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: Jim Green, Project Manager

Public Notice Date: July 13, 2004
Expiration Date: August 13, 2004
Reference: 200400602
Name: Lytle Seafood

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 - Lytle Seafood
Mr. Mike Lytle
98 Valley Road
Hoquiam, Washington 98550
Telephone: (360) 538-2654

AGENT - BioAquatics International, LLC
Dan Cheney
Agent
2705 Walnut Loop Northwest
Olympia, Washington 98502
Telephone: (360) 754-1359

LOCATION – In Grass Creek Channel, North Bay, Grays Harbor near Hoquiam, Grays Harbor County, Washington.

WORK – Construct a pier extension on existing piling, install a float and ladder, and repair one pile.

PURPOSE – To provide a facility for the loading of oysters.

MITIGATION – The applicant is proposing to remove timbers and other debris lying in the sediment next to the site and the existing abandoned boathouse located on saltmarsh vegetation adjacent to the existing pier.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The coastal-Puget Sound bull trout (*Salvelinus confluentus*); bald eagle (*Haliaeetus leucocephalus*); humpback whale (*Megaptera novaeangliae*); leatherback sea turtle (*Dermochelys coriacea*); brown pelican (*Pelecanus occidentalis*); western snowy plover (*Charadrius alexandrinus*); marbled murrelet (*Branchyramphus marmoratus*); and the Steller sea lion (*Eumetopias jubatus*), listed as threatened or endangered in the state of Washington, may occur in the proposed project area.

A preliminary determination indicates that the activity may affect, but is not likely to adversely affect coastal-Puget Sound bull trout and will have no affect on the other species cited above. Informal consultation under Section 7 of the ESA will be initiated with the 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, and coastal pelagic species occurs in the project area. The U.S. Army Corps of Engineers (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 (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:

There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property.

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.

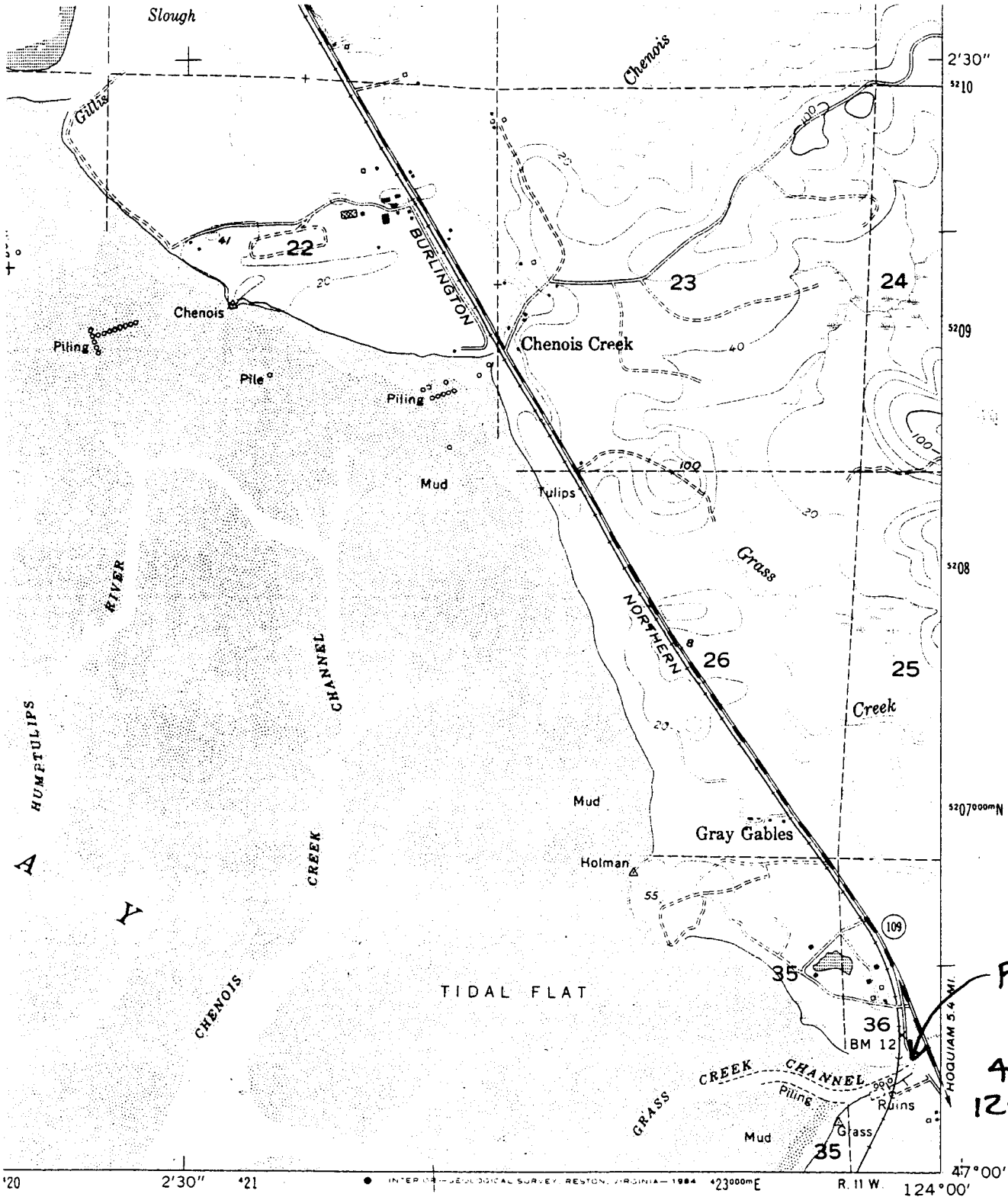
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Substantial Development Permit No. 2003-SW-02359 which has been issued by Grays Harbor 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 James.D.Green@nws02.usace.army.mil. Conventional mail comments should be sent to the U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. 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:

