPLICANT: CUNNINGHAM, BRIAN	
LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421	
SHEET: 8 of 11	**DATE:** 5/4/2014



PONTOON ELEVATION VIEW

TIDAL DATUM (NGVD 29)

MEAN HIGHER HIGH WATER	= +5.67
MEAN HIGHER WATER	= +4.79
MEAN LOWER LOW WATER	= -6.17

DRAWING NOT TO SCALE
SCHEMATIC COURTESY OF WORLEY PARSONS

PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES	
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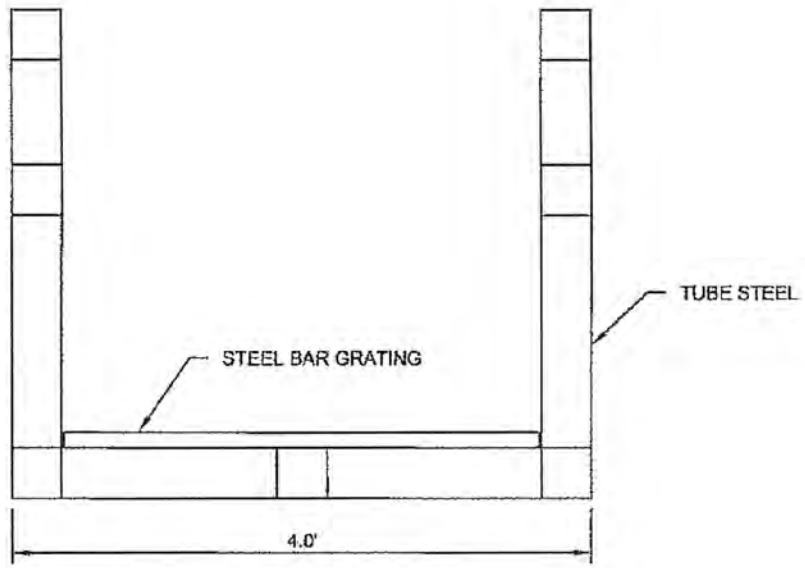
APPLICANT: CUNNINGHAM, BRIAN	
LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421	
SHEET: 9 of 11	**DATE:** 5/4/2014



GANGWAY ELEVATION VIEW

DRAWING NOT TO SCALE
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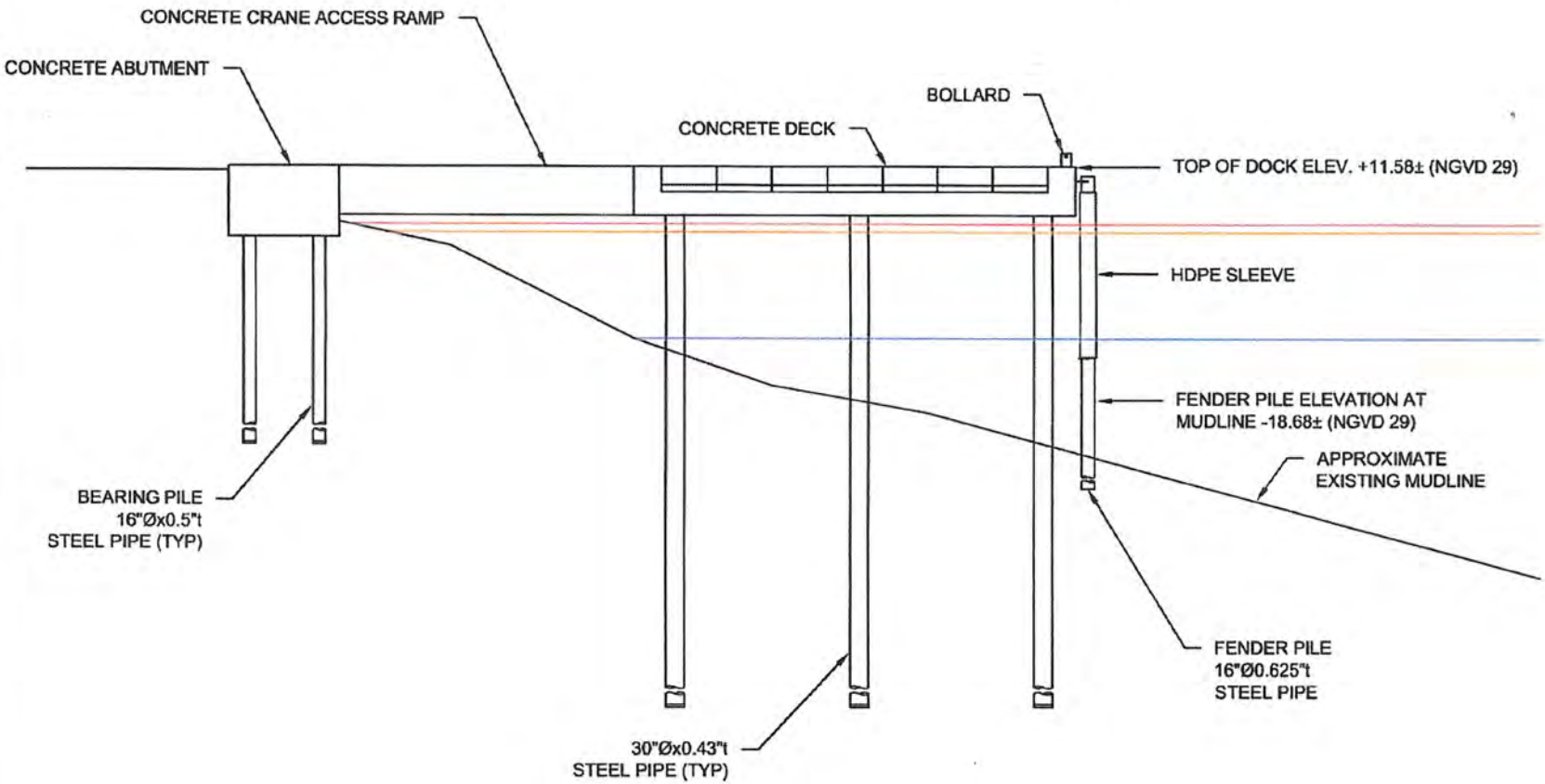
APPLICANT: CUNNINGHAM, BRIAN	
LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421	
SHEET: 10 of 11	**DATE:** 5/4/2014



PLATFORM DOCK ELEVATION VIEW

TIDAL DATUM (NGVD 29)

MEAN HIGHER HIGH WATER	= +5.67
MEAN HIGHER WATER	= +4.79
MEAN LOWER LOW WATER	= -6.17

DRAWING NOT TO SCALE
SCHEMATIC COURTESY OF WORLEY PARSONS

PROJECT: 1801/1851 TAYLOR WAY TRANSLOADING AND MOORAGE FACILITIES	
REFERENCE# NWS-2014-543	
APPLICANT: CUNNINGHAM, BRIAN	
LOCATION: 1801 & 1851 TAYLOR WAY TACOMA WA, 98421	
SHEET: 11 of 11	**DATE:** 5/4/2014