



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: Sarah Rahman, Project Manager

Public Notice Date: May 3, 2004

Expiration Date: May 18, 2004

Reference: 200300275

Name: WA ST Dept of Fish
& Wildlife

15 DAY PUBLIC NOTICE

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, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT - Washington Dept. of Fish and Wildlife, Engineering Division
600 Capitol Way North
Olympia, Washington 98501-1091
ATTN: Mr. Curtis Wambach
Telephone: (360) 902-8426

LOCATION – In Admiralty Inlet near Freeland, and in Penn Cove near Coupeville, Island County, Washington.

WORK – Replace a defunct steel rail boat launch with a concrete and articulated block boat launch facility in Admiralty Inlet; and remove an existing concrete bulkhead and associated fill material and plant native shoreline vegetation in Penn Cove as mitigation impacts to surf smelt spawning habitat resulting from the construction of the boat launch facility.

PURPOSE – Reinstate boating access to Admiralty Inlet for tourists and residents of Bush Point.

ADDITIONAL INFORMATION – Work outside of U.S. Army Corps of Engineers (Corps) jurisdiction includes the demolition of an existing bait shop and replacement with a combined bait shop and restroom in conjunction with two paved ADA van-accessible parking spaces and a paved staging area for boat launching and retrieval; the installation of a drainfield in the upland parking area to handle waste from the new restrooms; and the paving of two existing parking lots including improvements to associated stormwater treatment facilities.

ENDANGERED SPECIES -

The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The marbled murrelet (*Brachyramphus marmoratus*) threatened, bald eagle (*Haliaeetus leucocephalus*) threatened, coastal/Puget Sound bull trout (*Salvelinus confluentus*) threatened, Puget Sound chinook salmon (*Oncorhynchus tshawytscha*) threatened, Hood Canal summer chum (*Oncorhynchus keta*) threatened, Steller sea lion (*Eumetopias jubatus*) threatened, humpback whale (*Megaptera novaeangliae*) endangered, and leatherback sea turtle (*Dermochelys coriacea*) endangered in the State of Washington, *may occur* in the proposed project area. For the marbled murrelet, critical habitat has been designated. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the bald eagle,

marbled murrelet and its critical habitat, coastal/Puget Sound bull trout, Puget Sound chinook salmon, Hood Canal summer chum, Steller sea lion, humpback whale, and leatherback sea turtle.

A preliminary determination indicates that the activity will not likely adversely affect endangered or threatened species, or their critical habitat, designated under the Endangered Species Act of 1973. Informal Consultation under Section 7 of the ESA has been initiated with National Marine Fisheries Service and U.S. Fish and Wildlife Service.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon, Groundfish, Coastal Pelagic Species occurs in the project area. The proposed action would impact approximately 0.07 of an acre of EFH for these species.

The 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. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

There may be recorded properties within the permit area. Further review of this will be conducted during the Corps evaluations of the proposed action and it's effects on the environment.

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, 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 U.S. Army Corps of Engineers (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

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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 evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

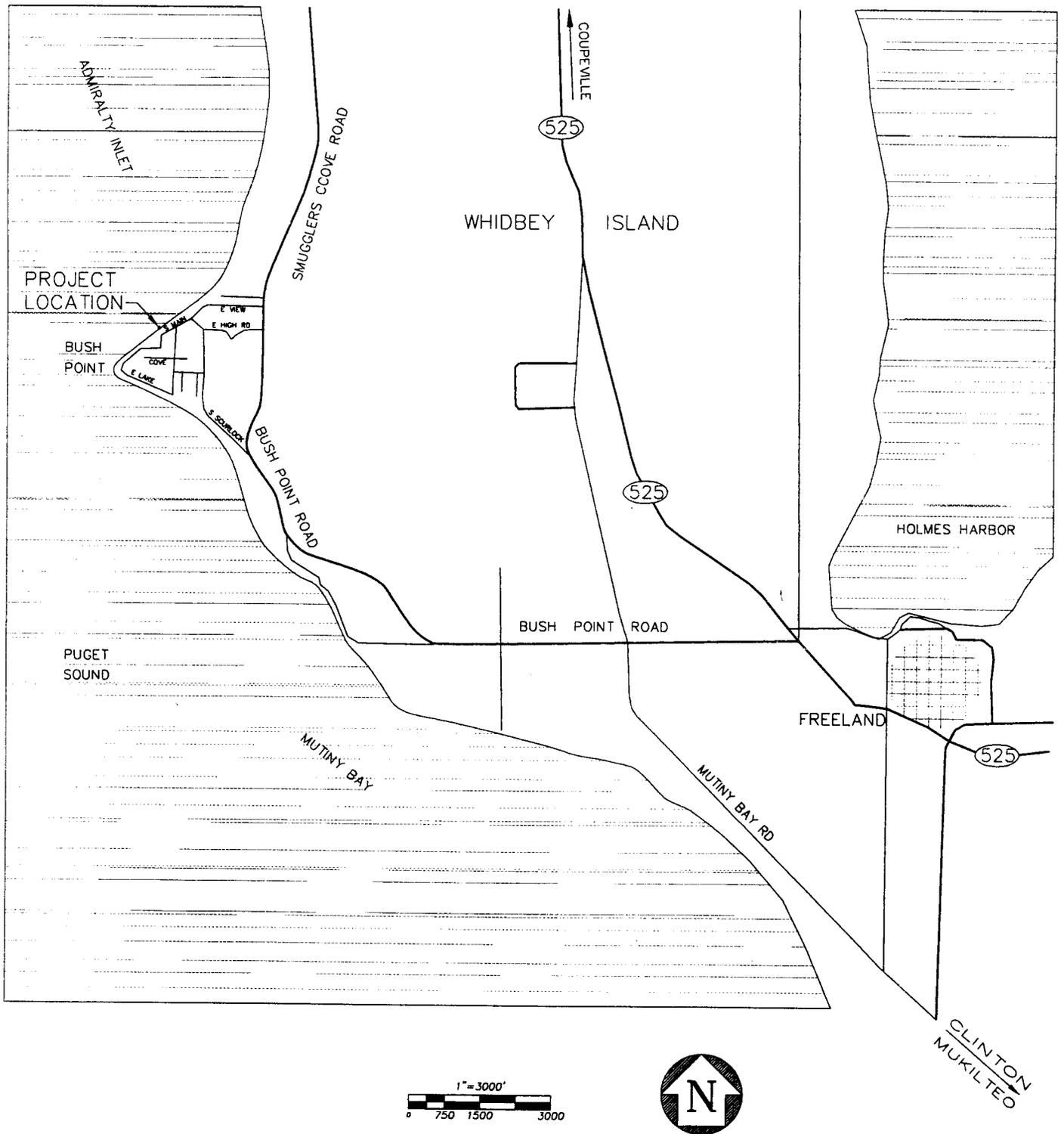
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. SPD 181/03 which has been issued by Island County.

