



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
Post Office Box 47600
Olympia, WA 98504-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: 4 August 2008
Expiration Date: 3 September 2008

Reference No.: NWS-2008-291-SO
Name: Crabfresh, 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.

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: Crabfresh, LLC
2130 Harbor Avenue Southwest
Seattle, Washington 98126
ATTN: Mr. Brendan Mahaffey
Telephone: (206) 819-3474

LOCATION: In Grays Harbor, Pacific Ocean at Westport, Washington.

WORK: Construct two commercial piers (14 x 120-feet). The two piers will be supported by twenty steel piles (12-inches in diameter) and eighteen steel fender piles (12-inches in diameter). Non-jurisdictional work includes the construction of two buildings on uplands.

PURPOSE: The purpose of the piers is for unloading crab from local commercial fishing vessels.

MITIGATION: Mitigation for the construction of the two piers will include the installation of grated decking on the piers between the line of MHHW and -10.0' MLLW. All piling will include anti-perching caps. Additional mitigation will include the removal of an equal number of creosote-treated timber piling (approximately 32) located at the confluence of the Chehalis and Wishkah Rivers.

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.

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 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 certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No. 10102007 which has been issued by the City of Westport.

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 james.d.green@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Jim Green, Post Office Box 3755, Seattle, Washington, 98124-3755.

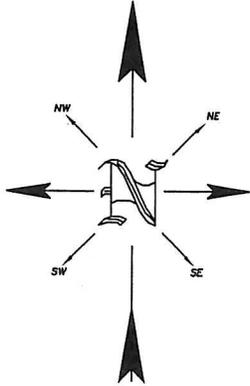
Ecology Comments: Any person desiring to present views on the project pertaining to a request for Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, P.O. Box 47600, 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: Crabfresh, LLC – File No. NWS-2008-291-SO

Encl: Figures (10)

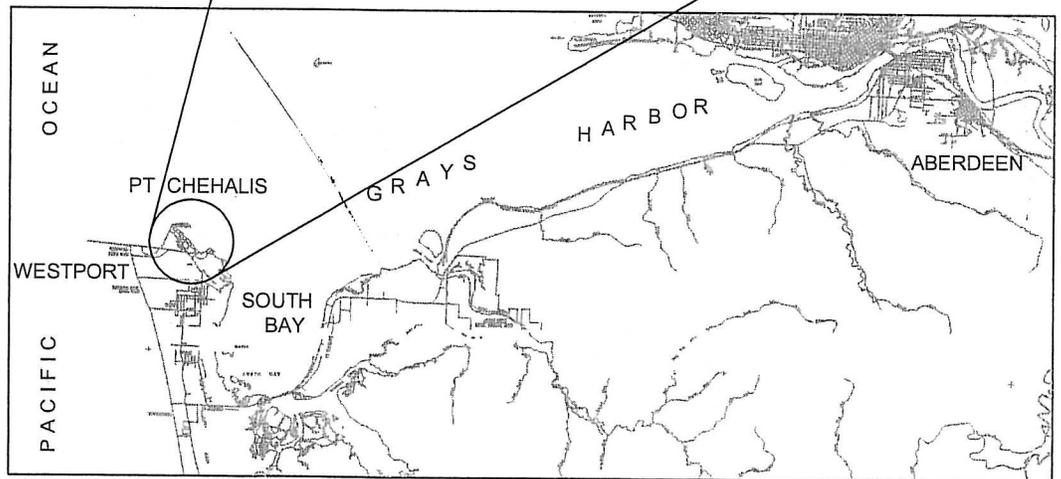
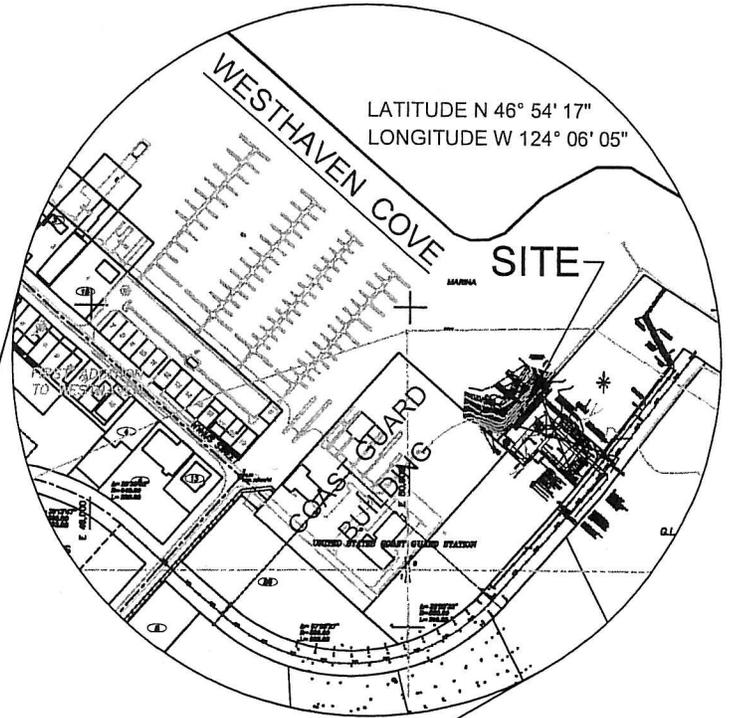
VICINITY MAP

