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: October 21, 2004
Expiration Date: November 21, 2004
Reference: 200401163
Name: La Conner Associates, LLC

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 - La Conner Associates, LLC
Mr. Vaughn Jolley
Post Office Box 1155
La Conner, Washington 98257
Telephone:(360) 466-2672

LOCATION – In the Swinomish Channel at La Conner, Washington.

WORK – The applicant proposes to restore habitat in an upper intertidal zone and install new overwater structures. Work involves excavation of rubble (concrete) and old rip rap from upper intertidal zone and removal of old bulkhead; removal of 49 creosote treated piling; recontouring of banks and installation of large rock/cobble/gravel substrate over 0.34 of an acre of upper intertidal shoreline; installation of a new overwater boardwalk with 90 ACZA treated wood piling; installation of a new ramp; and installation of a new floating dock with 12 steel piling.

PURPOSE – Conversion of industrial area to mixed commercial and public recreation use; restoration of upper intertidal habitat.

ADDITIONAL INFORMATION – Proposed actions are within the existing outer harbor boundary and outside of an existing Federal channel. Landward development of the site involves replacement of industrial structures with mixed-use buildings. Project will provide public access to a shoreline boardwalk and moorage for pleasure craft.

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 (State), occurs in the proposed project area. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to the bald eagle, marbled murrelet,

Puget Sound chinook, Coastal/Puget Sound bull trout, 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 murrelet, Steller sea lion, humpback whale, and leatherback sea turtle. Informal consultation under Section 7 of the Endangered Species Act will be required.

ESSENTIAL FISH HABITAT – The Magnuson-Stevens Fishery Conservation and Management Act, 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 0.35 of an acre of EFH for these species.

If the 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 (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:

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 project 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 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.

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 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 Permit application being processed by the City of Anacortes.

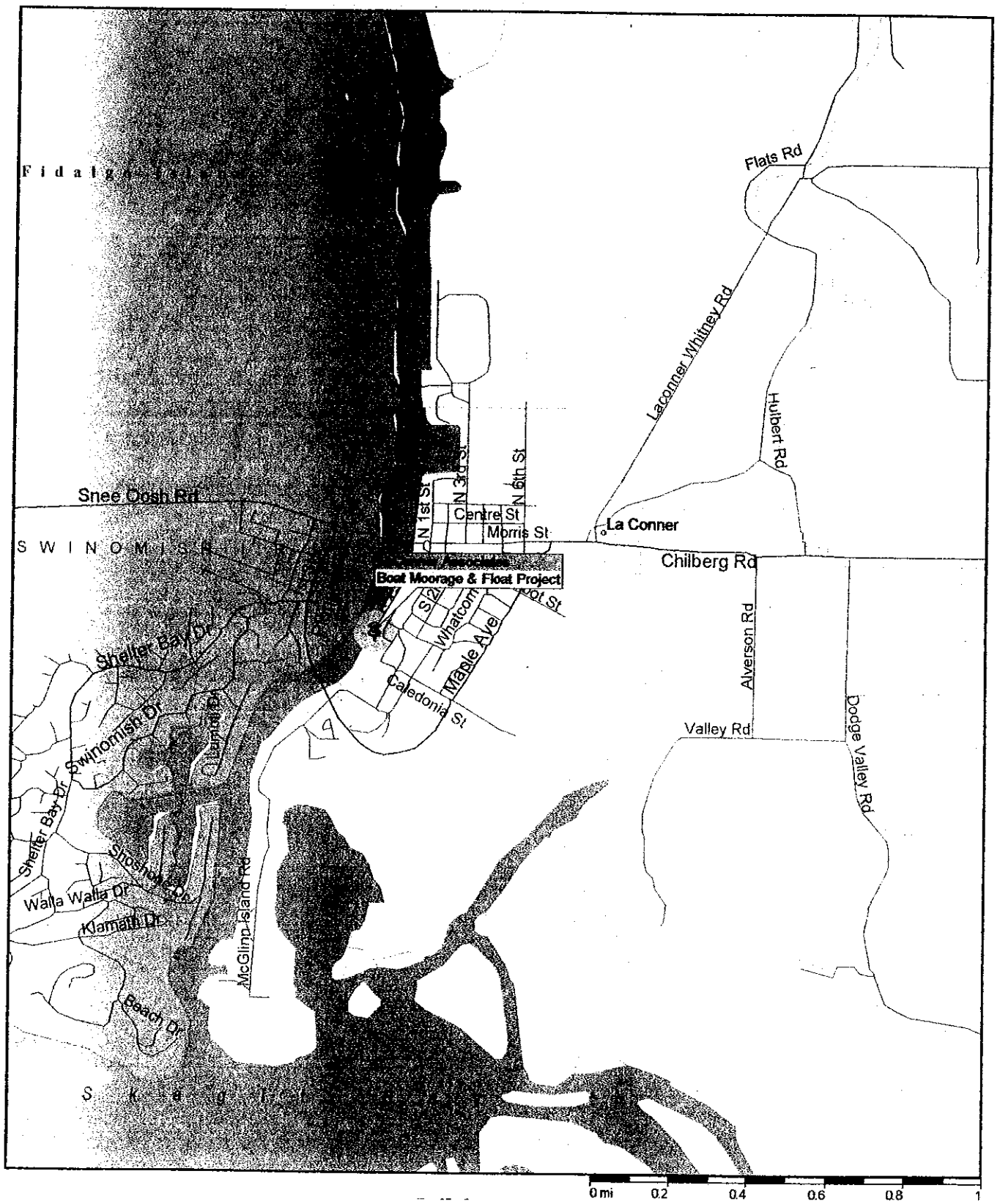
COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's email 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 email comments should be sent to Randel.J.Perry@nws02.usace.army.mil. Conventional mail comments should be sent ATTN: Randel Perry, Project Manager, Regulatory Branch. Both conventional mail or email 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 email 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:

