



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: Kristina Tong, Project Manager

Public Notice Date: December 3, 2003

Expiration Date: December 17, 2003

Reference: 200301072

Name: Nichols Brothers Boat Builders,
Inc.

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, for certain work described below and shown on the enclosed drawings.

APPLICANT - Nichols Brothers Boat Builders, Inc.
Post Office Box 580
Freeland, Washington 98249
ATTN: Mr. Bryan Nichols
Telephone: (360) 331-5500

LOCATION - in Holmes Harbor at 5400 South Cameron Road near Freeland, Island County, Washington.

WORK - Proposed maintenance dredging of no more than 400 cubic yards of accumulated sediment located on an existing boat ramp and installation of steel sheet pile on the west and east sides of the dredged area (40-feet wide and 60-feet long) for a length of 60-feet on both sides. The steel sheet piles would be driven with a vibratory pile driver, 4-feet below the ramp surface and extend 12 inches above the prevailing adjacent beach grade. Two hundred cubic yards of accumulated sediment will be dredged in January 2004. If necessary, no more than 200 cubic yards of accumulated sediment will be dredged in April 2004. The April 2004 dredging would include the use of a silt curtain partially held in place with a steel plate. Dredged material will be disposed at an approved upland location. The material will be dredged with an excavator with a clamshell dredging attachment.

PURPOSE - The maintenance dredging is necessary to restore the elevation of the boat ramp to allow the launch of the U.S. Navy X-Craft vessel in April 2004. The steel sheet piles are needed to prevent the dredge area from filling in with native sand and silt before the April 2004 launch date.

ADDITIONAL INFORMATION - Through natural sedimentation, the lower 60 feet (horizontal) of the boat ramp has become covered with sediment since the last dredge that occurred in early 2003. The elevation of the end of the boat ramp is now greater than +1 foot MLLW. The elevation of the end of the boat ramp under the sediment is -3 foot MLLW. The applicants need a depth of -3 foot MLLW to launch the U.S. Navy X-Craft.

In the past, after the area has been dredged, the west side of the dredged area typically begins slumping into the basin and sediment washes into the basin from the west. The maintenance dredging is proposed to occur during two days with a consecutive low tide during the week of January 20, 2004, during the approved work

window. Sheet piles will be installed along the west and east edge of the dredge area in order to prevent the dredge area from filling in before the April 2004 launch date. After the proposed dredging occurs in January 2004, the applicant will monitor the depth of the dredge area. If the sheet piles are not successful in stopping sedimentation of the dredge area and sediments have accumulated, during low tides on April 9 and 10, 2004, the applicant will need to dredge the end of the boat ramp to obtain a depth of -3 foot MLLW to launch the vessel. Because this work would occur during the work window closure, the applicant will install a silt curtain partially held in place with steel plates, to contain sediments and exclude fish that may be in the vicinity.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The Puget Sound Chinook, Coastal bull trout, bald eagle, marbled murrelet, humpback whale, steller sea lion, and leatherback sea turtle may occur in the proposed project area. The U.S. Army Corps of Engineers (Corps) will initiate informal consultation with the appropriate Federal agencies.

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 occurs in the project area. The proposed action would impact approximately 2400 square feet 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 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.

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 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

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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.