NOT TO SCALE



DIRECTIONS TO SITE:

1. FROM ABERDEEN, FOLLOW SR105 SOUTHWEST TO THE INTERSECTION OF SR105 AND MONTESANO STREET (SR105 SPUR).
2. FOLLOW MONTESANO STREET TO THE INTERSECTION OF MONTESANO STREET AND WILSON AVENUE.
3. TURN RIGHT ON WILSON AVENUE AND FOLLOW TOWARD THE COAST GUARD STATION.
4. TURN RIGHT BEFORE THE COAST GUARD STATION IN PARKING LOT AND FOLLOW GRAVEL ROAD AROUND COAST GUARD STATION TO THE NORTHEAST TO SITE.



Adj. Prop Owners

- ① Port of Grays Harbor
- ② U.S. Coast Guard

Datum: N.O.S. - MLLW = 0.0'

CRAB FRESH, LLC.
2130 Harbor Avenue SW
Seattle, WA 98126

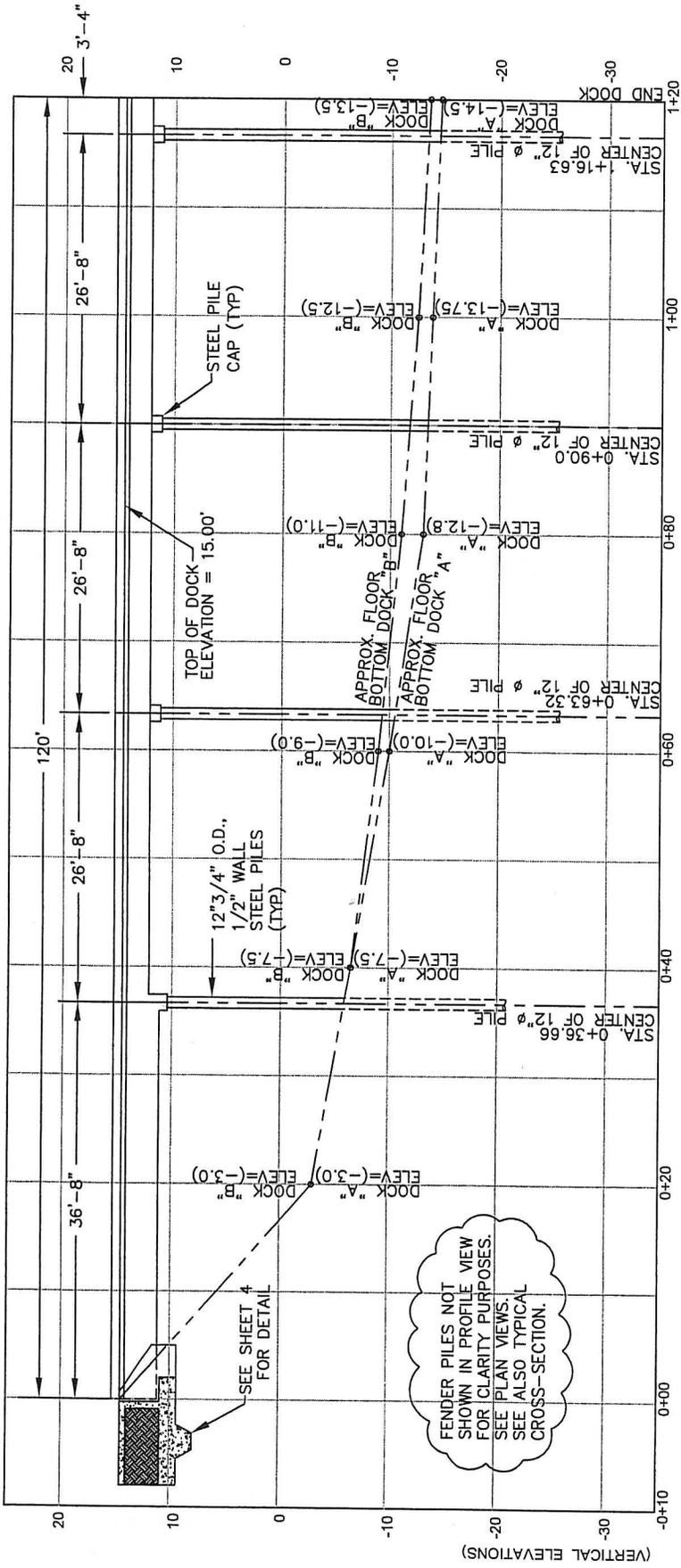
NWS-2008-291-50

CRAB FRESH, LLC.
Proposed Piers
Westport Boat Basin

A PORTION OF GOV'T LOT 1 OF
SECTION 6, TOWNSHIP 16 NORTH
RANGE 12 WEST W.M.

SHEET 1 OF 10

6/27/08



FENDER PILES NOT SHOWN IN PROFILE VIEW FOR CLARITY PURPOSES. SEE PLAN VIEWS. SEE ALSO TYPICAL CROSS-SECTION.

