



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) 764-6901
Attn: Jacalen Printz, 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 16, 2008
Expiration Date: June 15, 2008

Reference No.: NWS-2008-0498-NO
Name: GRE Golden Tides, 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 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: GRE Golden Tides, LLC
2801 Alaskan Way, Suite 200
Seattle, Washington 98121
Telephone: (206) 215-9827

AGENT: Reid Middleton
728 134th Street Southwest, Suite 200
Everett, Washington 98204
ATTN: Ms. Nicole Faghin
Telephone: (425) 741-3800

LOCATION: In Shilshole Bay (Puget Sound) near 6017 Seaview Avenue North, Seattle, King County, Washington 98107.

WORK: The proposal is to conduct maintenance dredging and replace an existing breakwater at a recreational marine. The applicant proposes to dredge 0.4 acres to elevation -10 feet with no overdredge. Under the current proposal a total of 700 cubic yards (cy) will be removed. Dredging will only occur once. All work will be conducted using a clamshell dredge operated from a floating barge. A silt curtain will be deployed around the dredge area to minimize the spread of sediments during dredging. The 700 cubic yards will be disposed of at the Puget Sound Dredge Disposal Analysis (PSDDA) disposal site in Elliott Bay. Maintenance dredging of the marina first occurred in 1980 with additional dredging of 2,000 cubic yards occurring in 1984.

The applicant also proposes to remove the existing timber breakwater and 17 support piling, and install a new 140' long by 3' wide (420 square foot) floating, timber decked breakwater anchored by eight 16-inch steel piling. The new piling will be installed using a vibratory hammer, unless precluded by subsurface conditions. If use of an

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impact hammer is required, a bubble curtain will be utilized to minimize impacts to fish. Additionally, 150 square feet (25' long by 6' wide) float section of the existing dock at the entrance of the marina will be removed as mitigation with one treated timber pile being replaced with one 16-inch diameter steel pile.

PURPOSE: The purpose of the work is to provide adequate water depth and protection to moored boats within the marina.

PUGET SOUND DREDGED DISPOSAL ANALYSIS (PSDDA):

Dredged Material Testing: The proposed dredged material is being tested according to the procedures specified in PSDDA, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Puget Sound. The PSDDA evaluations may include both chemical and biological testing of sediments. For this project, the PSDDA determination of suitability of the 700 cubic yards for unconfined disposal at the PSDDA nondispersive (or dispersive) open-water disposal site in Elliot Bay is currently under review. Once complete the sediment testing data will be available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

Disposal Site Use Conditions: The following standard site use conditions will be specified by the Corps and the Washington Department of Natural Resources as part of the Federal/State permitting processes: (1) during the periods of tribal fishing in the disposal site area, disposal will only occur during daylight hours; and (2) during the daylight hours, "navigation rules of the road" will apply to the dredger in the event Tribal fishing is occurring at the disposal site. The dredger's permit will state that disposal is to occur when there is no Tribal fishing occurring at the disposal site. Other appropriate special conditions may be added as a result of comments received during the public review period for this public notice.

MITIGATION: The applicant proposes to mitigate for some of the additional overwater area resulting from the proposed floating breakwater, 150 square feet of existing dock will be removed, as well as the treated-timber pile supporting the section of dock.

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). 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 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 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 to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

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.

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Corps comments: All e-mail comments should be sent to Jacalen.M.Printz@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Jacalen Printz, 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

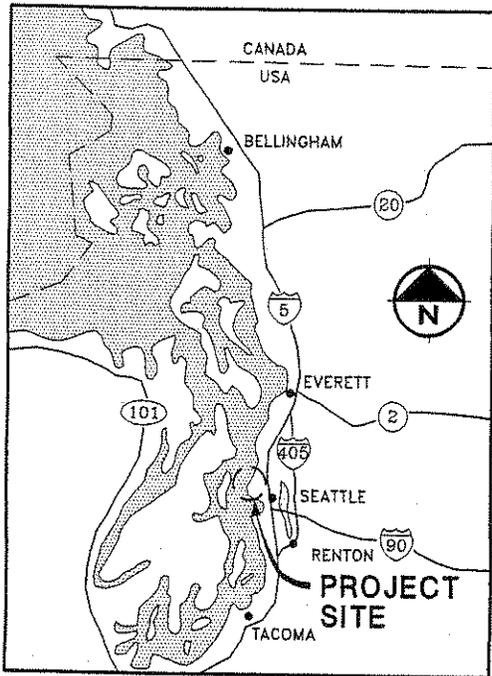
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: GRE Golden Tides, LLC; NWS-2008-0498-NO

