



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

**US Army Corps of Engineers**  
Regulatory Branch  
4735 E. Marginal Way S., Bldg 1202  
Seattle, WA 98134-2388  
Telephone: (406) 720-3743  
ATTN: Jaime Liljegren,  
Project Manager

**Public Notice Date:** May 1, 2024  
**Expiration Date:** May 31, 2024

**Reference No.:** NWS-2024-99  
**Name:** Ice Floe DBA Nichols Brothers  
Boat Builders

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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 Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings dated March 6, 2024. The Corps will also review the work in accordance with Section 404 of the Clean Water Act (CWA).

**APPLICANT:** Ice Floe DBA Nichols Brothers Boat Builders  
Attention: Gavin Higgins  
5400 Cameron Road  
Freeland, Washington, 98249  
Telephone: (360) 331-5500

**AGENT:** Grette Associates  
Attention: Jay Dirkse  
151 South Worthen Street #101  
Wenatchee, Washington, 98801  
Telephone: (509) 640-3289

**LOCATION:** In Holmes Harbor along East Shoreline Drive between Cameron Road and Woodard Avenue in Freeland, Island County, Washington. (Latitude: 48.015976 Longitude: -122.539806).

**WORK:** The applicant proposes to remove up to 250 cubic yards (CY) of sediment from an existing concrete boat launch ramp and basin over a ten-year period on Whidbey Island, Island County, Washington. Within the ten-year period, up to 25CY of sediment would be removed annually from the lowest 40-foot (ft) by 80ft section of the 605ft existing structure to allow for continued use of the boat ramp and concrete basin. The proposed sediment removal would not exceed the footprint of the existing structure.

NWS-2024-99; Ice Floe DBA Nichols Brothers Boat Builders

Proposed sediment removal activities would include scraping sediment from the ramp and excavating sediment from within the concrete basin. Sediment removal would occur in the dry at a negative low tide, using equipment stationed on the ramp. Depending on the time of year, this may necessitate dredging during nighttime hours to take advantage of the lowest tides. Each removal event would take place over one to two low tides within approved work windows. The excavated material would be side cast between +2ft and +6ft Mean Lower Low Water within the intertidal habitat, waterward of the high tide line (HTL) but above the landward eelgrass bed boundary.

PURPOSE: Maintain use and accessibility for launching vessels.

ADDITIONAL INFORMATION: The proposed work would be completed over a 10-year period.

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 under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project.

The line of mean high water and high tide line shown on the project drawings have not yet been verified by the U.S. Army Corps of Engineers (Corps). If the Corps determines the boundaries of the waters are substantially inaccurate a new public notice may be published.

MITIGATION: No mitigation is proposed. The Corps is reviewing the submitted application; mitigation or Endangered Species Act conservation offsets may be required.

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. After receipt of comments from this public notice, the U.S. Army Corps of Engineers 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).

If the U.S. Army Corps of Engineers (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, Washington Information System for Architectural and Archaeological Records Data and other sources of information. The Corps invites responses to this public notice from Native American Nations 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 Nations in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

There are no recorded historic properties within the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

**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 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 Washington Department of Ecology has or will evaluate the proposed project in accordance with Section 401 of the Clean Water Act and for consistency with the Coastal Zone Management Act.

The U.S. Army Corps of Engineers 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.

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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 authorizing the work would not be contrary to the public interest. 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 [jaimeliljegren@usace.army.mil](mailto:jaimeliljegren@usace.army.mil). Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, 4735 E. Marginal Way S, Bldg 1202, Seattle, Washington, 98134-2388. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. 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. 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. Please include the following name and reference number:

Ice Floe DBA Nichols Brothers Boat Builders, NWS-2024-99

Encl: Figures (5)