DOCK PROFILE

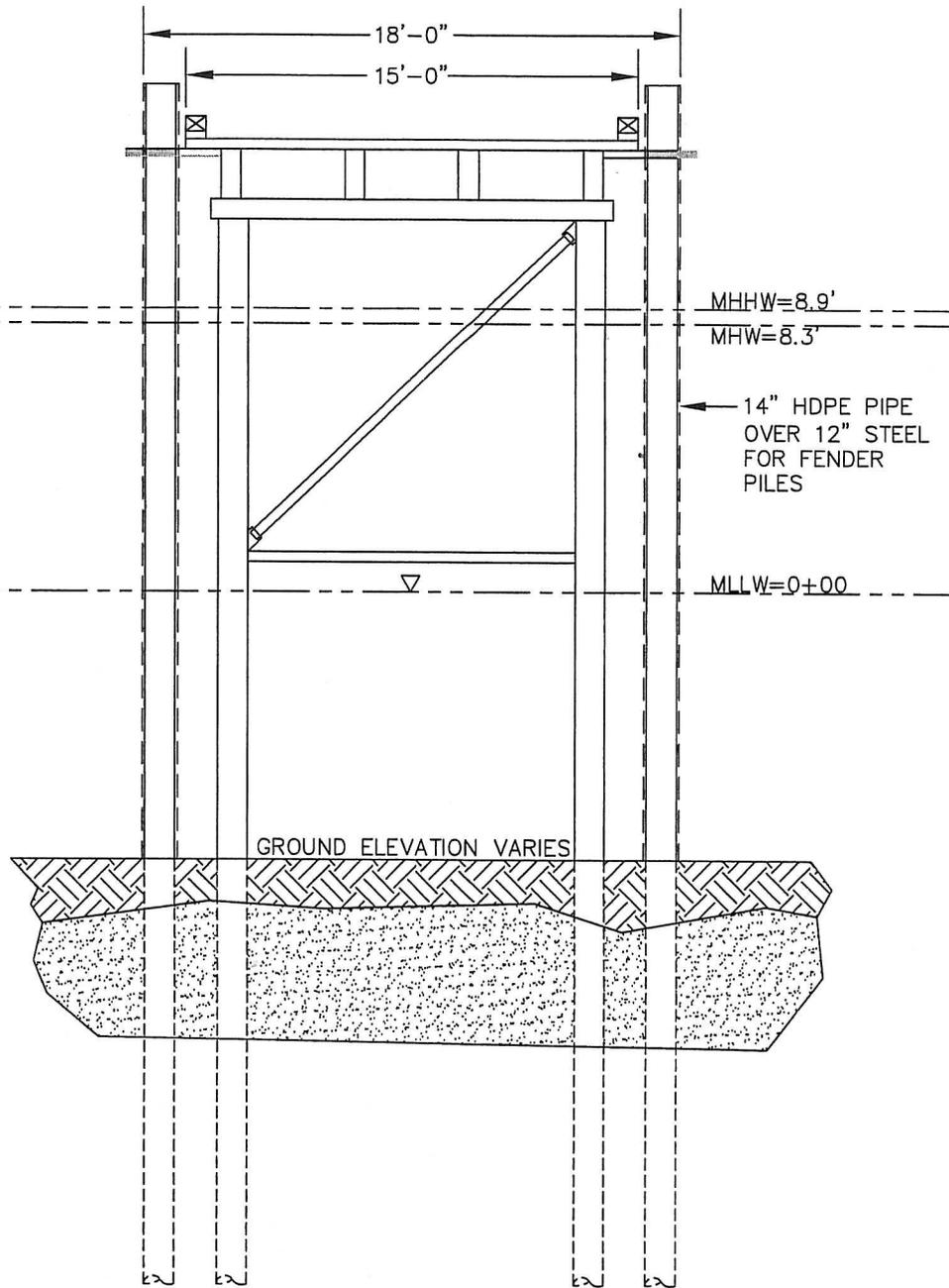
NWS-2008-291-50



PROPOSED DOCK CONSTRUCTION
 IN WESTPORT, WASHINGTON
 SECTION 1, TOWNSHIP, 16 NORTH,
 RANGE 12 WEST, WILLAMETE MERIDIAN
 CRABFRESH, LLC
 2130 HARBOR AVENUE S.W.
 SEATTLE, WASHINGTON 98126

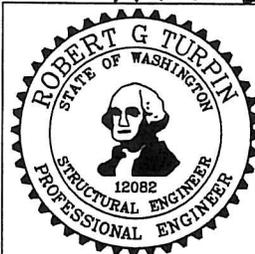