Encl: Figures

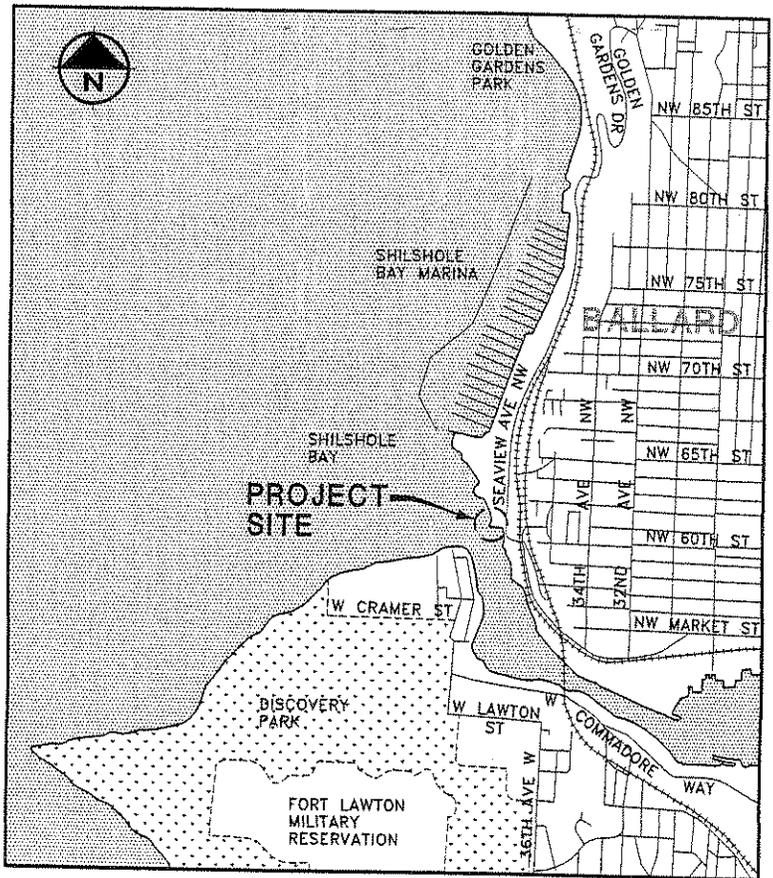
SITE ADDRESS

NAME: GOLDEN TIDES MARINA
 ADDRESS: 6017 SEAVIEW AVENUE N
 SEATTLE, WA 98117
 PHONE: 206-215-9827

(SECTION 10, TOWNSHIP 25 NORTH,
 RANGE 3 EAST, W.M. IN THE CITY OF
 SEATTLE, KING COUNTY, WASHINGTON)



LOCATION MAP



VICINITY MAP

LATITUDE: 47° 40' 22"
 LONGITUDE: 122° 24' 26"

PURPOSE: REPLACE AN EXISTING
 BREAKWATER AND MAINTENANCE DREDGING

DATUM: MLLW = 0.0'

