



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: Ron Wilcox, Project Manager

Public Notice Date: February 27, 2004

Expiration Date: March 27, 2004

Reference: 200301270

Names: Richard S. and Denice Epstein

Christain Kerrick and Amanda Miller

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.

APPLICANTS – Mr. Richard S. and Ms. Denice Epstein

Post Office Box 493

Freeland, Washington 98249

Mr. Christain Kerrick and Ms. Amanda Miller

Cabin 21 Salmon Beach

Tacoma, Washington 98407

AGENT – Mr. Daniel L. Andrews

37816 – 44th Avenue South

Auburn, Washington 98001

Telephone: (253) 952-5282

LOCATION – In Puget Sound, The Narrows, at Tacoma, Washington. The Cabin #25 site is located in tidelands at Salmon Beach, in Section 22, Township 21 North, Range 2 East.

WORK – To construct a single-family multi-level residence and relocate a section of an adjacent boardwalk. The 22-foot wide by 63.5-foot long over-water structure will be supported by 30 timber piles - three rows of piling, ten piles in each row. The 12 to 14-inch diameter Ammoniacal Copper Zinc Arsenate treated timber piles will be installed by hand, excavating the piling holes to a depth of about 48-inches below beach grade. Up to 8 cubic yards of excavated material will be discharged on to the beach. Up to 8 cubic yards of concrete will be poured into the piling holes to secure the piles. The concrete will be placed into impervious forms around the piles to prevent any uncured concrete from coming in contact with the aquatic environment. The structure will have an over water footprint of 1461 square feet.

A 60-foot section of the existing 6-foot wide over water wood boardwalk will be relocated approximately 7-foot landward of its present location to accommodate the new residence. Eight new piles will be installed using the type and method described above. Up to 3 cubic yards of excavated material will be discharged on to the beach or placed into the holes of the removed piles. Up to 3 cubic yards of concrete will be poured into the piling holes to secure the piles. The concrete will be placed into impervious forms around the piles to prevent any uncured concrete from coming in contact with the aquatic environment. The eight existing piles

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will be removed and disposed of at an approved upland location. Where possible, the boardwalk will be moved in 12-foot sections then reassembled. The relocated section of boardwalk will have an over water footprint of 360 square feet.

PURPOSE – To provide housing.

ADDITIONAL INFORMATION –The proposed residence, Cabin #25, will be located at the site of an original cabin that was damaged from a landslide resulting from the Nisqually earthquake in 2001. The proposed structure will be constructed adjacent to existing over-water single-family residences. The new structure will be located in tidelands, 27-feet waterward of the original house site.

The U.S. Army Corps of Engineers (Corps) has received an application and issued Public Notice 200301271 for Mr. Carl and Ms. Susan Kese – to construct a single-family multi-level residence, Cabin # 24, directly north and adjacent to the proposed Cabin #25. The Kese structure will have an over-water footprint of 1440 square feet (24-feet wide by 60 feet-long).

The proposed boardwalk relocation will accommodate Cabin #24 and Cabin #25.

Both proposed residences would be located in the historic community of Salmon Beach.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The Bald eagle (*Haliaeetus leucocephalus*), Puget Sound bull trout (*Salvelinus confluentus*), and Puget Sound chinook salmon (*Oncorhynchus tshawytscha*) listed threatened in the state of Washington, may occur in the proposed project area. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the bald eagle, Puget Sound bull trout, and Puget Sound chinook salmon.

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, and Coastal Pelagic Species occur in the project area. The proposed action would impact approximately 1821 square feet of EFH for these species.

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 (DE) 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:

The permit area is likely to yield resources eligible for inclusion in the National Register. An investigation for the presence of potentially eligible historic properties is justified.

The DE 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.

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.

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.