SHEET 3 OF 8

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TYPICAL CROSS-SECTION

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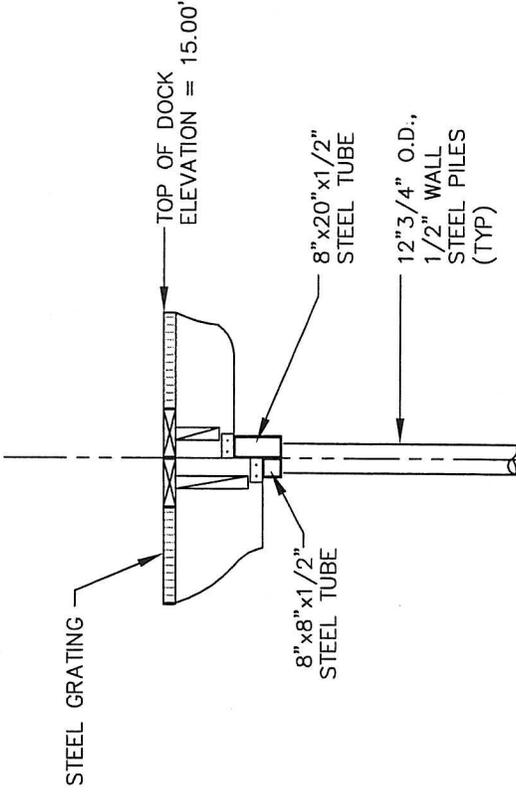
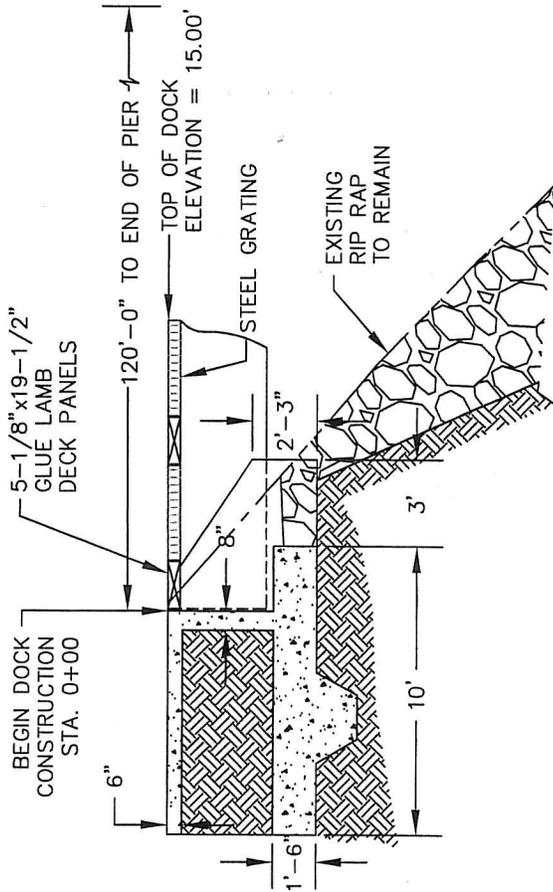
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SEATTLE, WASHINGTON 98126