ADJACENT PROPERTY OWNERS: SEE JARPA

1. RED ENTERPRISES
2. DNR
3. DNR

**GOLDEN TIDES MARINA
 BREAKWATER REPLACEMENT
 AND MAINTENANCE DREDGING**

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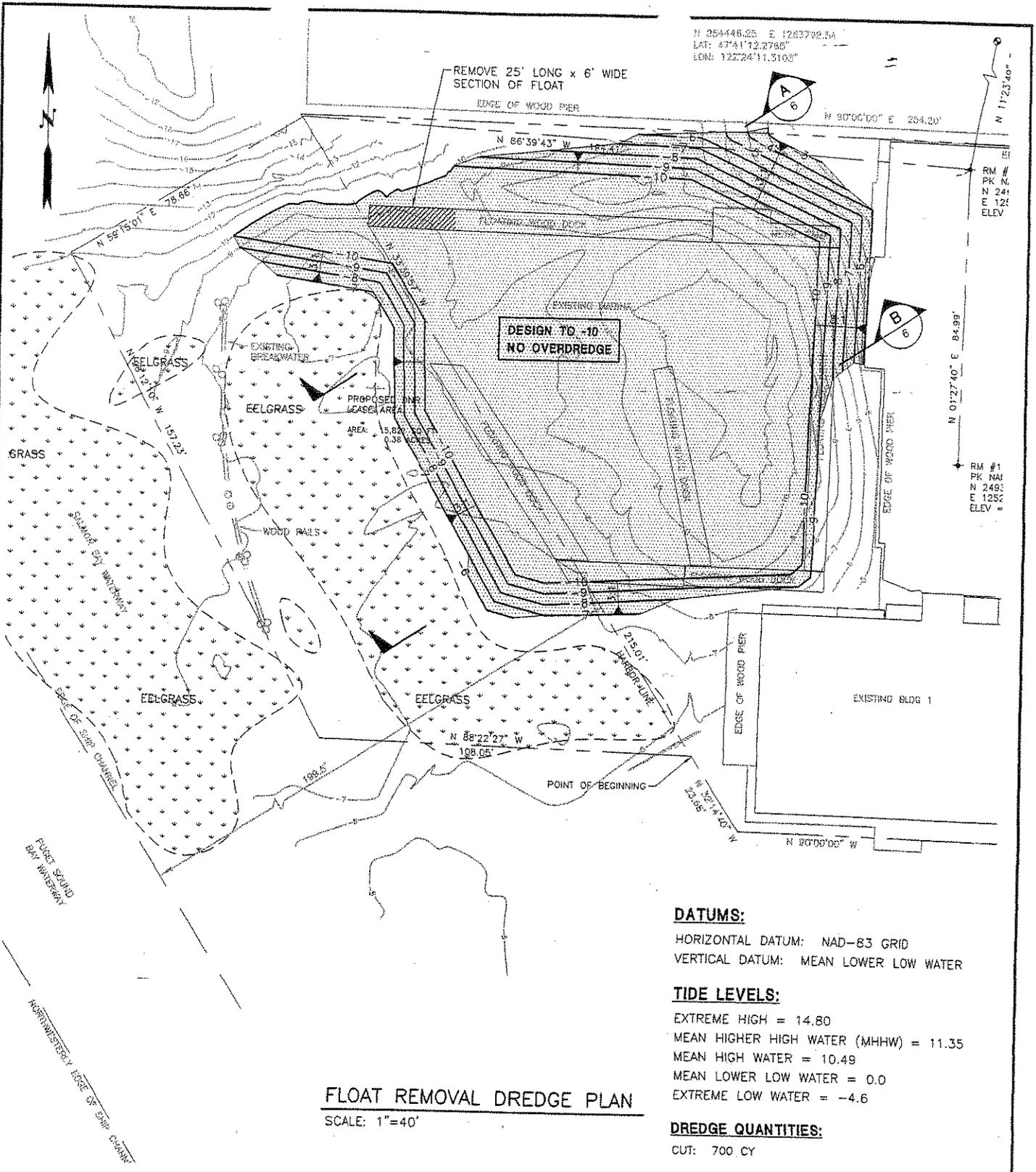
NAME: TRICH ADAM
 GRE GOLDEN TIDES, LLC
 ADDRESS: 2801 ALASKAN WAY, SUITE 200
 SEATTLE, WA 98121

