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) 764-5527
ATTN: Ms. Susan Powell,
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: November 20, 2014
Expiration Date: December 20, 2014

Reference No.: NWS-2014-914
Name: Rosario Signal, LLC

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 October 15, 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.

APPLICANT: Rosario Signal, LLC
Attention: Mr. Jerrel Barto
1041 West 18th Street, Suite A-101
Costa Mesa, California 92627
Telephone: (949) 675-7086

AGENT: Hart Crowser, Inc.
Attention: Mr. Jonathan Houghton
120 Third Avenue South, Suite 110
Edmonds, Washington 98020
Telephone: (425) 329-1150

LOCATION: In Cascade Bay at Rosario Resort, Orcas Island, San Juan County, Washington.

WORK: Replace and modify an existing floating-dock marina and seaplane dock. Ramp access to the main float will be moved from the west side of the marina to the northeast corner. The new grated ramp will be American Disability Act (ADA) accessible. To provide deeper moorages and to facilitate slip access, the main float will be reconfigured in a U shape around the perimeter of the marina basin, with finger piers extending toward the center of the basin. The existing seaplane dock at the end of the rock jetty will be reoriented to a generally east/west alignment and will be designed with a deeper draft to provide additional wave attenuation for the inner marina. A new ADA-accessible grated ramp will connect the float to the rock jetty. Total overwater coverage will be 15,340 square feet, which will be an increase of 1,340 square feet over the existing structures.

PURPOSE: Maintenance and improvements to an existing marina that provides moorage for Rosario Resort.

MITIGATION: The majority of the new over-water structure will be grated to minimize impacts to the aquatic environment. Existing creosote-treated piling and timbers and unconfined Styrofoam floatation will be replaced with steel, concrete, or non-toxic plastic materials.

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. Historic properties are recorded near the proposed project. However, they do not occur in 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. 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 a pending Shorelines Substantial Development Permit being processed by San Juan County.

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 susan.m.powell@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch,
Attention: Ms. Susan Powell, 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.

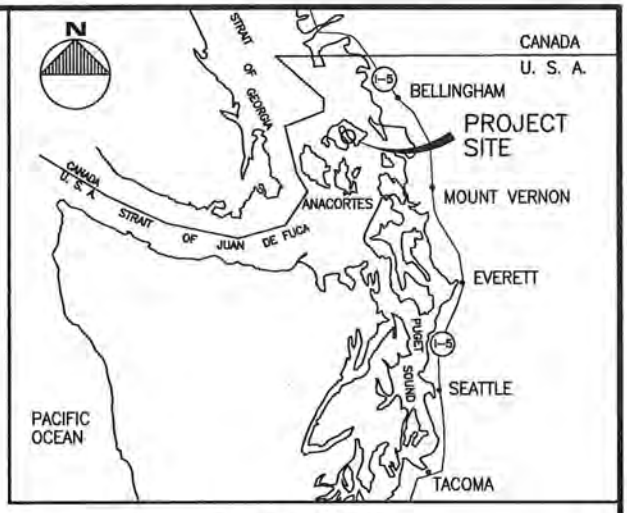
ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, Post Office 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: Rosario Signal, LLC; NWS-2014-914.

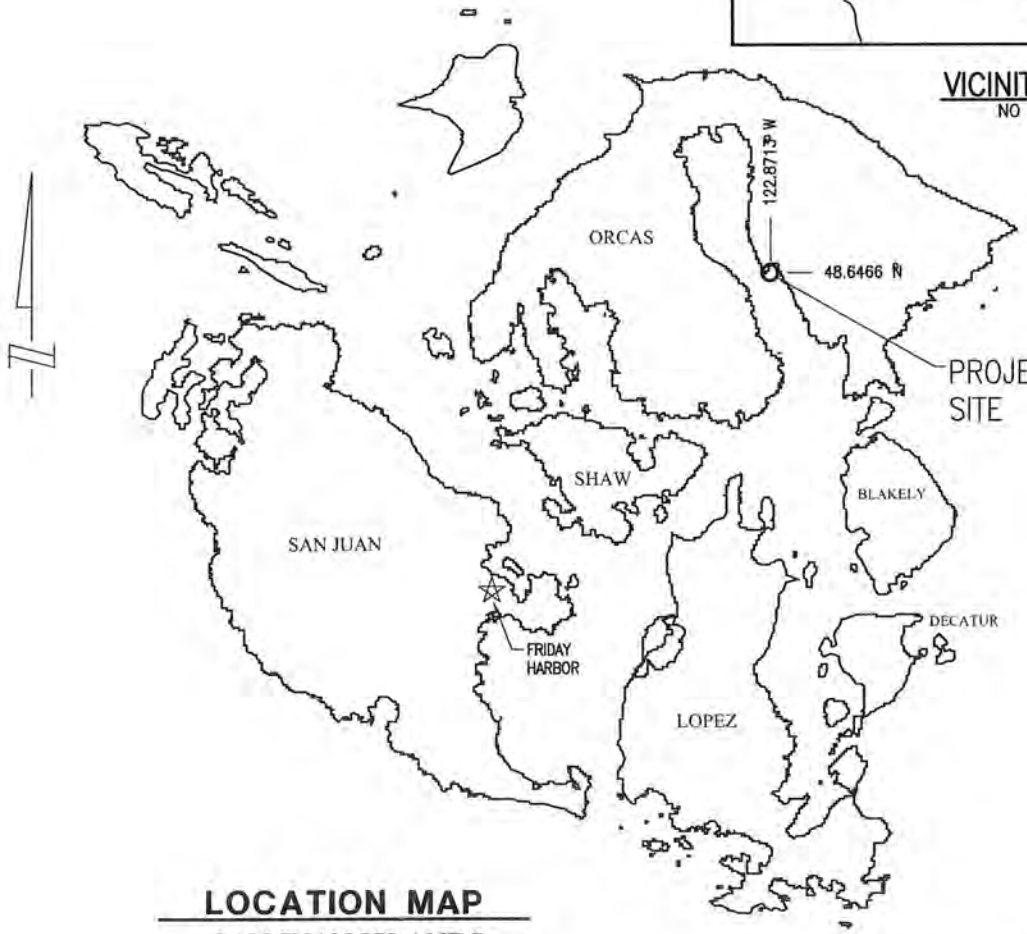
Encl: Figures (10)

