



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 Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone (206) 764-6914
Attn: John Pell, 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 6, 2008
Expiration Date: December 5, 2008

Reference No.: NWS-2008-01135
Name: Simpson Lumber Company

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 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to the Coastal Zone Management Act.

APPLICANT: Simpson Lumber Company, LLC
100 North Front Street
Shelton, Washington 98584
ATTN:
Telephone: (360) 427-4820

LOCATION: The project is located at 204 East Railroad Avenue, Shelton, Washington; in Shelton Harbor, Oakland Bay.

WORK: The applicant proposes to replace damaged crossbeams at a structure known as the barge loading grids, replace damaged timber piles at the south pile wall, and maintenance dredge up to 185 cubic yards of accumulated sediments the barge access channel.

PURPOSE: Maintain operational use of the barge loading facilities and maintain navigability within the barge access channel.

ADDITIONAL INFORMATION – 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 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: The applicant proposes to replace the creosote treated piles and crossbeams with ACZA treated lumber.

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. 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.

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. The permit area was created in modern times and has had no historic human habitation; therefore, little likelihood exists for the proposed project to impinge upon an 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.

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 CZM consistency for the proposed project.

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

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be

NWS-2008-1135

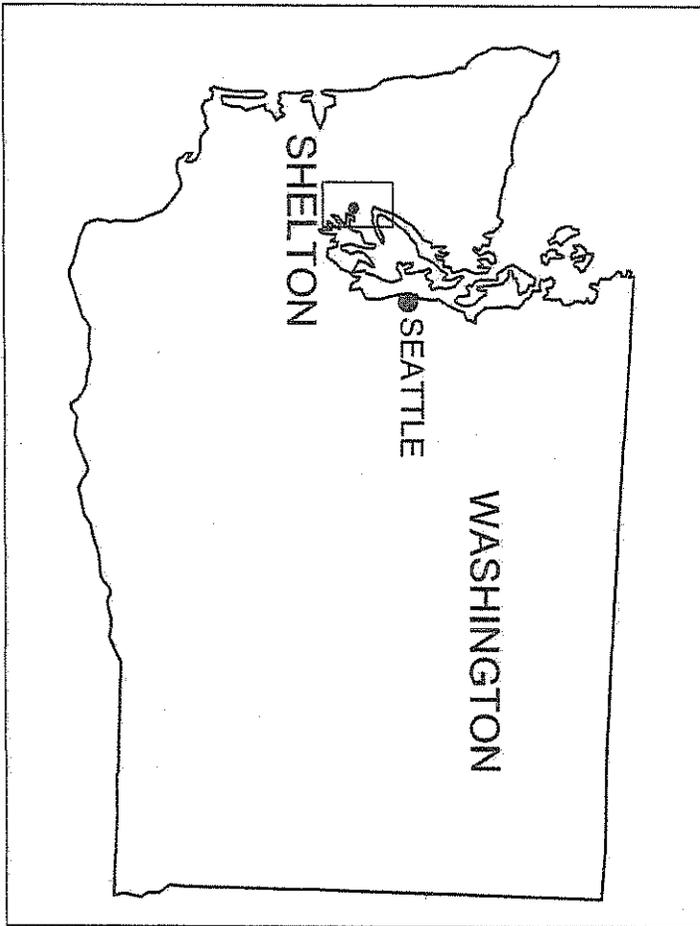
accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit 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 John.L.Pell@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: John Pell, Post Office Box 3755, Seattle, Washington, 98124-3755.

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: 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: Simpson Lumber Company; NWS-2008-1135.

