



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch

Post Office Box 3755

Seattle, Washington 98124-3755

Telephone (206) 764-3495

ATTN: Suzanne Skadowski, Project Manager

Public Notice Date: 3 March 2004

Expiration Date: 2 April 2004

Reference: 200300198

Name: Lakeside Industries

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT - Lakeside Industries
Post Office Box 7016
Issaquah, Washington 98027
ATTN: Harold Nickel, Production Manager
Telephone: (425) 313-2655
Email: haroldn@lakesideind.com

AGENT - The Watershed Company
1410 Market Street
Kirkland, Washington 98033
ATTN: Mr. Dan Nickel
Telephone: (425) 822-5242
Email: dnickel@watershedco.com

LOCATION - In the Lake Washington Ship Canal, at Seattle, Washington.

WORK - Remove up to 142 cubic yards of accumulated sand and gravel from the nearshore area of the applicant's sand and gravel processing facility. Dredging will be by barge-mounted clamshell dredge. All dredged material will be reused at the processing facility or disposed at an approved upland disposal facility.

PURPOSE - The purpose of the work is to restore the nearshore area to a depth of 12 feet below ordinary high water in order to allow barges to dock at the facility.

ADDITIONAL INFORMATION - Following completion of dredging activities the applicant will conduct sediment sampling and analysis of the post-dredge surface material to verify compliance with the Washington State "anitdegradation policy" contained in the Sediment Management Standards Rule. The surface material will be tested according to the procedures specified by the Dredged Materials Management Program (DMMP), a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Puget Sound. The DMMP evaluations may include both chemical and biological testing of sediments. The sediment testing data will be available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The bald eagle, Puget Sound chinook salmon, coastal-Puget Sound bull trout, and marbled murrelet, all listed as "threatened" in the State of Washington, occur in the proposed project area. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the above listed species and conduct consultation under Section 7 of the ESA with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service as required.

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 approximately 0.16 acres of EFH for Pacific salmon. If the 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 following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties. Known historic properties occur in the vicinity of the proposed project however, they do not occur in the permit area. The proposed work is of such a limited nature and extent and 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 Federal, Native American Nations or tribal governments, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the 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 - The decision whether to issue a permit will be based on an evaluation of the probable impact, 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, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water quality, energy needs, mineral needs, considerations of property ownership, safety, and, in general, the needs and welfare of the people.

The Corps 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. 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.

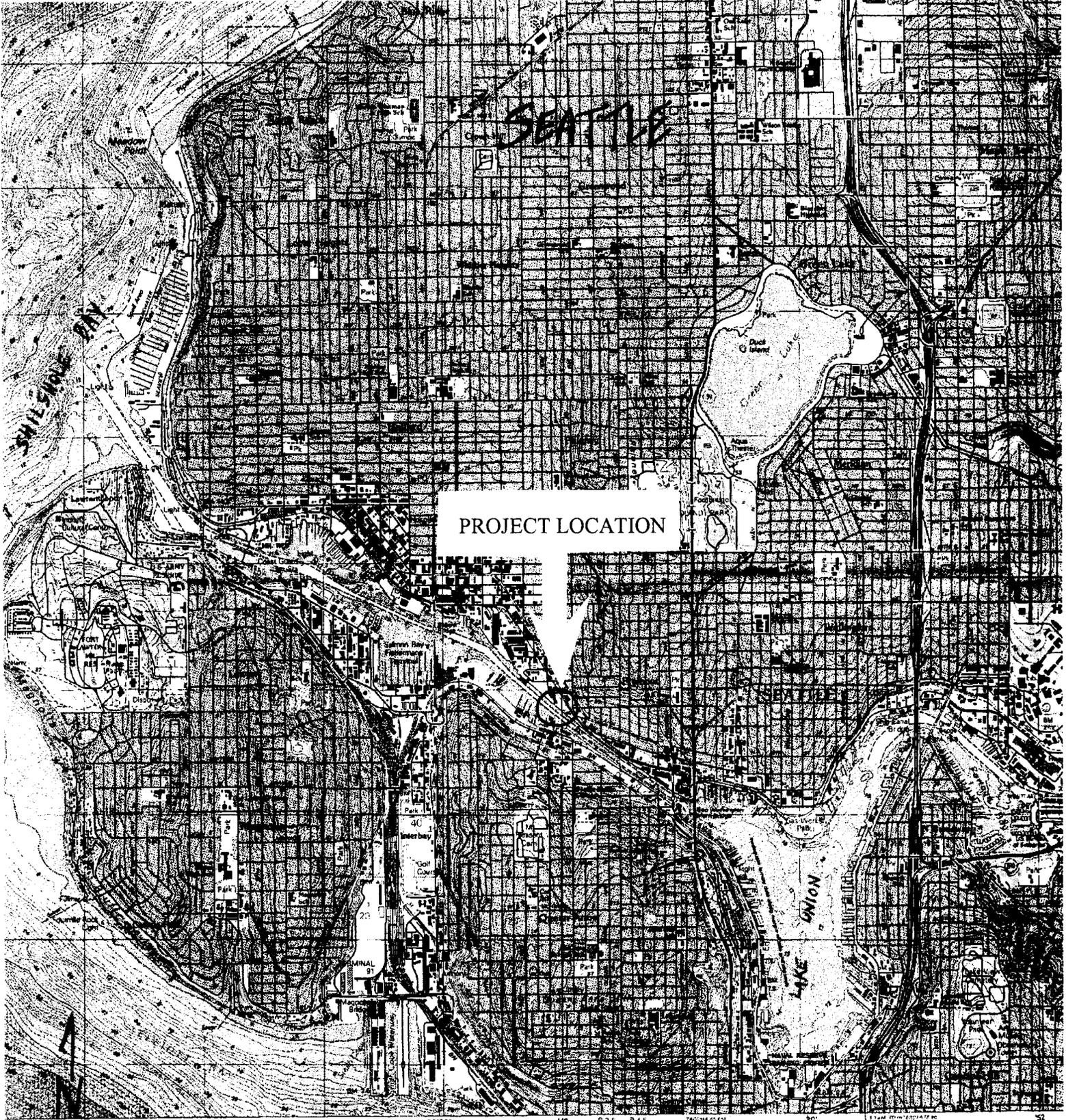
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Substantial Development Permit No. 2301211, being processed by City of Seattle Department of Construction and Land Use.

