



US Army Corps
of Engineers
Seattle District



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) 764-6910
Attn: Jonathan Smith, 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: May 2, 2008
Expiration Date: June 1, 2008

Reference No.: NWS-2007-1761-NO
Name: Port of Everett

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.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: Port of Everett
ATTN: Graham Anderson
Post Office Box 538
Everett, Washington 98206
Telephone: (425) 388-0703 email: grahama@portofeverett.com

LOCATION: In the Snohomish River at Everett, Snohomish County, Washington.

WORK: Rebuild 500 linear feet of rock shore protection at the 10th Street Marine Park. Attach a 100-square foot kayak float to an existing float and boat ramp at lane 13. Demolish an existing concrete kayak launch ramp and cover removal area with rock level with existing adjoining substrate. Add and improve other facilities in upland portions of the park.

PURPOSE: Protect shoreline from erosion; provide a more convenient Kayak launching facility.

ADDITIONAL INFORMATION – The rock shore protection area will average 3 feet wider (1,500 square feet) waterward of the mean higher high water (MHHW) line than the existing rock shore protection.

MITIGATION: Incorporate an 8-foot wide bench at about elevation 10.0 feet (MLLW) covered by a sand/gravel substrate suitable for natural colonization by high salt marsh vegetation. Plant dune grass on sand/gravel substrate covering shore protection structure above elevation 13.0 feet.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires Federal agencies to consult with the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of

ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered including any designated critical habitat. A preliminary determination indicates that the activity may affect, but not likely adversely affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is underway for Chinook salmon, bull trout, and steelhead trout.

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 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 District Engineer 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 permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer 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 with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

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.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

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

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to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No. SMA #07-004 which was issued by the city of Everett on December 20, 2007.

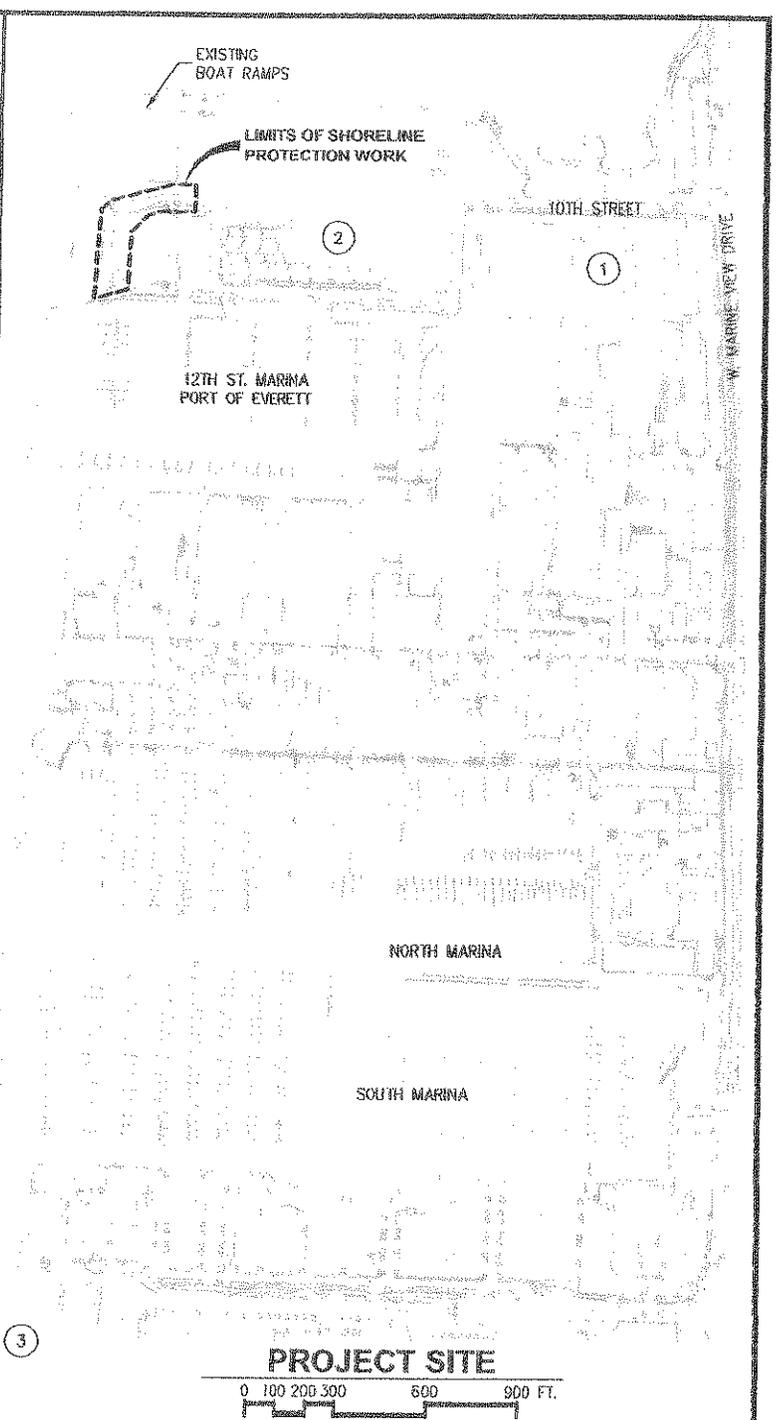
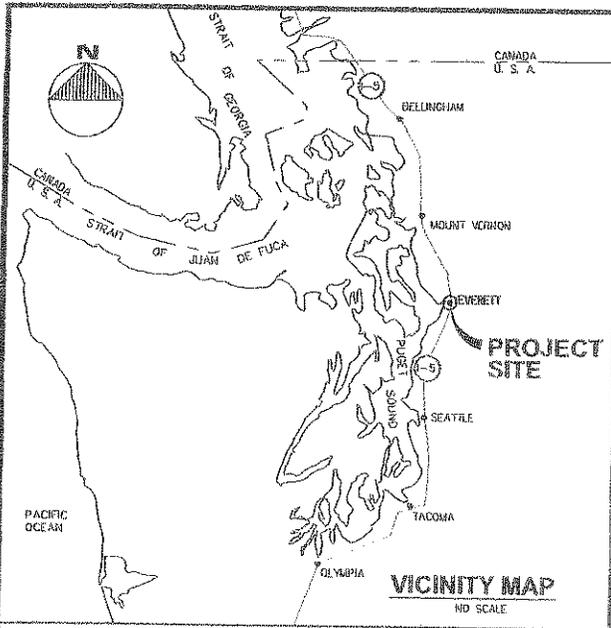
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 commentor'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 Jonathan.Smith@usace.army.mil . Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Jonathan Smith, 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: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, P.O. 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: Port of Everett, NWS-2007-1761-NO.