TIDAL INFORMATION

ROSARIO/EASTSOUND
LAT. 48° 39' N LONG. 122° 52' W
EXTREME HIGH WATER (EHW) = +11.5'
MEAN HIGHER HIGH WATER (MHHW)= +8.1'
MEAN HIGH WATER (MHW)= +7.4'
MEAN LOW WATER (MLW)= +2.5'
MEAN LOWER LOW WATER (MLLW) = 0.0'
EXTREME LOW WATER (ELW) = −4.5'



VICINITY MAP
NO SCALE



LOCATION MAP
SAN JUAN ISLANDS

Revised 15 OCT 2014

PURPOSE: PRIVATE MARINA
NWS-2014-914

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

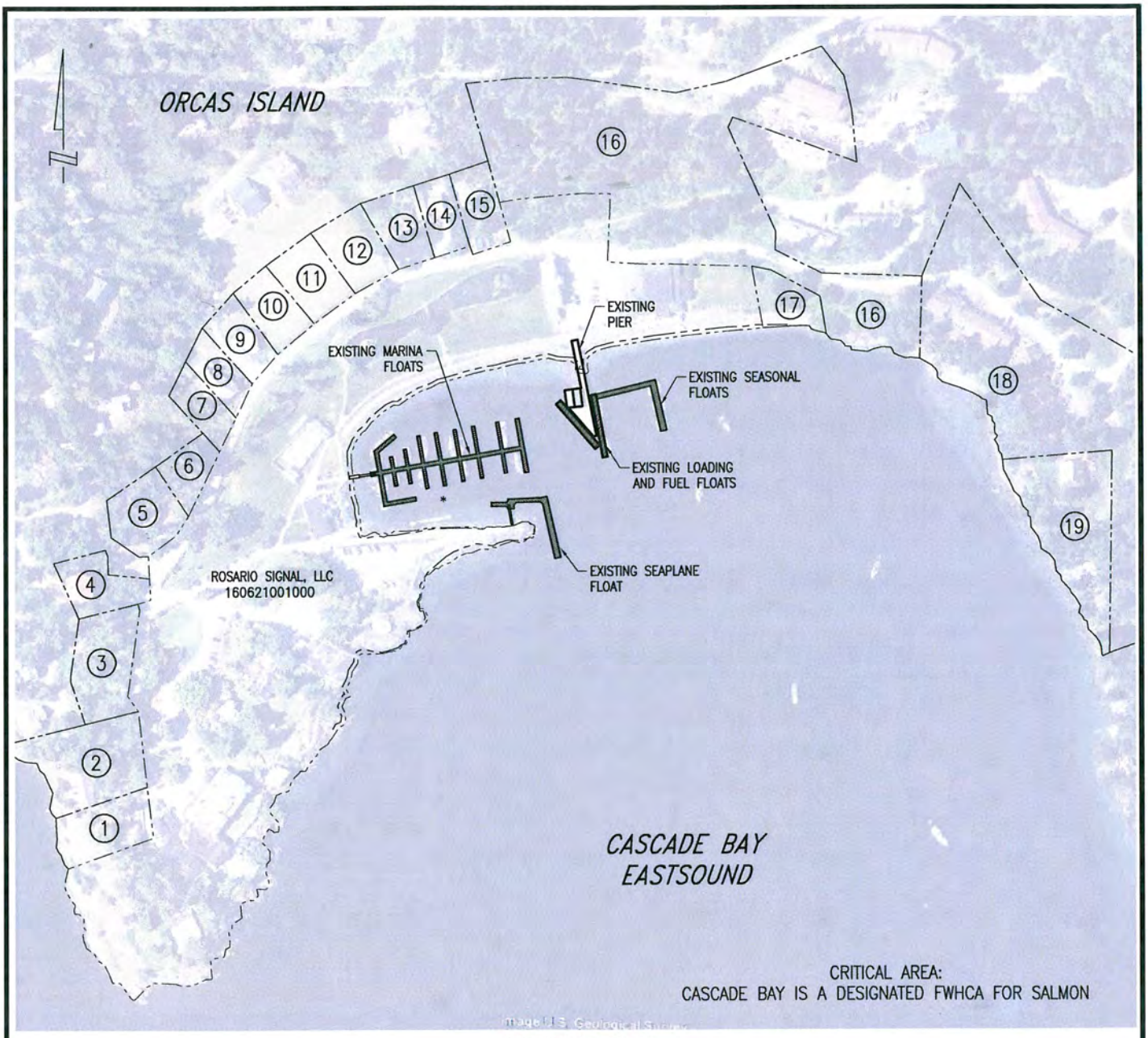
PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 1 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914



ADJACENT PROPERTY MAP

0 50 100 200 400 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 2 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914