La Conner Associates, LLC
200401163

Encl
Drawings (15)

VICINITY MAP

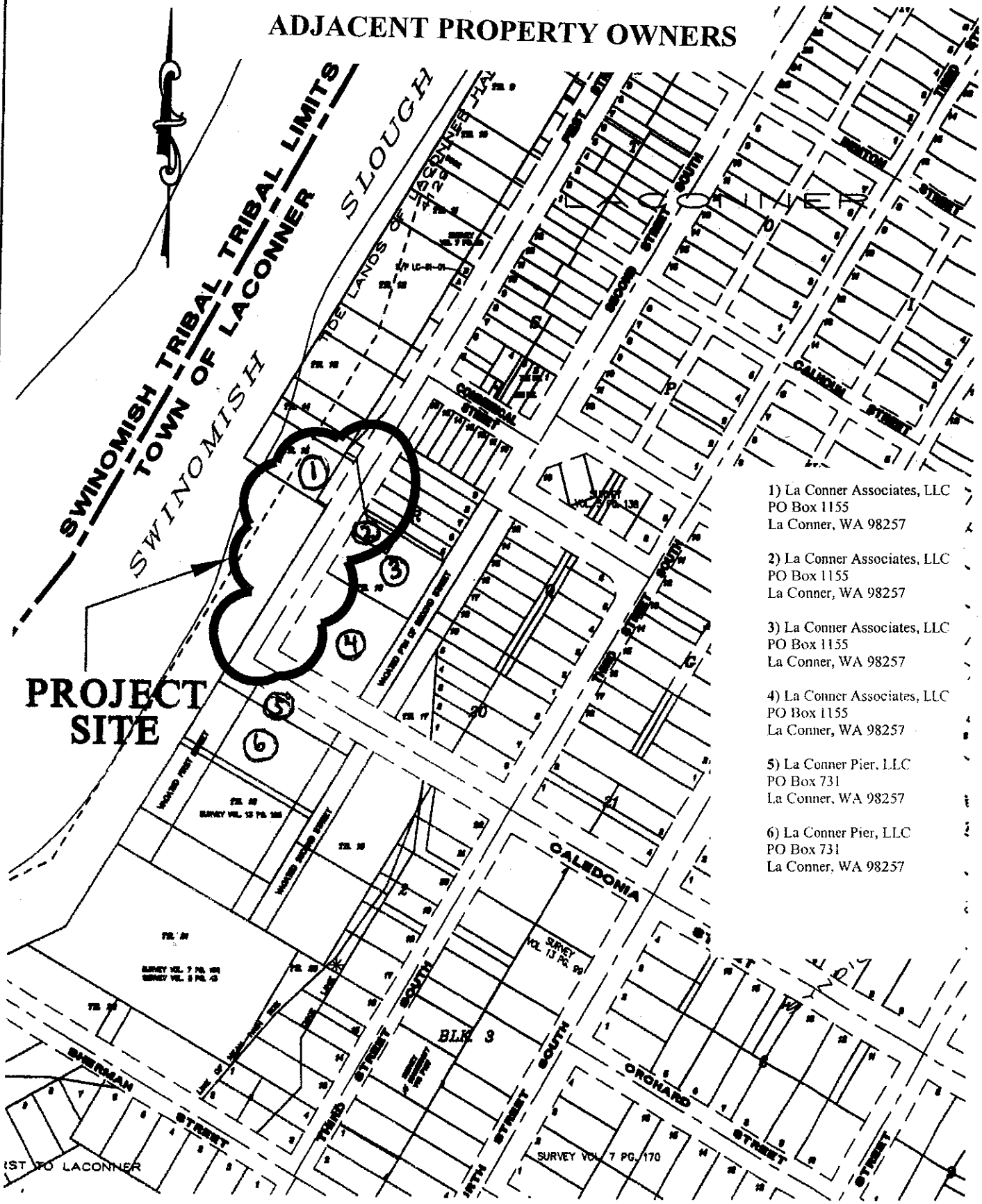
LA CONNER ASSOCIATES BOAT MOORAGE & FLOAT IMPROVEMENTS



PROPOSED: Boat Moorage Float Facility **REFERENCE:** 200401163
PURPOSE: Support Waterfront Activities for Adjoining Commercial-Residential Zoned Area
APPLICATION BY: LaConner Associates, LLC
IN: Swinomish Channel **AT:** La Conner, WA

SHEET 1 **OF** 15 **DATE:** 09/30/04

ADJACENT PROPERTY OWNERS



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4) La Conner Associates, LLC
PO Box 1155
La Conner, WA 98257

5) La Conner Pier, LLC
PO Box 731
La Conner, WA 98257

6) La Conner Pier, LLC
PO Box 731
La Conner, WA 98257

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
108 E. GILKEY ROAD
BURLINGTON, WA. 98233
PH: (360) 707-2048 FAX: (360) 707-2216

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SHEET 2 OF 15 **DATE:** 09/30/04