Encl: Figures (4)



NOT TO SCALE



Ref: NWS-2008-1135
 Simpson Lumber Company

PURPOSE: FACILITY MAINTENANCE

DATUM: LAT: 47° 12' 28.69" LONG: 123° 05' 42.26"

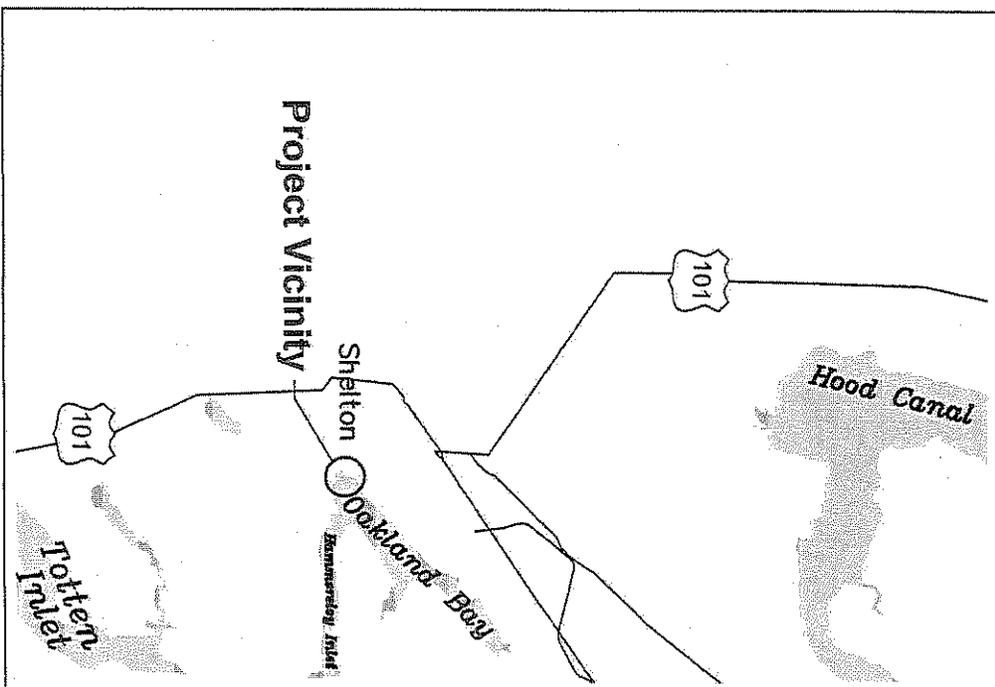
ADJACENT PROPERTY OWNERS:
MANKE LUMBER COMPANY AND SHELTON MARINA

VICINITY MAP

NAME: SIMPSON TIMBER COMPANY LOADING GRIDS
FACILITY MAINTENANCE PROJECT

REFERENCE #:

SITE LOCATION ADDRESS: 215 N. 3RD STREET
SHELTON, WA 98584



PROPOSED: REPAIRS TO BARGE SLIPS

IN: SHELTON
NEAR/AT: OAKLAND BAY
COUNTY OF: MASON
STATE: WA

DATE: JULY 2008

SHEET: 1 OF 4

Ref: NWS-2008-1135
Simpson Lumber Company

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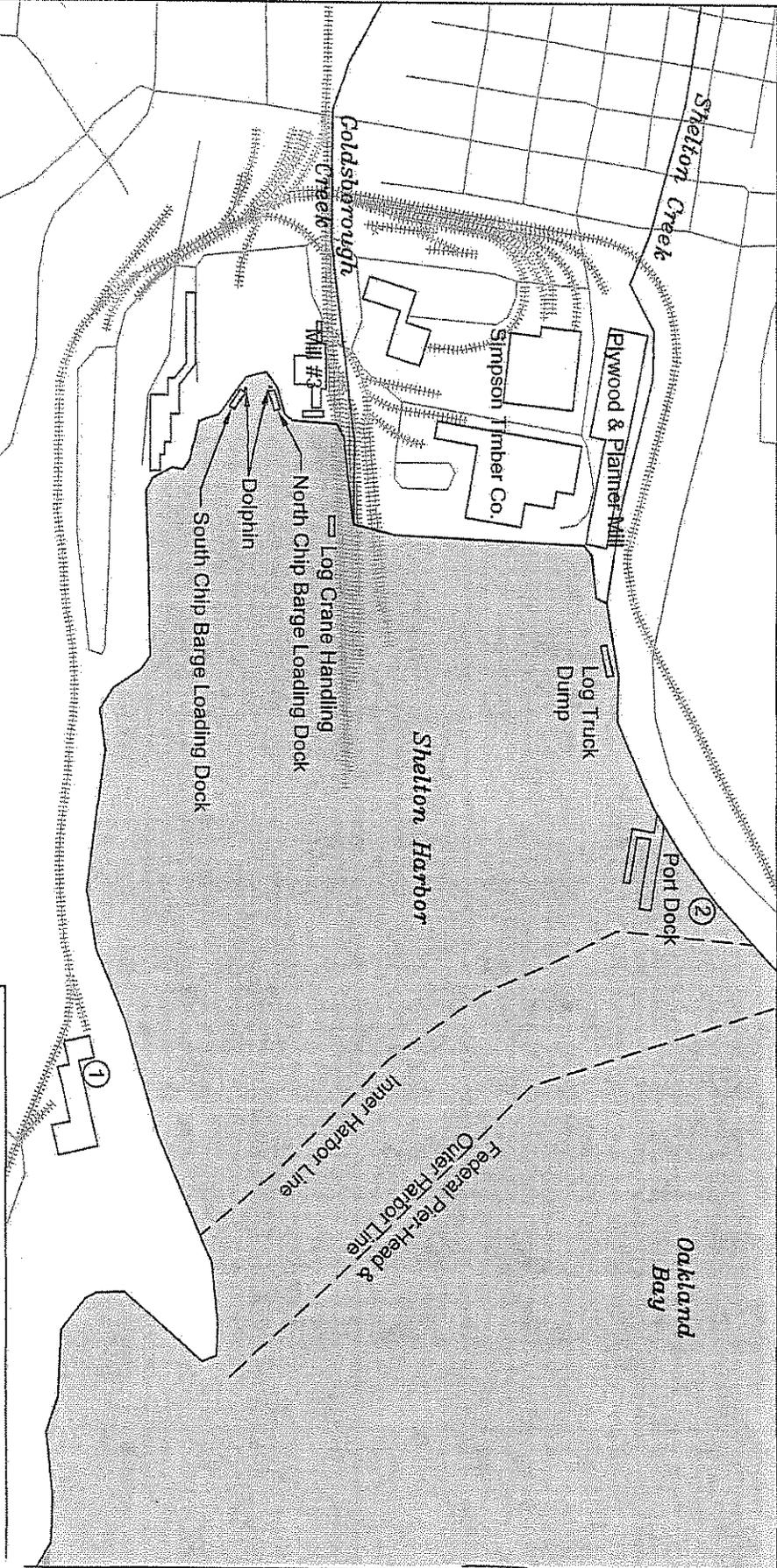
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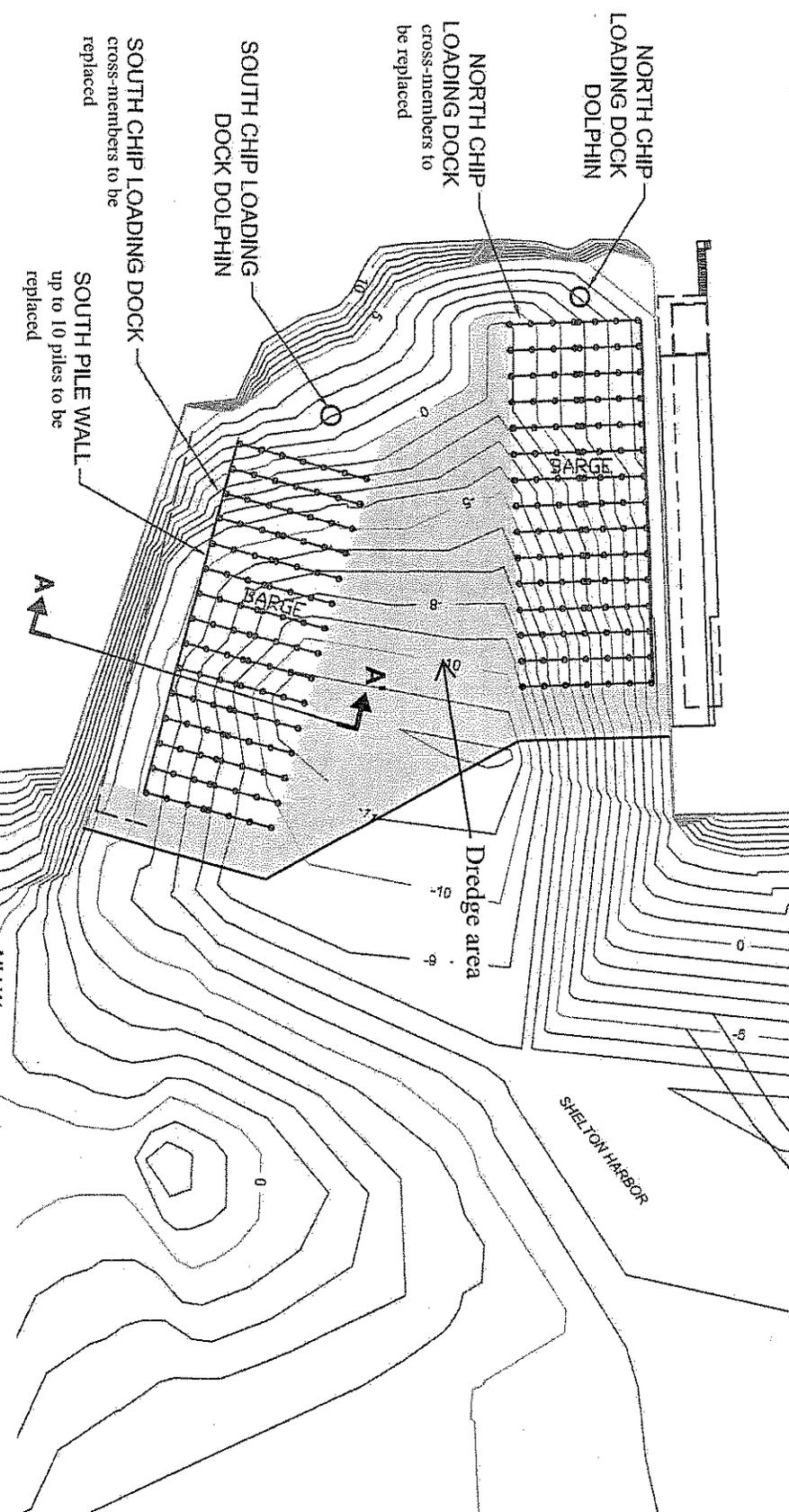
SHEET: 2 OF 4