Encl: Figures (5)



LATITUDE
LONGITUDE

48° 00' 37.38"
-122° 22' 25.57"

DATUM

ELEVATION DATUM FOR THIS PROJECT IS 0.0 MEAN LOWER LOW WATER (MLLW)

TIDAL DATA PLANE—EVERETT, PORT GARDNER, SNOHOMISH COUNTY (FROM WASHINGTON DEPARTMENT OF ECOLOGY)

HIGHEST RECORDED TIDE: ESTIMATED (EHW)	+14.5'
MEAN HIGHER HIGH WATER (MHHW)	+11.1'
MEAN HIGH WATER (MHW)	+10.3'
MEAN (HALF) TIDE LEVEL (MTL)	+6.5'
MEAN SEA LEVEL (MSL)	+5.9'
MEAN LOW WATER (MLW)	+2.8'
MEAN LOWER LOW WATER (MLLW)	+0.0'
LOWEST RECORDED TIDE: ESTIMATED (ELW)	-4.5'

Drawings: 2004.04.055 - 10th Street Marine Park; 04-085.03 - Shore Protection Design; Permit: 04-085.03-P1.dwg

PURPOSE:

MAINTENANCE AND REPAIR

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

- 1) NORTON INDUSTRIES
- 2) PORT/CITY OF EVERETT SNOHOMISH COUNTY (JOINTLY)
- 3) US NAVY

10TH STREET MARINE PARK SHORE PROTECTION

VICINITY MAP & SITE PLAN

NWS-2007-1761-NO

PORT OF EVERETT
2911 BOND STREET
EVERETT, WA 98201

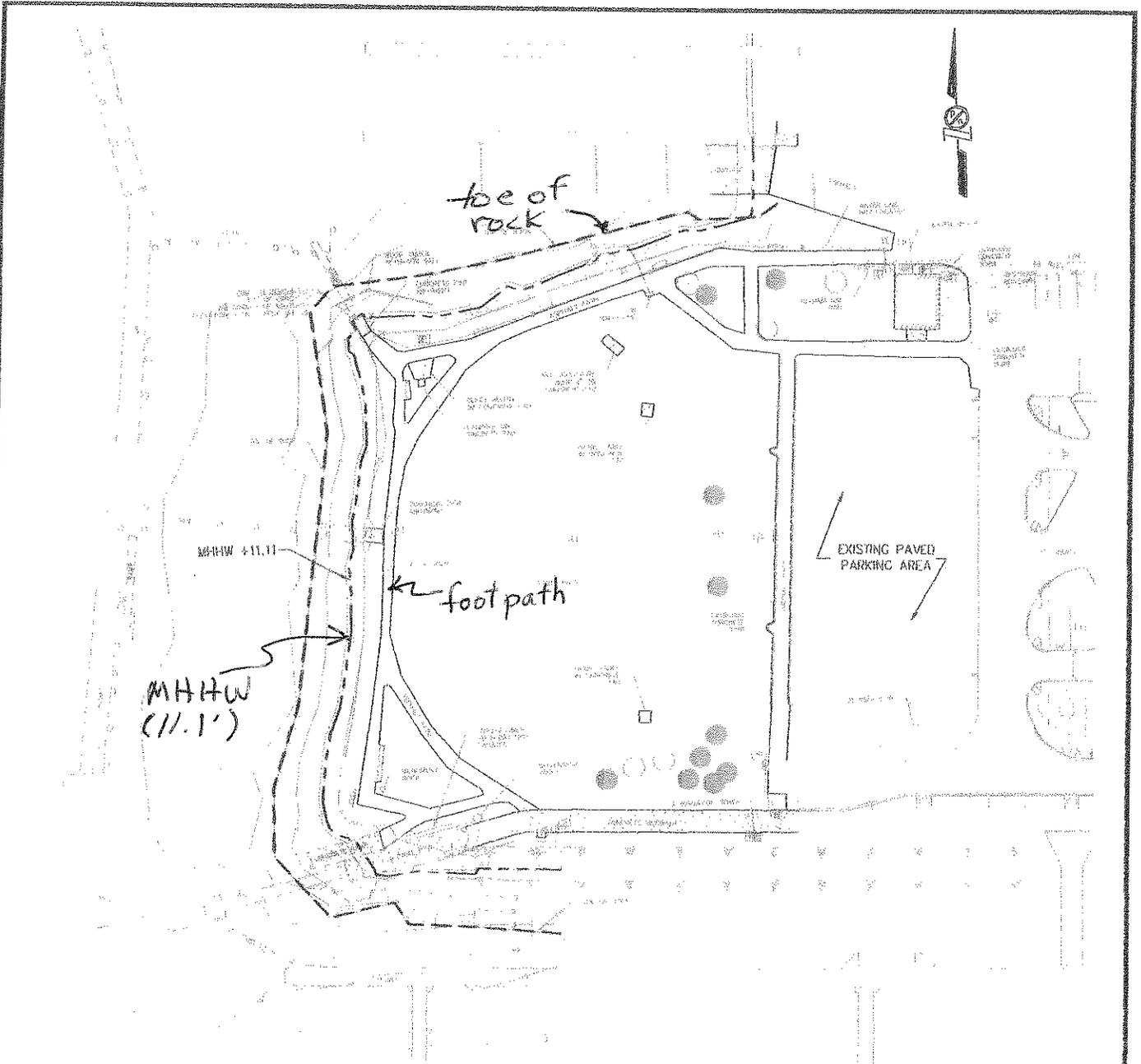
PROPOSED: 10TH STREET MARINE PARK SHORELINE PROTECTION RENOVATION

IN: SNOHOMISH RIVER CHANNEL

AT: EVERETT, WA
SEC 18, T29N, R5E

APPLICATION BY:
PORT OF EVERETT
(425) 388-0715

SHEET 1 of 5 DATE: FEB. 2007



PLAN



Drawings\2004\044085 - 10th Street Marine Park\044085_03 - Shore Protection Design\Permit\044085_03_P2.dwg

PURPOSE:
MAINTENANCE AND REPAIR

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
1) NORTON INDUSTRIES
2) PORT/CITY OF EVERETT
SNOHOMISH COUNTY (JOINTLY)
3) US NAVY