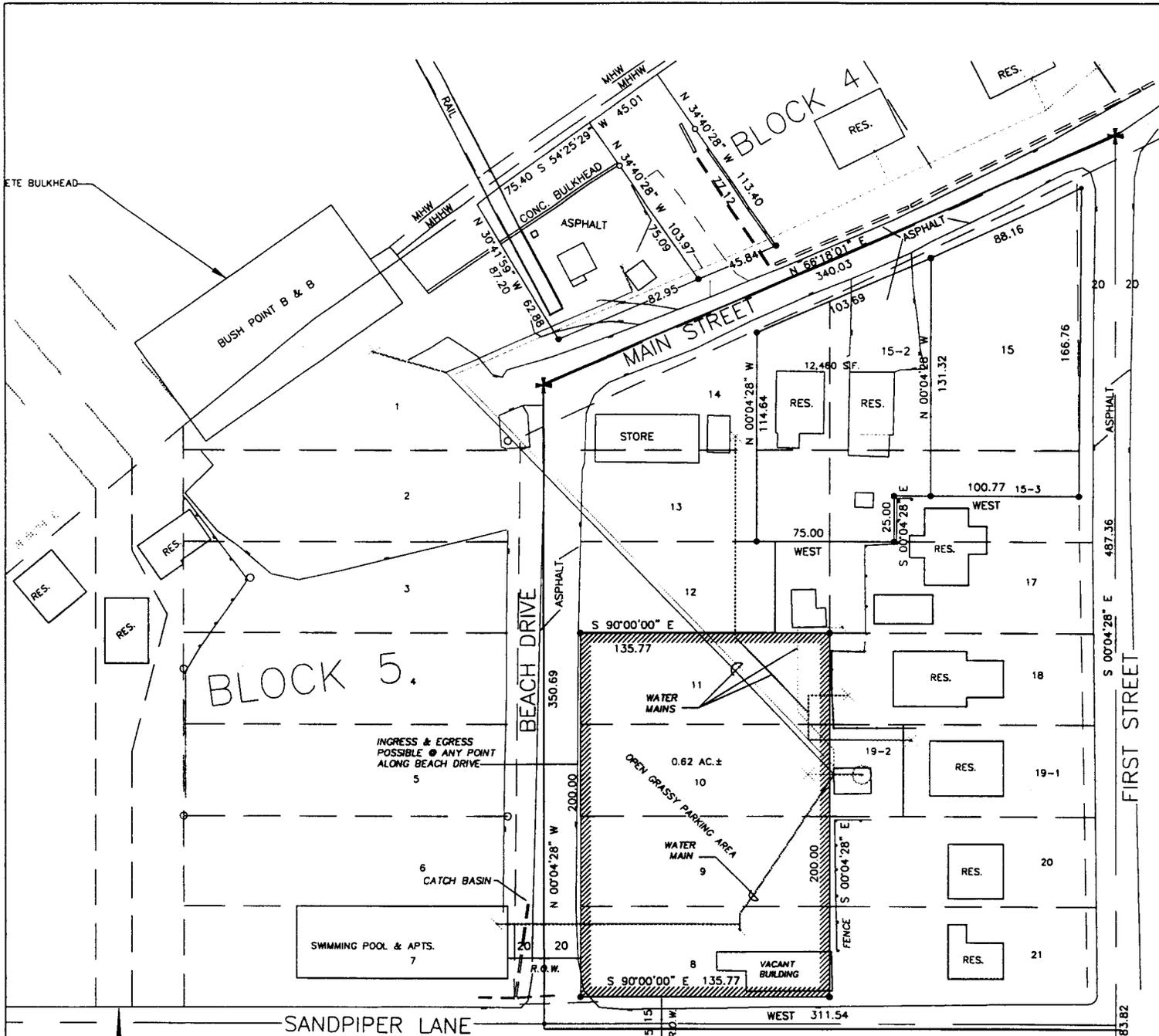
COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 Annie.S.Rahman@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 commenter'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:

WA ST Dept of Fish & Wildlife
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Encl
Drawings (12)



PURPOSE: REPLACE DETERIORATED RAIL BOAT LAUNCH SYSTEM	200300275	PROPOSED: BOATING ACCESS VICINITY MAP
DATUM: TIDAL -- MLLW LATITUDE: 48° 01.9' -2" LONGITUDE: 122° 36' 6.7" ENG. PROJECT NO. A672:02-1	SITE: BUSH POINT ADDRESS: BUSH POINT WHIDBEY ISLAND, WA WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	IN: PUGET SOUND NEAR: ADMIRALTY INLET COUNTY OF: ISLAND STATE: WA PORTION OF: SEC 6, T29N - R2E DATE: 10/15/02 SHEET 1 OF 12



BLOCK 5

BLOCK 4

INGRESS & EGRESS POSSIBLE @ ANY POINT ALONG BEACH DRIVE

SWIMMING POOL & APTS.