PARCEL	PARCEL NUMBER	OWNER	OWNER ADDRESS
(1)	173150018000	CONVER FAMILY LTD PARTNERSHIP	10550 NORTHRIDGE HILL CHATSWORTH, CA 91311
(2)	173150019000	CONVER FAMILY LTD PARTNERSHIP	10550 NORTHRIDGE HILL CHATSWORTH, CA 91311
(3)	173133002000	ROSARIO SIGNAL, LLC. C/O JERRY BARTO	1400 ROSARIO RD EASTSOUND, WA 98245
(4)	173150073000	GREGORY D & MARGUERITE A STAFFORD, TTEES	672 SERRANO DRIVE APT #6 SAN LUIS OSBISPO, CA 93405
(5)	173150010000	HERON HOUSE HOLDING, LLC	1041 W 18TH APT A 101 COSTA MESA, CA 92627
(6)	173150009000	DK PARTNERSHIP, LLC	P.O. BOX 9199 SALT LAKE CITY, UT 94109
(7)	173150008000	CHERIE ANN PERRIN	655 HERITAGE AVE CLOVIS, CA 93619
(8)	173150007000	CHERIE ANN PERRIN	655 HERITAGE AVE CLOVIS, CA 93619
(9)	173150062000	KURT A & CINDY L FISHER	386 COLUMBIA POINT DR APT 303 RICHLAND, WA 99352
(10)	173150006000	KURT A & CINDY L FISHER	386 COLUMBIA POINT DR APT 303 RICHLAND, WA 99352
(11)	173150005000	RICHARD A & DEBORAH C W HANSEN	98 TWIN HOUSE LANE EASTSOUND, WA 98245
(12)	173150004000	BRADLEY & JUDITH HENKE	10226 VALMAY AVE NW SEATTLE, WA 98177
(13)	173150003000	WILLIAM H & JUNE L FELBER, TTEES	1545 ROSARIO RD EASTSOUND, WA 98245
(14)	173150002000	ERVIN L & NORMA JO HARLACHER, TTEES	2349 PARKWAY DR CARMARILLO, CA 93010
(15)	173150001000	ANNE LISA LINDSAY	5724 ROSE LOOP NE BAINBRIDGE ISLAND, WA 98110
(16)	173134005000	ROSARIO SIGNAL, LLC. C/O JERRY BARTO	1400 ROSARIO RD EASTSOUND, WA 98245
(17)	173134002000	GILBERT H GEISER C/O SARAH GEISER	P.O. BOX 418 EASTSOUND, WA 98245
(18)	1731149114000	FOUR ISLANDS HOLDING, LLC	4425 ANACO BEACH RD ANACORTES, WA 98221
(19)	1731143002000	ROBERT J SCHARNHORST	69 APACHE LN SEDONA, AZ 86350

ALL INFORMATION FROM SAN JUAN COUNTY POLARIS PROPERTY SEARCH – JUNE 2014

ADJACENT PROPERTY OWNERS

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

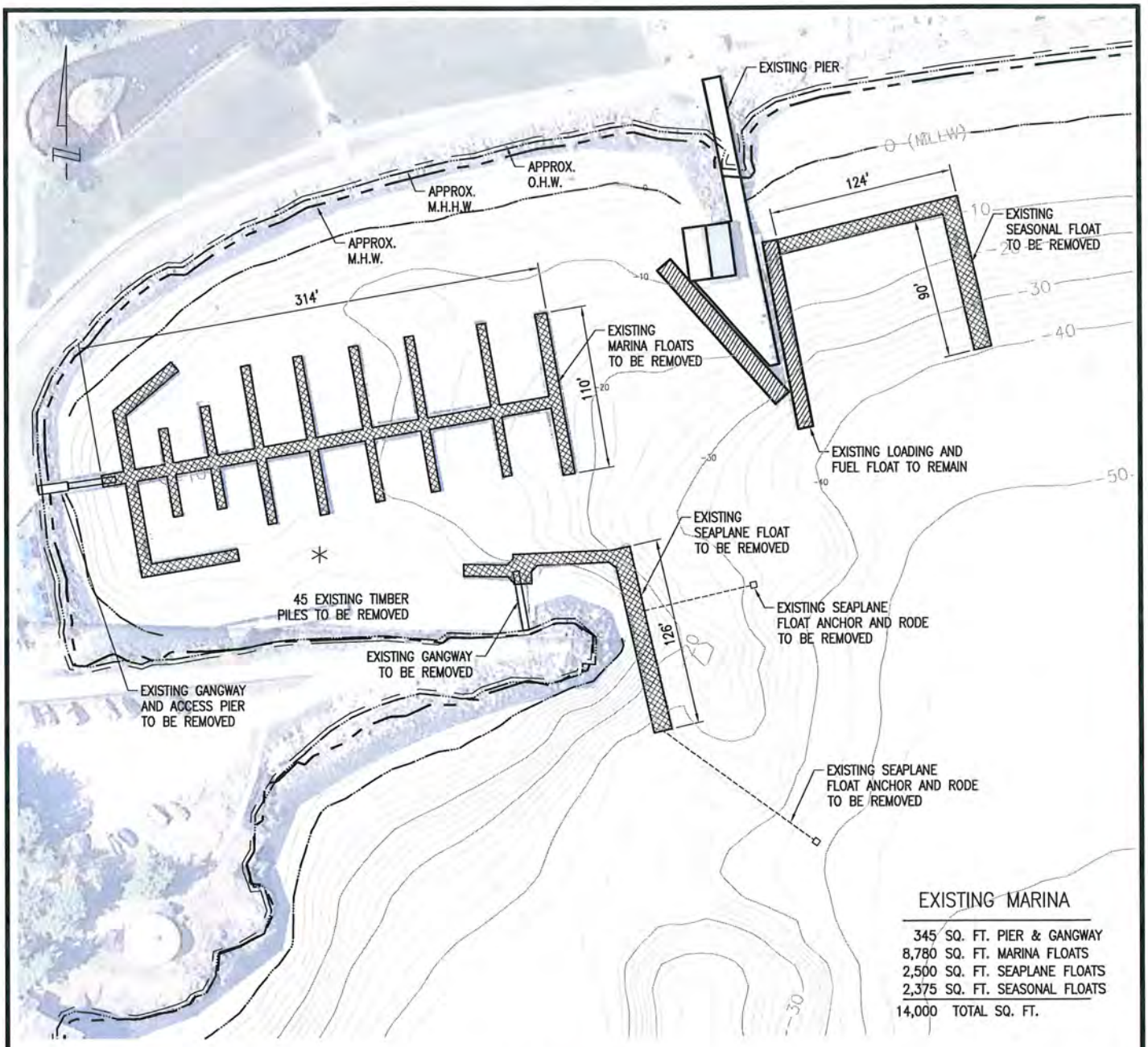
PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 3 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914