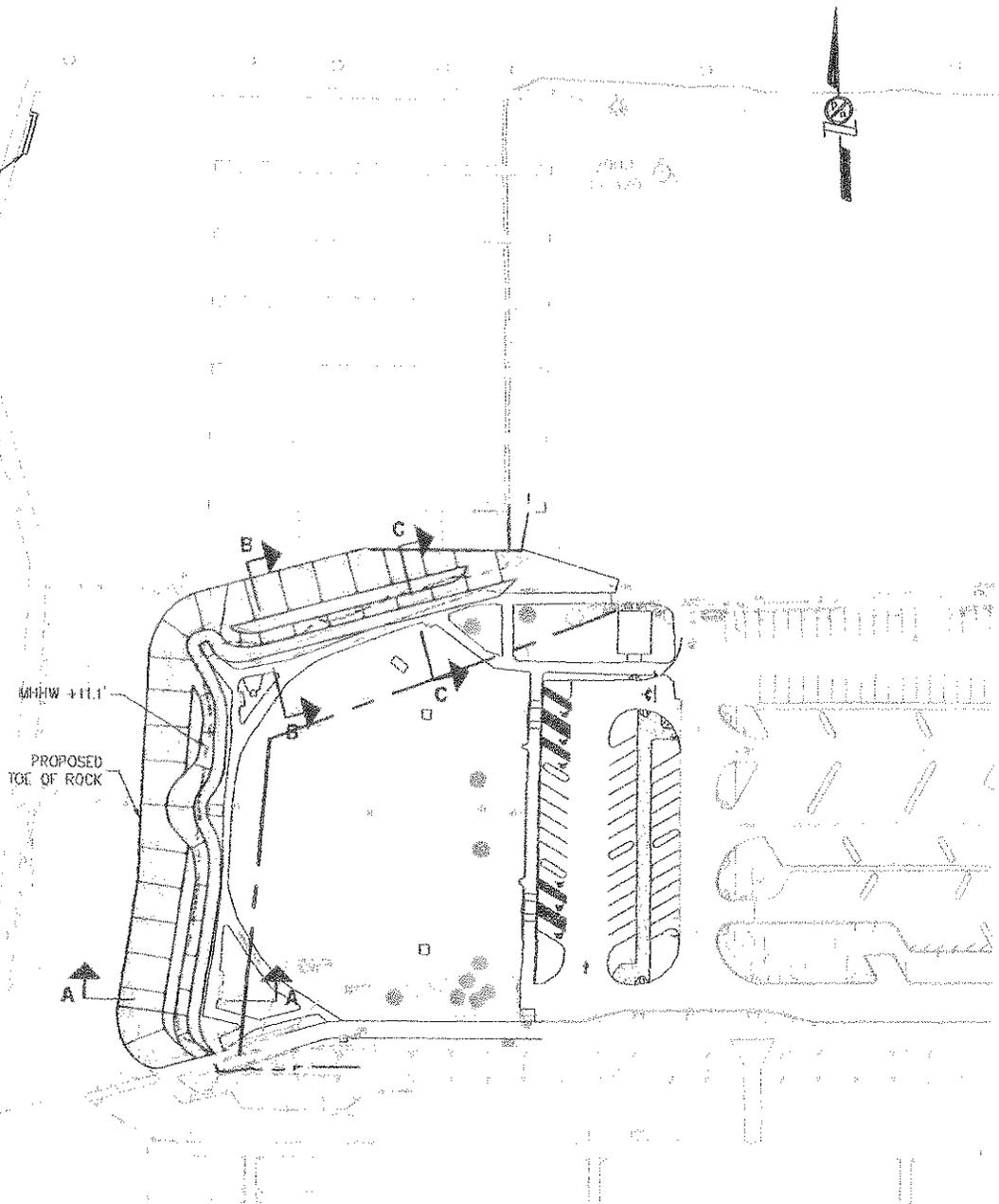
**10TH STREET MARINE PARK
SHORE PROTECTION
EXISTING CONDITION
PLAN**

NWS-2007-1761-ND

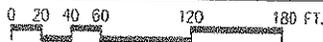
PORT OF EVERETT
2911 BOND STREET
EVERETT, WA 98201

PROPOSED: 10TH STREET
MARINE PARK SHORELINE
PROTECTION RENOVATION
IN: SNOHOMISH RIVER CHANNEL
AT: EVERETT, WA
SEC 18, T29N, R5E
APPLICATION BY:
PORT OF EVERETT
(425) 388-0715
SHEET 2 of 5 DATE: FEB. 2007

NEW TIMBER KAYAK
LAUNCH FLOATS
SEE DETAIL ON SHEET 5



PLAN



Drawings\2004\044065 - 10th Street Marine Park\044065.03 - Shore Protection\Permits\044065.03-P2.dwg