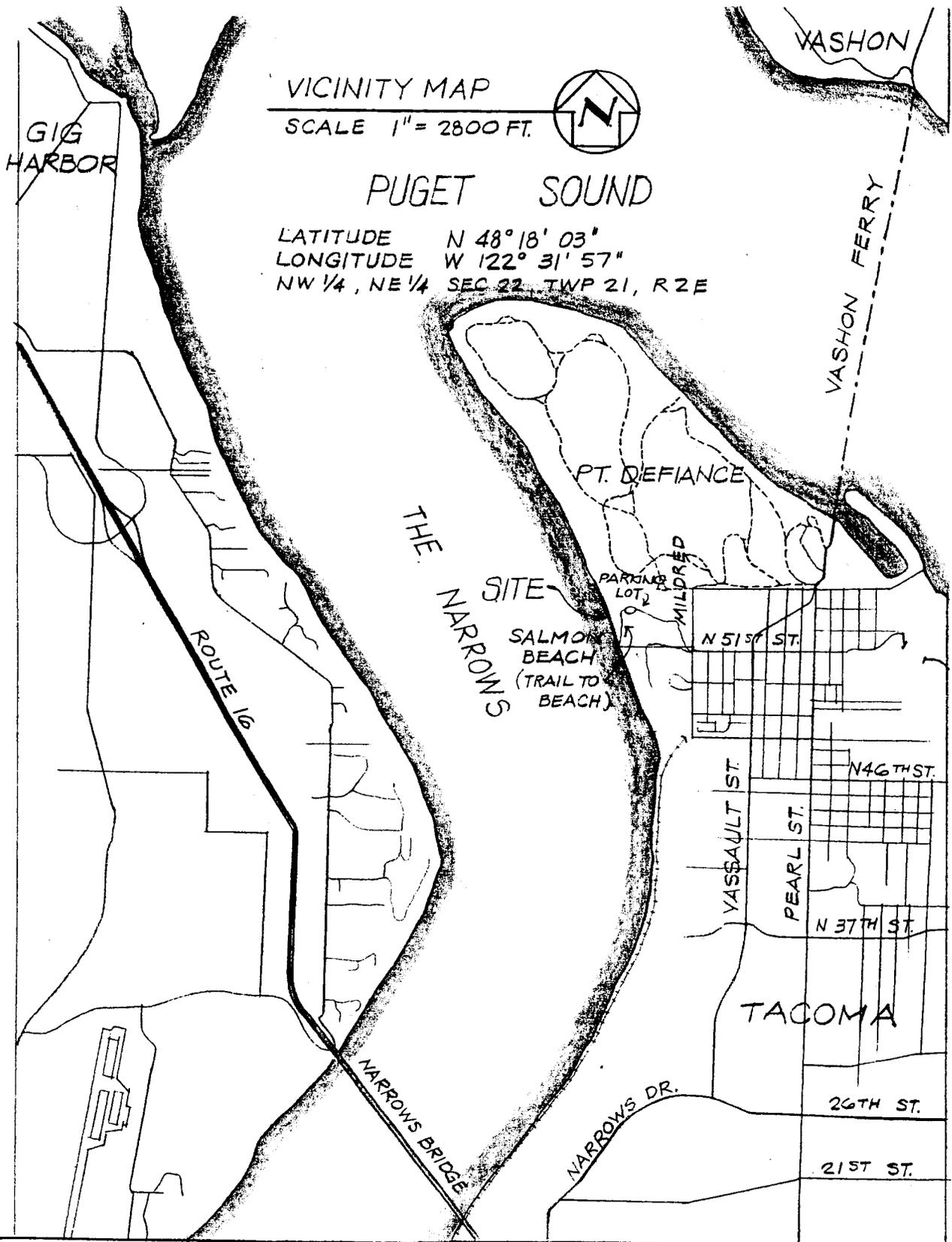
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of Shorelines Substantial Development Permit No. SHR2003-00002, being processed by the City of Tacoma.