EXISTING MARINA

345	SQ. FT. PIER & GANGWAY
8,780	SQ. FT. MARINA FLOATS
2,500	SQ. FT. SEAPLANE FLOATS
2,375	SQ. FT. SEASONAL FLOATS
14,000	TOTAL SQ. FT.

EXISTING FLOAT PLAN

0 25 50 100 150 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

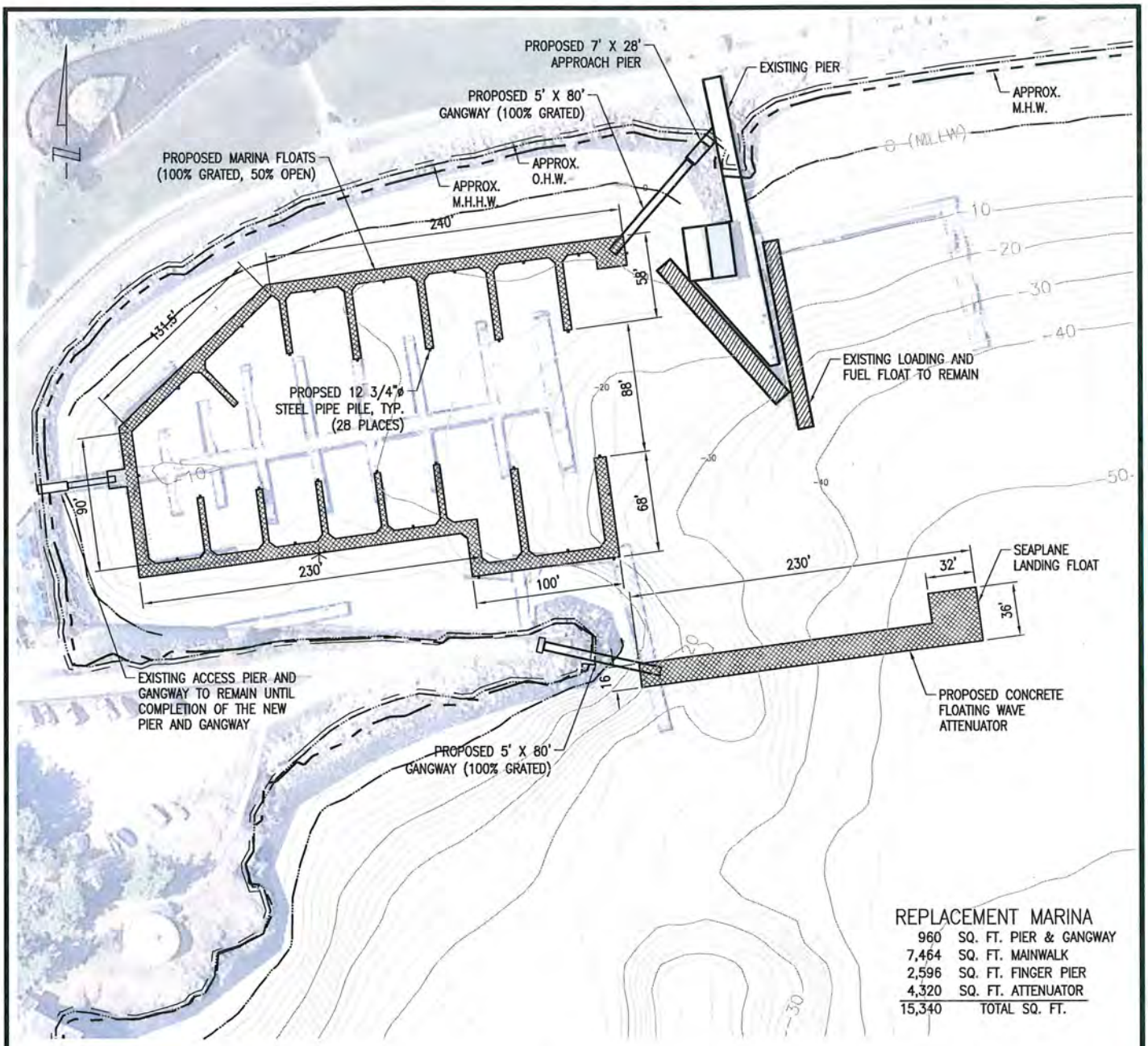
PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 4 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914



REPLACEMENT MARINA

960	SQ. FT. PIER & GANGWAY
7,464	SQ. FT. MAINWALK
2,596	SQ. FT. FINGER PIER
4,320	SQ. FT. ATTENUATOR
15,340	TOTAL SQ. FT.

