



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: Randel Perry, Project Manager

Public Notice Date: December 10, 2003

Expiration Date: January 9, 2004

Reference: 200301268

Name: Skagit County, Port of

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 - Port of Skagit County La Conner Marina
Post Office Box 1120
La Conner, Washington 98257
ATTN: Russ Johnson, Marina Manager
Telephone: (360) 466-3118

AGENT - Peratrovich, Nottingham, & Drage, Inc.
811 First Avenue, Suite 570
Seattle, Washington 98104
ATTN: Mr. Jon Keiser
Telephone: (360) 624-1387

LOCATION - In the Swinomish Channel (La Conner Marina north basin) at 613 North Second Street, La Conner, Skagit County, Washington.

WORK - Replace an existing, deteriorating 2,580 square foot haul-out pier with a new 3,245 square foot structure.

PURPOSE - Accommodate demand for access and services for larger vessels and ensure operational safety.

ADDITIONAL INFORMATION - Demolition work involves removal of old overwater structural components, removal of 60-creosote treated piles, and relocation of existing float segments. Construction work involves installation of 32 steel piling (ranging in size from 16" to 20" in diameter), installation of pre-cast concrete deck components and gangway, and installation of new float segments. Piling will be primarily driven with a vibratory hammer. Drop hammer may be required depending on substrate. All materials will be stockpiled at an upland location and work barge will not ground out at any time. New decking structures will include grating to enhance light transmission.

Ancillary to the proposed activities, the Port of Skagit County will be undertaking maintenance dredging of the La Conner Marina north basin (see Public Notice Reference 200300798, issued on September 26, 2003 - permit pending).

ENDANGERED SPECIES – The bald eagle (*Haliaeetus leucocephalus*), listed threatened; marbled murrelet (*Brachyramphus marmoratus*), listed threatened; Puget Sound chinook (*Oncorhynchus tshawytscha*), listed threatened; Coastal/Puget Sound bull trout (*Salvelinus confluentus*), listed threatened; steller sea lion (*Eumetopias jubatus*), listed threatened; humpback whale (*Megaptera novaeangliae*), listed endangered; and leatherback sea turtle (*Dermochelys coriacea*), listed endangered in the state of Washington, occurs in the proposed project area. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the bald eagle, marbled murrelet, Puget Sound chinook, Coastal/Puget Sound bull trout, and steller sea lion, humpback whale, and leatherback sea turtle. A preliminary determination indicates that the activity may affect, but will not adversely affect listed chinook salmon, bull trout and bald eagles and will have no effect on listed, marbled murrelets, steller sea lion, humpback whale, and leatherback sea turtle. Informal consultation under Section 7 of the Act will be required.

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 3,245 square feet of EFH for these species.

If the U.S. 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 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 the site 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, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber

200301268, Skagit County, Port of

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 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.

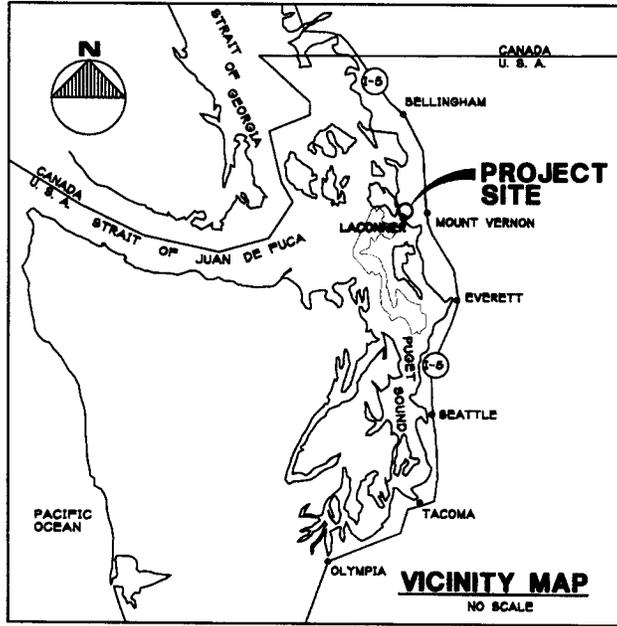
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit being processed by the Town of La Conner.

