



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) 764-6906  
Attn: Jim Green, Project Manager

WA Department of Ecology  
SEA Program  
300 Desmond Drive Southeast  
Olympia, WA 98503-7600  
Telephone (360) 407-6068  
Attn: SEA Program, Federal Permit  
Coordinator

**Public Notice Date:** December 11, 2008  
**Expiration Date:** January 10, 2009

Reference No.: NWS-2007-606-SO  
Name: Sperry Ocean Dock, Ltd.

---

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received a revised application to perform work in waters of the United States as described below and shown on the enclosed drawings. The work was previously described in Public Notice No. NWS-2007-606-SO, dated September 20, 2007.

The revisions, as shown on the attached revised drawings dated November, 2008, consist of reducing the scope of the original proposal. Instead of redeveloping the existing property structures and constructing a new pier, the revised plans are to only maintain the existing shoreline structures by replacing a portion of the wharf surface, replacing deteriorated piles, relocating an existing dolphin, and stabilizing a section of armored shoreline.

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:** Sperry Ocean Dock, Ltd.  
Post Office Box 349  
Seahurst, Washington 98062-0349  
Telephone: (206) 835-5694

**AGENT:** Grette Associates, LLC  
2102 North 30<sup>th</sup> Street, Suite A  
Tacoma, Washington 98403  
ATTN: Mr. Matthew Boyle  
Telephone: (253) 573-9300

**LOCATION:** In Commencement Bay, Puget Sound at Tacoma, Washington.

**WORK:** Demolition would entail removal of a 139-foot swath (19,043 square feet) of deteriorated timber wharf, associated joists, and portions of timber caps. Ten to 13 bent lines of concrete columns, associated concrete footings, and the remaining cap beams would remain that would be used to support the reconstructed wharf surface. Following removal of the wharf surface and associated structures, the exposed shoreline beneath this area would be

cleaned by removing old blacktop and debris that has become trapped. The timber surface that is removed would be replaced with a concrete surface constructed in the same footprint on the 10 to 13 bent lines of existing concrete columns and new reinforced concrete headers.

Under an existing adjacent working dock and small timber dock, 18 creosote-treated piling (14-inches in diameter) would be replaced with concrete-filled, steel pipe piles of the same or greater diameter. An existing 18 x 18-foot mooring dolphin would be removed and a new 12 x 18-foot breasting dolphin with twelve 24-inch steel piles would be installed along the northern extent of the property in line with existing breasting dolphins. The installation of larger diameter piling is necessary to accommodate more stringent safety requirements for inclement weather conditions.

The proposed bank stabilization work at the northwestern corner of the property is the same as originally proposed. The existing concrete wall consisting of stacked blocks that are cracking and eroding will be reinforced with geotextile fabric and placement of new limestone riprap (up to 680 cubic yards). Habitat mix will be placed on top of the riprap.

**PURPOSE:** The purpose of the revised work is to maintain existing structures including the stabilized shoreline and to allow for continued use of and safe access to the Sperry facility.

**ADDITIONAL INFORMATION** – 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 scroll down the alphabetical listing of District elements, and click on “Regulatory” and then “Regulatory – Permits” for the Seattle District’s Regulatory homepage. Select the prominently displayed “Public Notices” heading and a list of recently-issued public notices will appear, in chronological order of the date of issuance. Select and view the listing for this project.

**MITIGATION:** Maintenance of the existing wharf would require the resurfacing of 18,358 square feet of overwater structure as compared to the original proposal which would add 59,000 square feet of new overwater structure. In addition, the replacement dolphin would reduce another 108 square feet of overwater structure. In addition, numerous conservation measures will be employed during construction as follows: a vibratory pile driver will be utilized, when possible; bubble curtains and a wood block will be utilized when driving piling; piling will be extracted with a vibratory extractor and/or clamshell bucket; work will comply with all inwater work windows and water quality measures required by the Department of Ecology and as specified in the Biological Evaluation dated April, 2007; intertidal work will be completed in the dry whenever possible; contractors will be required to capture construction debris and remove from water; and the contractor will be required to prepare a Spill Prevention, Control, and Countermeasures plan to be used for the duration of the project.

**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 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. ESA consultation with the NMFS and USFWS has been completed for the original proposal. Because the revised work is a reduction in scope, reconsultation is not necessary.

**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 U.S. Army Corps of Engineers (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 revised 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 reinitiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), 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 to certify or deny certification for the proposed project.