PROPOSED FLOAT PLAN

0 25 50 100 150 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

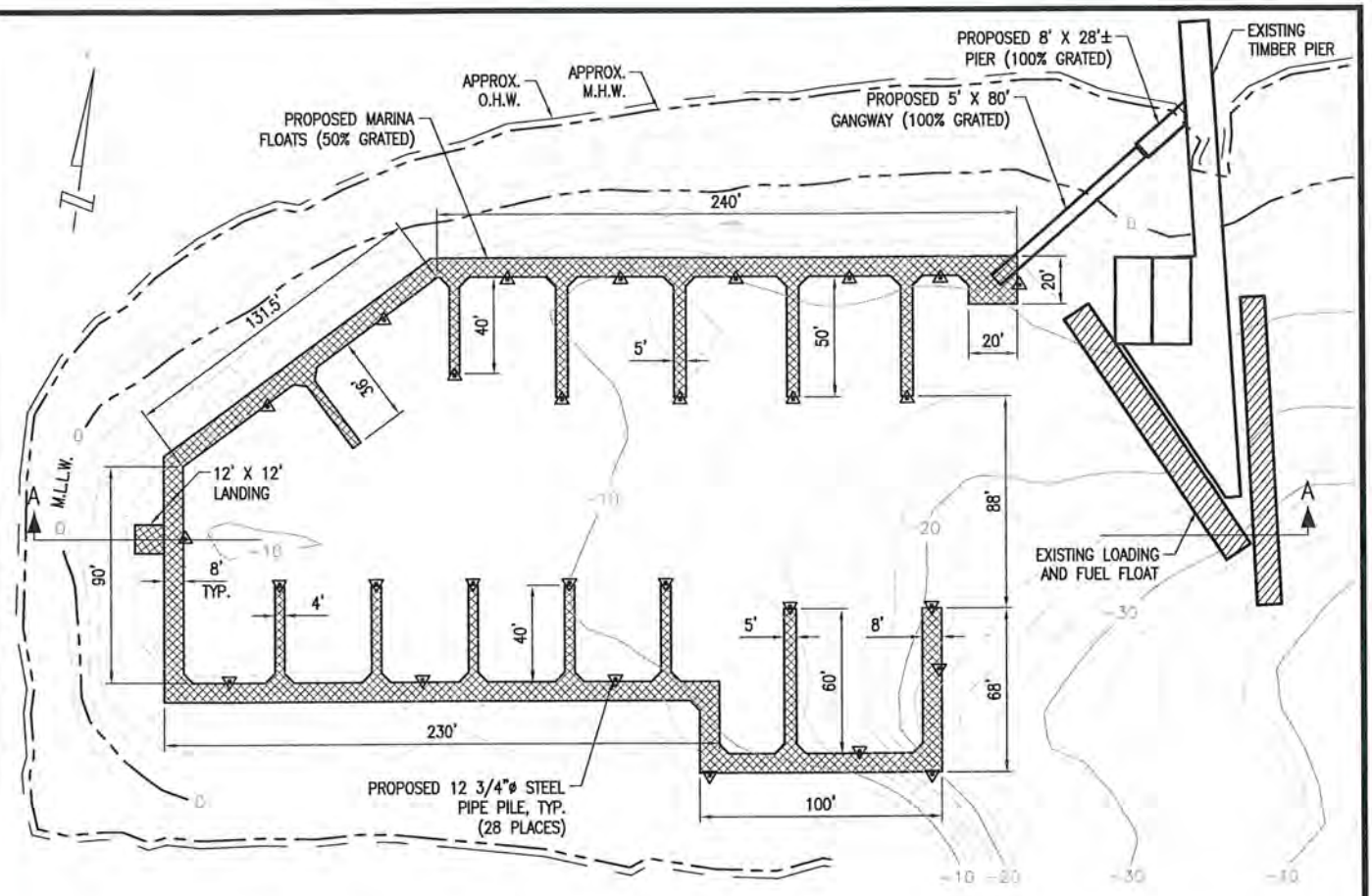
PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

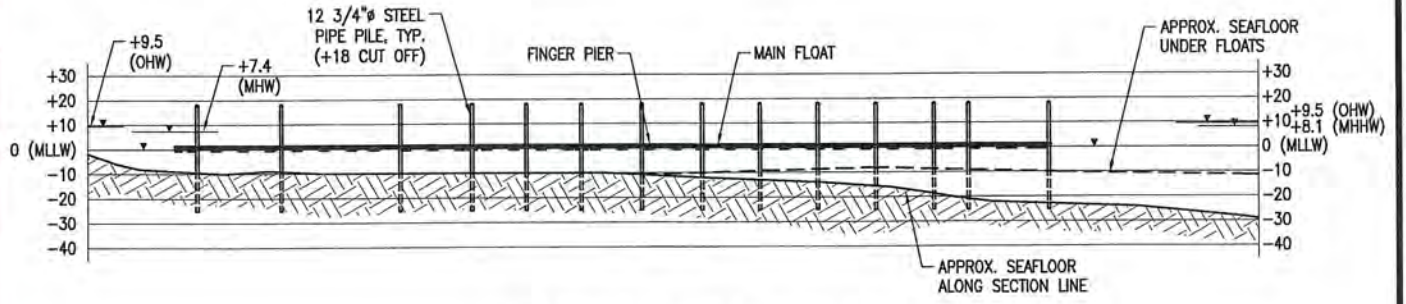
IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 5 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914