SHEET 5 OF 10

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PIER NO. 1

STA. 0+00

PIER NO. 2

STA. 0+36.66

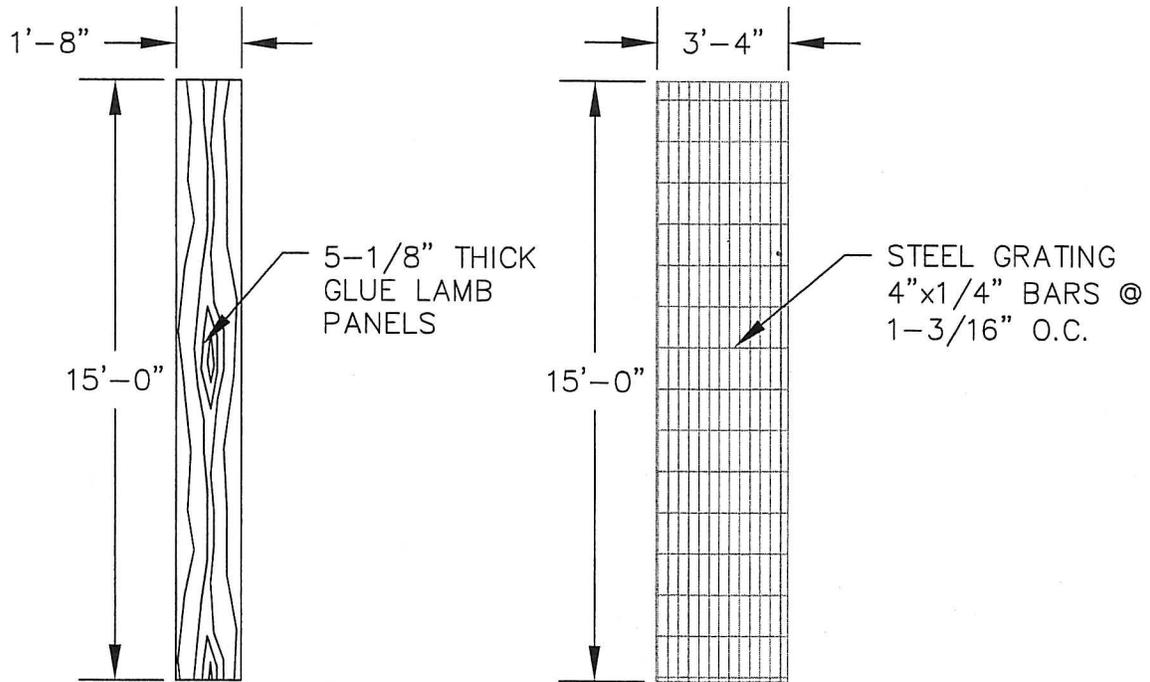
NWS - 2008 - 291-50



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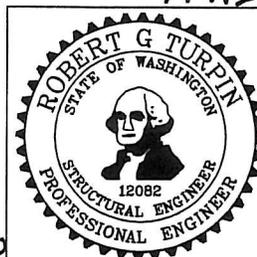
SHEET 6 OF 10