Lytle Seafood, 200400602

Encl
Drawings (4)

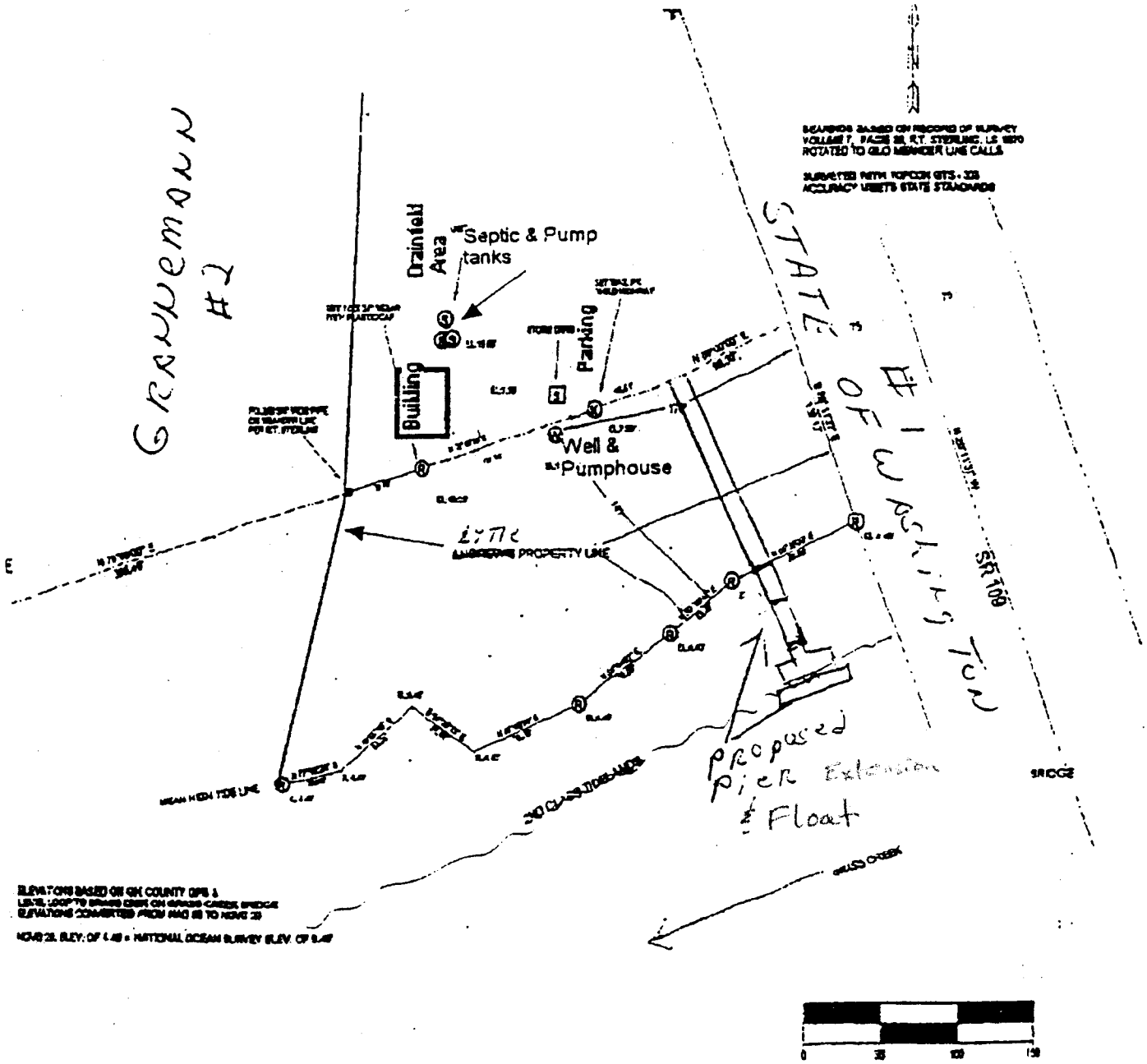


Project Location

47°-00'-20"
124°-00-22"

Corps Reference 200400602

Purpose: Commercial dock to load and unload oysters Datum: 0.0 - M.L.L.W. - N.O.S	Lytle Seafoods Hoquiam, WA 98550 (360) 538-2654	Proposed: pier extension and float