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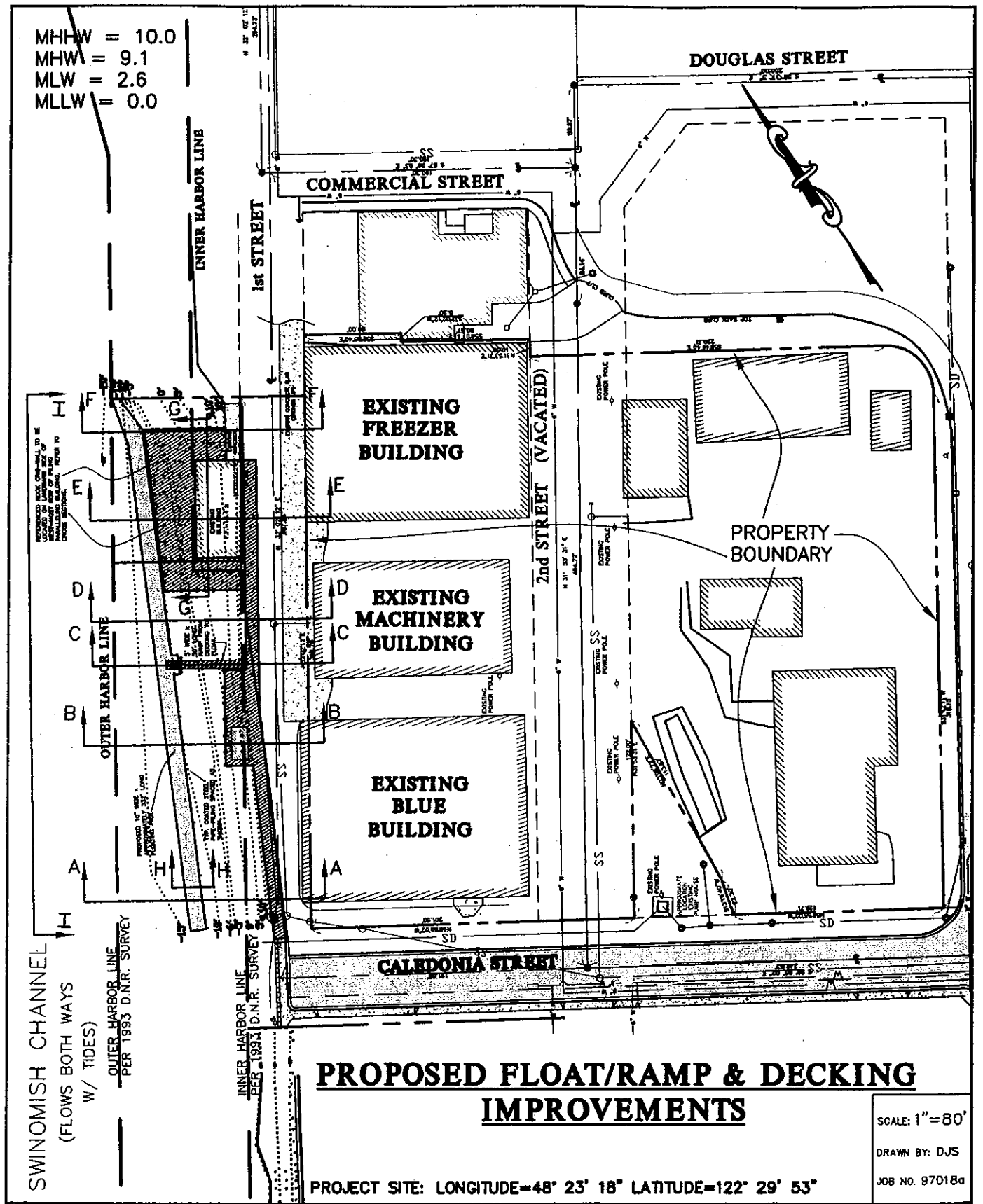

PROPOSED FLOAT/RAMP & DECKING IMPROVEMENTS

SCALE: 1"=80'

DRAWN BY: DJS

JOB NO. 97018a

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
108 E. GILKEY ROAD/P.O. BOX 361
BURLINGTON, WA 98233
PH: (360) 707-2048 FAX: (360) 707-2216

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SHEET 3 OF 15 **DATE:** 09/30/04