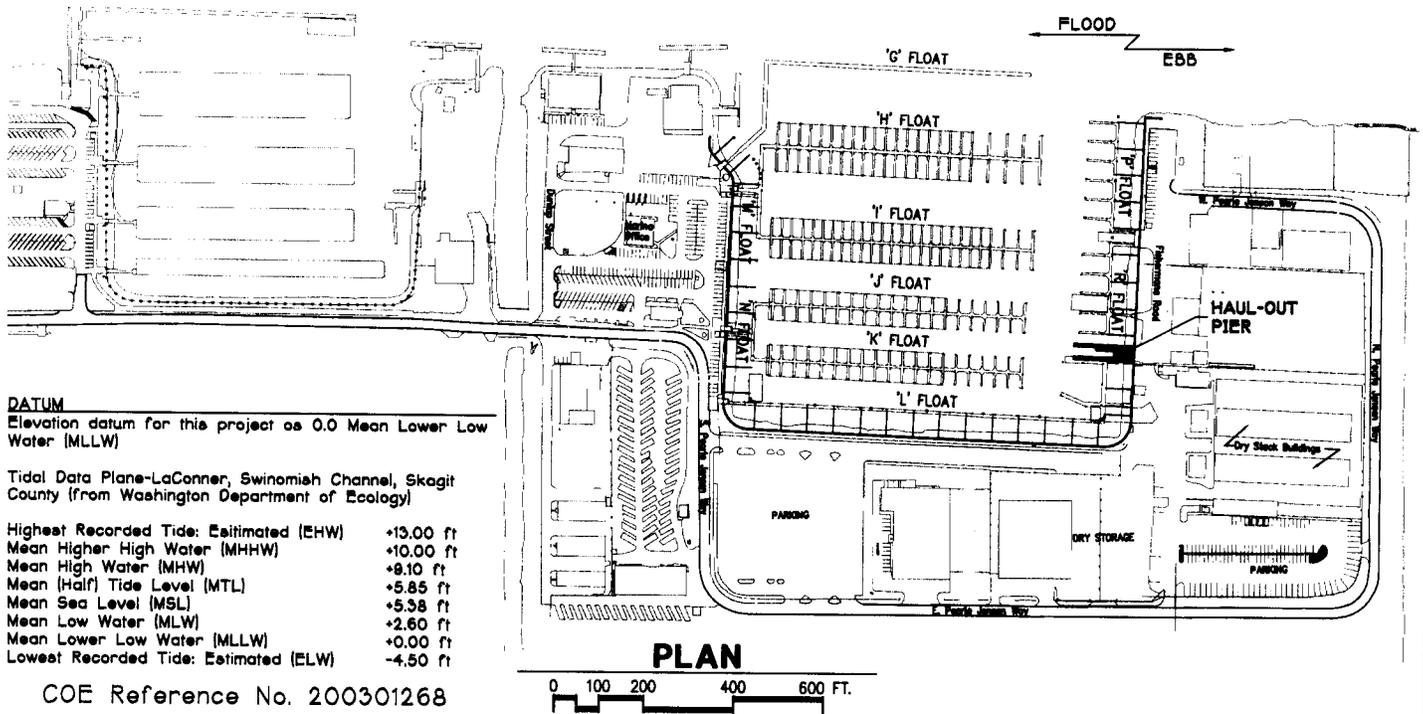
COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 Randel.J.Perry@nws02.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:

Skagit County, Port of
200301268

Encl
Drawings (6)



LATITUDE 48° 24' 05"
LONGITUDE 122° 29' 40"



DATUM
Elevation datum for this project as 0.0 Mean Lower Low Water (MLLW)

Tidal Data Plane-LaConner, Swinomish Channel, Skagit County (from Washington Department of Ecology)

Highest Recorded Tide: Estimated (EHW)	+13.00 ft
Mean Higher High Water (MHHW)	+10.00 ft
Mean High Water (MHW)	+9.10 ft
Mean (Half) Tide Level (MTL)	+5.85 ft
Mean Sea Level (MSL)	+5.38 ft
Mean Low Water (MLW)	+2.60 ft
Mean Lower Low Water (MLLW)	+0.00 ft
Lowest Recorded Tide: Estimated (ELW)	-4.50 ft