SITE MAP



NOTE:
1. BASEMAP DIGITIZED FROM
SEVERAL SOURCES. TO BE USED FOR
REFERENCE PURPOSES ONLY.





APPROXIMATE PROPOSED
MAINTENANCE DREDGING AREA

SITE PLAN

Ref: NWS-2008-1135
Simpson Lumber Company

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FACILITY MAINTENANCE PROJECT

PROPOSED: REPAIRS TO BARGE SLIPS

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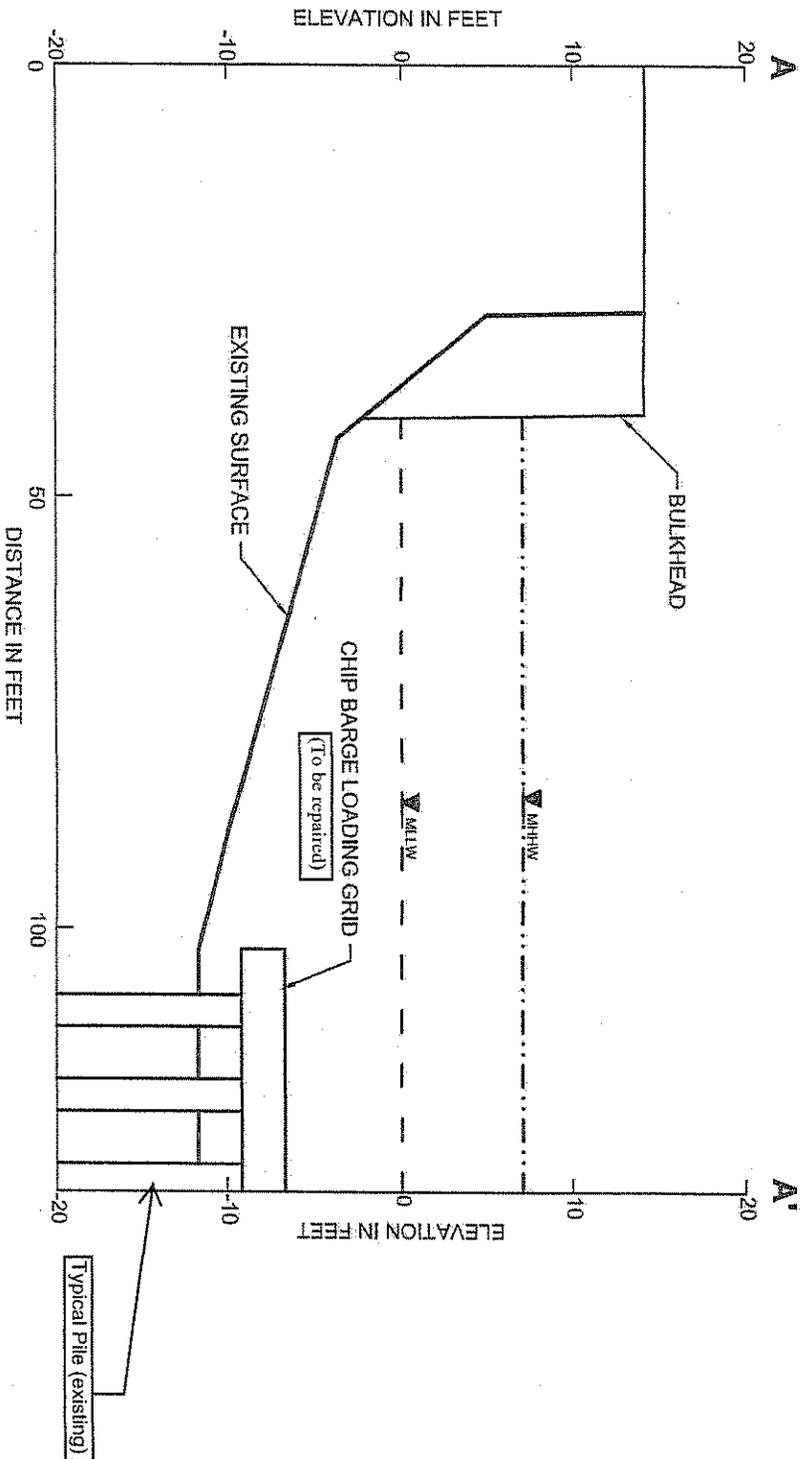
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NEAR/AT: OAKLAND BAY
COUNTY OF: MASON
STATE: WA

ADJACENT PROPERTY OWNERS:
MANKE LUMBER COMPANY AND SHELTON MARINA

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CROSS-SECTION A-A'

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Simpson Lumber Company

PROPOSED: REPAIRS TO BARGE SLIPS

IN: SHELTON
NEARBY: OAKLAND BAY
COUNTY OF: MASON
STATE: WA

DATE: JULY 2008

SHEET: 4 OF 4

NAME: SIMPSON TIMBER COMPANY LOADING GRIDS
FACILITY MAINTENANCE PROJECT

REFERENCE #:

SITE LOCATION ADDRESS: 215 N. 3RD STREET
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