IN: SHILSHOLE BAY
 AT: GOLDEN TIDES MARINA
 COUNTY OF: KING
 APPLICATION BY: GRE GOLDEN TIDES LLC

SHEET 1 OF 6

DATE: MAR 2008

N 254446.25 E 1283792.34
 LAT: 47°11'12.2768"
 LONG: 122°24'11.5163"



FLOAT REMOVAL DREDGE PLAN

SCALE: 1"=40'

DATUMS:

HORIZONTAL DATUM: NAD-83 GRID
 VERTICAL DATUM: MEAN LOWER LOW WATER

TIDE LEVELS:

EXTREME HIGH = 14.80
 MEAN HIGHER HIGH WATER (MHHW) = 11.35
 MEAN HIGH WATER = 10.49
 MEAN LOWER LOW WATER = 0.0
 EXTREME LOW WATER = -4.6

DREDGE QUANTITIES:

CUT: 700 CY

PURPOSE: REPLACE AN EXISTING BREAKWATER AND MAINTENANCE DREDGING

DATUM: MLLW = 0.0'

- ADJACENT PROPERTY OWNERS: SEE JARPA
1. RED ENTERPRISES
 2. DNR
 3. DNR

**GOLDEN TIDES MARINA
 BREAKWATER REPLACEMENT
 AND MAINTENANCE DREDGING**



NAME: TRICH ADAM
 GRE GOLDEN TIDES, LLC
 ADDRESS: 2801 ALASKAN WAY, SUITE 200
 SEATTLE, WA 98121

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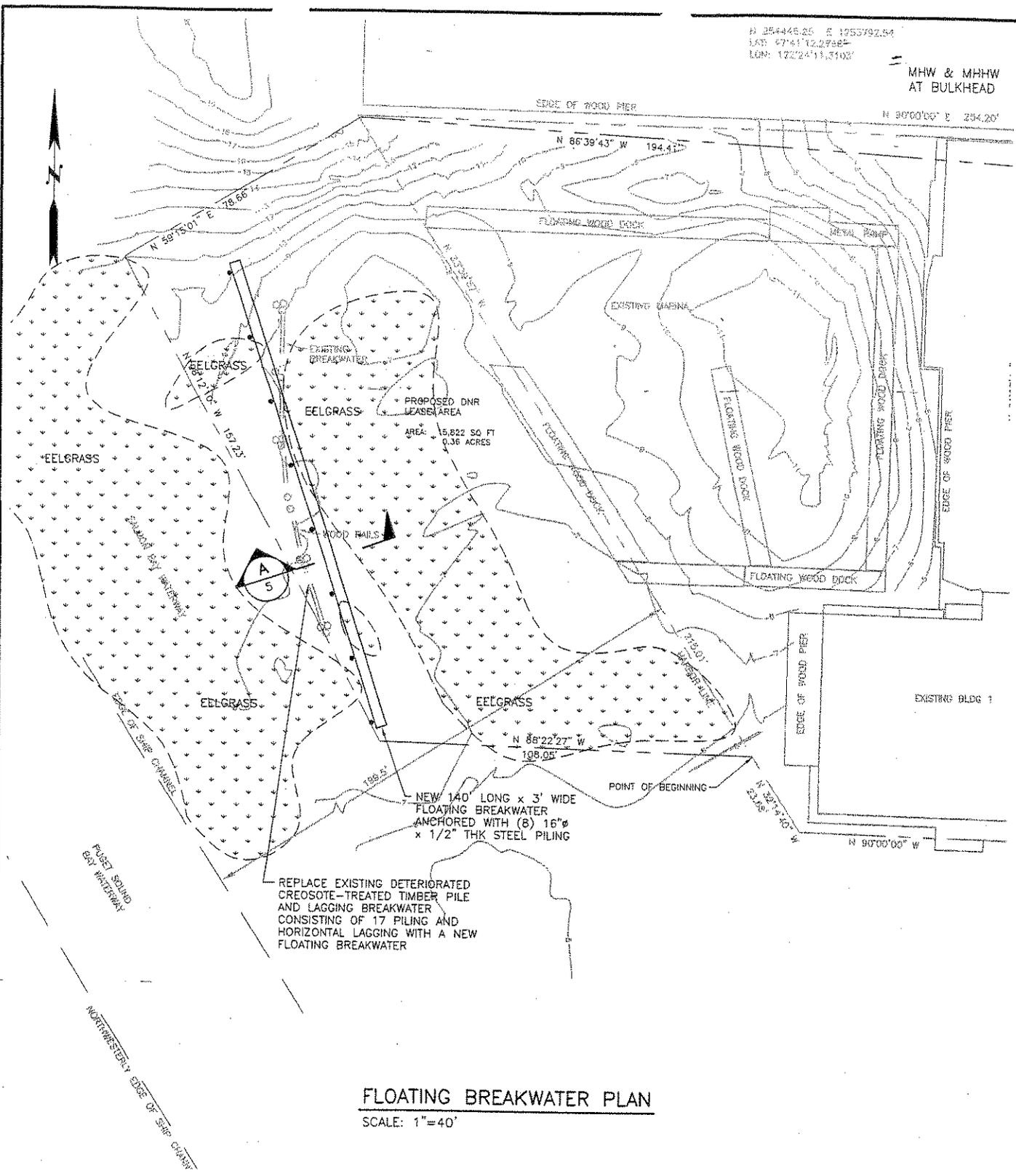
IN: SHILSHOLE BAY
 AT: GOLDEN TIDES MARINA
 COUNTY OF: KING
 APPLICATION BY: GRE GOLDEN TIDES LLC