COE Reference No. 200301268

PURPOSE:
MAINTENANCE & REPAIR OF
EXISTING HAUL-OUT PIER

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
PORT OF SKAGIT COUNTY

**LA CONNER MARINA
HAUL-OUT PIER
REPLACEMENT
VICINITY & EXISTING
SITE PLAN**

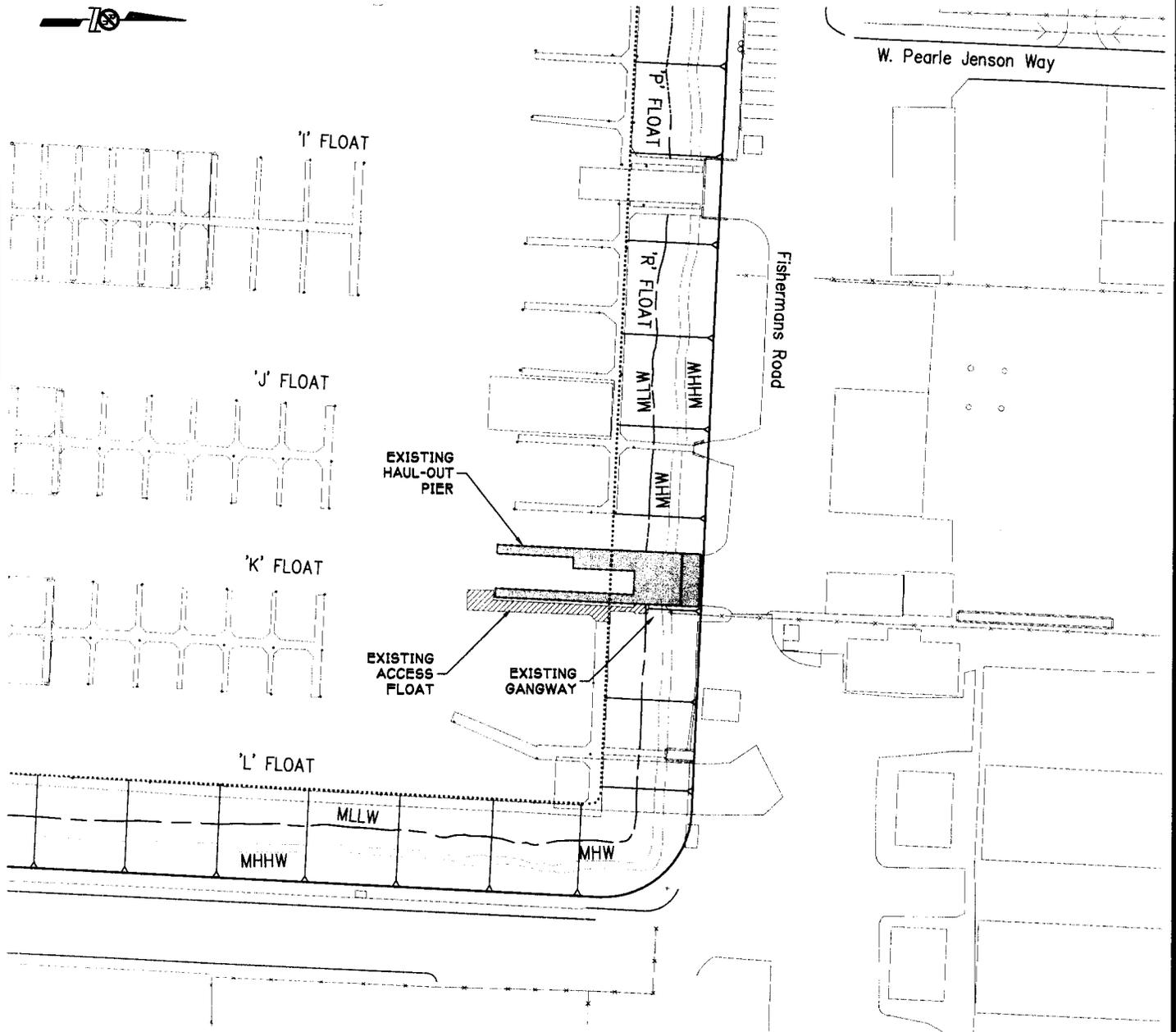
LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA. 98257