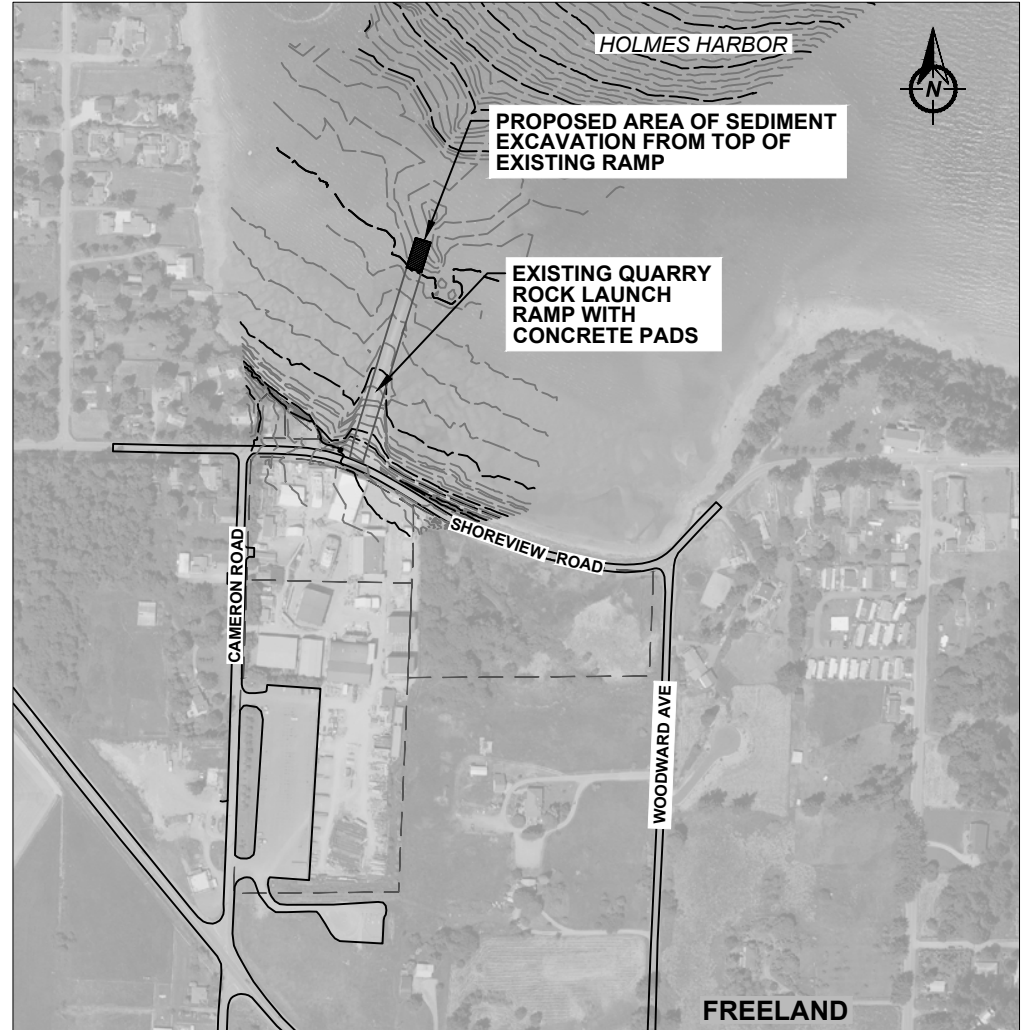
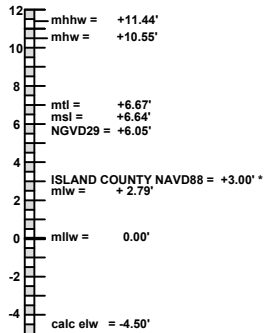
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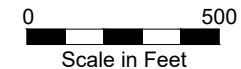
SOURCE: BING MAPS

**VICINITY MAP**  
(Not to Scale)

DATUM CONVERSION SCALE  
(PER NOAA STATION DATA SHEET #9447855)



**EXISTING SITE PLAN**



**PURPOSE:** Stormwater from the county stormwater drainage system west of the boat ramp causes the launch ramp to fill in with sand and silt from the surrounding area. Purpose of project is to remove sediment and restore boat ramp to maintain ramp safety and function for launching boats.