Adjacent Property Owners: (1) State of Washington (2) Mark Grannemann	Job Add: 1 Rockview Lane Hoquiam, WA 98550 Mail Add: 98 Valley Rd. Hoquiam, WA 98550	In: Grass Creek At: Hoquiam County: Grays Harbor State: WA Date: 5/18/04 Sheet 1 of 4



Adjacent Property View

Corps Reference: 200400602

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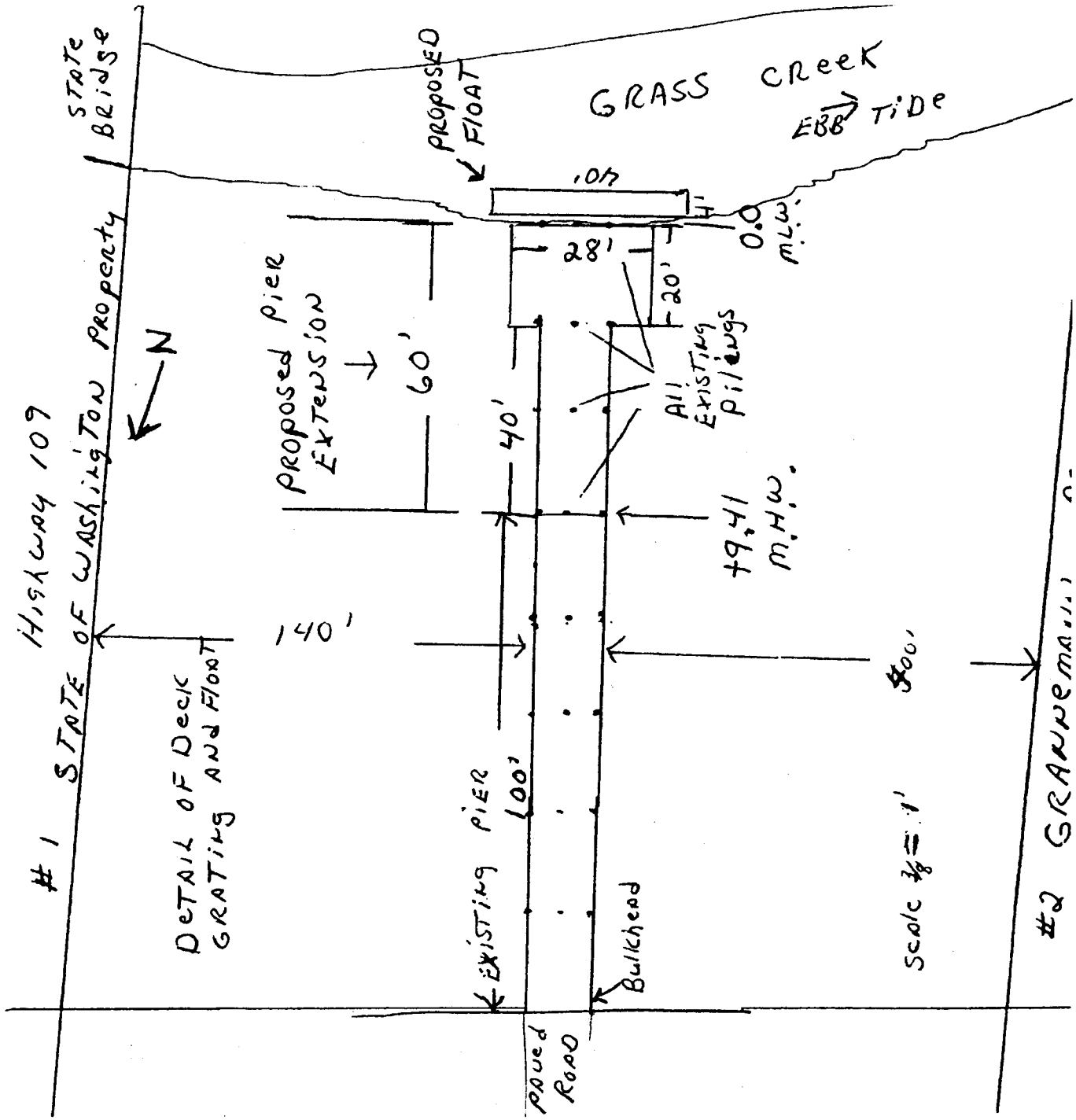