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. All e-mail comments should be sent to suzanne.a.skadowski@usace.army.mil. Conventional mail comments should be sent ATTN: Regulatory Branch. Both 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. Please include the following name and reference number:

Lakeside Industries, 200300198

Encl
Drawings (7)



PROJECT LOCATION



VICINITY MAP

Seattle, North USGS QUAD

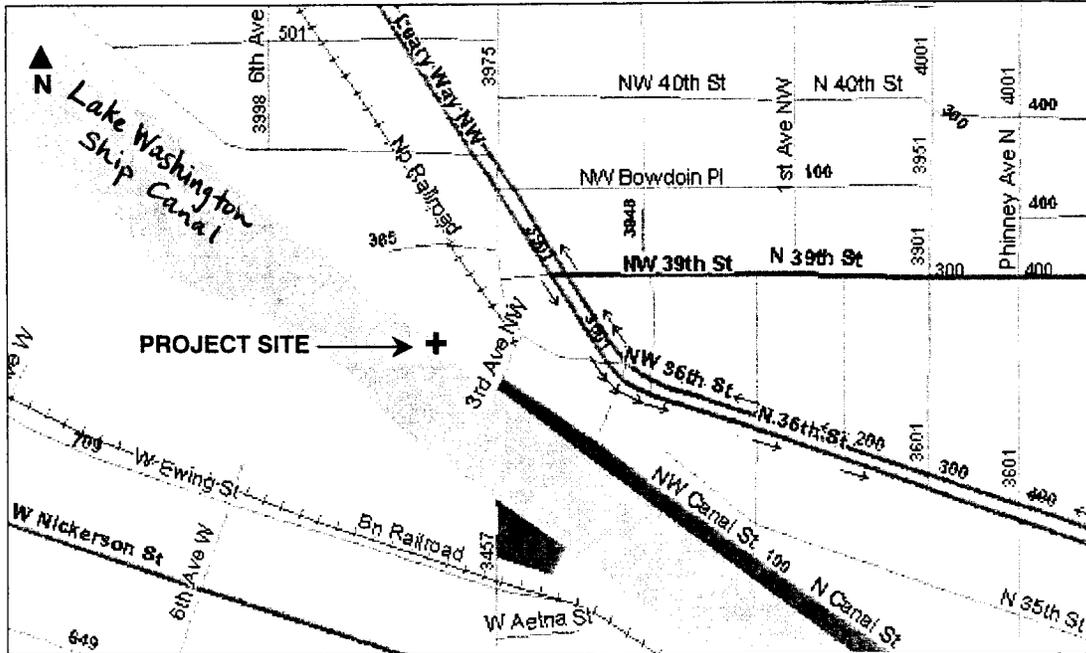
Reference: 200300198
 Applicant: Lakeside Industries
 In Lake Washington Ship Canal
 At Seattle, King County, Washington
 Work: Remove up to 142 cubic yards of accumulated sand and gravel
 Purpose: Restore the nearshore area to a depth of 12 feet below ordinary high water
 Sheet 1 of 7