MARINA FLOAT PLAN AND ELEVATION

0 20 50 100 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

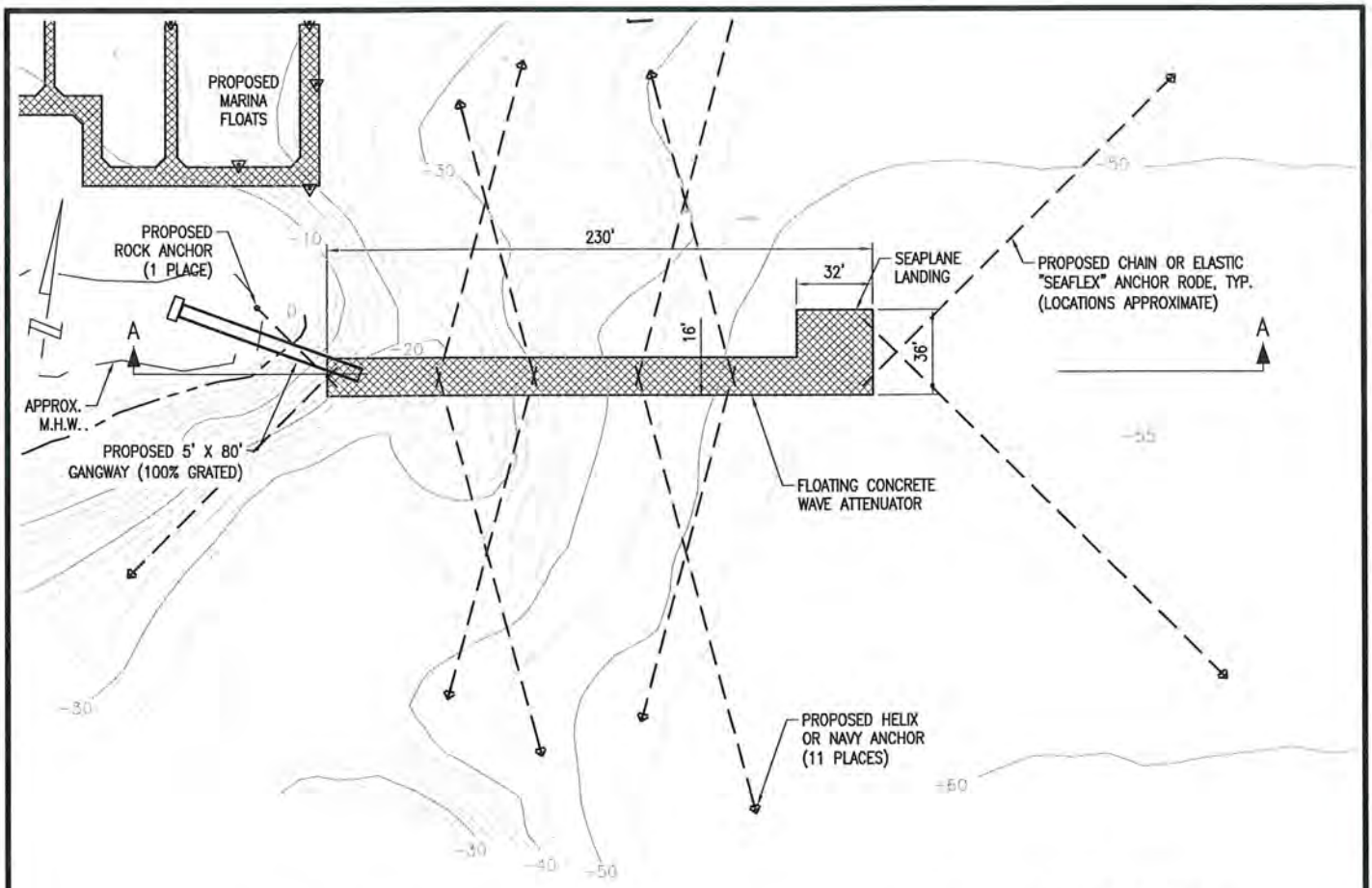
PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

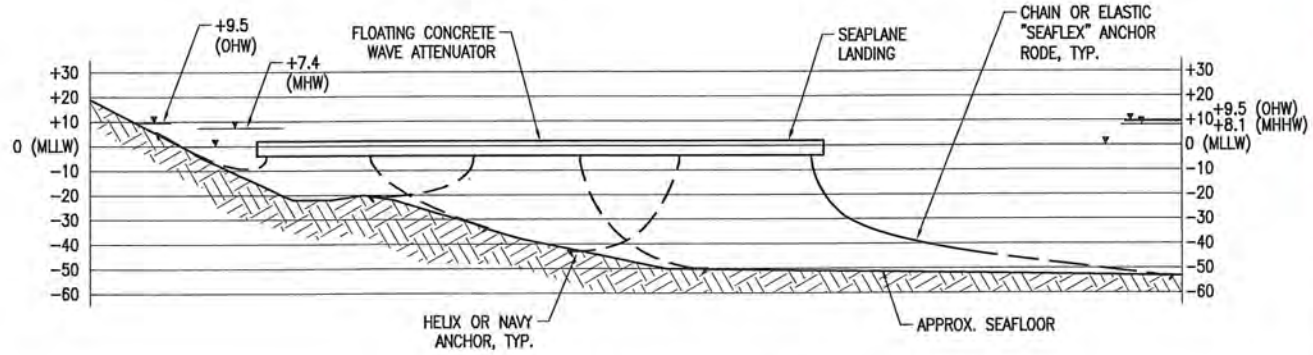
IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 6 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914