PROPOSED: RENOVATION AND
REPAIR OF HAUL-OUT PIER

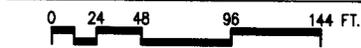
IN: SWINOMISH CHANNEL
AT: LA CONNER, WA., SKAGIT CO.
LOT 5, SEC 25, T34N, R2E

APPLICATION BY:
PORT OF SKAGIT COUNTY

SHEET 1 of 6 DATE: NOV. 2003



PLAN



COE Reference No. 200301268

PURPOSE:

MAINTENANCE & REPAIR OF
EXISTING HAUL-OUT PIER

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
PORT OF SKAGIT COUNTY

**LA CONNER MARINA
HAUL-OUT PIER
REPLACEMENT
EXISTING PLAN**

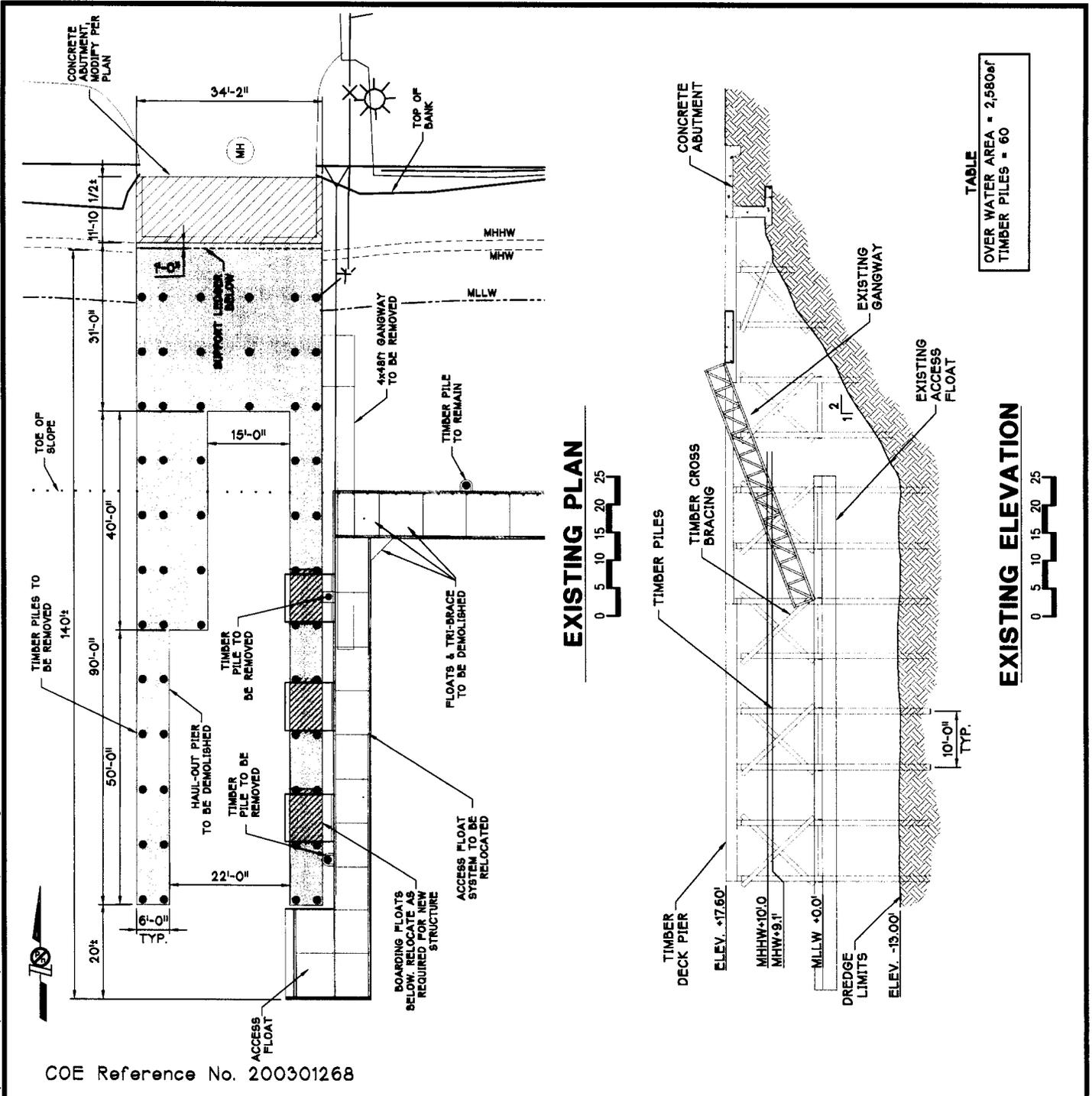
LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA. 98257