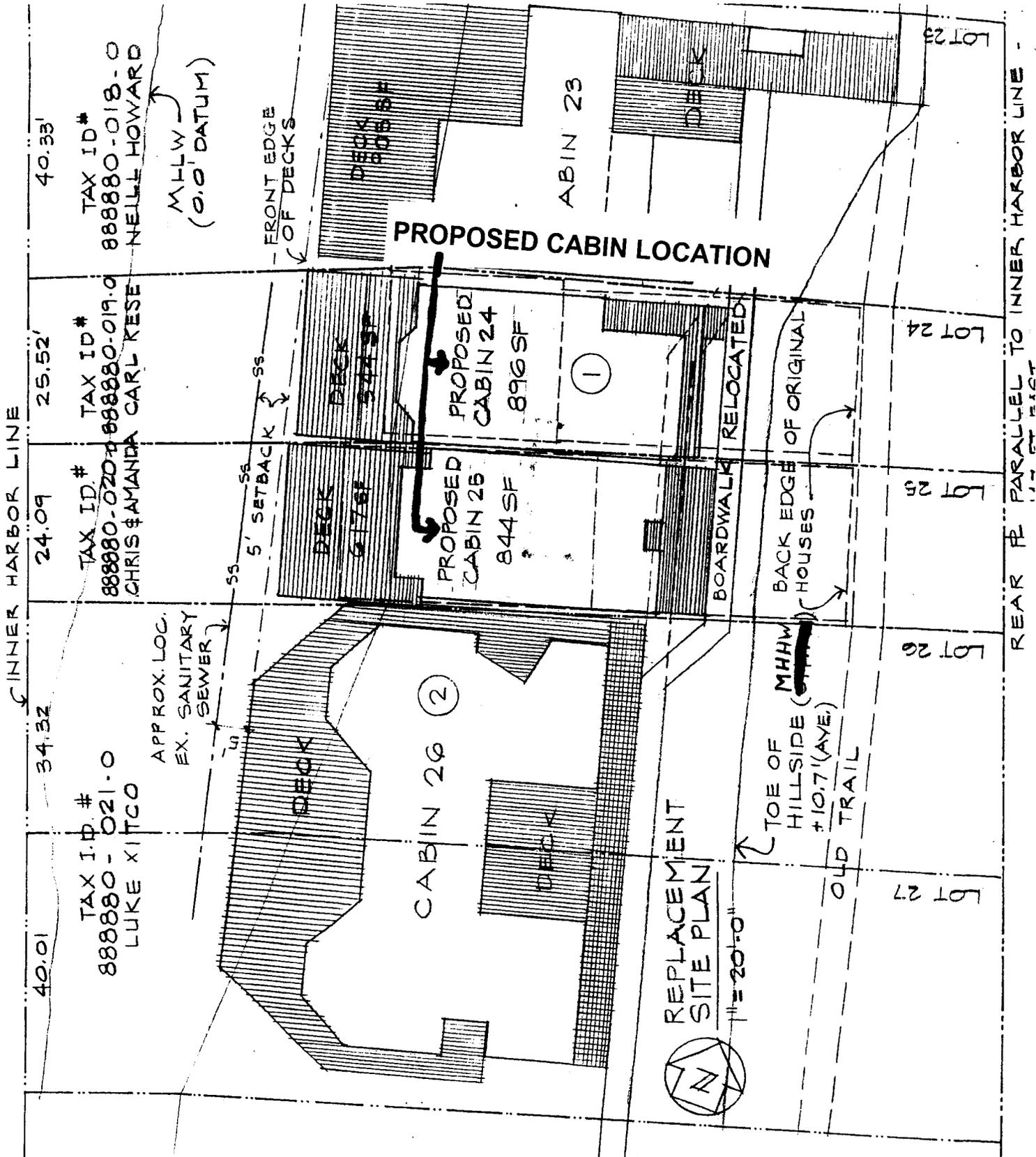
COMMENT AND REVIEW PERIOD - Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from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