ATTENUATOR PLAN AND ELEVATION

0 20 50 100 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

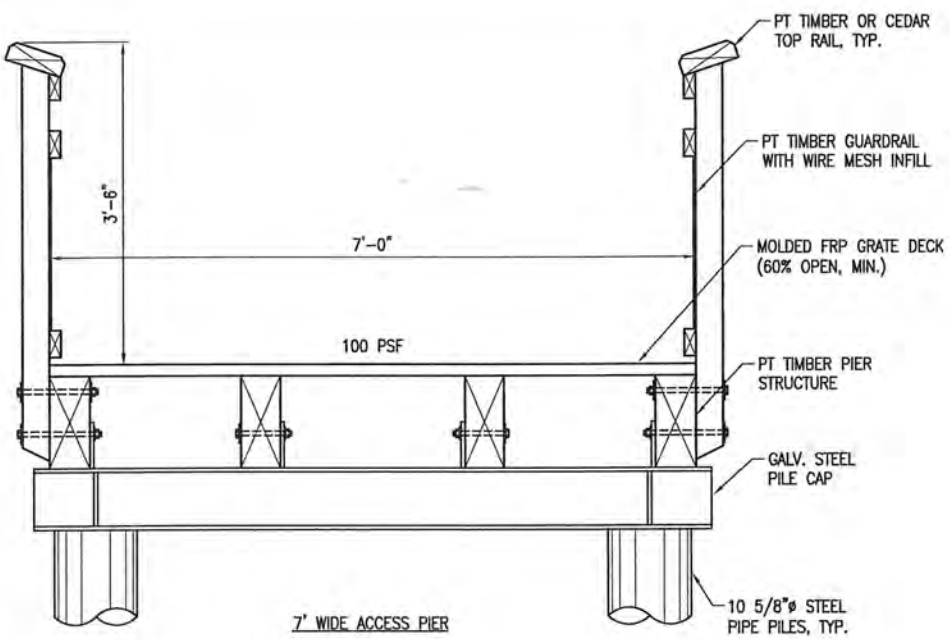
PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

IN: CASCADE BAY, EASTSOUND

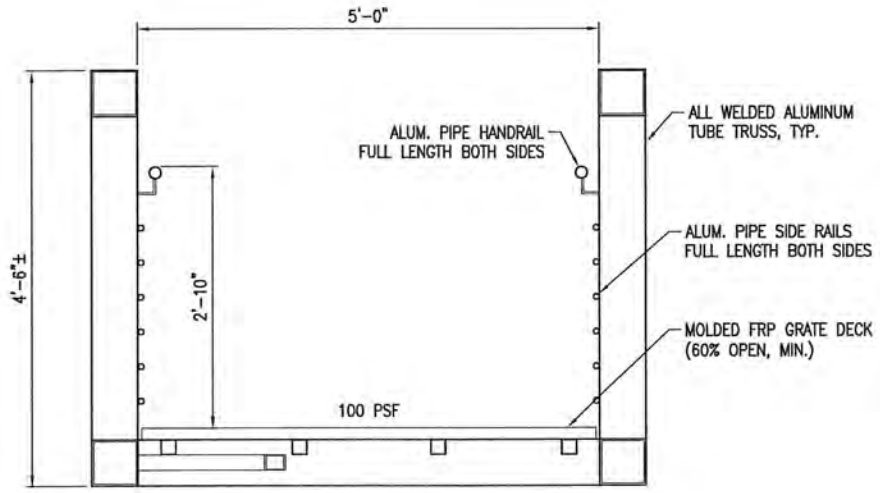
AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 7 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914



7' WIDE ACCESS PIER



5' WIDE GANGWAY

PIER AND GANGWAY SECTIONS

0 6" 1 2 3 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

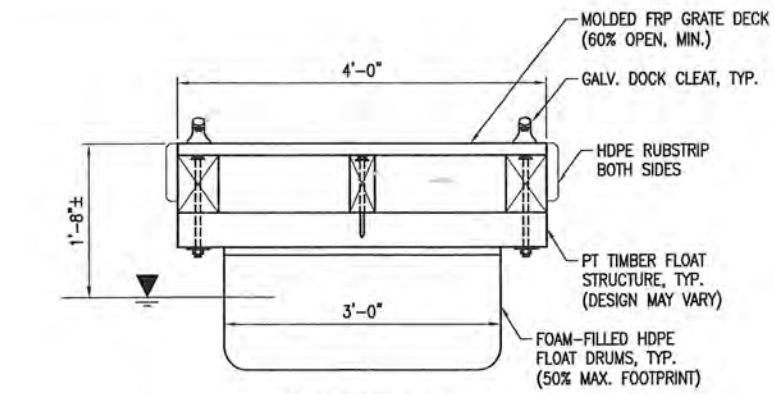
PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

IN: CASCADE BAY, EASTSOUND

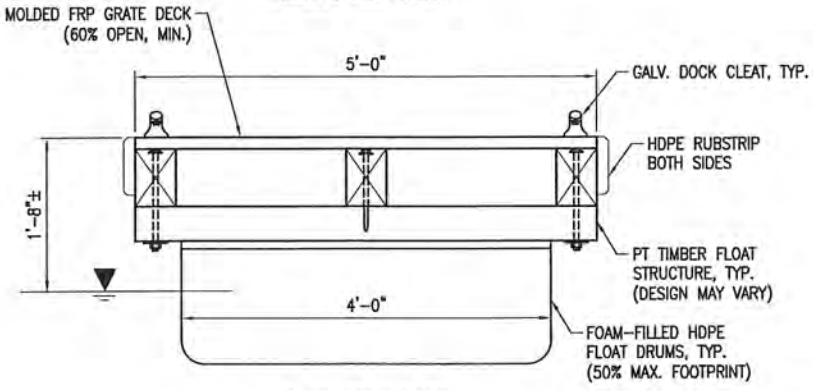
AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