PROPOSED: RENOVATION AND
REPAIR OF HAUL-OUT PIER

IN: SWINOMISH CHANNEL
AT: LA CONNER, WA., SKAGIT CO.
LOT 5, SEC 25, T34N, R2E

APPLICATION BY:
PORT OF SKAGIT COUNTY

SHEET 2 of 6 DATE: NOV. 2003



TABLE

OVER WATER AREA = 2,580sqf
TIMBER PILES = 60

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PORT OF SKAGIT COUNTY

**LA CONNER MARINA
HAUL-OUT PIER
REPLACEMENT
DEMOLISH
EXISTING PIER**

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA. 98257

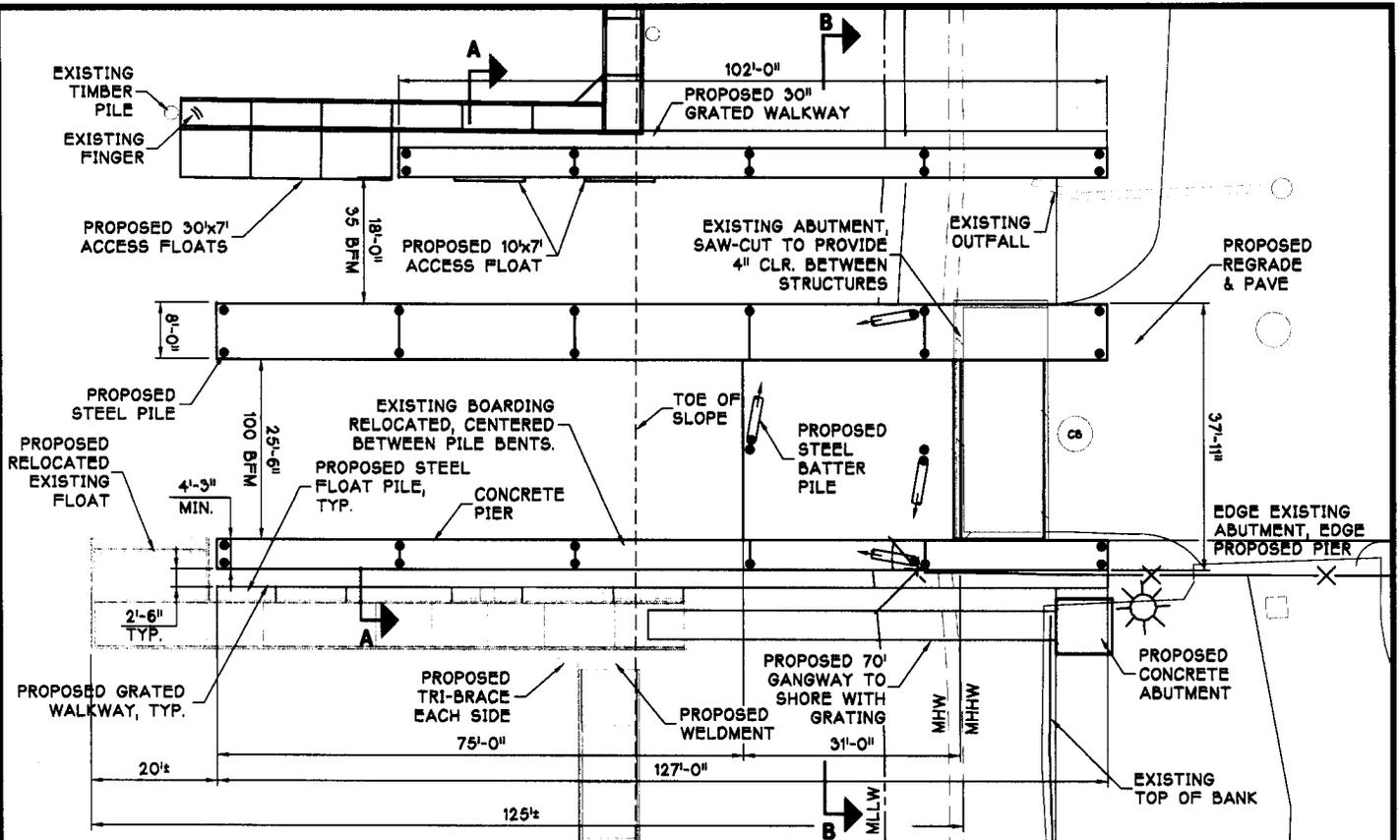
PROPOSED: RENOVATION AND
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LOT 5, SEC 25, T34N, R2E