**LOCATION:** T 29N, R 2E, Section 10  
Holmes Harbor

**DATUM:** Mean Lower Low Water (MLLW)  
MLLW = 0.0'

**LATITUDE:** 48.015659° **LONGITUDE:** -122.546648°

**ADJACENT PROPERTY OWNERS:** Ice Floe, LLC Ramp location: (48.015976, -122.539806)

Von & Molly Schick

**IN:** Freeland  
**AT:** E. Shoreview Dr. between  
Cameron Rd. and Woodard Ave.

**COUNTY OF:** Island  
**STATE:** WA

**APPLICATION BY:** Ice Floe DBA Nichols Brothers Boat Builders

**PROJECT DESCRIPTION:**  
10-Year annual maintenance dredge on the launch ramp and concrete boat basin. Work will be done from the land during a negative low tide. Excavated material will be loaded into sealed trucks for upland disposal at an approved facility or sidecast.

**DATE:** March 6, 2024  
**REVISED:**

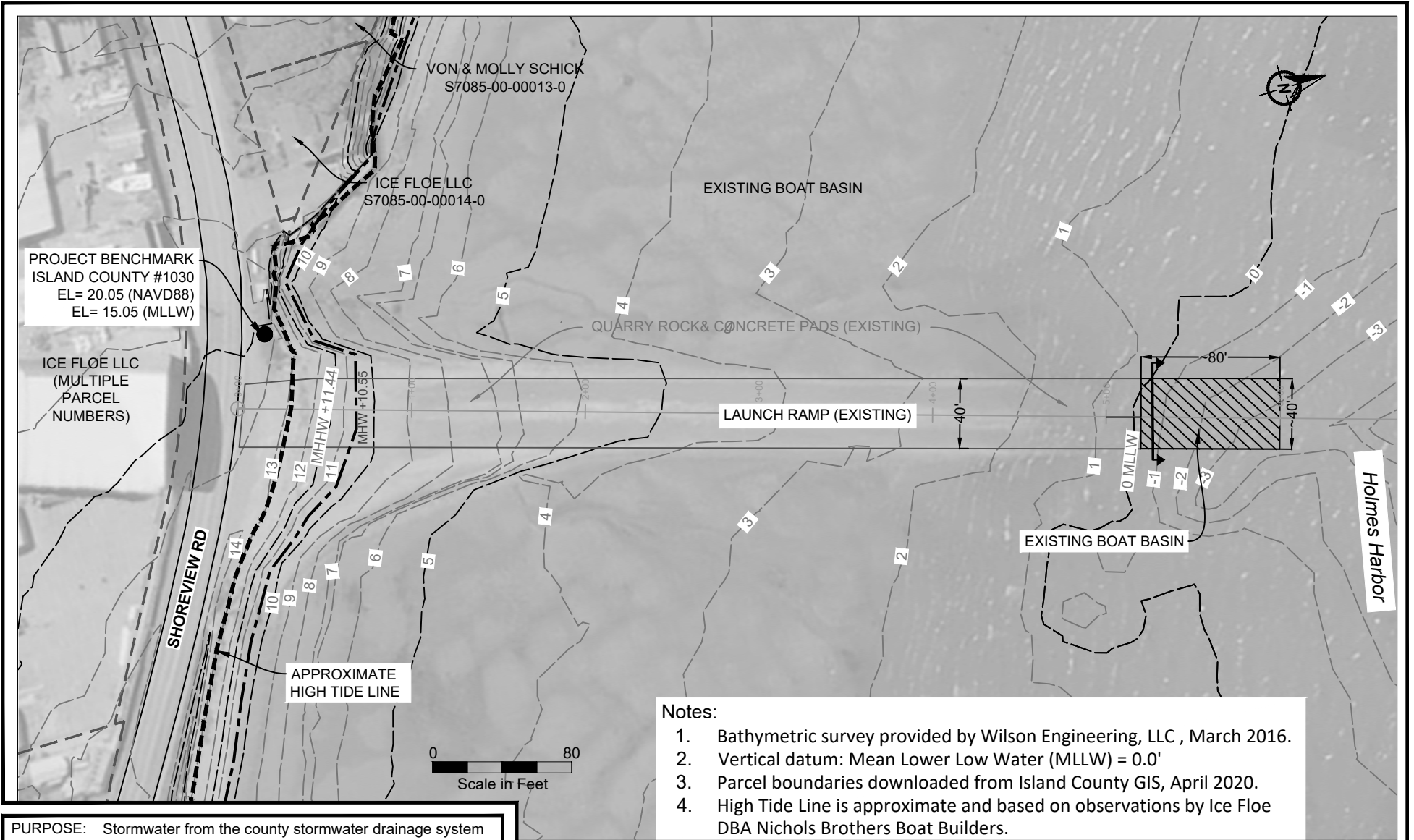
**FIGURE:** 1 OF 5

**CREATED BY:**  
Dalton, Olmsted & Fuglevand, Inc.  
Bremerton, WA

**REFERENCE #:** NWS-2024-99

**Figure 1- Location Map**

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Von & Molly Schick

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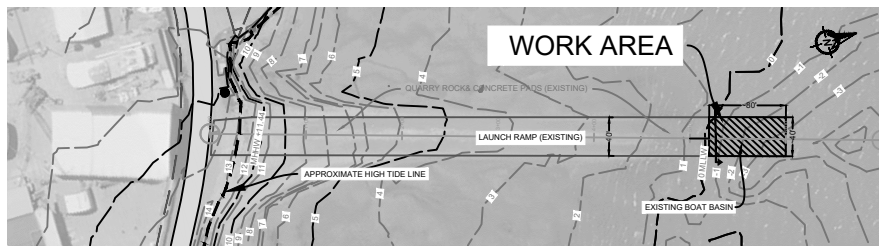
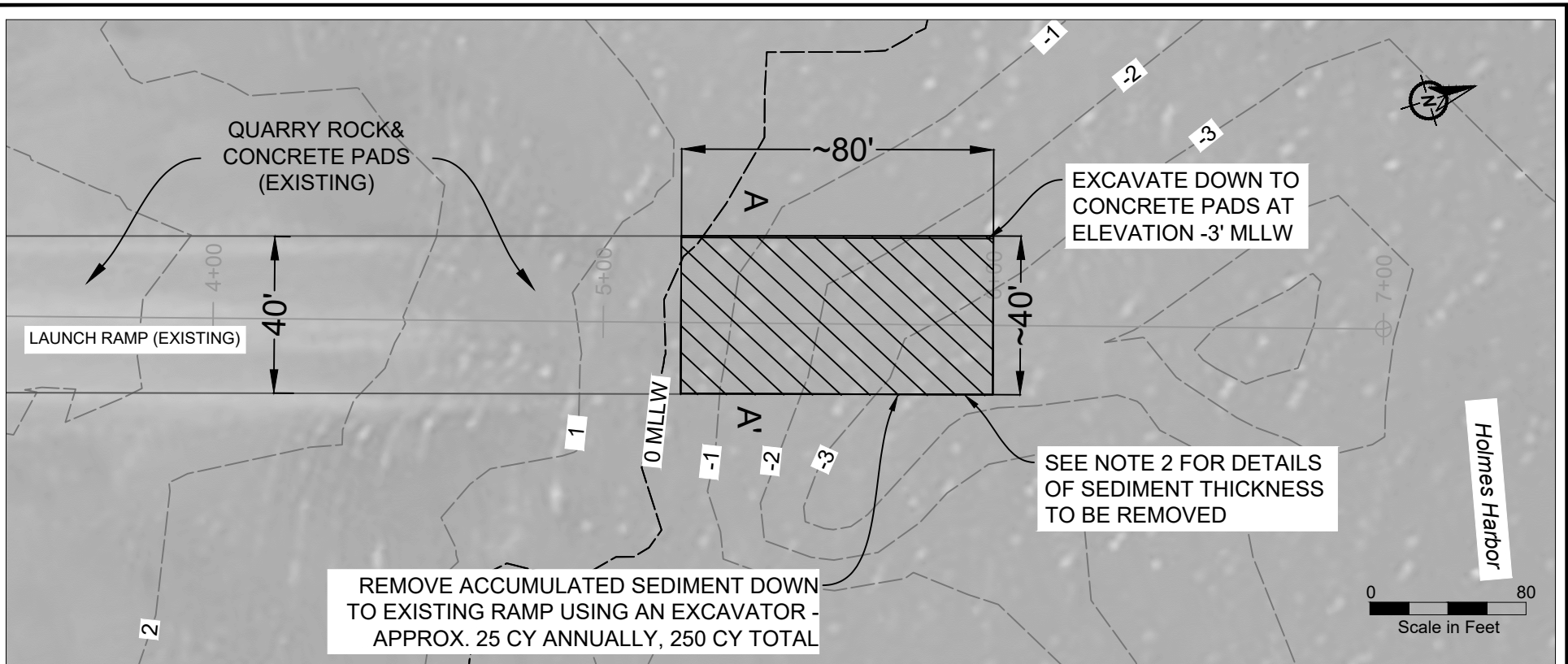
**FIGURE:** 2 OF 5