SHEET 3 OF 6

DATE: MAR 2008

N 254446.25 E 1253792.54
 LAB 47°41'12.2738"
 LGN: 12224'11.3102'

MHW & MHHW
 AT BULKHEAD



FLOATING BREAKWATER PLAN

SCALE: 1"=40'

PURPOSE: REPLACE AN EXISTING BREAKWATER AND MAINTENANCE DREDGING

DATUM: MLLW = 0.0'

ADJACENT PROPERTY OWNERS: SEE JARPA

1. RED ENTERPRISES
2. DNR
3. DNR

**GOLDEN TIDES MARINA
 BREAKWATER REPLACEMENT
 AND MAINTENANCE DREDGING**

SCALE IN FEET



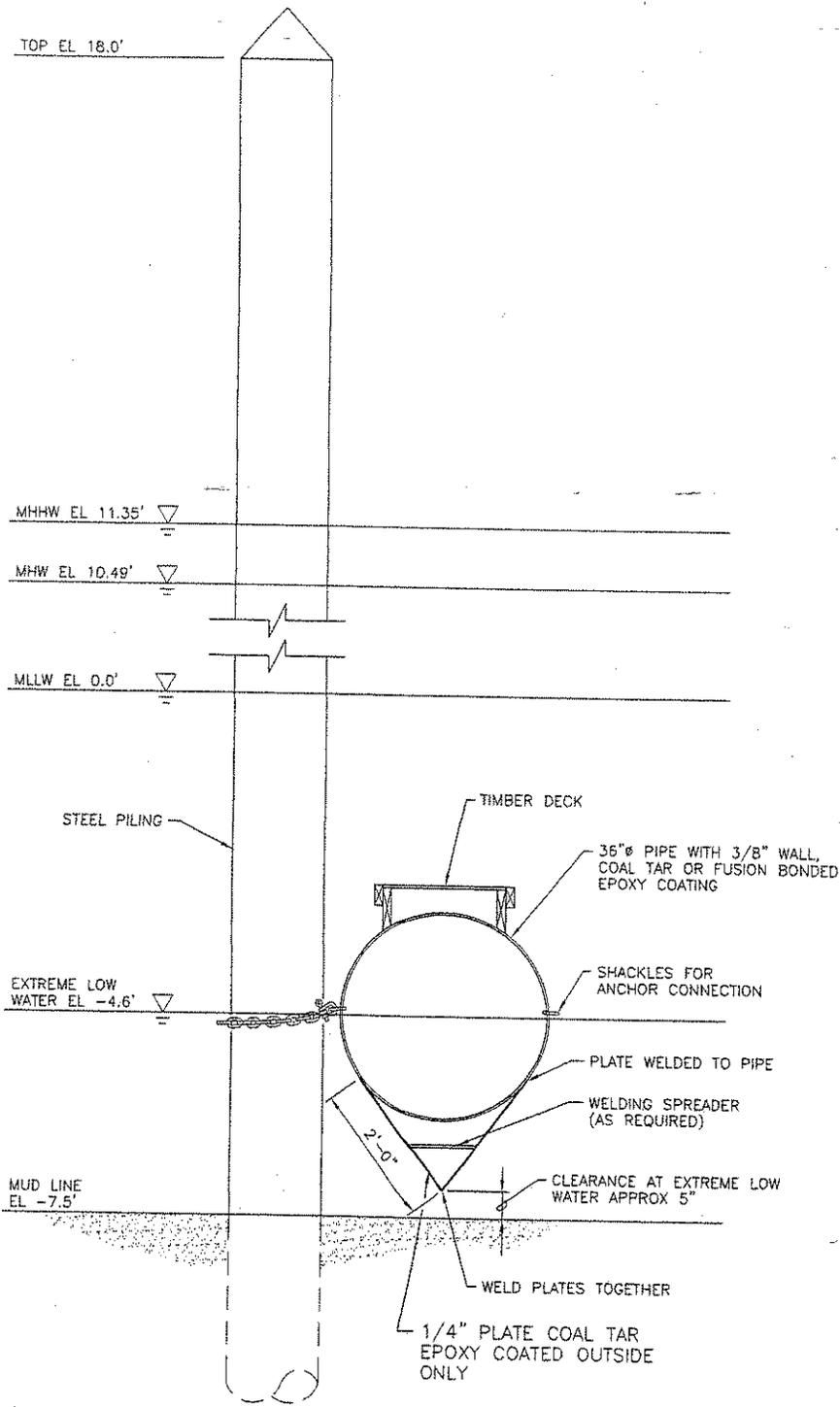
NAME: TRICH ADAM
 GRE GOLDEN TIDES, LLC
 ADDRESS: 2801 ALASKAN WAY, SUITE 200
 SEATTLE, WA 98121

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IN: SHILSHOLE BAY