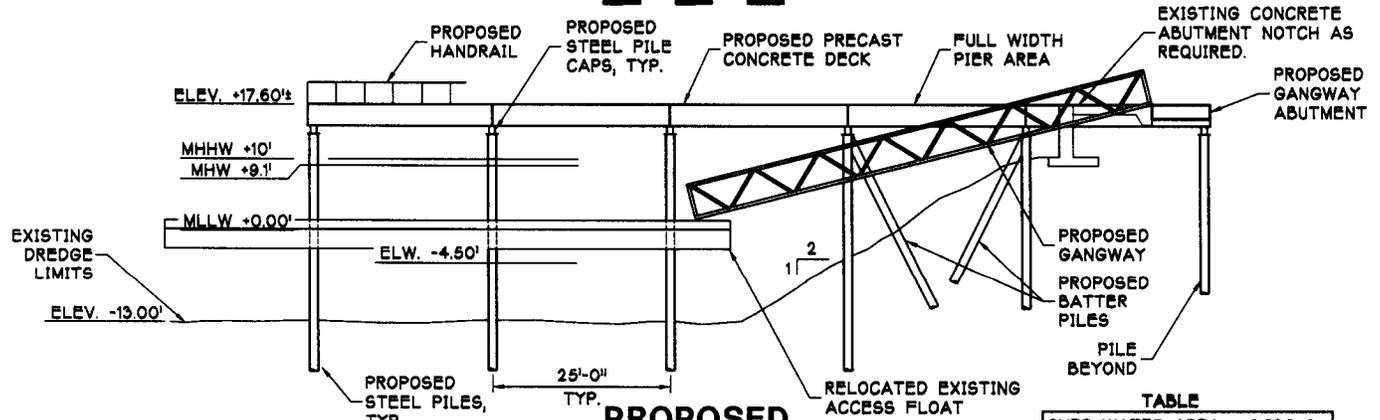
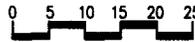
APPLICATION BY:
PORT OF SKAGIT COUNTY

SHEET 3 of 6 DATE: NOV. '03

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PROPOSED PIER PLAN



PROPOSED PIER ELEVATION

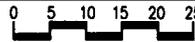


TABLE	
OVER WATER AREA =	2,530sf
OVER WATER GRATING =	715sf
STEEL PILES IN WATER =	32

COE Reference No. 200301268

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ADJACENT PROPERTY OWNERS:
PORT OF SKAGIT COUNTY

**LA CONNER MARINA
HAUL-OUT PIER
REPLACEMENT
PROPOSED
PLAN & ELEVATION**

LA CONNER MARINA
613 NORTH 2ND
LA CONNER, WA. 98257

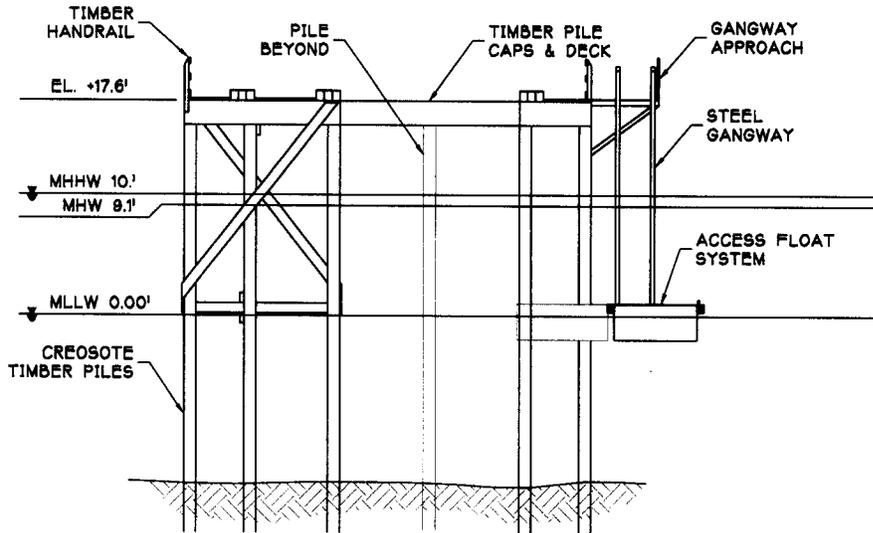
PROPOSED: RENOVATION AND
REPAIR OF HAUL-OUT PIER