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

NWS-2007-606-SO

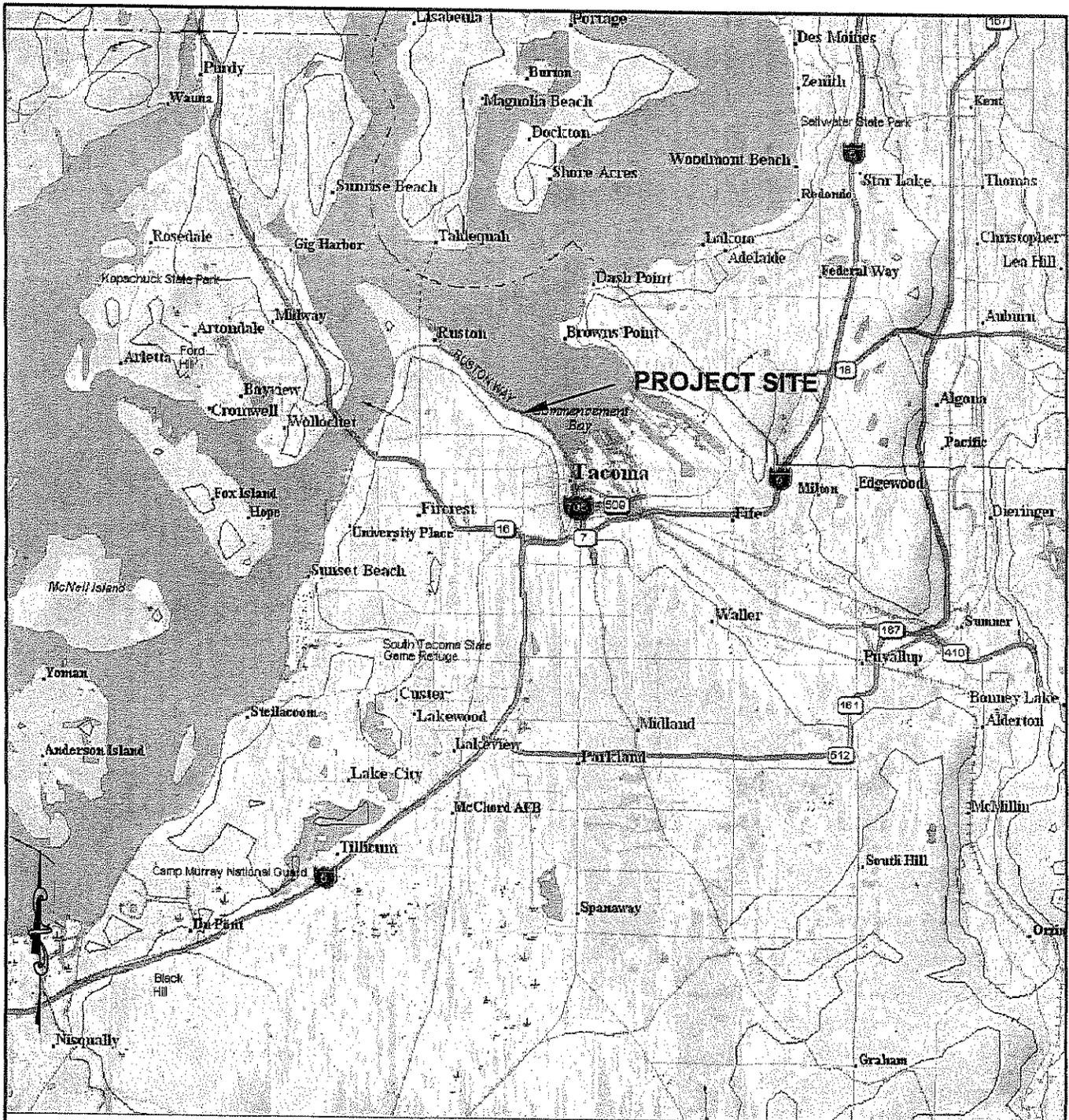
and reference number, as shown below, and the commentor's name, address, and phone number. All comments, whether conventional mail or e-mail, must reach this office no later than the expiration date of this public notice to ensure consideration.

Corps Comments: All e-mail comments should be sent to [james.d.green@usace.army.mil](mailto:james.d.green@usace.army.mil). Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Mr. Jim Green, 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, 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, 98503-7600, or e-mail to [ecyrefedpermit@ecy.wa.gov](mailto:ecyrefedpermit@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: Sperry Ocean Dock, Ltd. - File No. NWS-2007-606-SO

Encl: Figures (6 drawing sheets)



Data use subject to license.