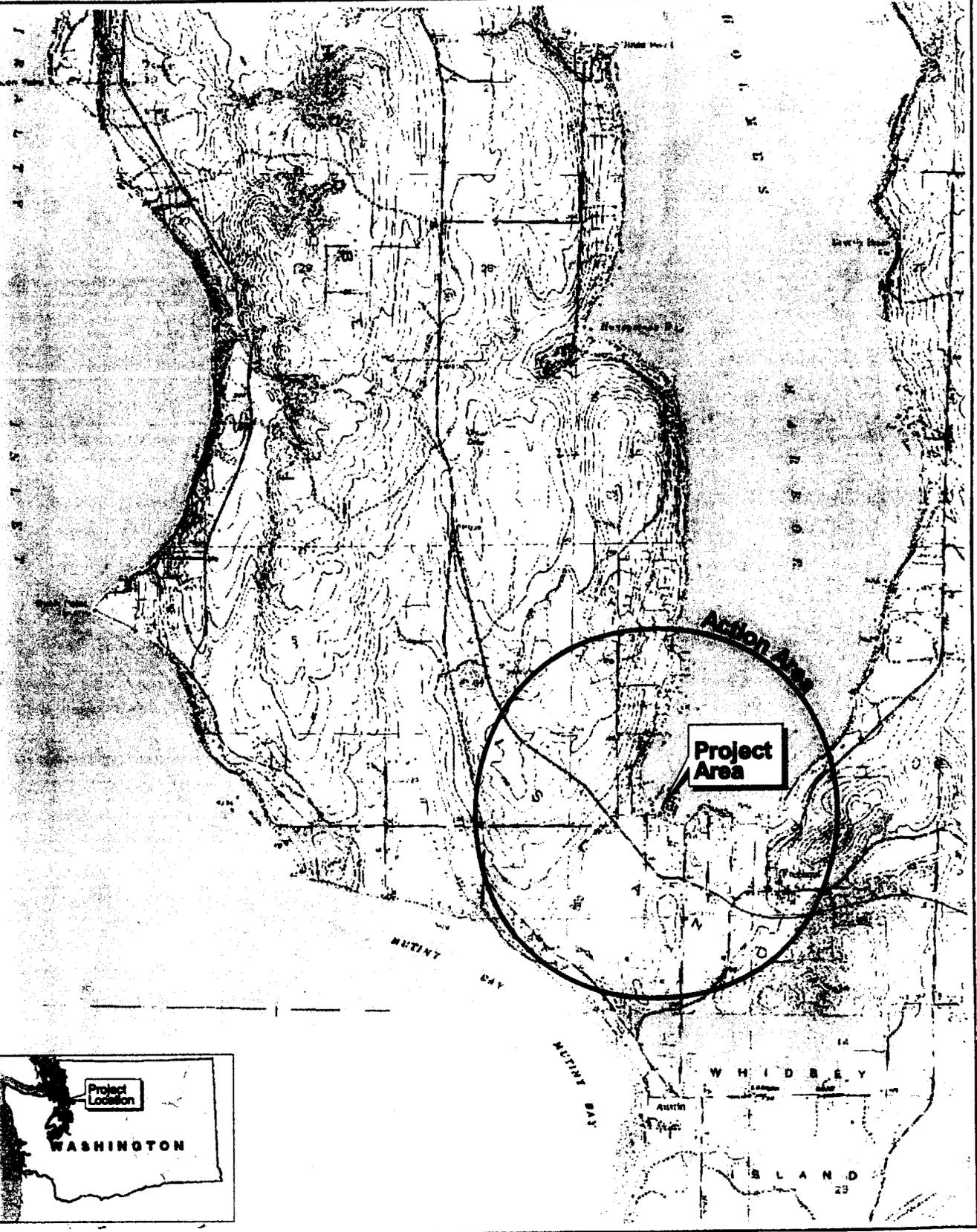
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

Island County has issued an exemption for the maintenance dredging (#SHE 136-02), from the requirement of obtaining a Shorelines Substantial Development permit for this project. Applicant has applied for an exemption for the sheet pile work.

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 Kristina.g.tong@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 commentator'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:

Nichols Brothers Boat Builders, Inc.
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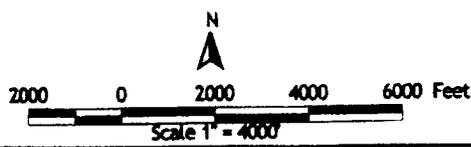
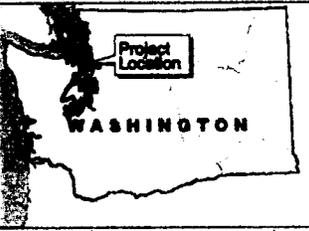
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Drawings (3)