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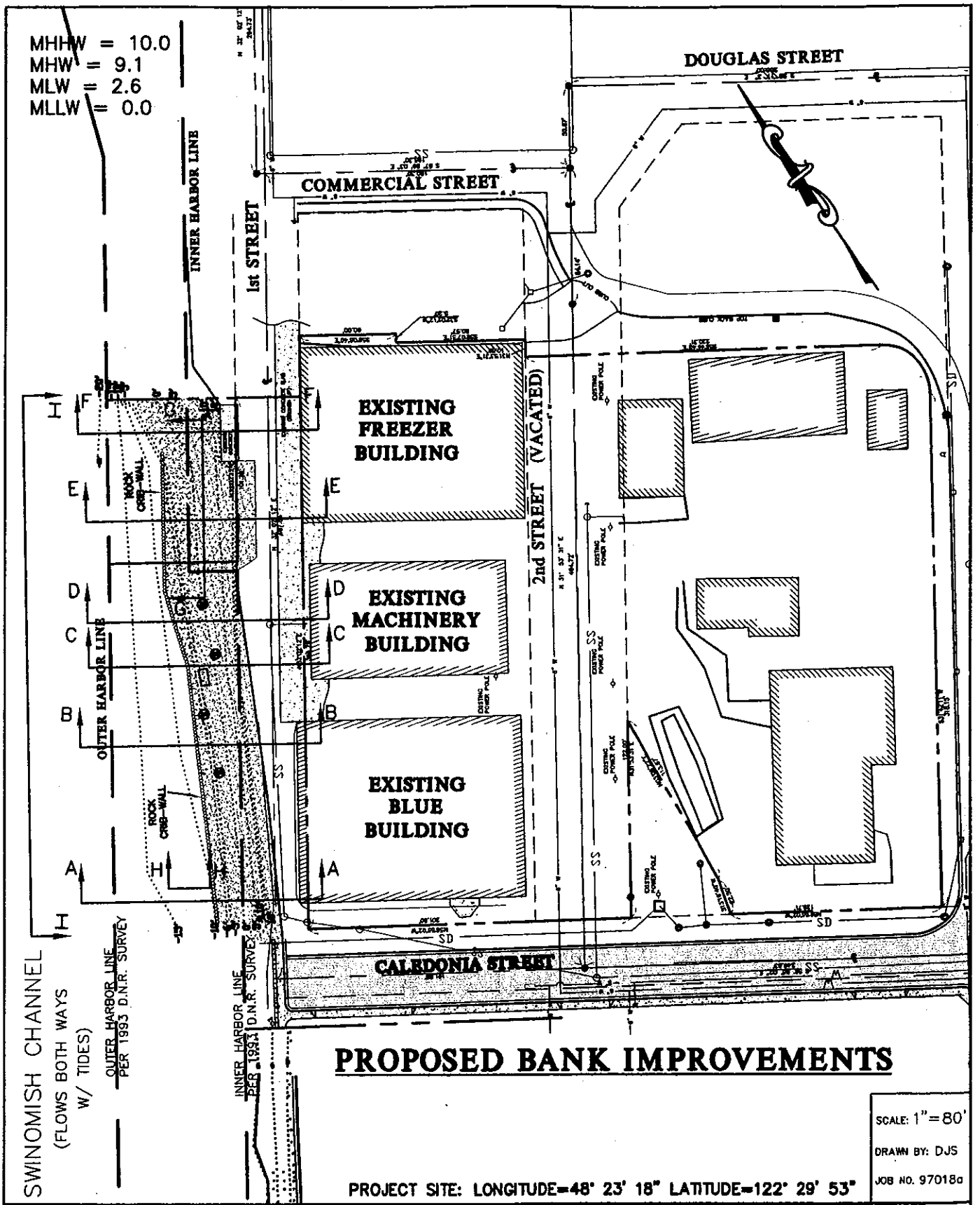

PROPOSED BANK IMPROVEMENTS

SCALE: 1"=80'
DRAWN BY: DJS
JOB NO. 97018a

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

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SHEET 4 OF 15 **DATE:** 09/30/04

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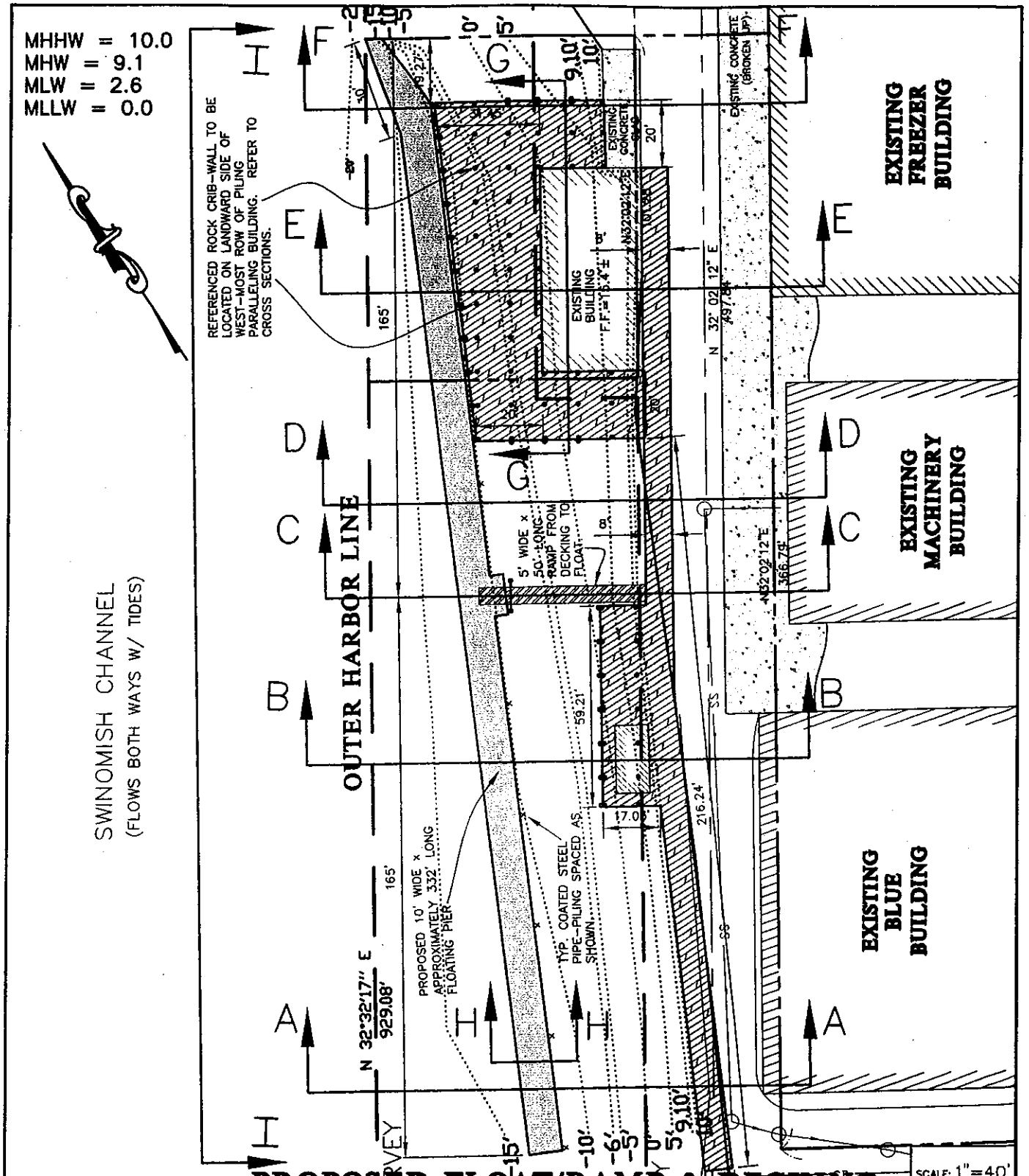