© 2004 DeLorme. Topo USA® 5.0.

www.delorme.com



Data Zoom 9-7

**PURPOSE:**  
SHORELINES STRUCTURES MAINTENANCE

**PROJECT COORDINATES:** 47° 16' 26" N  
122° 27' 25" W

**LEGAL DESCRIPTION:**  
COUNTY PARCEL NOS. 8950002340, 8950002320,  
8950002312  
SECTION 29, T. 21 N., R. 3 E. W.M.

**VICINITY MAP**

**SPERRY OCEAN DOCK**

**REFERENCE:** NWS-2007-606-SO

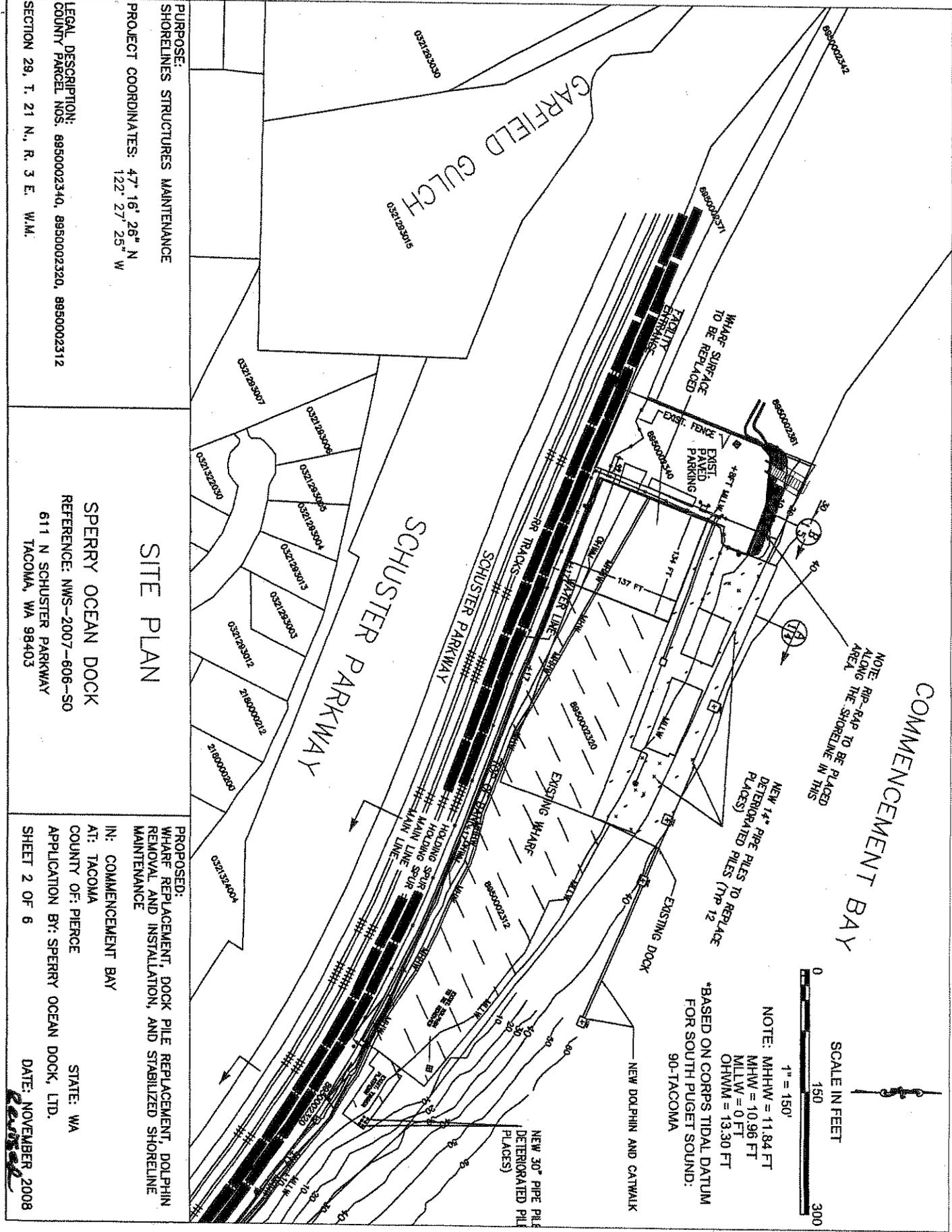
611 N SCHUSTER PARKWAY  
TACOMA, WA 98403

**PROPOSED:**  
WHARF REPLACEMENT, DOCK PILE  
REPLACEMENT, DOLPHIN REMOVAL AND  
INSTALLATION, AND STABILIZED SHORELINE  
MAINTENANCE

**IN:** COMMENCEMENT BAY  
**AT:** TACOMA  
**COUNTY OF:** PIERCE **STATE:** WA

**APPLICATION BY:** SPERRY OCEAN DOCK, LTD.  
**SHEET 1 OF 6** **DATE:** NOVEMBER 2008

*Revised*



COMMENCEMENT BAY

SCALE IN FEET  
0 150 300

NOTE: MHHW = 11.84 FT  
MHW = 10.96 FT  
MLLW = 0 FT  
OHWM = 13.30 FT  
\*BASED ON CORPS TIDAL DATUM FOR SOUTH PUGET SOUND: 90-TACOMA