IN: SWINOMISH CHANNEL
AT: LA CONNER, WA, SKAGIT CO.
LOT 5, SEC 25, T34N, R2E

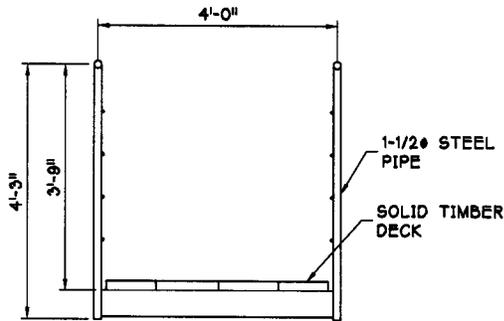
APPLICATION BY:
PORT OF SKAGIT COUNTY

SHEET 5 of 6 DATE: NOV. '03

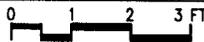
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EXISTING SECTION



TYPICAL EXISTING GANGWAY SECTION



COE Reference No. 200301268

PURPOSE:

MAINTENANCE & REPAIR OF EXISTING HAUL-OUT PIER

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
PORT OF SKAGIT COUNTY

LA CONNER MARINA HAUL-OUT PIER REPLACEMENT EXISTING SECTIONS

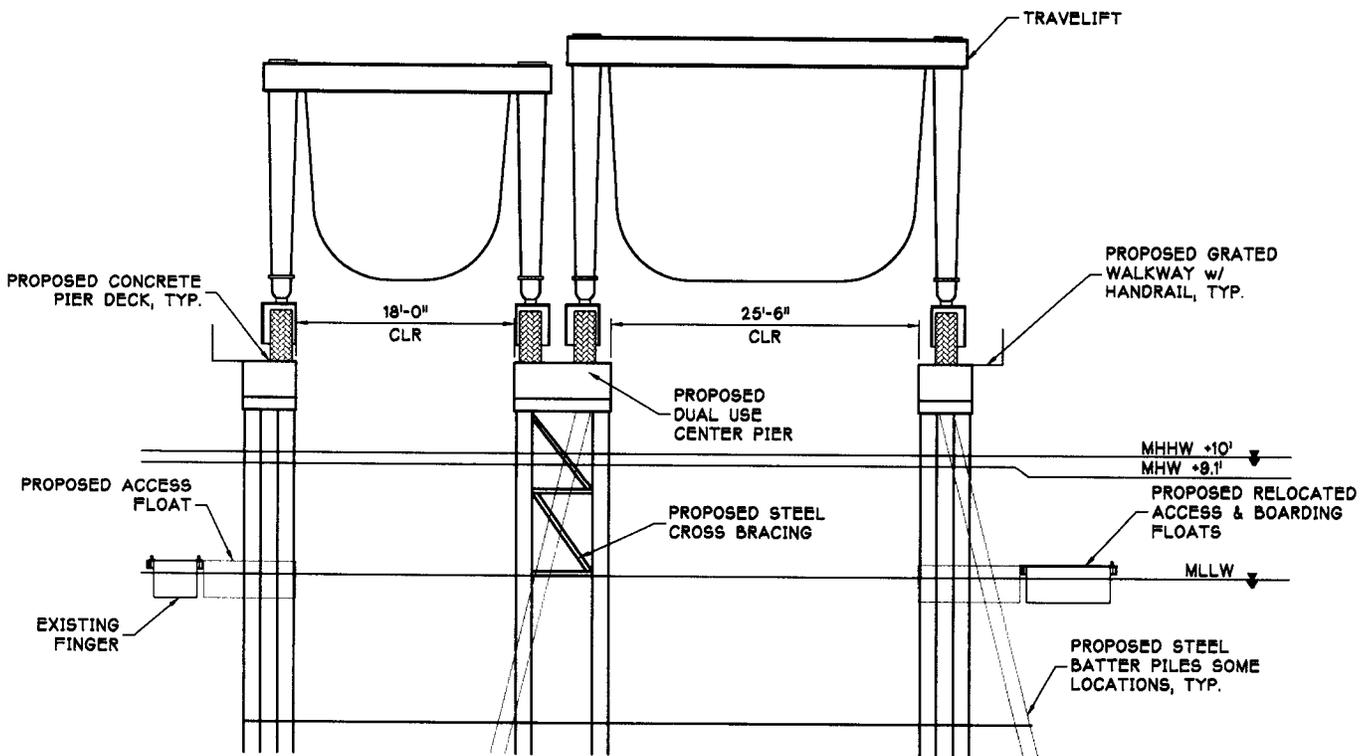
LA CONNER MARINA
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LA CONNER, WA. 98257