Datum: OHW = 21.80 feet (COE)
 Adjacent Property Owners:
 1) Flohr Metal Fabricators 3) Leary Way Building
 2) Industrial Chemical Etc. 4) Praxair Distribution Inc.
 Date January 2003

GRAPHIC SURVEY INI

SURVEY DATE	SURVEY SCALE
1907	1:10,000
1927	1:10,000
1931-35	1:20,000
1936	1:10,000
1938	1:10,000
1939	1:10,000
1946	1:12,000
1970	1:15,000
1978	1:10,000
1978	1:5,000

1:25,000 1948 NGS CHAR



Driving directions:

From I-5, take the 45th Street Exit (#169). Go east on 45th Street NE. Bear right onto N Midvale Place. Bear left onto N 46th Street. Turn left (south) onto Phinney Avenue. Turn right (west) onto N 36th Street. Bear right onto Leary Way NW. Turn left (south) onto 3rd Avenue NW. Turn right (west) onto NW 39th Street. Continue to 309 NW 39th Street.

VICINITY MAP (NTS)

Reference: 200300198

Applicant: Lakeside Industries

In Lake Washington Ship Canal

At Seattle, King County, Washington

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Sheet 2 of 7

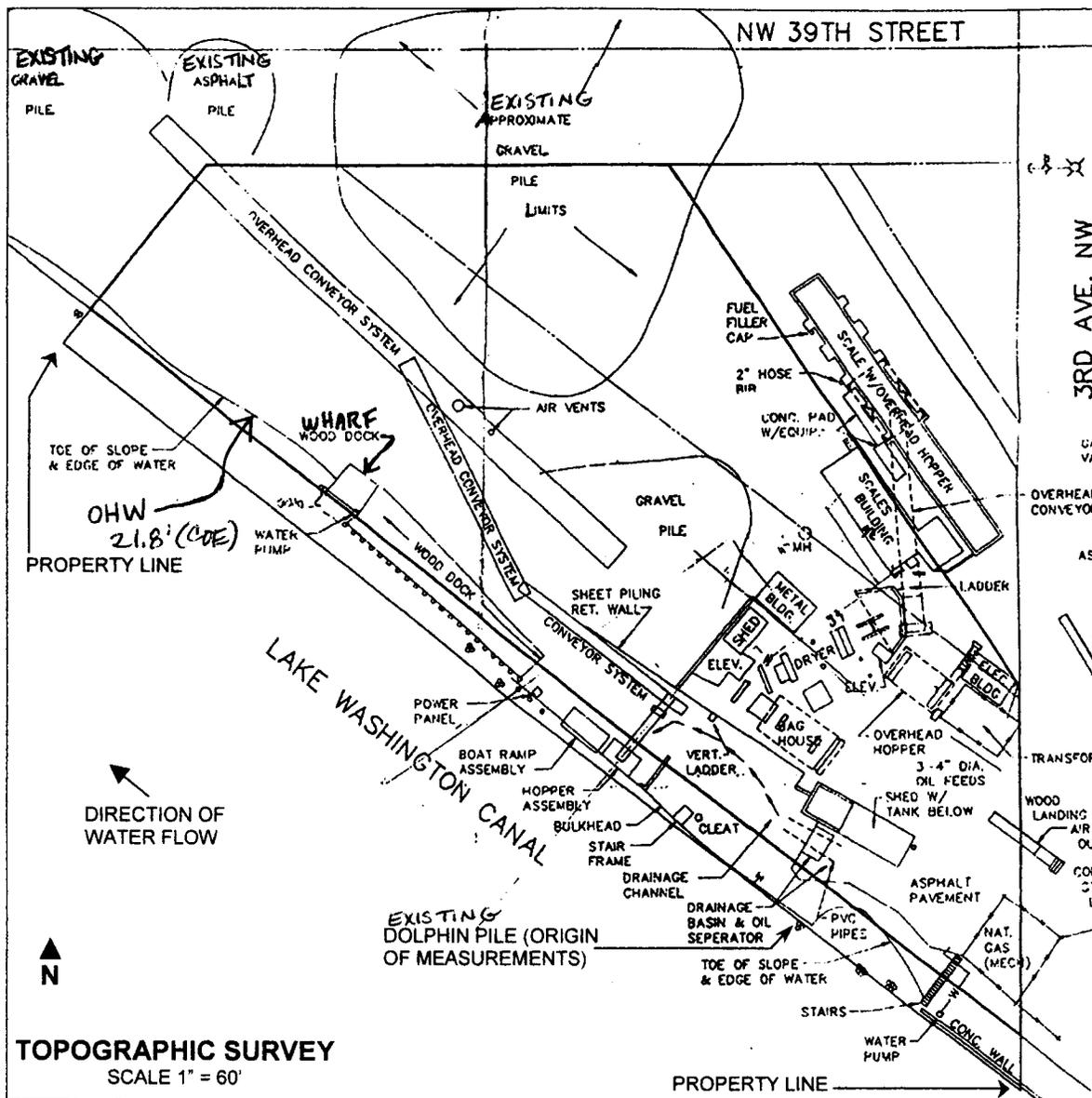
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Date January 2003