NEW 14" PIPE PILES TO REPLACE DETERIORATED PILES (TYP 12 PLACES)

NOTE: RIP-RAP TO BE PLACED ALONG THE SHORELINE IN THIS AREA

PURPOSE:  
SHORELINES STRUCTURES MAINTENANCE

PROJECT COORDINATES: 47° 16' 26" N  
122° 27' 25" W

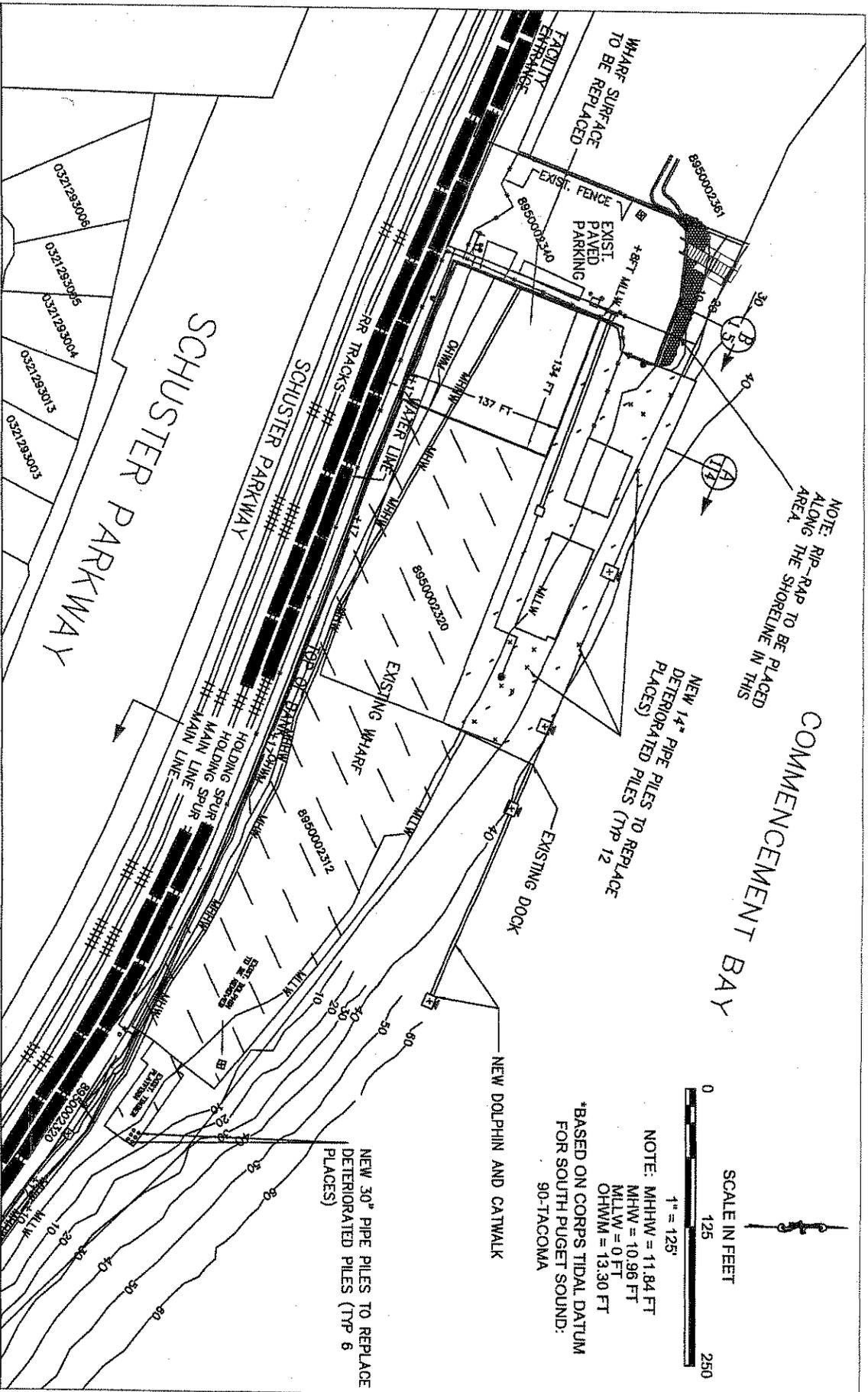
LEGAL DESCRIPTION:  
COUNTY PARCEL NOS. 8950002340, 8950002320, 8950002312  
SECTION 29, T. 21 N., R. 3 E. W.M.