VACANT BUILDING

OPEN GRASSY PARKING AREA

WATER MAIN

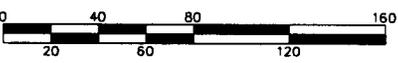
WATER MAINS

SANDPIPER LANE

MAIN STREET

BEACH DRIVE

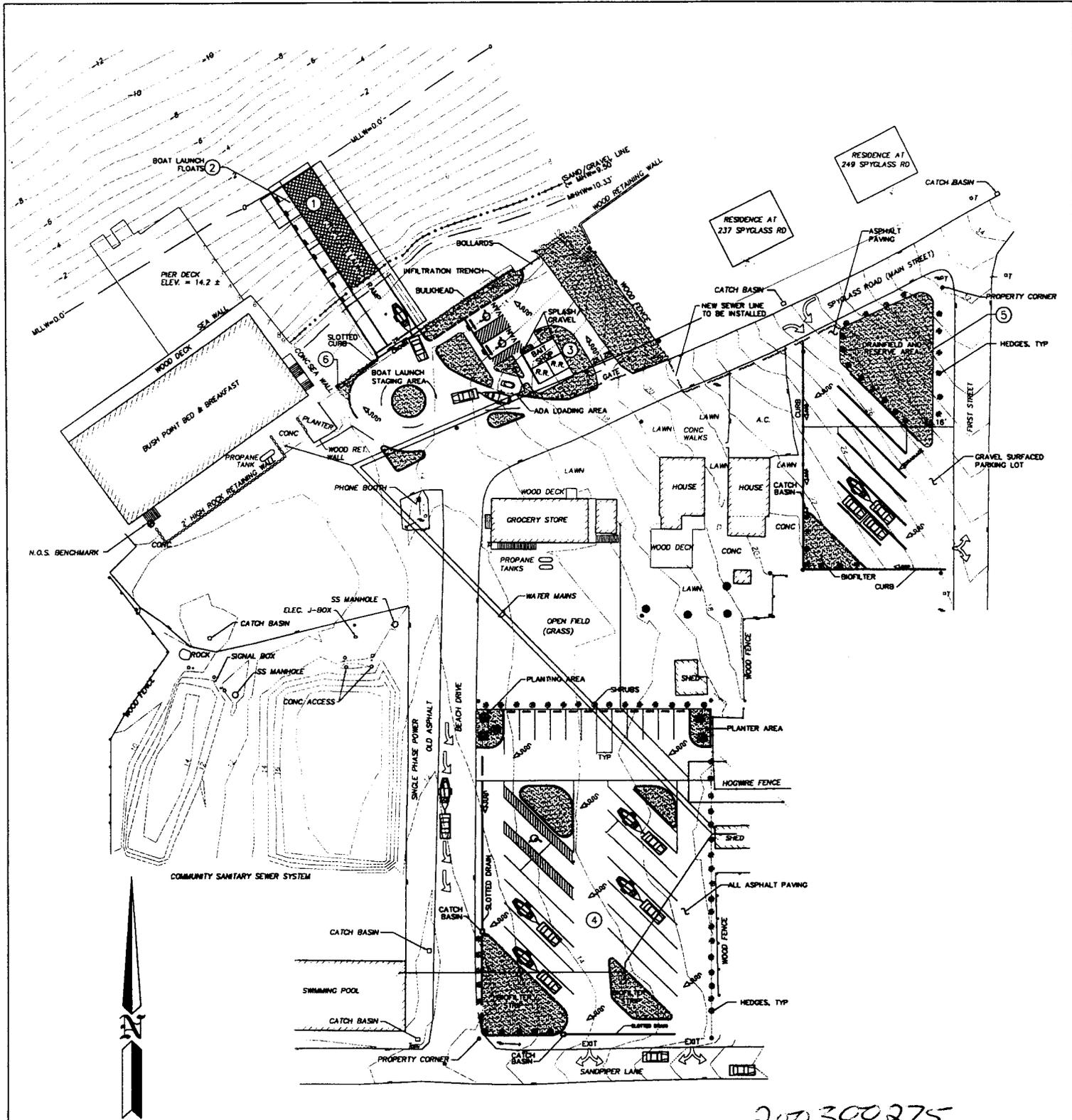
FIRST STREET



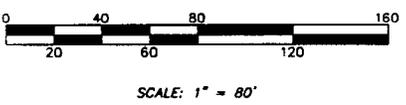
SCALE: 1" = 80'

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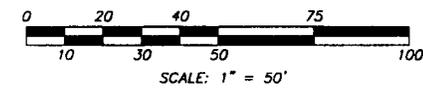
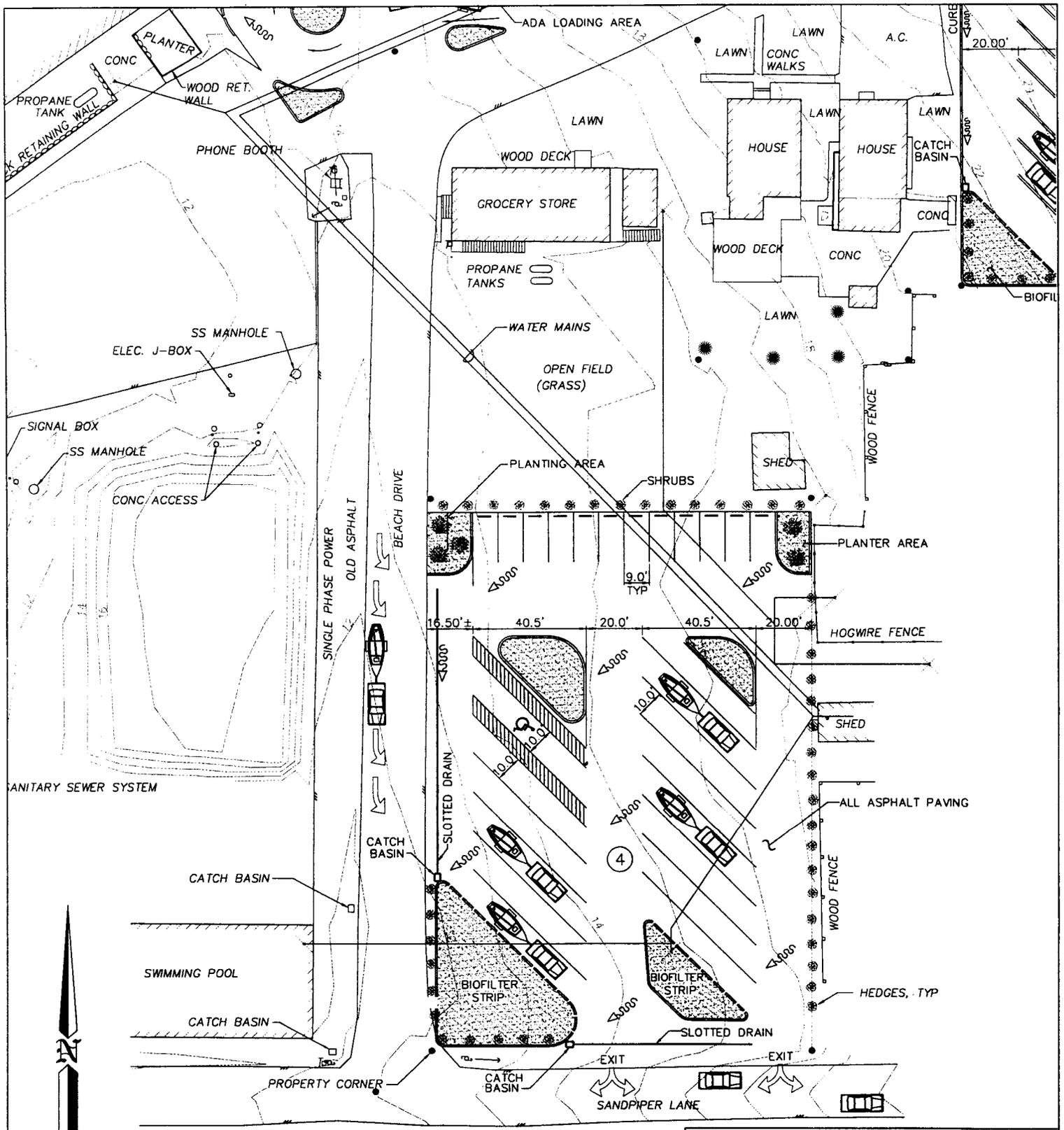
BUSH POINT BOATING ACCESS EXISTING SITE PLAN	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO. A672:02-1	
DATE: 10/15/02	SHEET 2 OF 12