Approximately 142 cubic yards of sand and gravel accumulations will be excavated below the OHWM. A barge-mounted crane equipped with a clamshell bucket will excavate this material. Sand and gravel will be stockpiled on site above the OHWM (in the existing gravel piles); other materials will be stockpiled on an offshore barge prior to disposal off site.

SITE MAP (EXISTING CONDITIONS)

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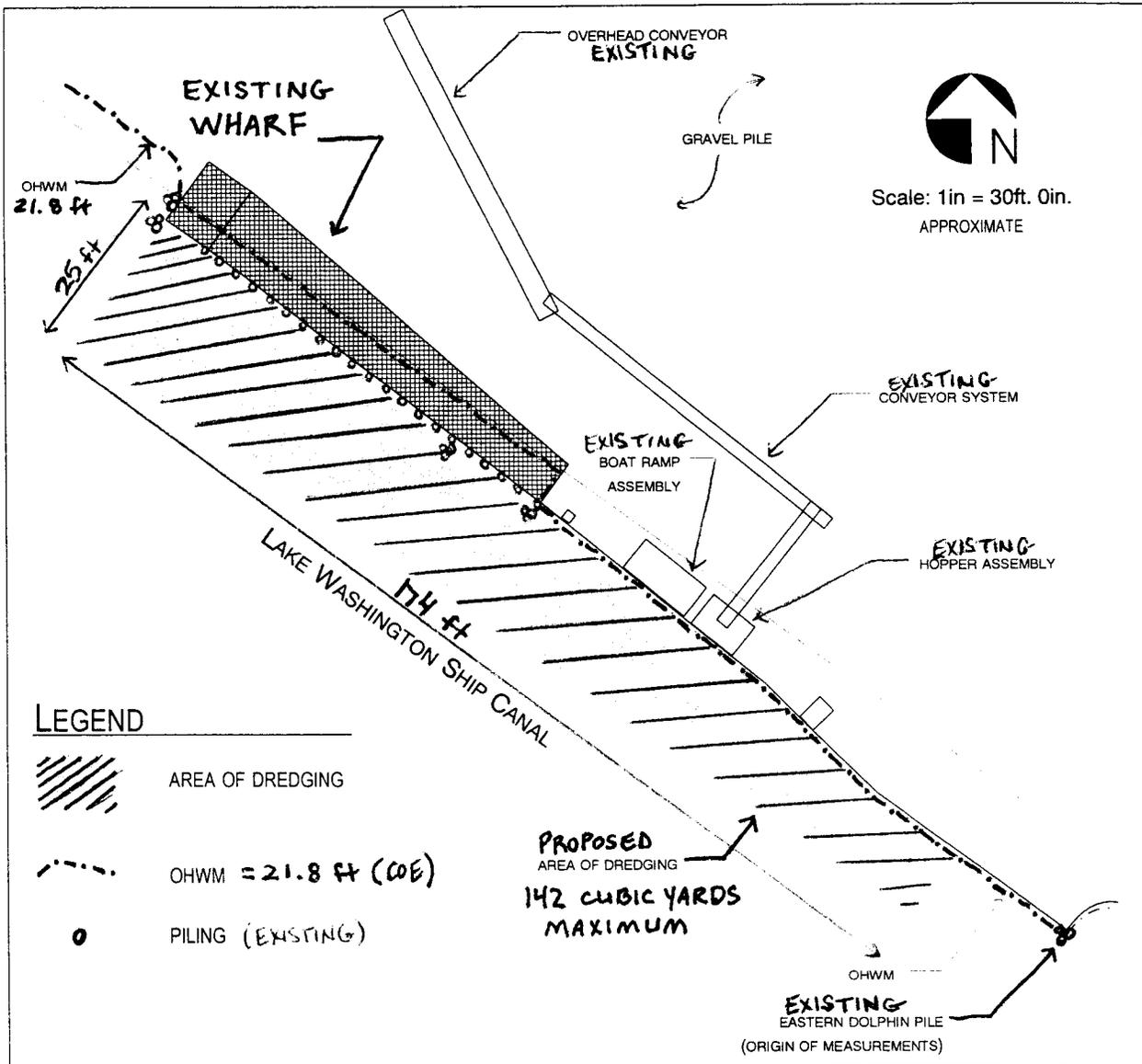
Sheet 4 of 7