SITE PLAN

SPERRY OCEAN DOCK  
REFERENCE: NWS-2007-606-SO  
611 N SCHUSTER PARKWAY  
TACOMA, WA 98403

PROPOSED:  
WHARF REPLACEMENT DOCK PILE REPLACEMENT, DOLPHIN REMOVAL AND INSTALLATION, AND STABILIZED SHORELINE MAINTENANCE

IN: COMMENCEMENT BAY  
AT: TACOMA  
COUNTY OF: PERCE  
APPLICATION BY: SPERRY OCEAN DOCK, LTD.  
STATE: WA  
DATE: NOVEMBER 2008



NOTE: RIP-RAP TO BE PLACED ALONG THE SHORELINE IN THIS AREA.

COMMENCEMENT BAY

NEW 14" PIPE PILES TO REPLACE DETERIORATED PILES (TYP 12 PLACES)



NOTE: MHHW = 11.84 FT  
 MHW = 10.96 FT  
 MLW = 0 FT  
 OHWM = 13.30 FT  
 \*BASED ON CORPS TIDAL DATUM FOR SOUTH PUGET SOUND: 90-TACOMA

NEW 30" PIPE PILES TO REPLACE DETERIORATED PILES (TYP 6 PLACES)

PURPOSE:  
 SHORELINES STRUCTURES MAINTENANCE

PROJECT COORDINATES: 47° 16' 26" N  
 122° 27' 25" W

LEGAL DESCRIPTION:  
 COUNTY PARCEL NOS: 8950002340, 8950002320, 8950002312  
 SECTION 29, T. 21 N., R. 3 E. W.M.

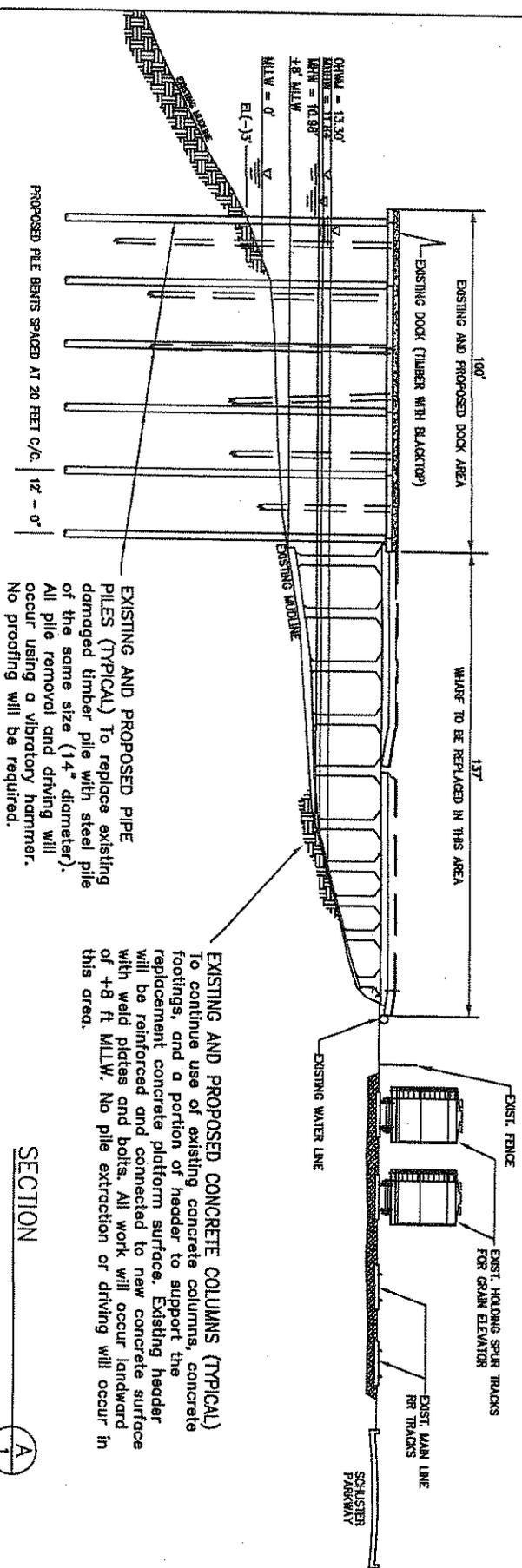
EXISTING AND PROPOSED CONDITIONS

PLAN VIEW  
 SPERRY OCEAN DOCK  
 REFERENCE: NWS-2007-606-SO  
 611 N SCHUSTER PARKWAY  
 TACOMA, WA 98403

PROPOSED:  
 WHARF REPLACEMENT, DOCK PILE REPLACEMENT, DOLPHIN REMOVAL AND INSTALLATION, AND STABILIZED SHORELINE MAINTENANCE