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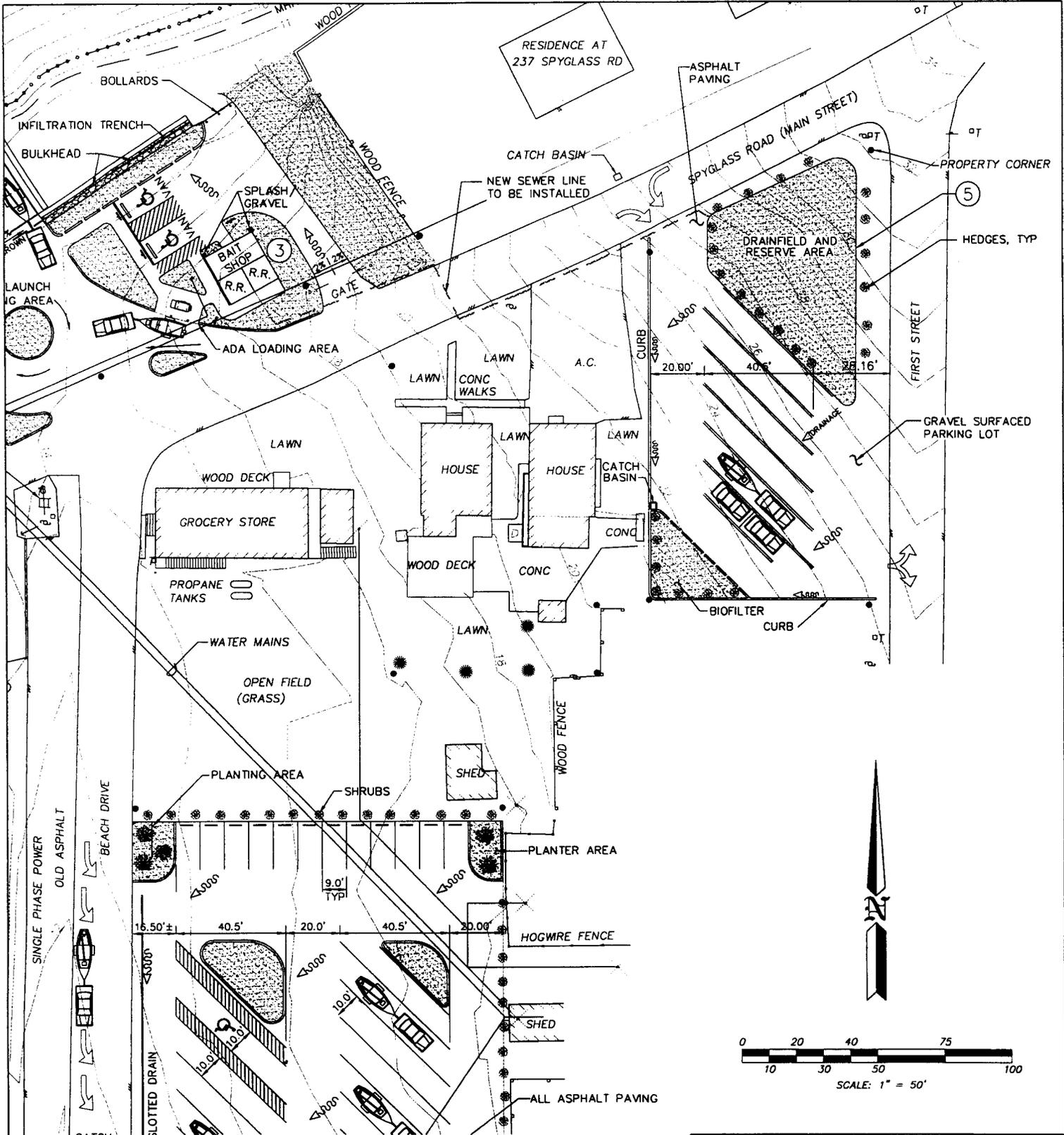


BUSH POINT BOATING ACCESS OVERALL PROPOSED SITE PLAN	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO. <u>A672:02-1</u>	
DATE: <u>10/15/02</u>	SHEET <u>3</u> OF <u>12</u>



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BUSH POINT BOATING ACCESS PARTIAL SITE PLAN 2	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO. <u>A672:02-1</u>	
DATE: <u>10/15/02</u>	SHEET <u>5</u> OF <u>12</u>



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BUSH POINT BOATING ACCESS PARTIAL SITE PLAN 3	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO. A672:02-1	
DATE: 10/15/02	SHEET 6 OF 12

FEATURES:

- ① CONSTRUCT NEW CONCRETE BOAT LAUNCH WITH ARTICULATED CONCRETE MAT BELOW MHW
- ② CONSTRUCT LAUNCH FLOATS WITH STEEL DECK AND POLYETHYLENE FLOATS OR SIMILAR
- ③ CONSTRUCT NEW RESTROOMS AND BAIT SHOP WITH SITE IMPROVEMENTS.
- ④ PAVE AND STRIPE VEHICLE/TRAILER PARKING LOT
- ⑤ CONSTRUCT DRAIN FIELD AND OVERFLOW TRAILER PARKING
- ⑥ FILTER AREA WITH CATCH BASIN AND OIL/WATER SEPARATOR INSERT

STORM WATER NOTES:

ALL STORM WATER DESIGN WAS DONE USING THE DOE STORM WATER MANAGEMENT MANUAL FOR WESTERN WASHINGTON. THE SIMPLE METHOD WAS USED FOR ALL LOTS.