Richard S. and Denice Epstein, Christain Kerrick and Amanda Miller, 200301270

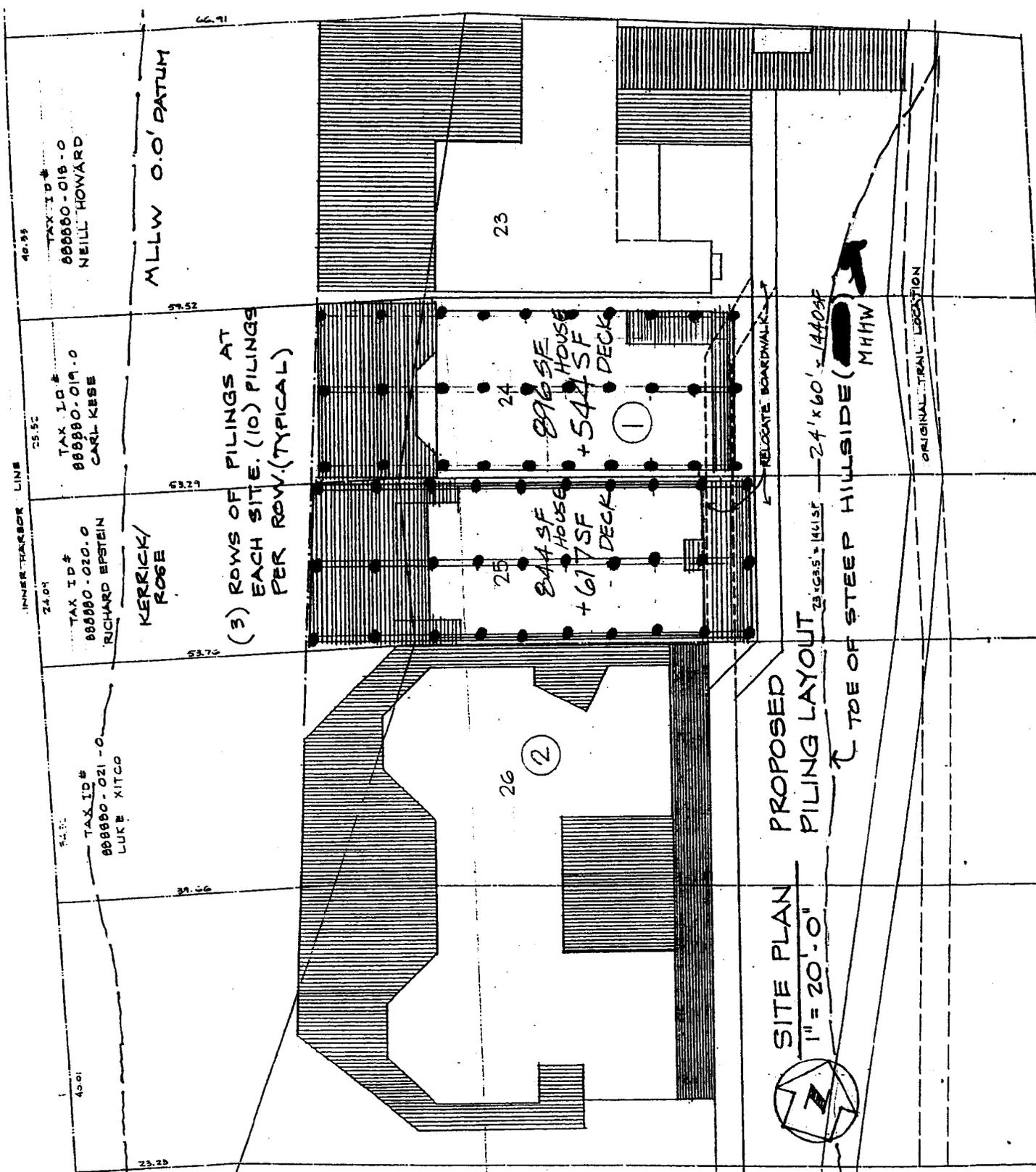
Encl
Drawings (8)