PROPOSED FLOAT/RAMP & DECKING DIMENSION PLAN

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

SCALE: 1"=40'
DRAWN BY: DJS
JOB NO. 97018a

Ravnik & Associates, Inc.
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SHEET 5 **OF** 15 **DATE:** 09/30/04

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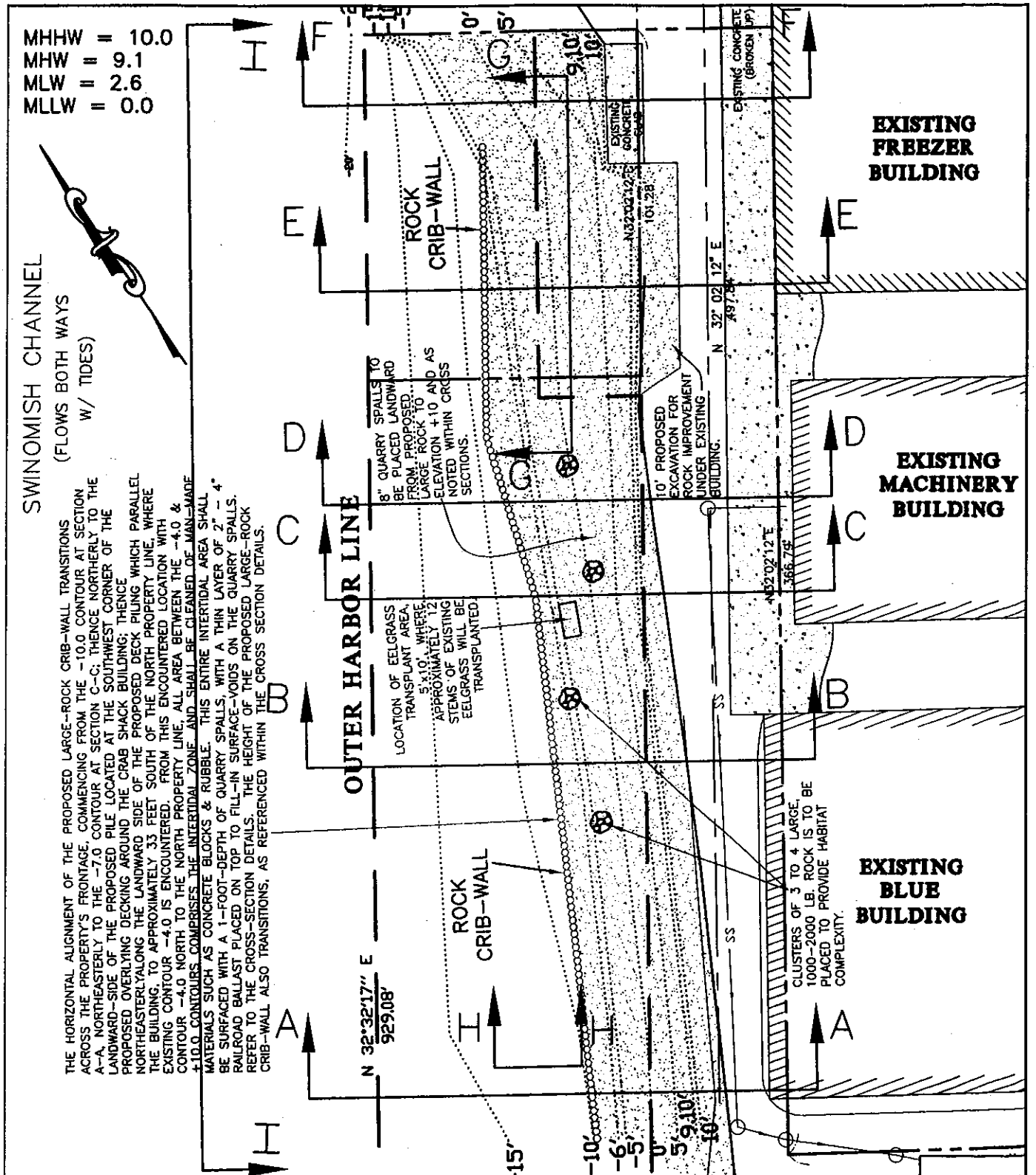