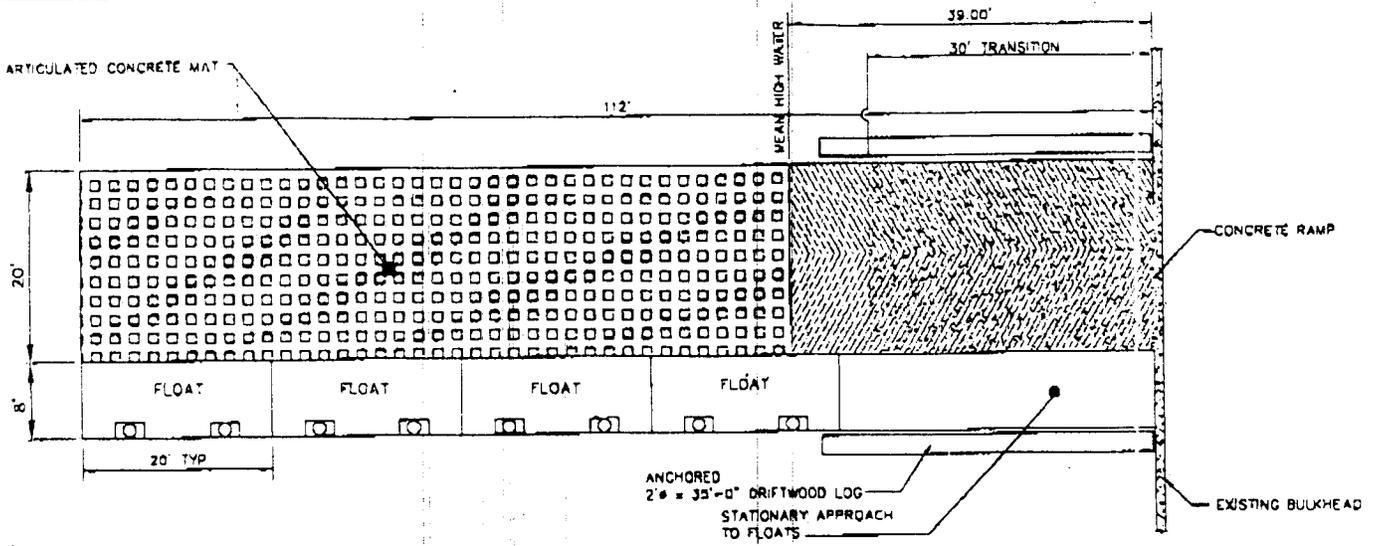
WATERFRONT LOT WILL DRAIN TO AN INFILTRATION STRIP 70 FT BY 7 FT. THEN INTO AN INFILTRATION TRENCH 90 FT BY 3 FT BY 1.5 FT DEEP WITH AN 8 IN. DIA. PERFORATED PIPE EMBEDDED. TREATED WATER WILL THEN SHEET FLOW THROUGH THE SAND. BULKHEAD WILL BE MAINTAINED TO ENSURE EVEN SUBSURFACE FLOW. A CATCH BASIN WITH OIL/WATER SEPARATOR INSERT WILL BE LOCATED ON THE NW CORNER OF THE LOT TO CATCH RUNOFF FROM THE STAGING AREA, TREAT THE WATER AND THEN ROUTE IT TO THE INFILTRATION TRENCH. LANDSCAPING WILL BE USED AS ADDITIONAL FILTER AREAS. ISOLATED LANDSCAPING PATCHES WILL BE DEPRESSED 0.5 FT AND PLANTED WITH GRASS TO SERVE AS MULTIPLE SMALL BASINS, OR RAIN GARDENS.

UPPER PARKING LOT WILL DRAIN TO A SINGLE TRIANGLE SHAPED INFILTRATION POND 40 FT BY 40 FT (800 SQ. FT.) WHICH IS 0.5 FT DEEP. CURBS WILL BE USED TO DIRECT RUNOFF INTO BASIN. BASIN WILL BE PLANTED WITH EROSION CONTROL GRASS.

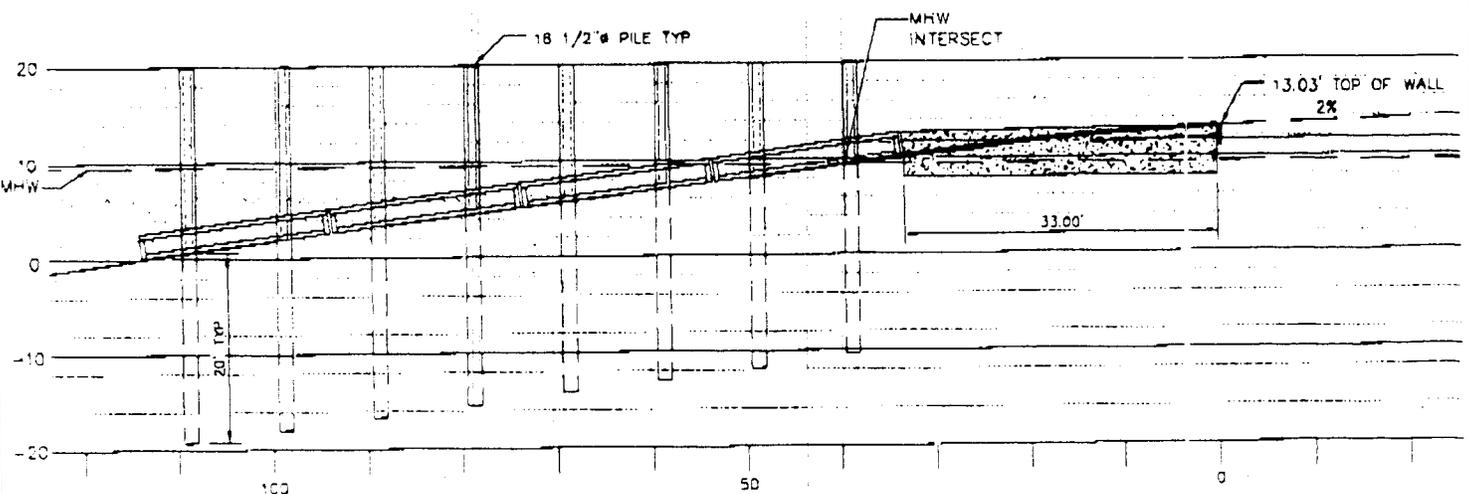
LOWER PARKING LOT CONSISTS OF SEVERAL SMALL BASINS AND ONE LARGE INFILTRATION BASIN. THE LARGEST BASIN IS SIZED TO HANDLE RUNOFF SMALLER BASINS WILL BE PLANTED WITH SHRUBS AND GROUND COVER TO SERVE AS RAIN GARDENS. THE LARGE BASIN WILL BE PLANTED WITH GRASS. SLOTTED DRAINS AND CURBS WILL BE USED TO DIRECT RUNOFF INTO INFILTRATION BASINS. BASINS WILL BE DEPRESSED 0.5 FT. THE LARGE BASIN IS APPROXIMATELY 1805 SQ. FT.