PURPOSE:
MAINTENANCE AND REPAIR

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

- 1) NORTON INDUSTRIES
- 2) PORT/CITY OF EVERETT
SNOHOMISH COUNTY (JOINTLY)
- 3) US NAVY

**10TH STREET MARINE PARK
SHORE PROTECTION**

**PROPOSED SLOPE
PROTECTION PLAN**

NWS-2007-1761-NO

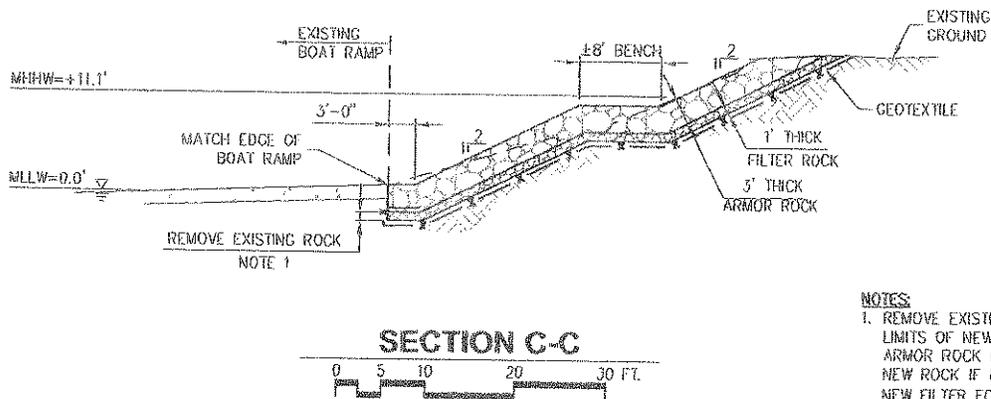
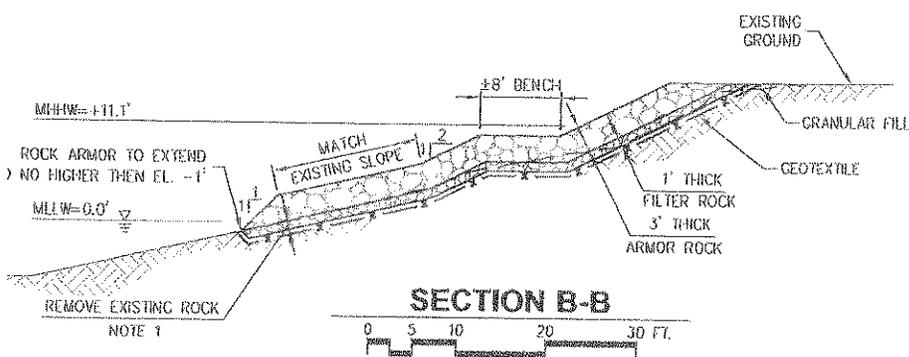
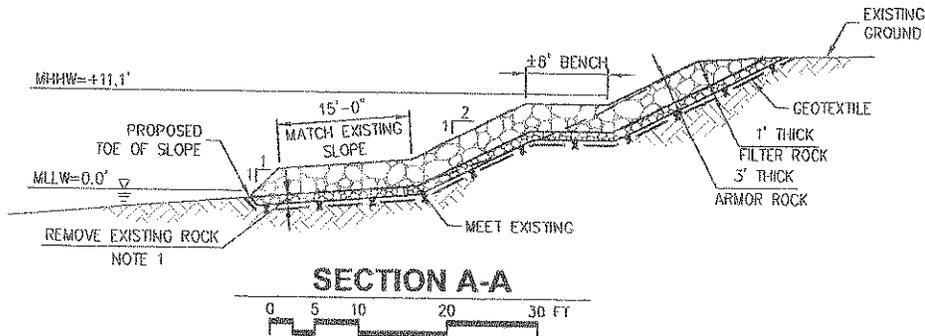
PORT OF EVERETT
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PROPOSED: 10TH STREET
MARINE PARK SHORELINE
PROTECTION RENOVATION
IN: SNOHOMISH RIVER CHANNEL

AT: EVERETT, WA
SEC 18, T29N, R5E

APPLICATION BY:
PORT OF EVERETT
(425) 388-0715

SHEET 3 of 5 DATE: FEB. 2007



- NOTES:**
1. REMOVE EXISTING ARMOR ROCK WITHIN LIMITS OF NEW SHORE PROTECTION. EXISTING ARMOR ROCK MAY BE INCORPORATED WITHIN NEW ROCK IF IT MEETS SPECIFICATIONS FOR NEW FILTER ROCK AND/OR ARMOR ROCK.
 2. FILL VOIDS OF RIPRAP BELOW EL. 13.0' WITH GRAVEL/SAND MIXTURE.