IN: COMMENCEMENT BAY  
 AT: TACOMA  
 COUNTY OF: PIERCE  
 APPLICATION BY: SPERRY OCEAN DOCK, LTD.  
 STATE: WA  
 DATE: NOVEMBER 2008  
 SHEET 3 OF 6

Revised



EXISTING AND PROPOSED PIPE PILES (TYPICAL) To replace existing damaged timber pile with steel pile of the same size (14" diameter). All pile removal and driving will occur using a vibratory hammer. No proofing will be required.

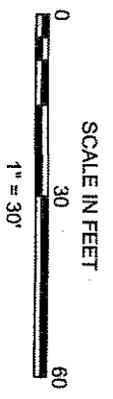
EXISTING AND PROPOSED CONCRETE COLUMNS (TYPICAL) To continue use of existing concrete columns, concrete footings, and a portion of header to support the replacement concrete platform surface. Existing header will be reinforced and connected to new concrete surface with weld plates and bolts. All work will occur landward of +8 ft MLLW. No pile extraction or driving will occur in this area.

SECTION



\*BASED ON CORPS TIDAL DATUM FOR SOUTH PUGET SOUND:  
90-TACOMA

NOTE: MHHW = 11.84 FT  
MHW = 10.96 FT  
MLLW = 0.00 FT  
OHWM = 13.30 FT



PURPOSE:  
SHORELINE STRUCTURES MAINTENANCE

PROJECT COORDINATES: 47° 16' 26" N  
122° 27' 25" W

EXISTING AND PROPOSED CONDITIONS

BERTH 1 - SECTION

SPERRY OCEAN DOCK  
REFERENCE: NWS-2007-606-SO  
611 N SCHUSTER PARKWAY  
TACOMA, WA 98403

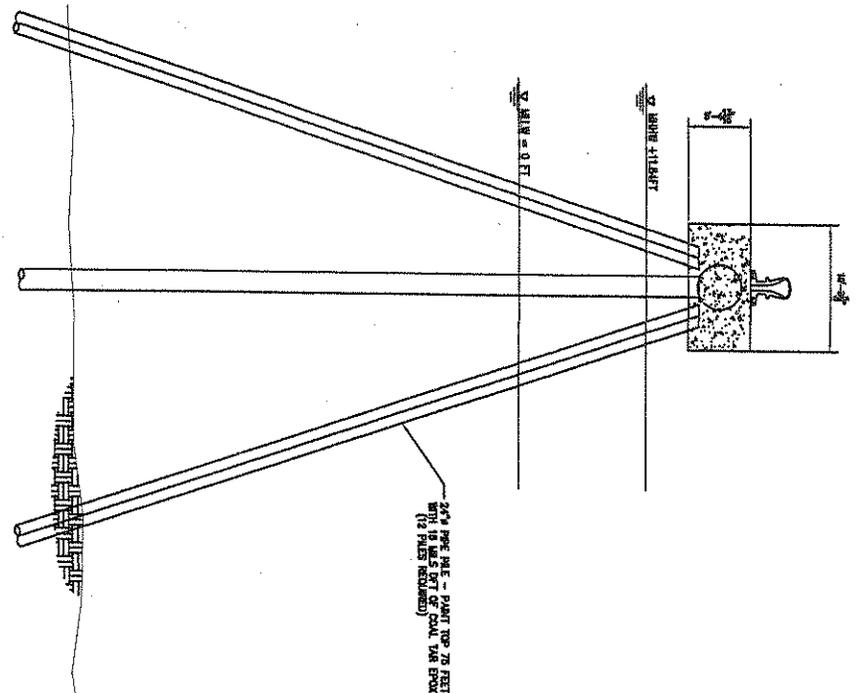
PROPOSED:  
WHARF REPLACEMENT, DOCK PILE REPLACEMENT, DOLPHIN REMOVAL AND INSTALLATION, AND STABILIZED SHORELINE MAINTENANCE

IN: COMMENCEMENT BAY  
AT: TACOMA  
COUNTY OF: PIERCE  
APPLICATION BY: SPERRY OCEAN DOCK, LTD.  
STATE: WA  
DATE: NOVEMBER 2008