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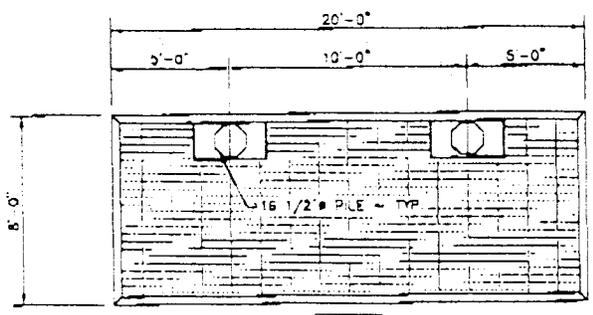
BUSH POINT BOATING ACCESS SITE PLAN NOTES	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO.	A672:02-1
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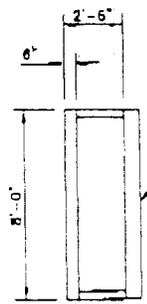
PLAN - LAUNCH RAMP AND FLOATS
SCALE: 1" = 20'



PROFILE - LAUNCH RAMP AND FLOATS
SCALE: 1" = 20'

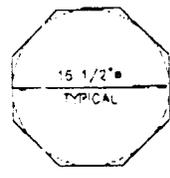


PLAN



FLOAT

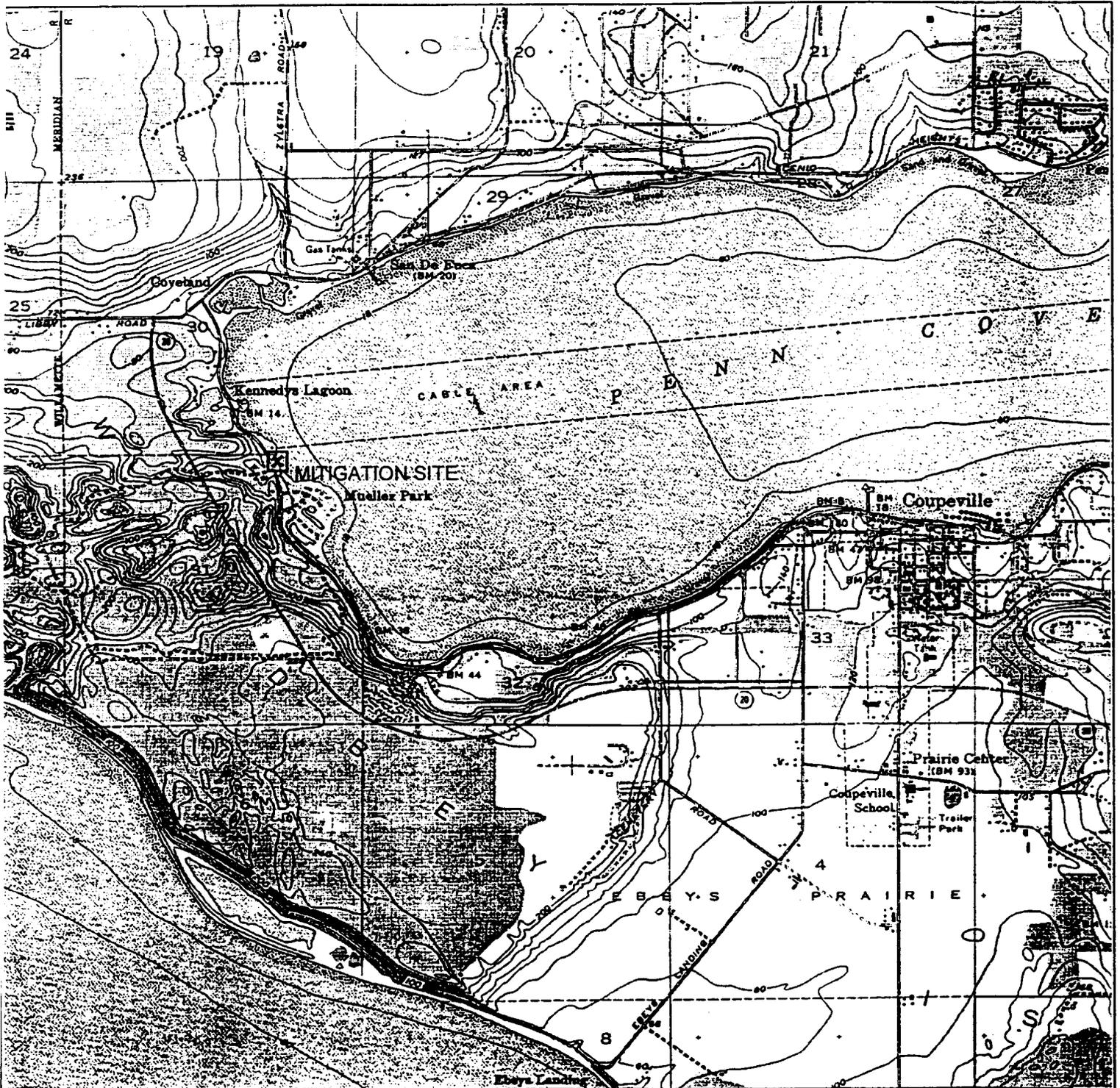
SCALE: 1/8" = 1'-0"



TYPICAL PILE PLAN

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BUJSH POINT BOATING ACCESS LAUNCH AND FLOATS	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO. A672:02-1	DATE 10/15/02
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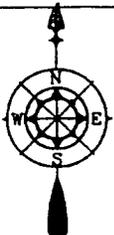


Name: COUPEVILLE
 Date: 8/1/102
 Scale: 1 inch equals 2500 feet

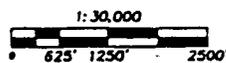
Location: 048° 13' 26" N 122° 43' 44." W
 Caption: MITIGATION SITE