PROPOSED: RENOVATION AND REPAIR OF HAUL-OUT PIER

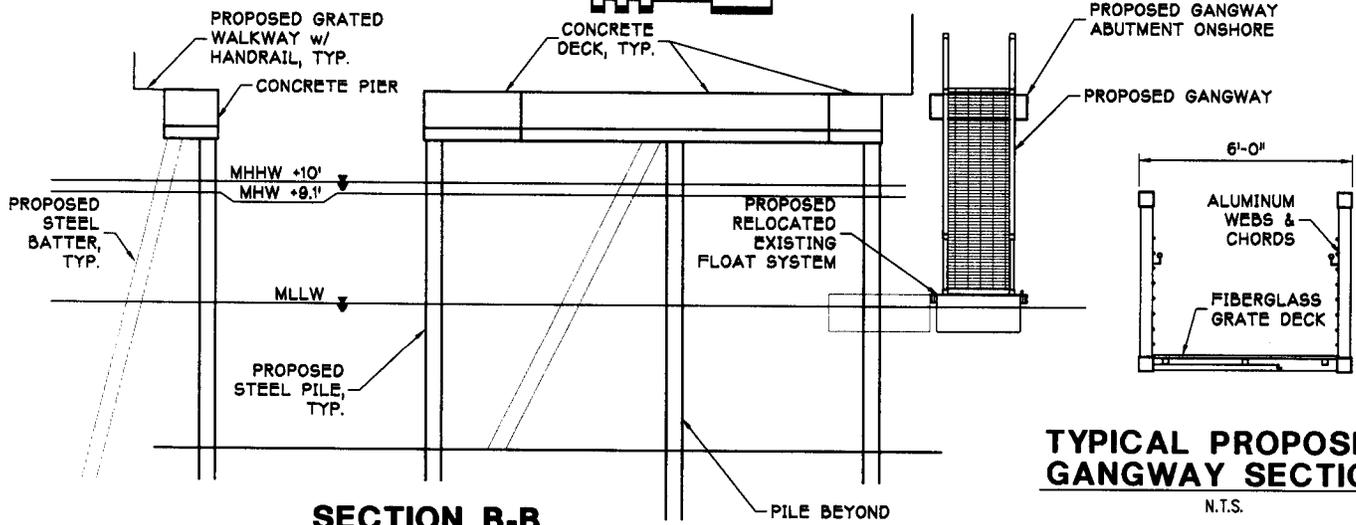
IN: SWINOMISH CHANNEL
AT: LA CONNER, WA, SKAGIT
LOT 5, SEC 25, T34N, R2E

APPLICATION BY:
PORT OF SKAGIT COUNTY

SHEET 4 of 6 DATE: NOV. '03



SECTION A-A



SECTION B-B



TYPICAL PROPOSED GANGWAY SECTION

N.T.S.

COE Reference No. 200301268

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PURPOSE:
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 EXISTING HAUL-OUT PIER

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:
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**LA CONNER MARINA
 HAUL-OUT PIER
 REPLACEMENT
 PROPOSED SECTIONS**

LA CONNER MARINA
 613 NORTH 2ND
 LA CONNER, WA. 98257

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 LOT 5, SEC 25, T34N, R2E

APPLICATION BY:
 PORT OF SKAGIT COUNTY

SHEET 6 of 6 DATE: NOV. '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
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: December 10, 2003

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. 200301268 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 30 days of the above publication date to:

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