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DECK PANEL DETAILS

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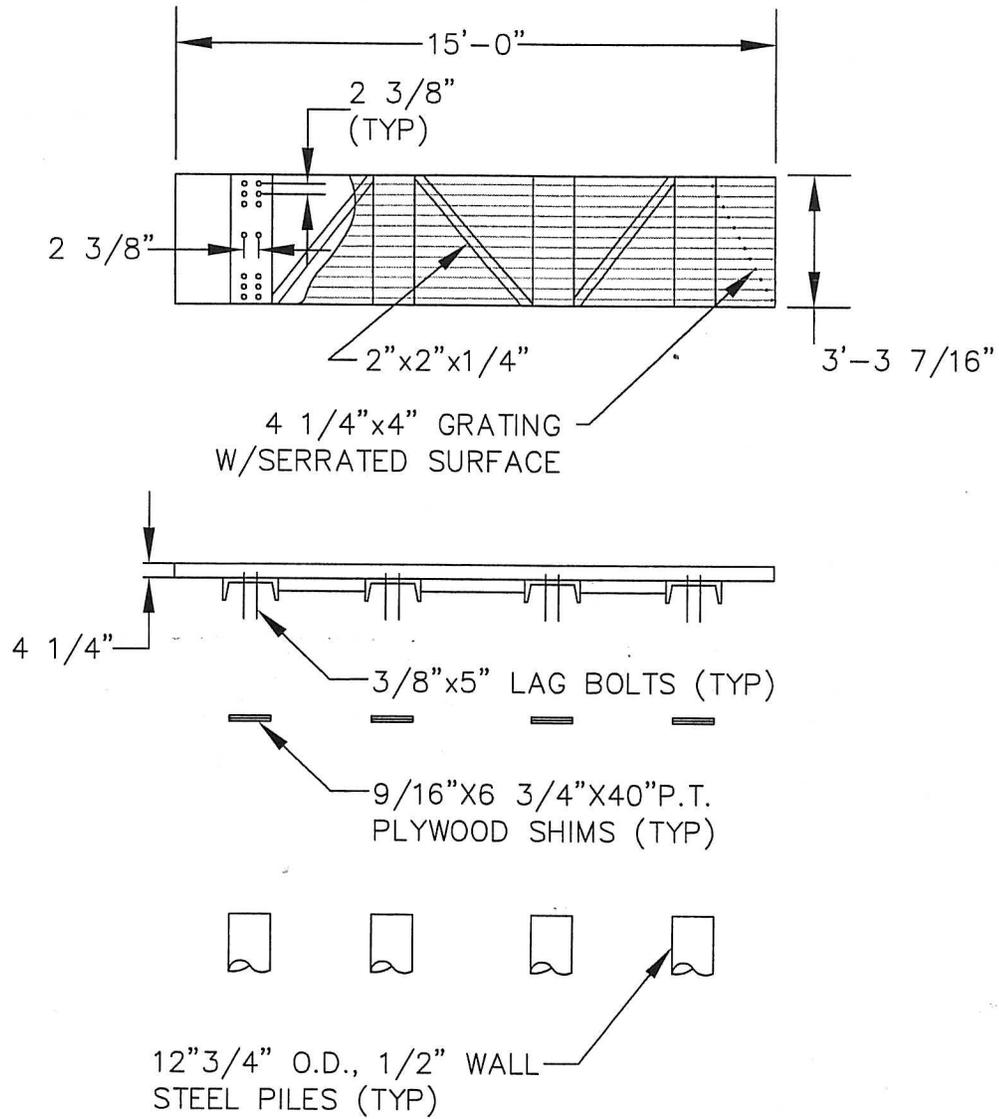
PROPOSED DOCK CONSTRUCTION

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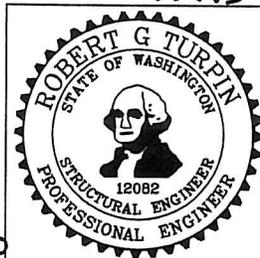
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SHEET OF 2

6/27/08



DECK GRATE DETAIL

NWS-2008-291-50



PROPOSED DOCK CONSTRUCTION

IN WESTPORT, WASHINGTON
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CRABFRESH, LLC
2130 HARBOR AVENUE S.W.
SEATTLE, WASHINGTON 98126