Sec 31, T 32N, R 1E

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VICINITY MAP



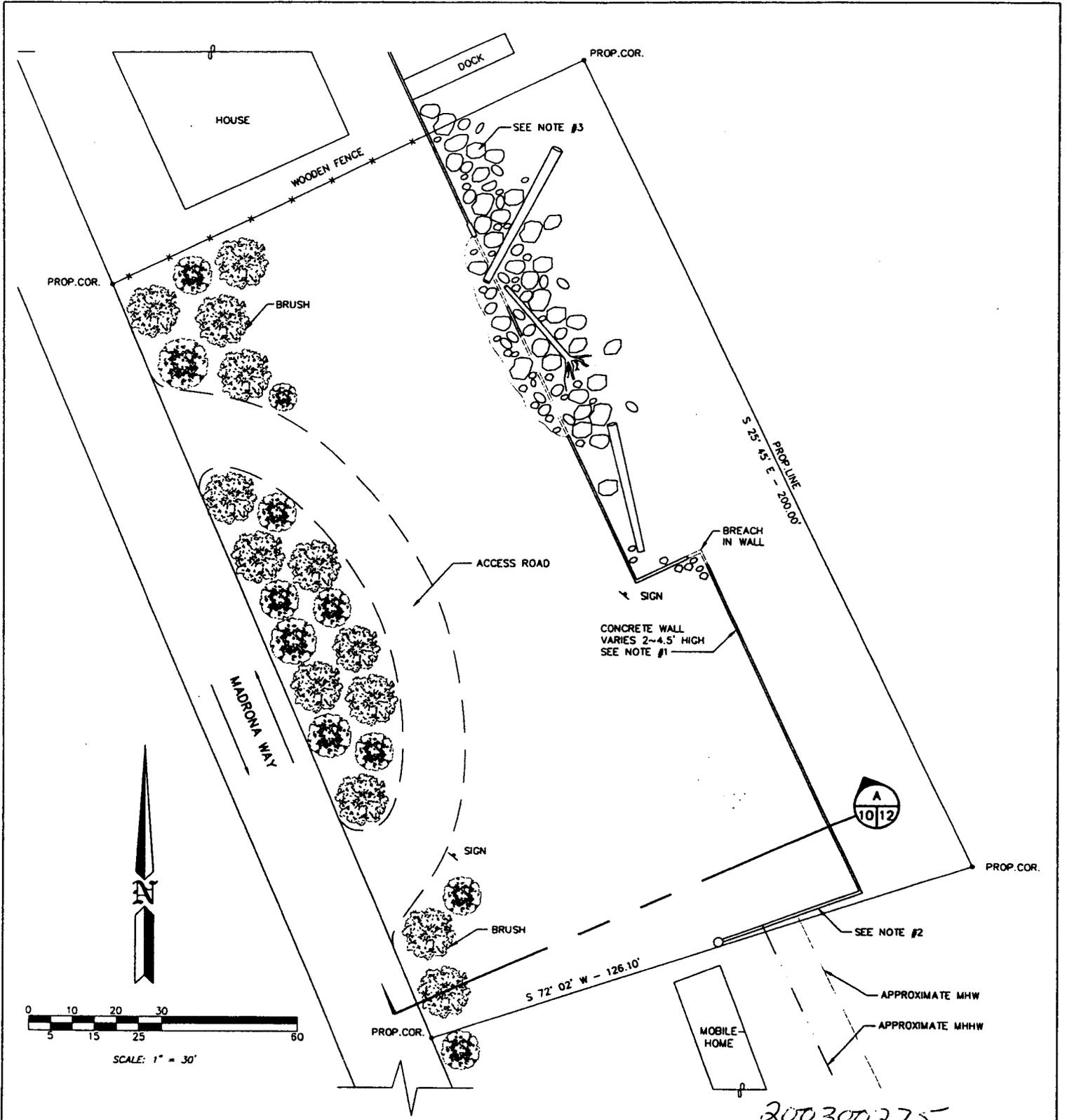
PENN COVE
 MITIGATION SITE

WASHINGTON DEPT. of FISH & WILDLIFE
 600 CAPITAL WAY N.
 OLYMPIA, WA 98501-1091

ENG. PROJECT NO. A672:02-1

DATE: 7-31-02 SHEET 9 OF 12

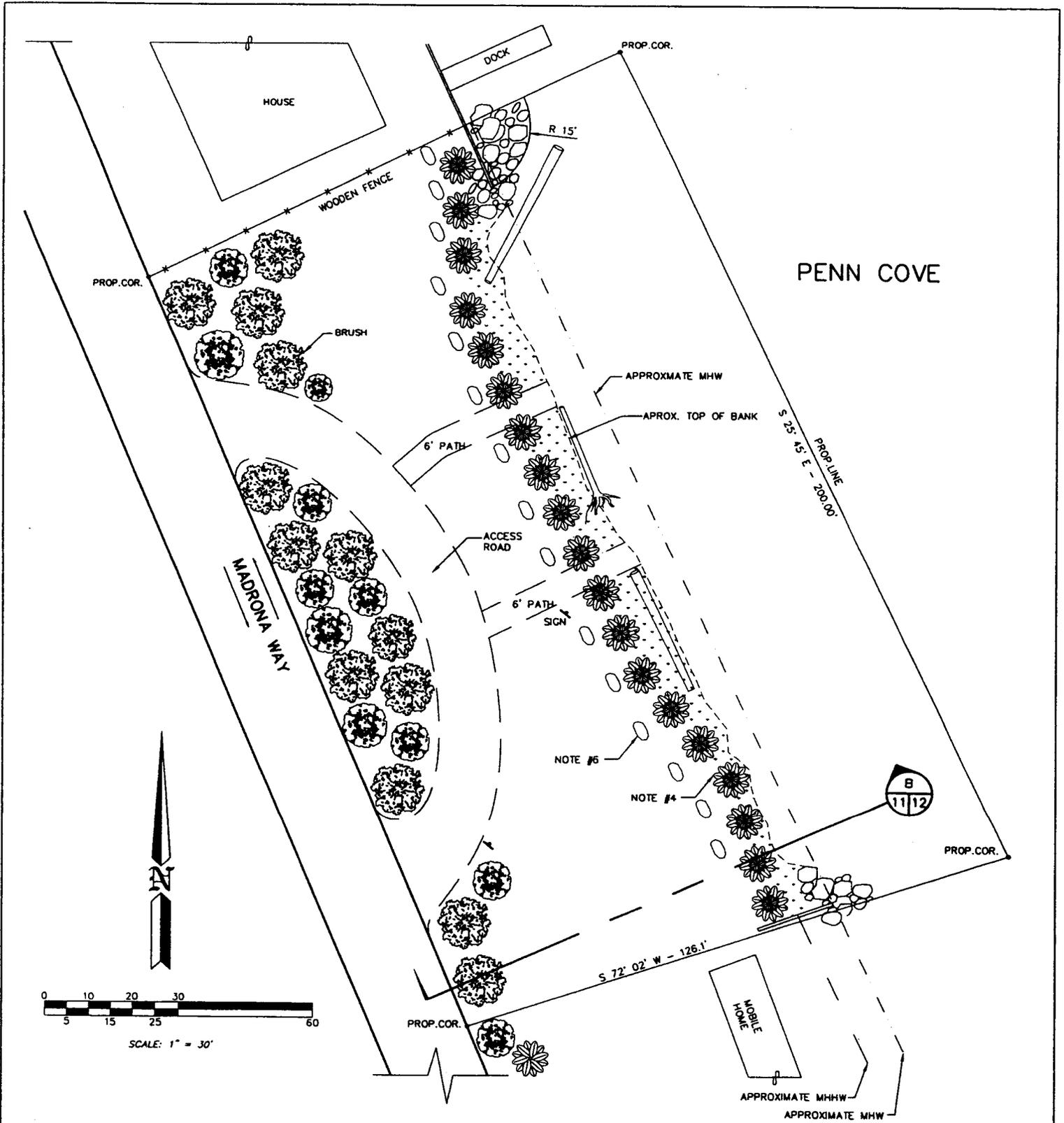
Penn Cove existing conditions



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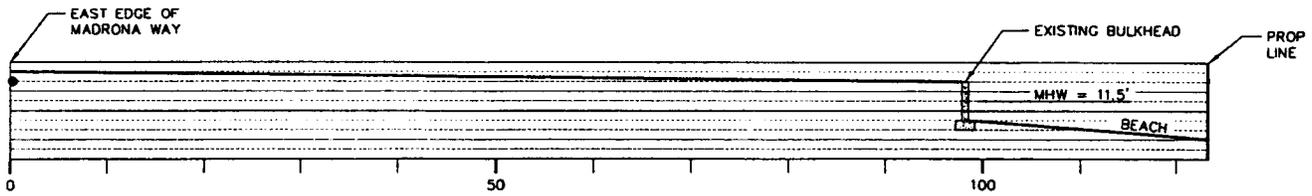
BUSH POINT BOATING ACCESS PENN COVE - MITIGATION	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO. A672:02-1	
DATE: 10/15/02	SHEET 10 OF 12

Penn Cove proposed site plan and notes

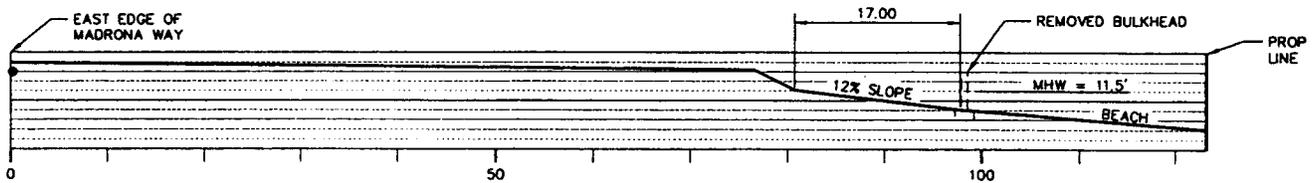


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BUSH POINT BOATING ACCESS PENN COVE - MITIGATION SITE		
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091		
ENG. PROJECT NO. A672:02-1		
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EXISTING PROFILE (A)
SCALE 1"=20'
10/12



PROPOSED PROFILE (B)
SCALE 1"=20'
11/12

NOTES:

1. CONCRETE BULKHEAD SHALL BE REMOVED AND DISPOSED OF OFF-SITE AT AN APPROVED LOCATION. ALL FILL MATERIAL TO BE REMOVED (APPROX 200 CY) SHALL BE HAULED OFF SITE TO AN APPROVED LOCATION
2. SOUTHERN WALL RUNNING WEST SHALL BE CUT WITH A CONCRETE SAW AT THE HIGH WATER MARK ALL WALL BELOW THE HIGH WATER LINE SHALL BE REMOVED CARE SHALL BE TAKEN NOT TO CRACK OR OTHERWISE DAMAGE THE WALL ABOVE THE HIGH WATER LINE ANY DEBRIS CROSSING ONTO THE ADJACENT PROPERTY SHALL BE IMMEDIATELY REMOVED RIPRAP SHALL BE PLACED ON THE WEST SIDE OF THE CUT END TO PROTECT.