<p>PURPOSE: Replace original house damaged by landslide 2/28/01</p> <p>DATUM: New City of Tacoma Datum NGVD 29 = 0.00 feet</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> 1. Carl and Susan Kese (North) 2. Luke and Alisa Xitco (South) 	<p>APPLICANT: KERRICK/MILLER</p> <p>Reference: 200301270</p> <p>LOCATION ADDRESS:</p> <p>#25 Salmon Beach Tacoma, WA 98407</p>	<p>PROPOSED: Rebuild house over Tidelands, 27' waterward of the original house site.</p> <p>IN: Puget Sound, The Narrows AT: Salmon Beach, Tacoma COUNTY: Pierce STATE: WA SHEET 1 OF 8 DATE: Nov. 11th, 2003</p>
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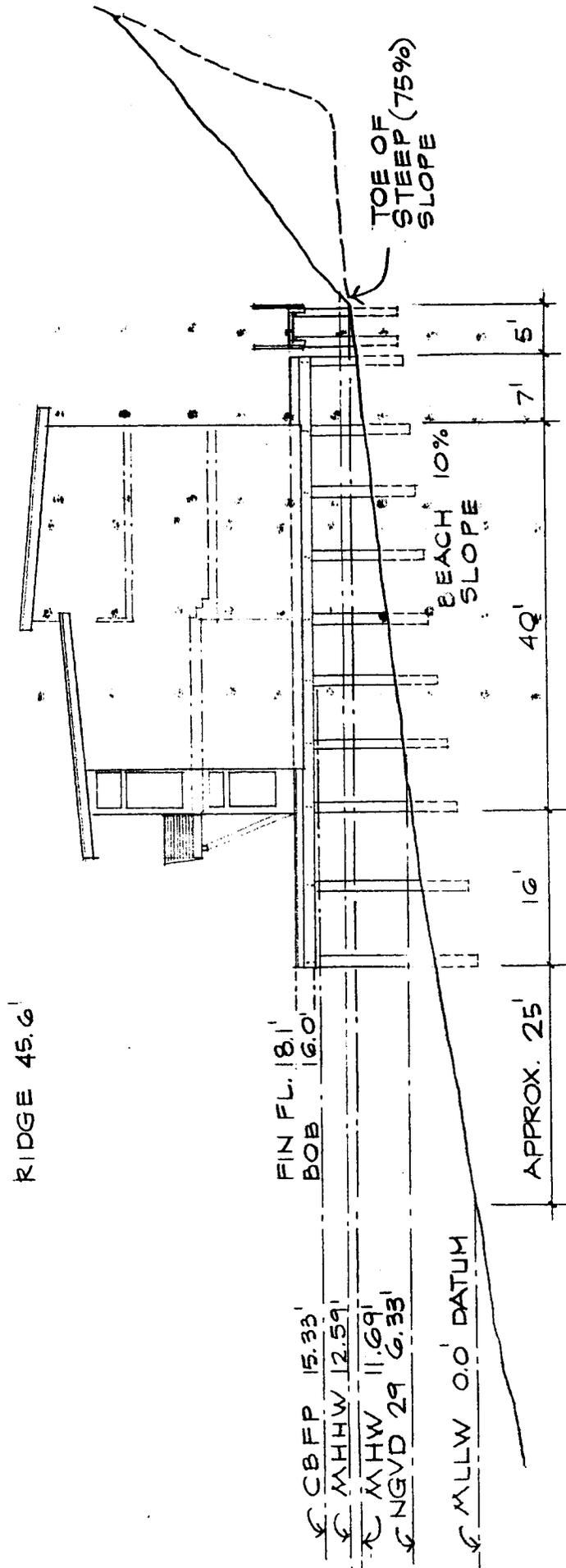
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LEGEND / ABBREVIATIONS

- FIN. FL. FINISH FLOOR + 18.1'
 - B.O.B. BOTTOM OF BEAM + 16.0'
 - C.B.F.P. COASTAL BASE FLOOD PLAIN + 15.33'
 - M.H.H.W. MEAN HIGHER HIGH WATER + 12.59'
 - M.H.W. MEAN HIGH WATER + 11.69'
 - NGVD 29 & CITY OF TACOMA DATUM + 6.33'
 - M.L.L.W. MEAN LOWER LOW WATER DATUM 0.0'
- RIDGE 45.6'
- RIDGE IS 34.86' ABOVE AVERAGE O.H.W.M. ELEVATION OF BEACH BASED UPON ACTUAL MEASUREMENTS TAKEN AT CABIN 23.