Datum: OHW = 21.80 feet (COE)

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PLAN VIEW OF DREDGING AREA

Reference: 200300198

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Sheet 5 of 7

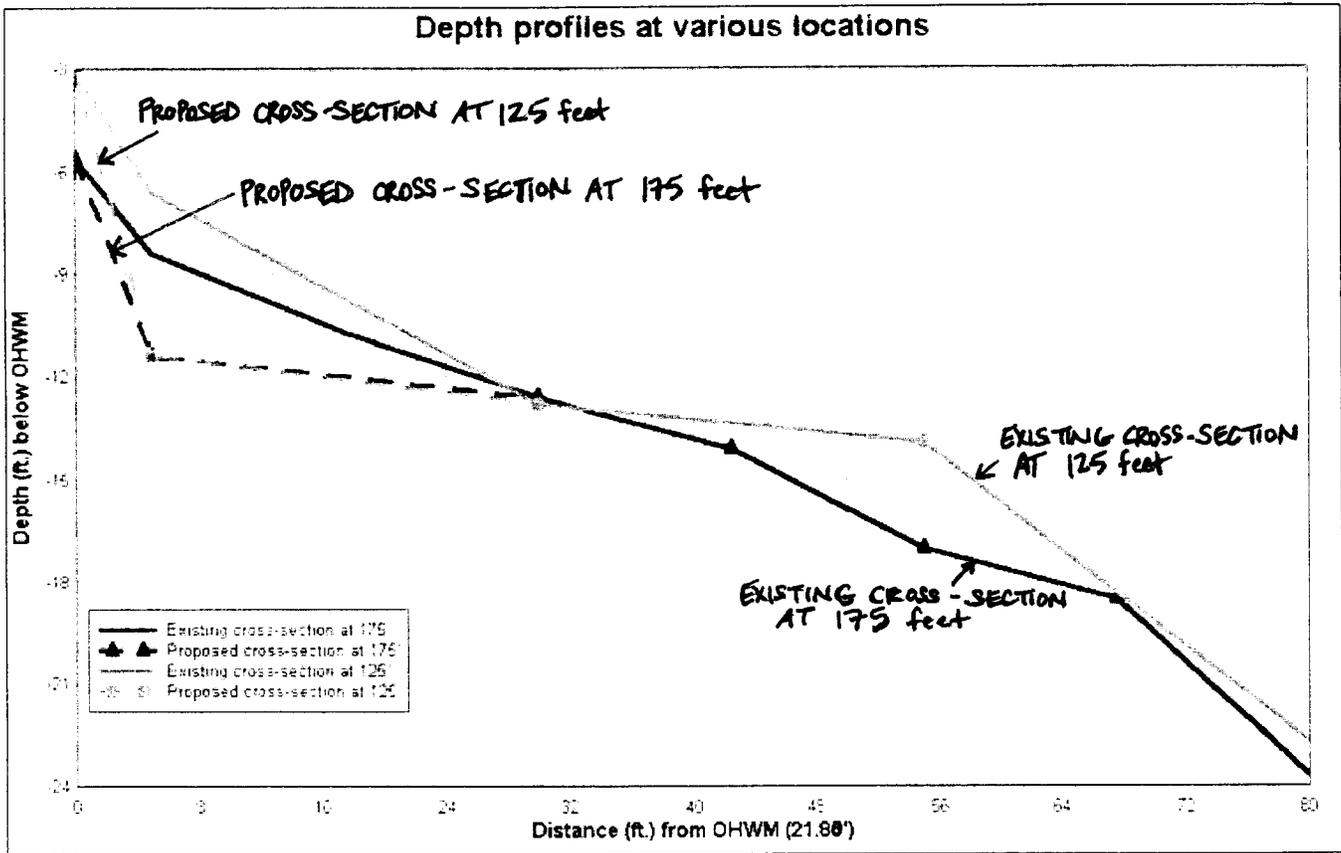
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Date January 2003



Cross-sections are at 175 feet and 225 feet from the dolphin pile indicated in the Plan View. Solid lines represent existing benthic conditions. Dashed lines represent proposed benthic conditions.