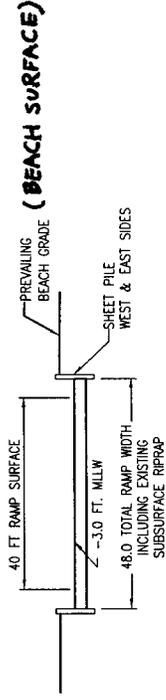
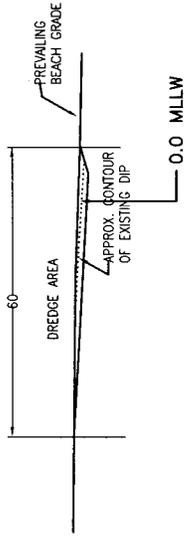


REFERENCE 200301072
 APPL. BY: NICHOLS BROS BOAT BLDRS, INC.
 LOCATION ADDRESS:
 5400 CAMERON RD
 FREELAND WA
 REFERENCE: 2002-1-000529

PROPOSED: MAINTENANCE DREDGING OF
 BOAT RAMP AND INSTALLATION OF SHEET
 PILES
 IN HOLMES HARBOR
 AT SOUTHWEST END
 COUNTY: ISLAND
 SHEET 1 OF 3
 DATE: 9/16/03
 STATE: WA

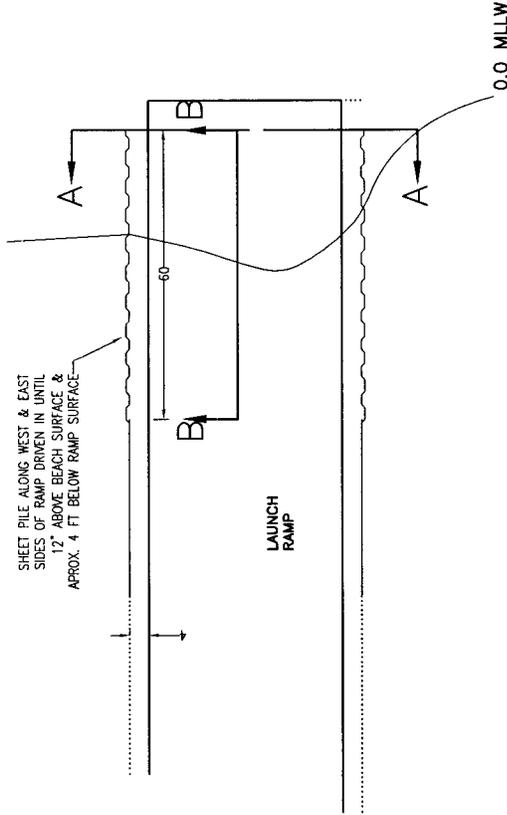
PURPOSE: TO LAUNCH U.S. NAVY X-CRAFT
 VESSEL
 ADJACENT PROPERTY OWNERS:
 (1) TAYLOR UNITED INC
 (2) MOLLY SCHICK
 (3) RICHARD PLOSS
 LOCATION 48°11'0"N/122°32'5"W
 S. 10 NW
 T. 29 N
 R. 2E





SEC. B-B

SEC. A-A



SHEET PILE ALONG WEST & EAST SIDES OF RAMP DRIVEN IN UNTIL 12" ABOVE BEACH SURFACE & APPROX. 4 FT BELOW RAMP SURFACE



SCALE 1" = 40'

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APPL. BY: NICHOLS BROS BOAT BLDRS
 LOCATION ADDRESS:
 5400 CAMERON RD
 FREELAND WA

PROPOSED: MAINTENANCE DREDGING OF BOAT RAMP & INSTALLATION OF SHEET PILES

IN: HOLMES HARBOR
 AT: SOUTHWEST END
 COUNTY: ISLAND STATE: WA
 SHEET 3 OF 3 DATE: 9/16/03



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: December 3, 2003

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. 200301072 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