3. WALL SHALL BE CUT 15 FEET SOUTH OF THE NORTHERN PROPERTY LINE WITH A CONCRETE SAW CARE SHALL BE TAKEN NOT TO DAMAGE THE REMAINING WALL OR FENCE NEAR THE PROPERTY LINE. ONSITE RIPRAP SHALL BE NEATLY STACKED IN FRONT OF AND AROUND THE CUT EDGE OF THE WALL RIPRAP WILL BE THREE (3') FEET HIGH AT A 3:1 SLOPE
4. DECIDUOUS TREE (BIG LEAF MAPLE, ALDER) SAPLINGS SHALL BE PLANTED EVERY 10 FEET ALONG THE WALL. DUNE GRASS SHALL BE PLANTED THREE (3') FEET ON CENTER, ALONG THE TOP OF BANK.
5. OTHER ITEMS ANY AREAS OF EXPOSED SOIL SHALL BE GRASS SEEDED PRIOR TO EQUIPMENT DEMOBILIZATION ALL WORK SHALL BE DONE DURING TIME WINDOW DESIGNATED ON HPA RIP RAP PLACEMENT SHALL BE BY ZERO DROP HEIGHT METHOD
6. EXCESS RIPRAP SHALL BE PLACED TO PREVENT VEHICLE ACCESS TO SHORELINE. ACCESS SIGN SHALL BE MOVED IN FRONT OF VEGETATION.

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BUSH POINT BOATING ACCESS PENN COVE - MITIGATION SITE	
WASHINGTON DEPT. of FISH & WILDLIFE 600 CAPITAL WAY N. OLYMPIA, WA 98501-1091	
ENG. PROJECT NO. A672:02-1	
DATE: 10/15/02	SHEET 12 OF 12



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
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: May 3, 2004

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200300275 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

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 above referenced project 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 on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 15 days of the above publication date to:

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