CROSS-SECTIONS: EXISTING & PROPOSED

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Sheet 6 of 7

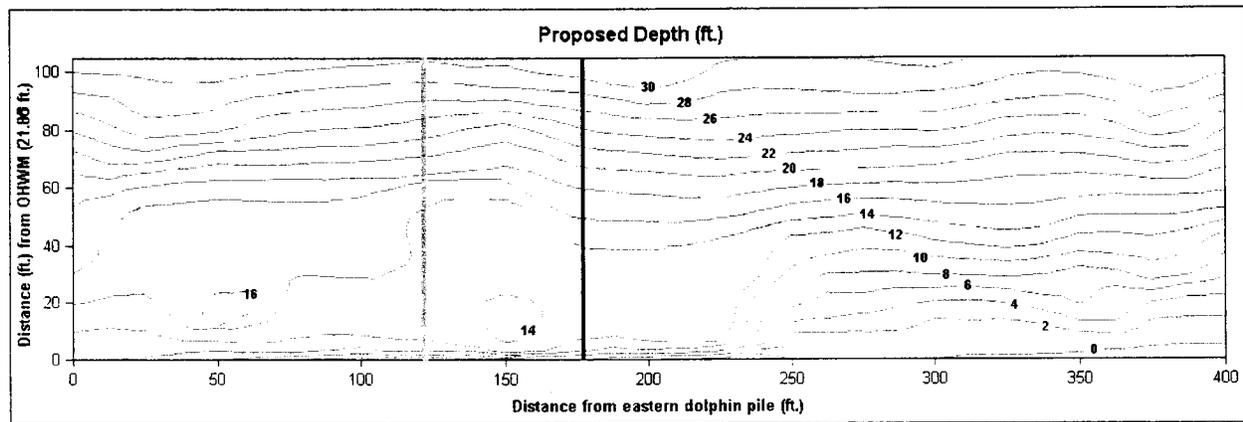
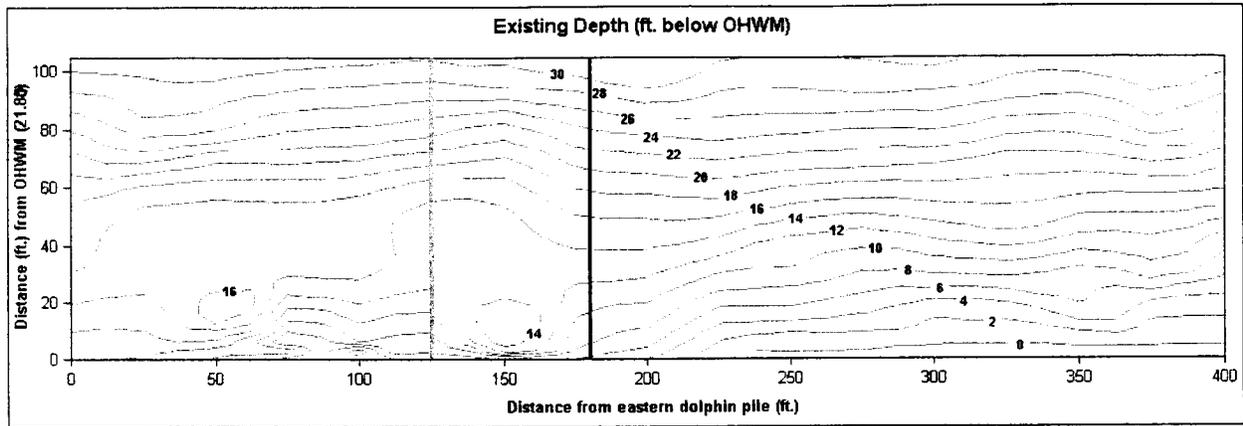
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Date January 2003



--- cross-section at 125 feet
 — cross-section at 175 feet

BATHYMETRY: EXISTING & PROPOSED

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Sheet 7 of 7

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Date January 2003



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: March 3, 2004

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200300198 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600