 AT: GOLDEN TIDES MARINA
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 APPLICATION BY: GRE GOLDEN TIDES LLC

SHEET 4 OF 6

DATE: MAR 2008



A
4 **FLOATING BREAKWATER SECTION**
SCALE: 3/4" = 1'-0"

PURPOSE: REPLACE AN EXISTING BREAKWATER AND MAINTENANCE DREDGING

DATUM: MLLW = 0.0'

ADJACENT PROPERTY OWNERS: SEE JARPA

1. RED ENTERPRISES
2. DNR
3. DNR

**GOLDEN TIDES MARINA
BREAKWATER REPLACEMENT
AND MAINTENANCE DREDGING**



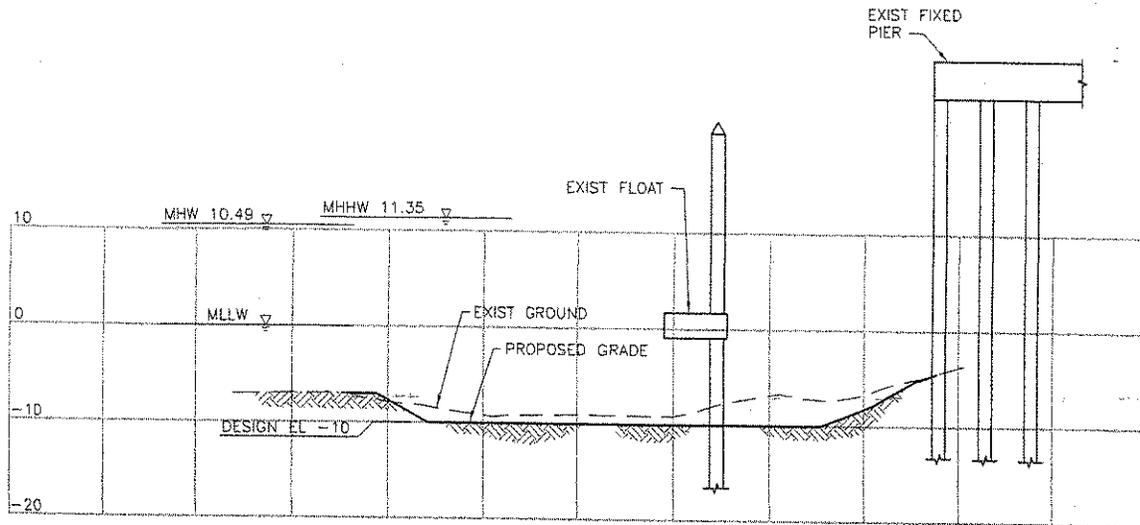
NAME: TRICH ADAM
GRE GOLDEN TIDES, LLC
ADDRESS: 2801 ALASKAN WAY, SUITE 200
SEATTLE, WA 98121