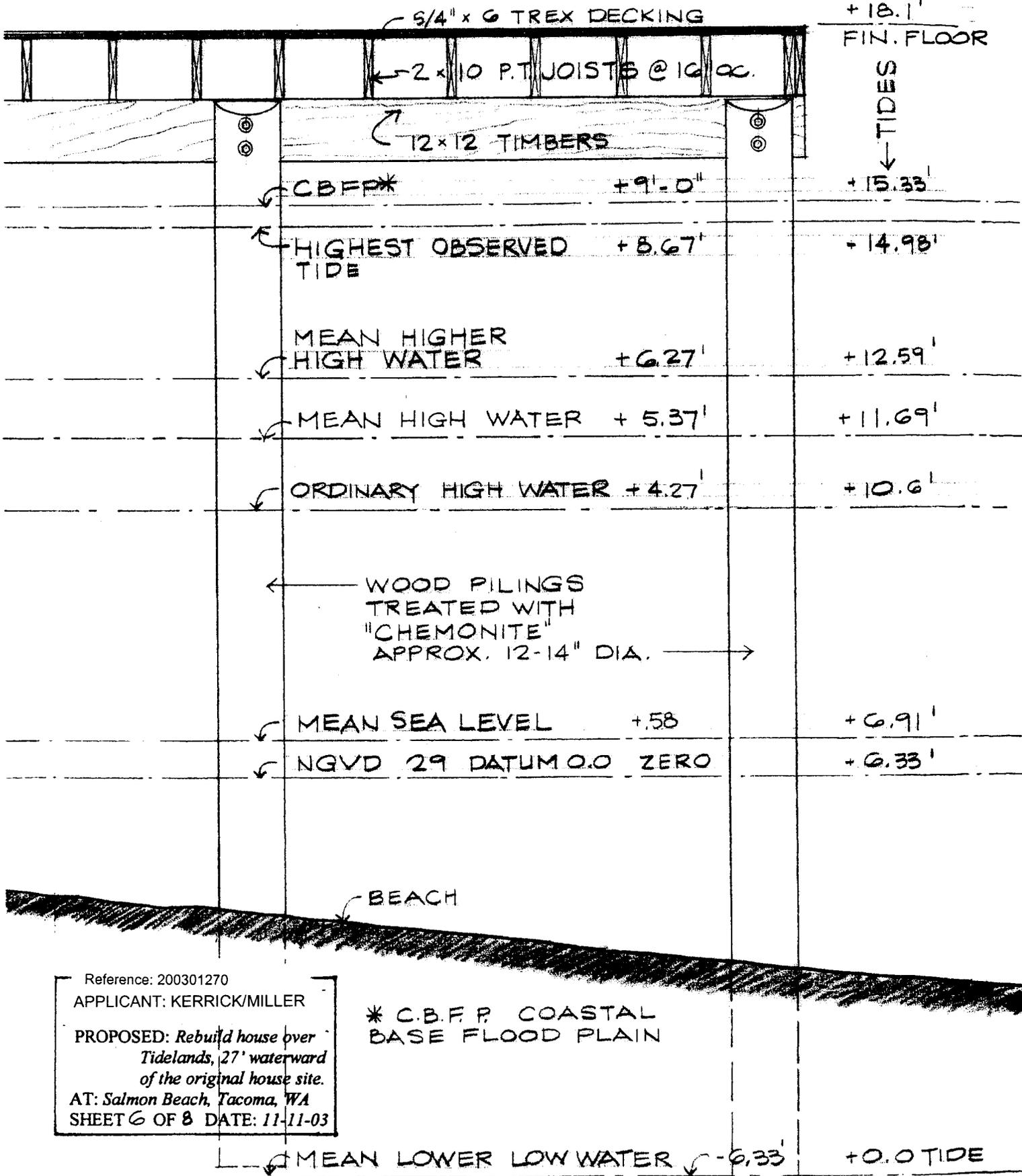


SITE SECTION CABIN 25 (LOOKING NORTH)

Reference: 200301270
 APPLICANT: KERRICK/MILLER
 PROPOSED: *Rebuild house over Tidelands, 27' waterward of the original house site.*
 AT: *Salmon Beach, Tacoma, WA*
 SHEET 5 OF 8 DATE: 11-11-03