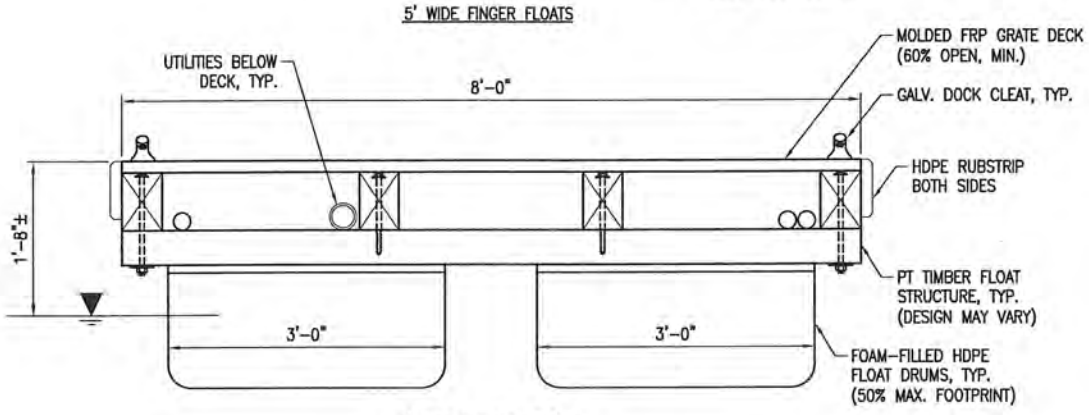
SHEET 8 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914



4' WIDE FINGER FLOATS



5' WIDE FINGER FLOATS



8' WIDE WALKWAY FLOATS

MARINA FLOAT SECTIONS

0 6" 1 2 3 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

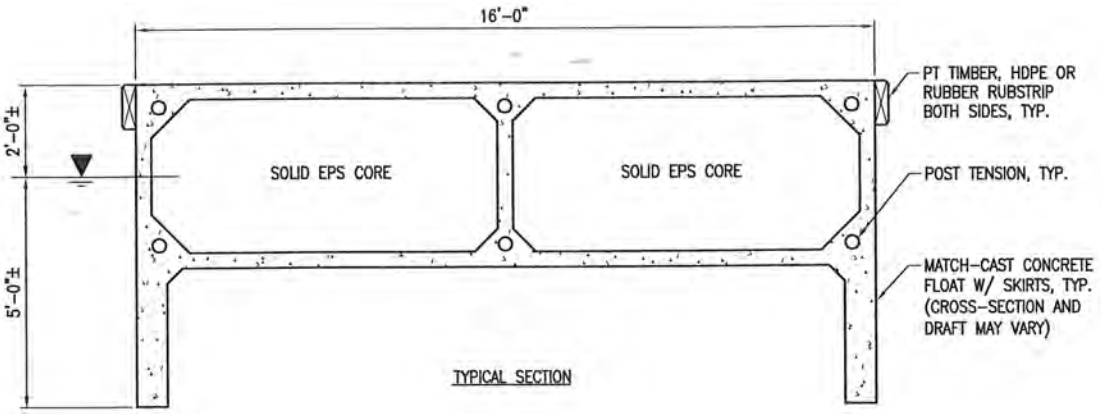
IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

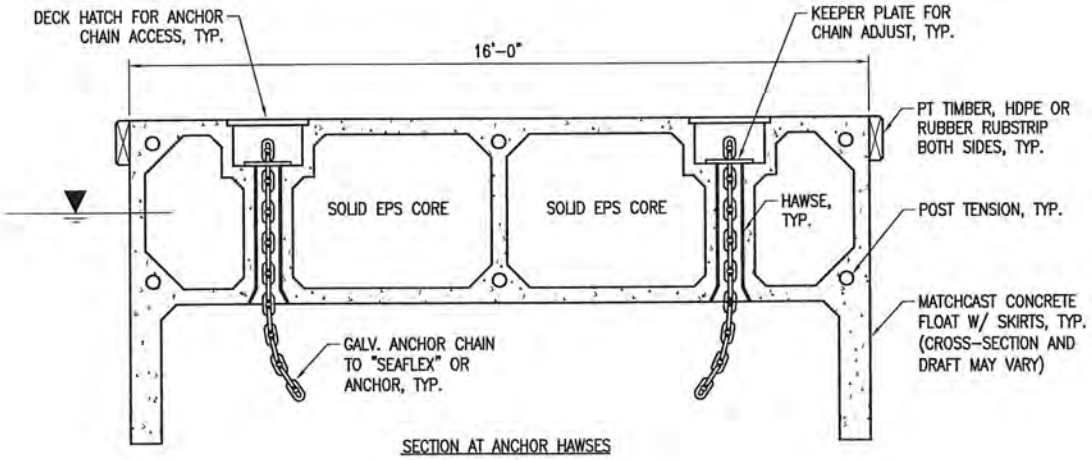
APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 9 **of** 10 **DATE:** 07/14

APPLICATION: NWS-2014-914



TYPICAL SECTION



SECTION AT ANCHOR HAWSES

ATTENUATOR SECTIONS

0 1 2 4 6 FT.

15 OCT 2014

PURPOSE: PRIVATE MARINA

DATUM: M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) SEE SHEET 3

ROSARIO FLOAT REPLACEMENT SEPTEMBER 2014

ROSARIO SIGNAL, LLC
C/O JERRY BARTO
1400 ROSARIO ROAD
EASTSOUND, WA 98245

PROPOSED:
NEW FLOATS, GANGWAY, PILES AND WAVE ATTENUATOR

IN: CASCADE BAY, EASTSOUND

AT: SAN JUAN COUNTY, WA
SEC. 06 T36N, R01W, W.M.

APPLICATION BY:
ROSARIO SIGNAL, LLC.

SHEET 10 **of** 10 **DATE:** 09/14
APPLICATION: NWS-2014-914