BANK IMPROVEMENT DIMENSION PLAN

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

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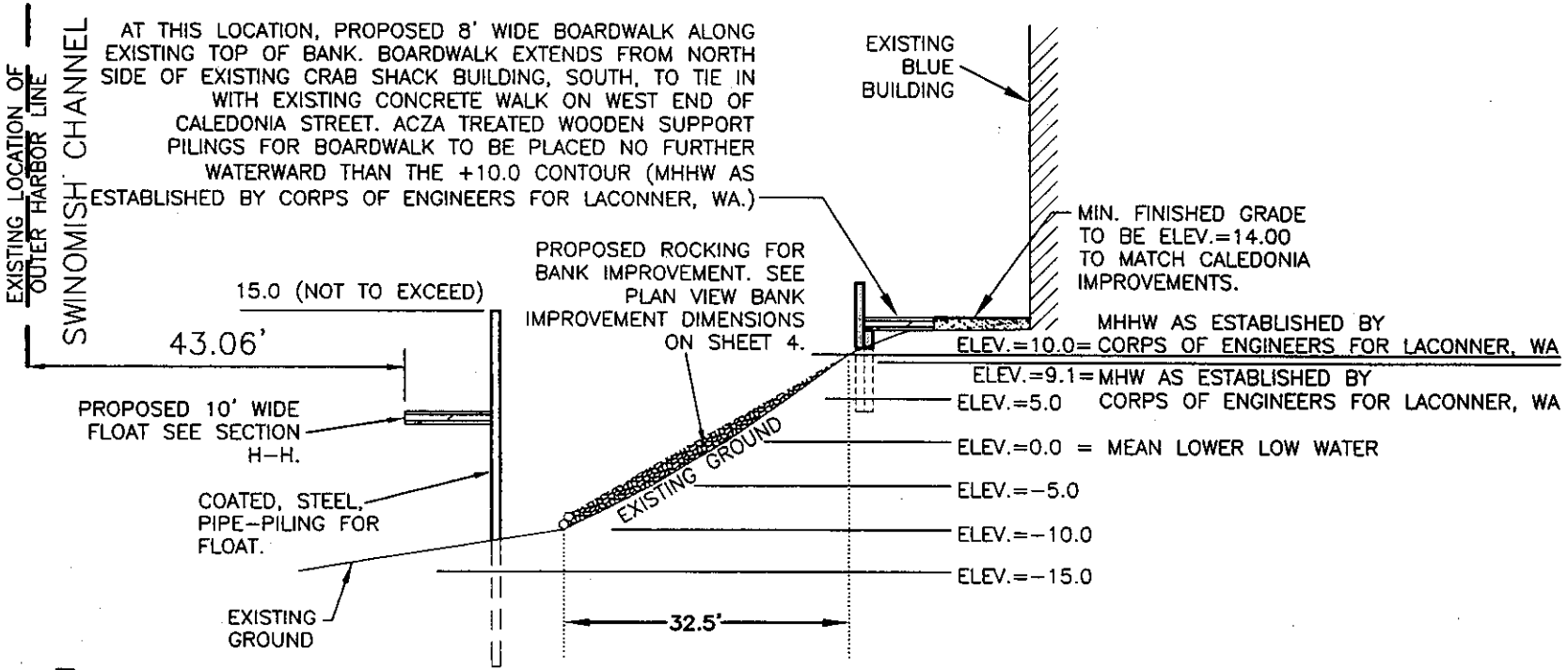

BANK IMPROVEMENTS:
* NO DREDGING IS PROPOSED FOR THIS IMPROVEMENT.

AT APPROXIMATE ELEVATION −10.0, LARGE, 1000−2000 LB. ROCK IS TO BE KEYED AND PLACED ON A 1.5:1 SLOPE TO APPROXIMATE ELEVATION −8.0. QUARRY SPALLS TO BE PLACED ON EVEN SLOPE FROM −8.0 TO +10.0. THIN LAYER OF 2"−4" RAILROAD BALLAST TO BE APPLIED TO FILL IN SURFACE VOIDS. SOUTH END OF LARGE ROCK AND QUARRY SPALLS TO TRANSITION INTO THE EXISTING QUARRY SPALL EMBANKMENT AT THE WESTERLY MOST END OF CALEDONIA STREET.

THE HORIZONTAL ALIGNMENT OF THE PROPOSED LARGE−ROCK CRIB−WALL TRANSITIONS ACROSS THE PROPERTY'S FRONTAGE, COMMENCING FROM THE −10.0 CONTOUR AT SECTION A−A, NORTHEASTERLY TO THE −7.0 CONTOUR AT SECTION C−C; THENCE NORTHERLY TO THE LANDWARD−SIDE OF THE PROPOSED PILE LOCATED AT THE SOUTHWEST CORNER OF THE PROPOSED OVERLYING DECKING AROUND THE CRAB SHACK BUILDING; THENCE NORTHEASTERLYALONG THE LANDWARD SIDE OF THE PROPOSED DECK PILING WHICH PARALLEL THE BUILDING, TO APPROXIMATELY 33 FEET SOUTH OF THE NORTH PROPERTY LINE, WHERE EXISTING CONTOUR −4.0 IS ENCOUNTERED. FROM THIS ENCOUNTERED LOCATION WITH CONTOUR −4.0 NORTH TO THE NORTH PROPERTY LINE, ALL AREA BETWEEN THE −4.0 & +10.0 CONTOURS COMPRISES THE INTERTIDAL ZONE, AND SHALL BE CLEANED OF MAN−MADE MATERIALS SUCH AS CONCRETE BLOCKS & RUBBLE. THIS ENTIRE INTERTIDAL AREA SHALL BE SURFACED WITH A 1−FOOT−DEPTH OF QUARRY SPALLS, WITH A THIN LAYER OF 2" − 4" RAILROAD BALLAST PLACED ON TOP TO FILL−IN SURFACE−VOIDS ON THE QUARRY SPALLS. REFER TO THE CROSS−SECTION DETAILS. THE HEIGHT OF THE PROPOSED LARGE−ROCK CRIB−WALL ALSO TRANSITIONS, AS REFERENCED WITHIN THE CROSS SECTION DETAILS.