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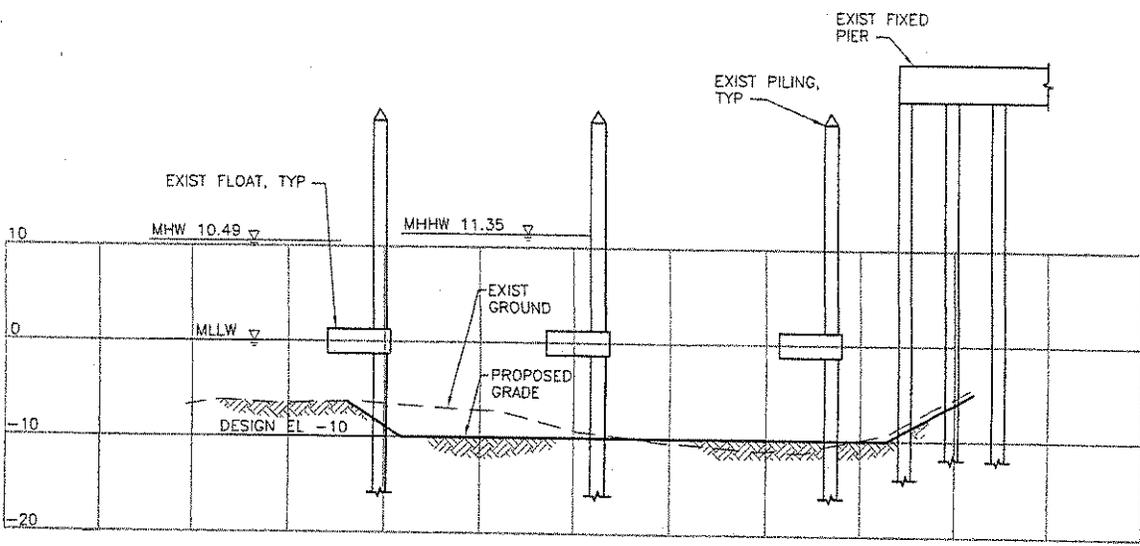
IN: SHILSHOLE BAY
AT: GOLDEN TIDES MARINA
COUNTY OF: KING
APPLICATION BY: GRE GOLDEN TIDES LLC

SHEET 5 OF 6

DATE: MAR 2008



A SECTION
 3 SCALE: HORIZ 1"=40'
 VERT 1"=20'



B SECTION
 3 SCALE: HORIZ 1"=40'
 VERT 1"=20'

PURPOSE: REPLACE AN EXISTING BREAKWATER AND MAINTENANCE DREDGING

DATUM: MLLW = 0.0'

- ADJACENT PROPERTY OWNERS: SEE JARPA
1. RED ENTERPRISES
 2. DNR
 3. DNR

**GOLDEN TIDES MARINA
 BREAKWATER REPLACEMENT
 AND MAINTENANCE DREDGING**



NAME: TRICH ADAM
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 ADDRESS: 2801 ALASKAN WAY, SUITE 200
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IN: SHILSHOLE BAY
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