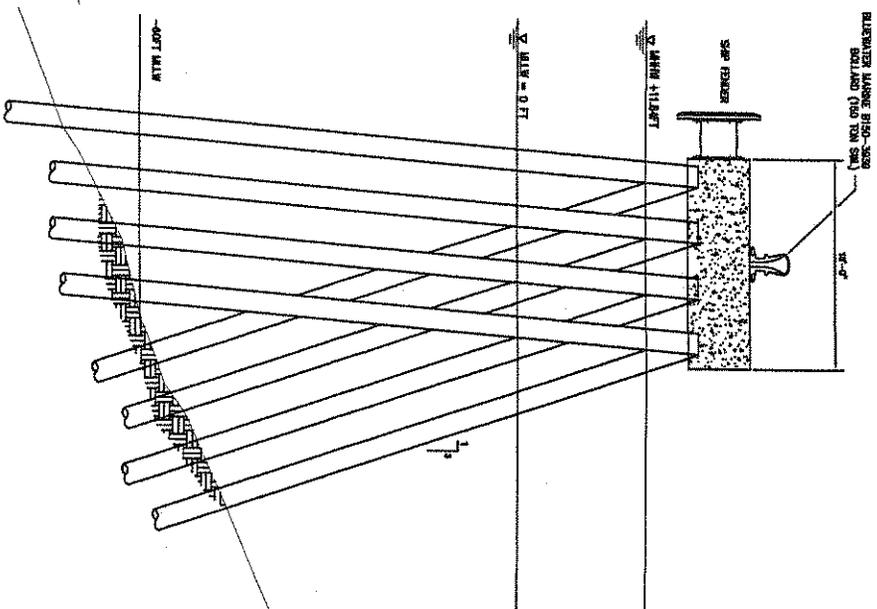
LEGAL DESCRIPTION:  
COUNTY PARCEL NOS. 8950002340, 8950002320, 8950002312

SECTION 29, T. 21 N., R. 3 E. W.M.

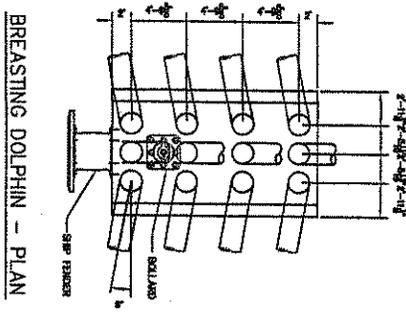
SHEET 4 OF 6



BREASTING DOLPHIN - FRONT ELEVATION



BREASTING DOLPHIN - SIDE ELEVATION



BREASTING DOLPHIN - PLAN

PURPOSE:  
SHORELINES STRUCTURES MAINTENANCE

PROJECT COORDINATES: 47° 16' 26" N  
122° 27' 25" W

LEGAL DESCRIPTION:  
COUNTY PARCEL NOS: 8950002340, 8950002320, 8950002312

SECTION 29, T. 21 N., R. 3 E. W.M.

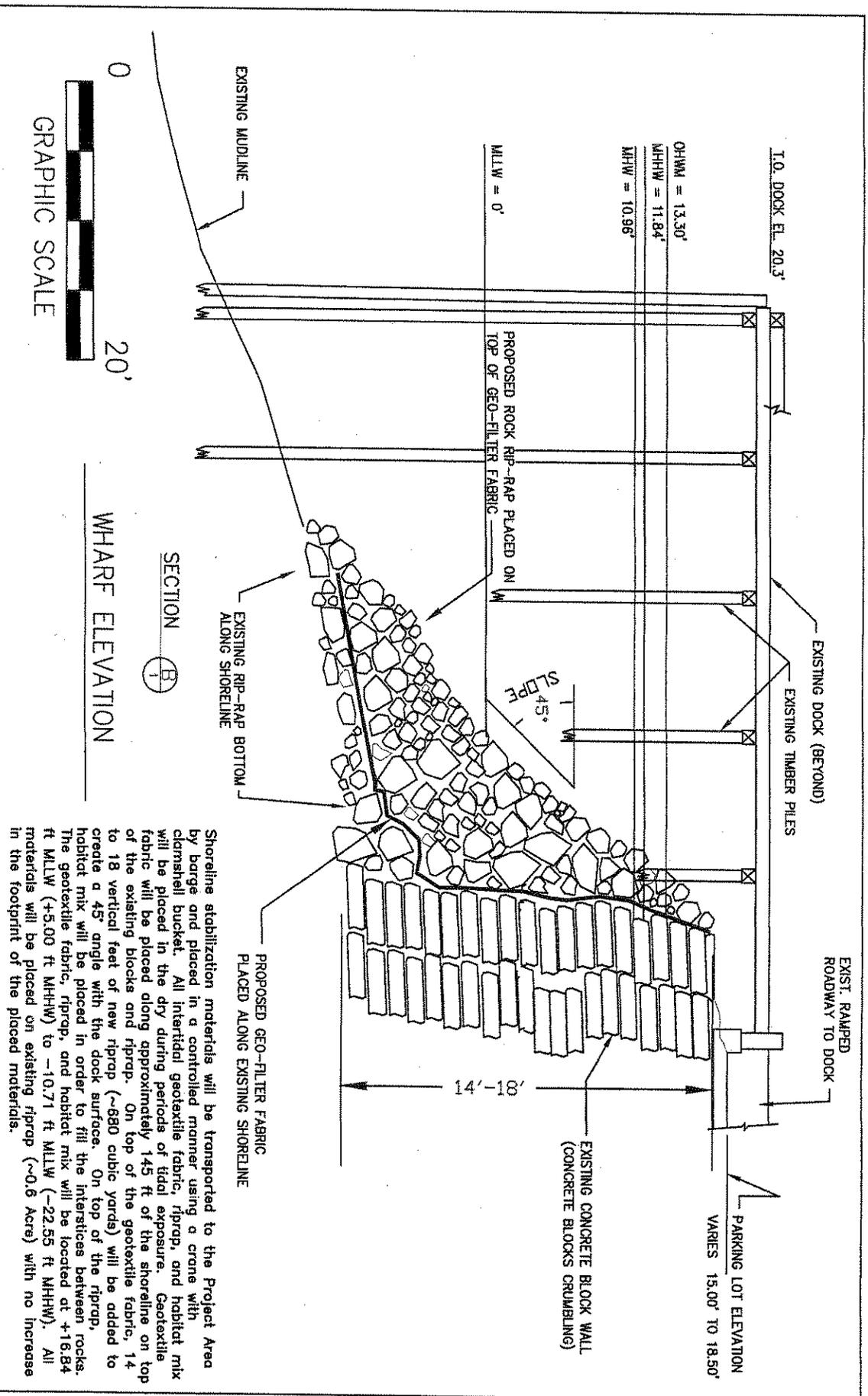
**PROPOSED CONDITIONS**  
DOLPHIN CONFIGURATION