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**Figure 2 - Existing Site Plan**

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**LOCATION MAP (NTS)**

**NOTES:**

1. Sedimentation has occurred on the ramp due to stormwater from the county stormwater drainage system west of the ramp.
2. It is expected that additional sedimentation has occurred since the time of survey. depths of sediment range from approximately 3"-6" on the east side of the ramp and 2.5'-3' on the west side, as reported by the launch ramp user. All quantities are approximate.
3. Bathymetric survey provided by Wilson Engineering, LLC , March 2016.
4. Vertical datum: Mean Lower Low Water (MLLW) = 0.0'
5. Parcel boundaries downloaded from Island County GIS, April 2020.

**PURPOSE:** Stormwater from the county stormwater drainage system west of the boat ramp causes the launch ramp to fill in with sand and silt from the surrounding area. Purpose of project is to remove sediment and restore boat ramp to maintain ramp safety and function for launching boats.

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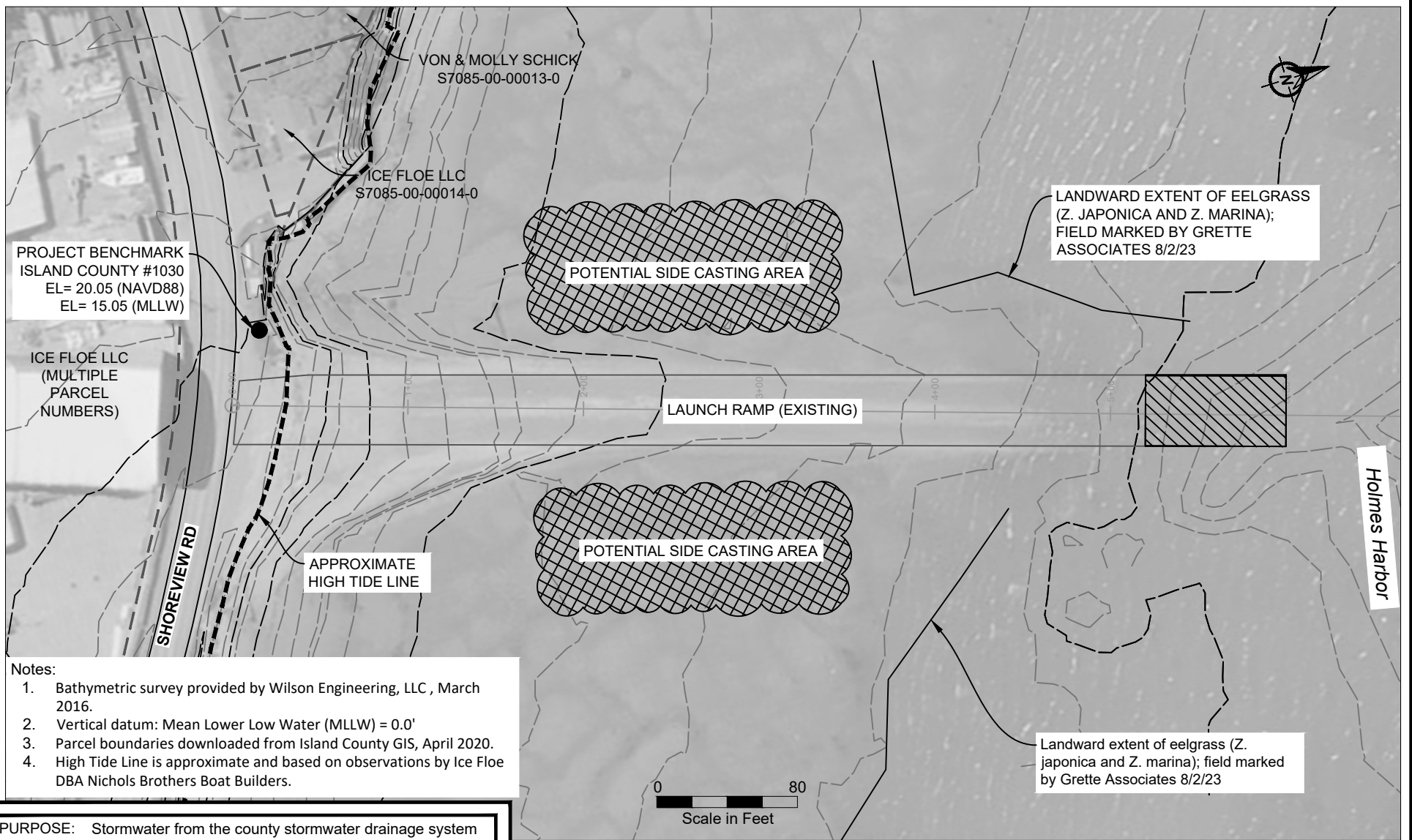
**FIGURE:** 3 OF 5