BANK IMPROVEMENT SECTION A-A

SCALE: 1"=20'

REFER TO SHEET 1 OF 13 FOR LOCATION OF TYPICAL SECTION A−A

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

SCALE: 1"=20'
DRAWN BY: DJS
JOB NO. 97018a

Ravnik & Associates, Inc.
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108 E. GILKEY ROAD/P.O. BOX 361
BURLINGTON, WA. 98233
PH: (360) 707-2048 FAX: (360) 707-2216

PROPOSED: Boat Moorage Float Facility **REFERENCE:** 200401163
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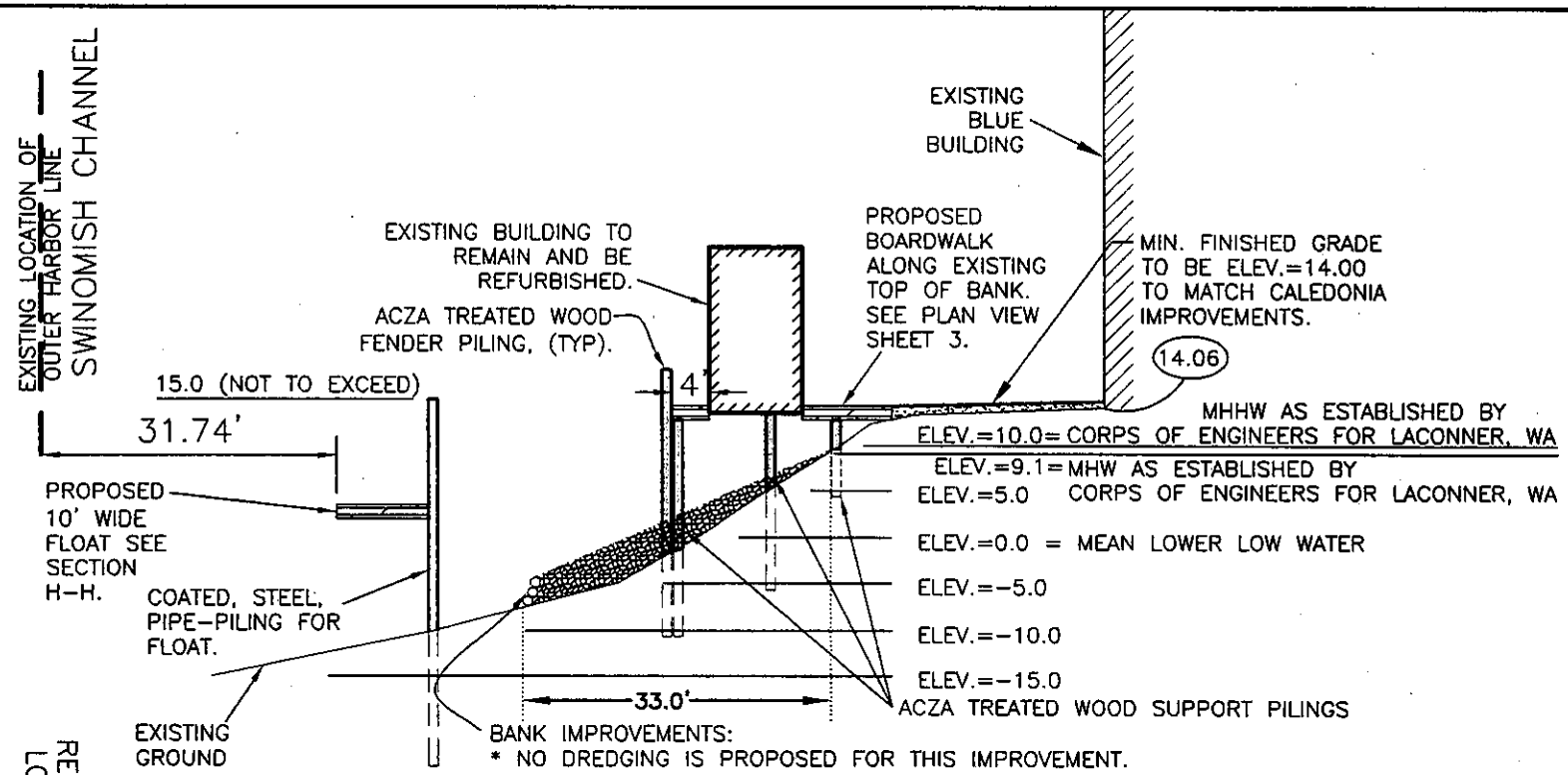
APPLICATION BY: LaConner Associates in Swinomish Channel, at LaConner, WA
DATE: 09/30/04



AS PER THE HORIZONTAL ALIGNMENT DEPICTED ON SHEET 4, NEAR APPROXIMATE ELEVATION −7.5, LARGE, 1000−2000 LB. ROCK IS TO BE KEYED AND PLACED ON A 1.5:1 SLOPE TO APPROXIMATE ELEVATION −4.0. QUARRY SPALLS TO BE PLACED ON EVEN SLOPE FROM −4.0 TO +10.0. THIN LAYER OF 2"−4" RAILROAD BALLAST TO BE APPLIED TO FILL IN SURFACE VOIDS.