SPERRY OCEAN DOCK  
REFERENCE: NWS-2007-606-SO  
611 N SCHLUSTER PARKWAY  
TACOMA, WA 98403

PROPOSED:  
WHARF REPLACEMENT, DOCK PILE REPLACEMENT, DOLPHIN  
REMOVAL AND INSTALLATION, AND STABILIZED SHORELINE  
MAINTENANCE

IN: COMMENCEMENT BAY  
AT: TACOMA  
COUNTY OF: PIERCE  
APPLICATION BY: SPERRY OCEAN DOCK, LTD.  
STATE: WA  
DATE: NOVEMBER 2008

Revised



Shoreline stabilization materials will be transported to the Project Area by barge and placed in a controlled manner using a crane with clamshell bucket. All intertidal geotextile fabric, riprap, and habitat mix will be placed in the dry during periods of tidal exposure. Geotextile fabric will be placed along approximately 145 ft of the shoreline on top of the existing blocks and riprap. On top of the geotextile fabric, 14 to 18 vertical feet of new riprap (~880 cubic yards) will be added to create a 45° angle with the dock surface. On top of the riprap, habitat mix will be placed in order to fill the interstices between rocks. The geotextile fabric, riprap, and habitat mix will be located at +16.84 ft MLW (+5.00 ft MHHW) to -10.71 ft MLW (-22.55 ft MHHW). All materials will be placed on existing riprap (~0.6 Acres) with no increase in the footprint of the placed materials.

**PURPOSE:**  
SHORELINE STRUCTURES MAINTENANCE

**PROJECT COORDINATES:** 47° 16' 26" N  
122° 27' 25" W

**LEGAL DESCRIPTION:** 8950002340, 8950002320, 8950002312  
**COUNTY PARCEL NOS:** 8950002340, 8950002320, 8950002312

**SECTION 29, T. 21 N., R. 3 E. W.M.**

**PROPOSED CONDITIONS**

**SHORELINE STABILIZATION**

**BERTH 1 - CROSS SECTION**

**SPERRY OCEAN DOCK**

**REFERENCE: NWS-2007-606-S0**

**611 N SCHUSTER PARKWAY**  
**TACOMA, WA 98403**

**PROPOSED:**  
WHARF REPLACEMENT, DOCK PILE REPLACEMENT, DOLPHIN REMOVAL AND INSTALLATION, AND STABILIZED SHORELINE MAINTENANCE

**IN: COMMENCEMENT BAY**

**AT: TACOMA**

**COUNTY OF: PIERCE**

**APPLICATION BY: SPERRY OCEAN DOCK, LTD.**

**STATE: WA**

**DATE: NOVEMBER 2008**

**SHEET 6 OF 6**