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**Figure 3 - Proposed Work - Plan View**

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- Notes:
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**FIGURE:** 4 OF 5

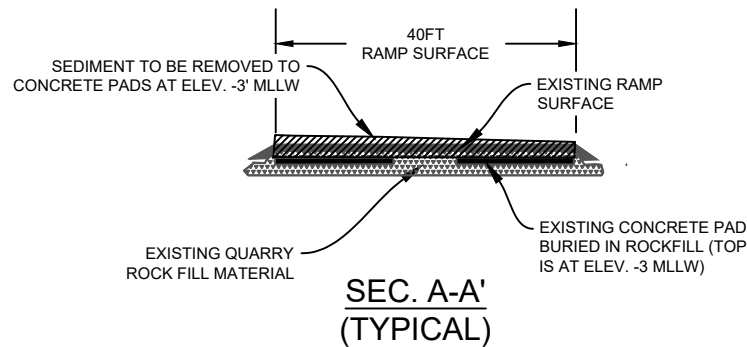
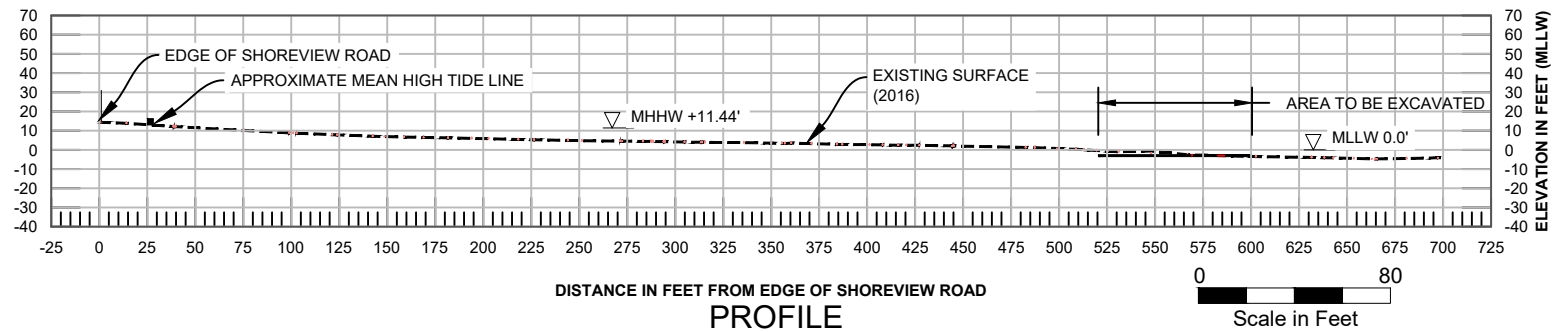
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Bremerton, WA

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**Figure 4 - Existing Conditions**



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**Figure 5 - Profile and Cross Section Views**