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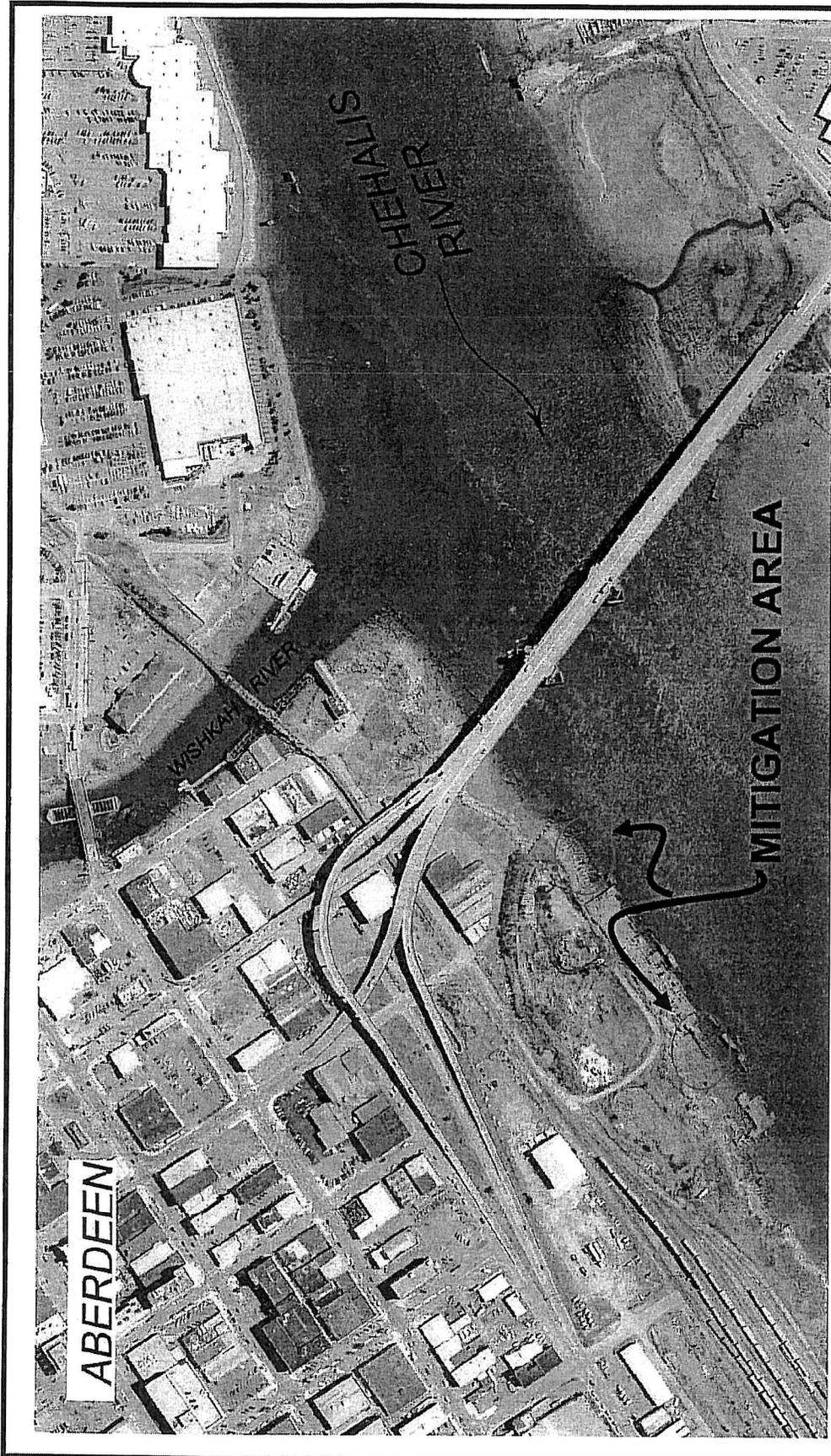


Photo 3.

NOTE: Aerial photograph provided by Washington State Department of Ecology on May 10, 1997.

<p>PURPOSE: Construct two commercial docks.</p> <p>DATUM: NAD 27</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> 1. U.S. Coast Guard 2. Port of Grays Harbor 	<p>AERIAL PHOTO #3 - MITIGATION SITE</p> <p>APPLICANT: Best Fish Company, LLC</p> <p>PROJECT NAME: Best Fish Dock Construction</p> <p>REFERENCE #:</p> <p>SITE LOCATION ADDRESS: Westport Boat Basin</p>	<p>PROPOSED: Install in-water and overwater structures.</p> <p>IN: Westhaven Cove</p> <p>NEAR: Westport</p> <p>COUNTY: Grays Harbor STATE: WA</p> <p>SHEET 19 OF 10</p> <p>DATE: 6/27/08 6/27/08</p>
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MITIGATION AREA

NOTE: Piling to be removed at a 1:1 ratio to mitigate for impacts to the aquatic environment for the installation of 36, 18-inch-diameter piling and 3,660 square feet of overwater structure.

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