Plan View

Corps Reference 2004 00602

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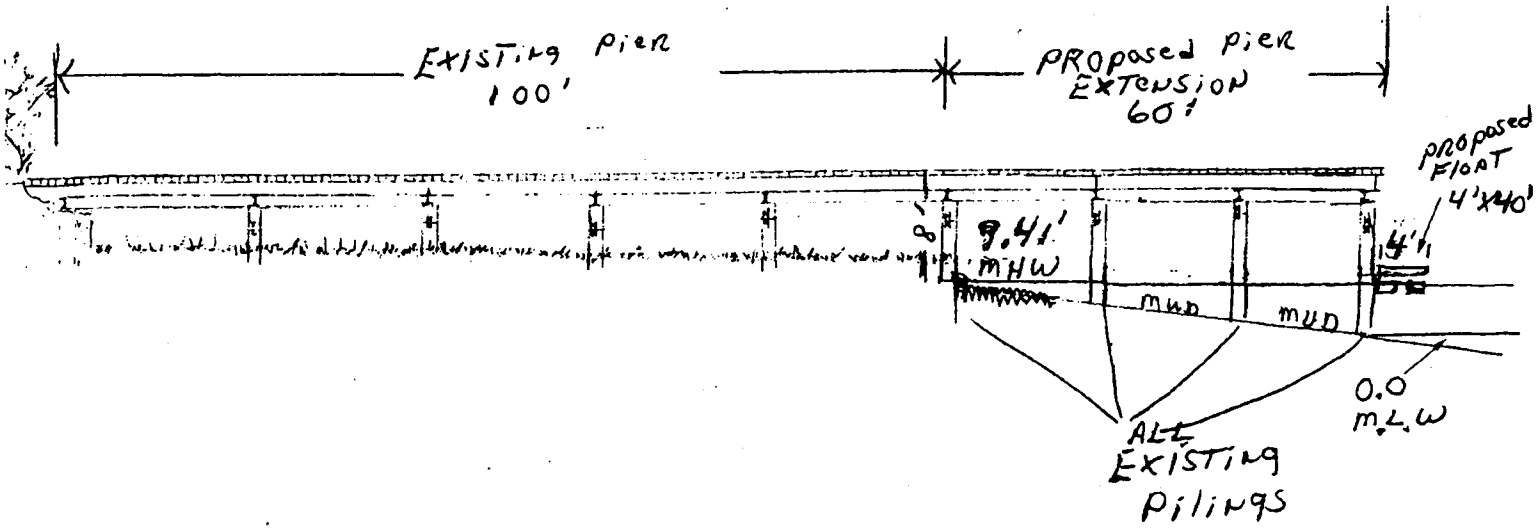

Cross Section View

Corps Reference 200400602

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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: 07/13/04

Notice is herby 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. 200400602 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