4/10/03



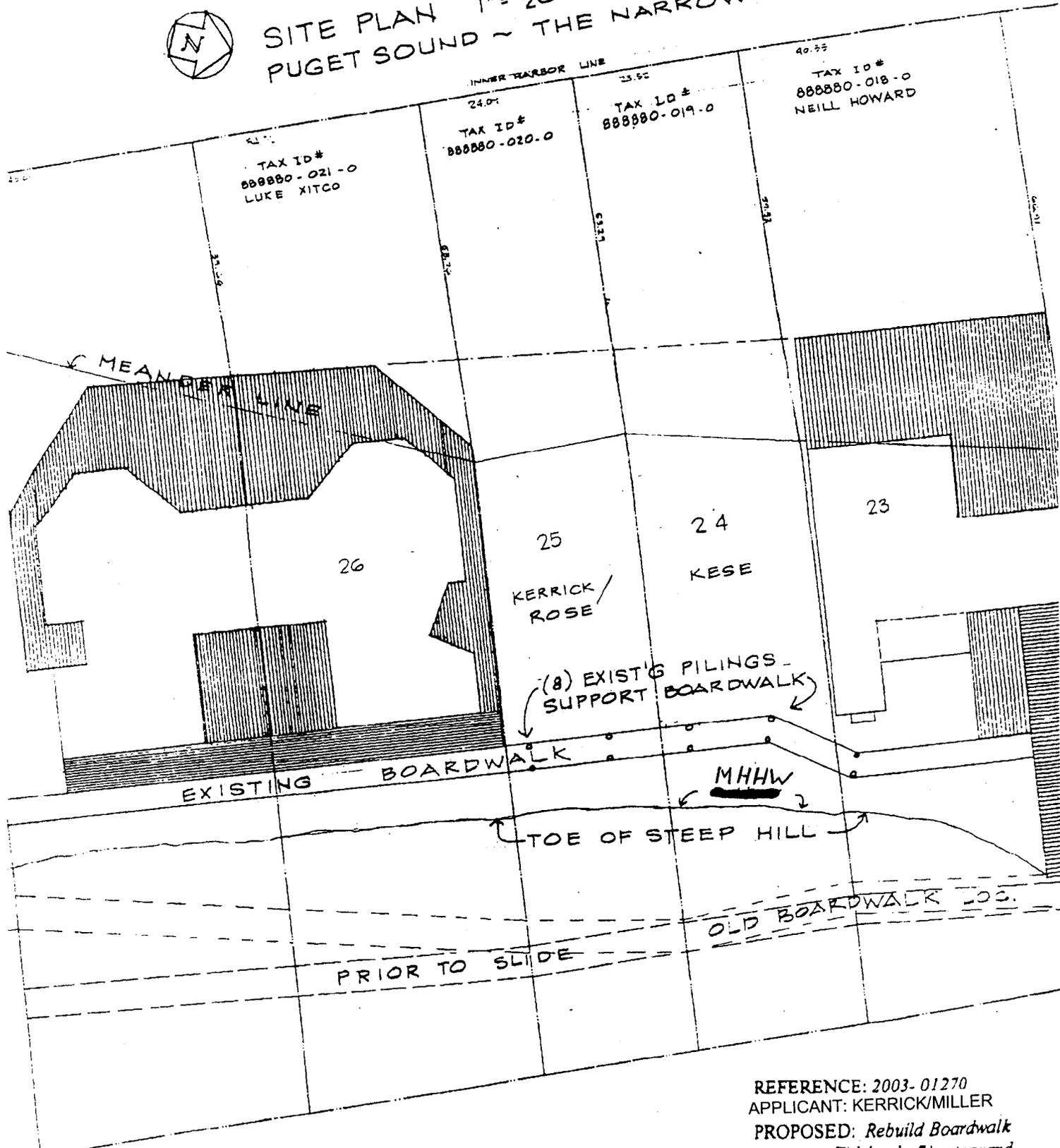
Reference: 200301270
 APPLICANT: KERRICK/MILLER
 PROPOSED: *Rebuild house over Tidelands, 27' waterward of the original house site.*
 AT: *Salmon Beach, Tacoma, WA*
 SHEET 6 OF 8 DATE: 11-11-03