Drawings: 2004-04-085 - 10th Street Marine Park, 044055.03 - Shore Protection Design, Permit: 044055.03 - P1.dwg

PURPOSE:
MAINTENANCE AND REPAIR

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

- 1) NORTON INDUSTRIES
- 2) PORT/CITY OF EVERETT SNOHOMISH COUNTY (JOINTLY)
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10TH STREET MARINE PARK SHORE PROTECTION TYPICAL SECTIONS

NWS-2007-1761-ND

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PROPOSED: 10TH STREET MARINE PARK SHORELINE PROTECTION RENOVATION

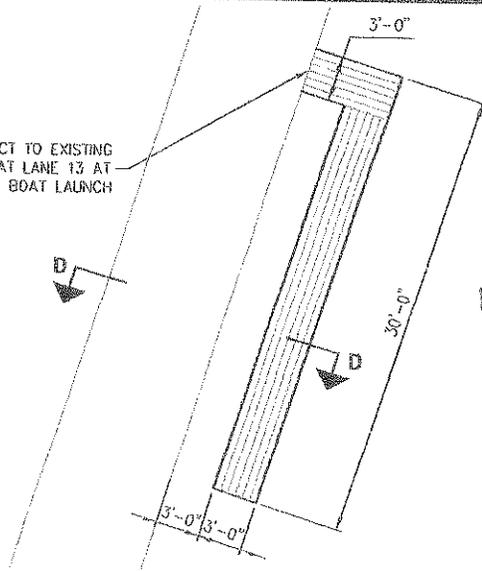
IN: SNOHOMISH RIVER CHANNEL

AT: EVERETT, WA
SEC 18, T29N, R5E

APPLICATION BY:
PORT OF EVERETT
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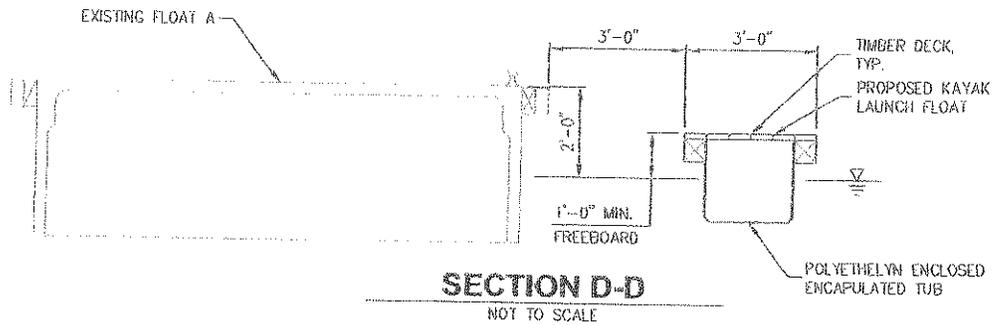
SHEET 4 of 5 DATE: FEB. 2007

CONNECT TO EXISTING
FLOAT LANE 13 AT
10TH ST. BOAT LAUNCH

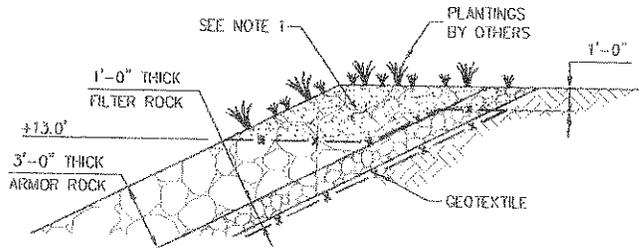


Note: Water depth
beneath kayak float
is about -8.0 feet (MLLW)

**PROPOSED
KAYAK LAUNCH FLOAT**
NOT TO SCALE



SECTION D-D
NOT TO SCALE



**TYPICAL TOP
OF SLOPE DETAIL**
NOT TO SCALE

NOTES:

1. PLACE FILTER ROCK/SOIL BLEND IN VOIDS OF ARMOR ROCK WITHIN LIMITS INDICATED.
2. FILL VOIDS OF RIPRAP BELOW EL. 13.0' WITH GRAVEL/SAND MIXTURE.

PURPOSE:
MAINTENANCE AND REPAIR

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
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SNOHOMISH COUNTY (JOINTLY)
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**10TH STREET MARINE PARK
SHORE PROTECTION
TYPICAL SECTIONS**

NWS-2007-1761-ND

PORT OF EVERETT
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