* C.B.F.P. COASTAL BASE FLOOD PLAIN

CABINS 24 & 25
 TIDAL RELATIONSHIP DIAGRAM
 1/2" = 1'-0" 4/10/03



SITE PLAN 1" = 20'-0" PUGET SOUND - THE NARROWS

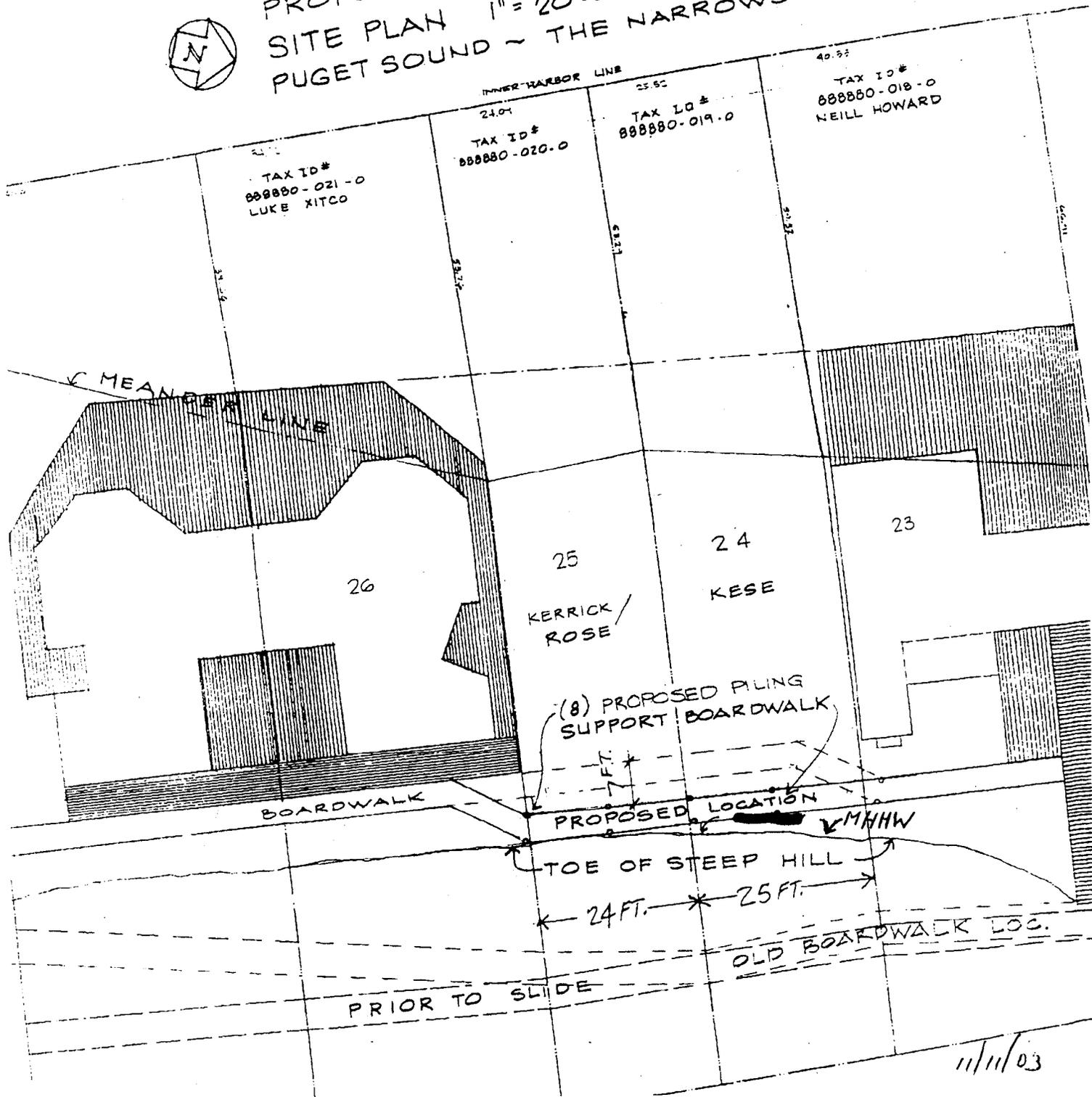


EXISTING BOARDWALK

REFERENCE: 2003-01270
 APPLICANT: KERRICK/MILLER
 PROPOSED: Rebuild Boardwalk
 over Tidelands, 7' waterward
 of its existing location.
 AT: Salmon Beach, Tacoma, WA
 SHEET 7 OF 8 DATE: 11-11-03



PROPOSED BOARDWALK LOCATION
 SITE PLAN 1" = 20'-0"
 PUGET SOUND - THE NARROWS



PURPOSE: Relocate existing Boardwalk to allow alignment of Cabins with neighbors.
 DATUM: New City of Tacoma Datum
 NGVD 29 = 0.00 feet
 ADJACENT PROPERTY OWNERS:
 1. Carl and Susan Kесе (North)
 2. Luke and Susan XITCO (South)

APPLICANT: KERRICK/MILLER
 2003-01270
 LOCATION ADDRESS:
 #25 Salmon Beach
 Tacoma, WA 98407

PROPOSED: Rebuild Boardwalk over tidelands 7ft. shoreward of its existing location.
 IN: Puget Sound, The Narrows
 AT: Salmon Beach, Tacoma
 COUNTY: Pierce STATE: WA
 SHEET 8 OF 8
 DATE: Nov 11th 2003

11/11/03



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: 02/27/04

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. 200301270 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