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BANK IMPROVEMENT SECTION B-B

SCALE: 1"=20'

REFER TO SHEET 1 OF 13 FOR LOCATION OF TYPICAL SECTION B−B

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

SCALE: 1"=20'
DRAWN BY: DJS
JOB NO. 97018a

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
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BURLINGTON, WA. 98233
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PROPOSED: Boat Moorage Float Facility **REFERENCE:** 200401163
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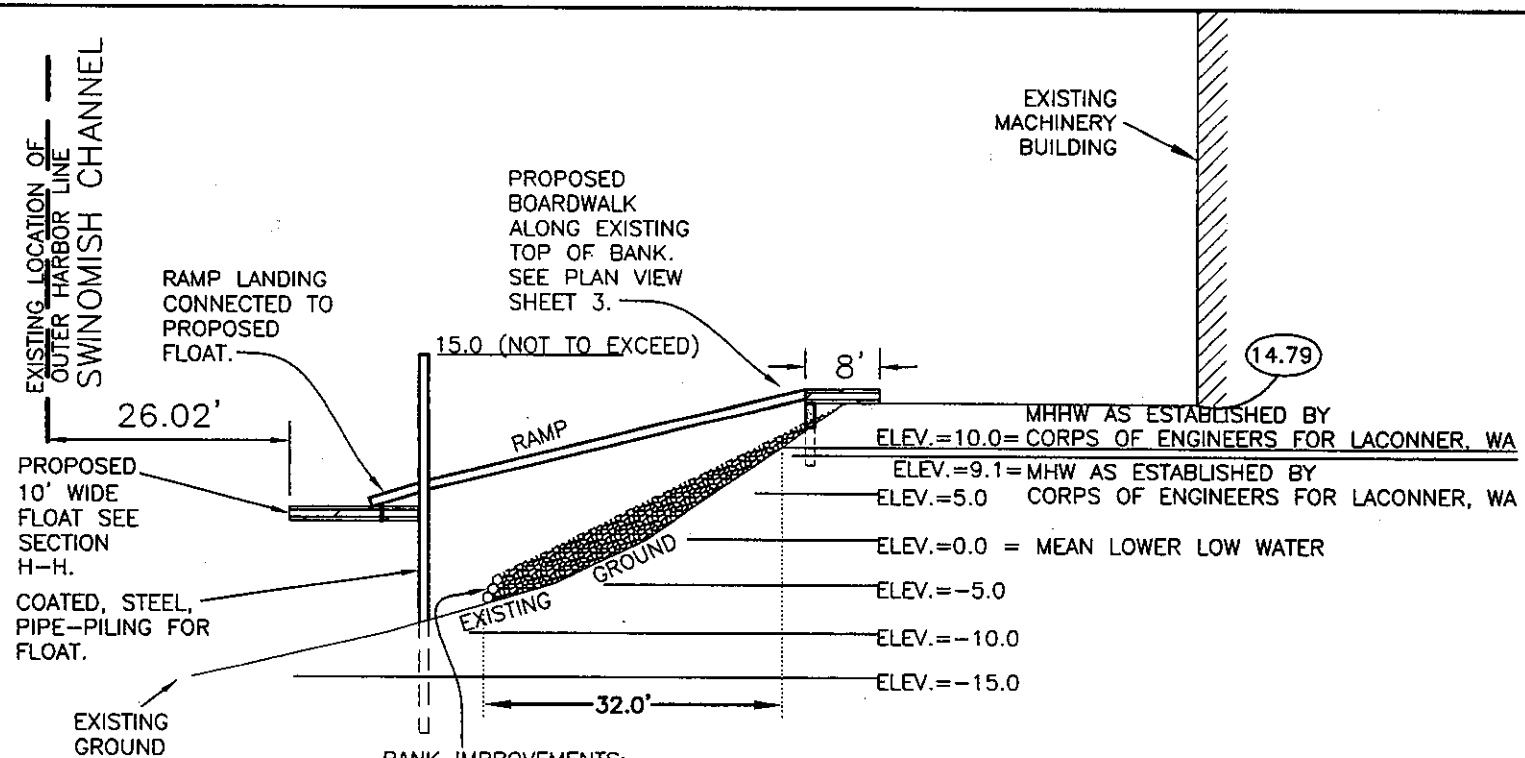
APPLICATION BY: LaConner Associates in Swinomish Channel, at LaConner, WA
DATE: 09/30/04



AT APPROXIMATE ELEVATION −7.0, LARGE, 1000−2000 LB. ROCK IS TO BE KEYED AND PLACED ON A 1.5:1 SLOPE TO APPROXIMATE ELEVATION −4.0. QUARRY SPALLS TO BE PLACED ON EVEN SLOPE FROM −4.0 TO TOP OF BANK. THIN LAYER OF 2"−4" RAILROAD BALLAST TO BE APPLIED TO FILL IN SURFACE VOIDS.

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BANK IMPROVEMENT SECTION C-C

SCALE: 1"=20'

REFER TO SHEET 1 OF 13 FOR LOCATION OF TYPICAL SECTION C−C

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

SCALE: 1"=20'
DRAWN BY: DJS
JOB NO. 97018a

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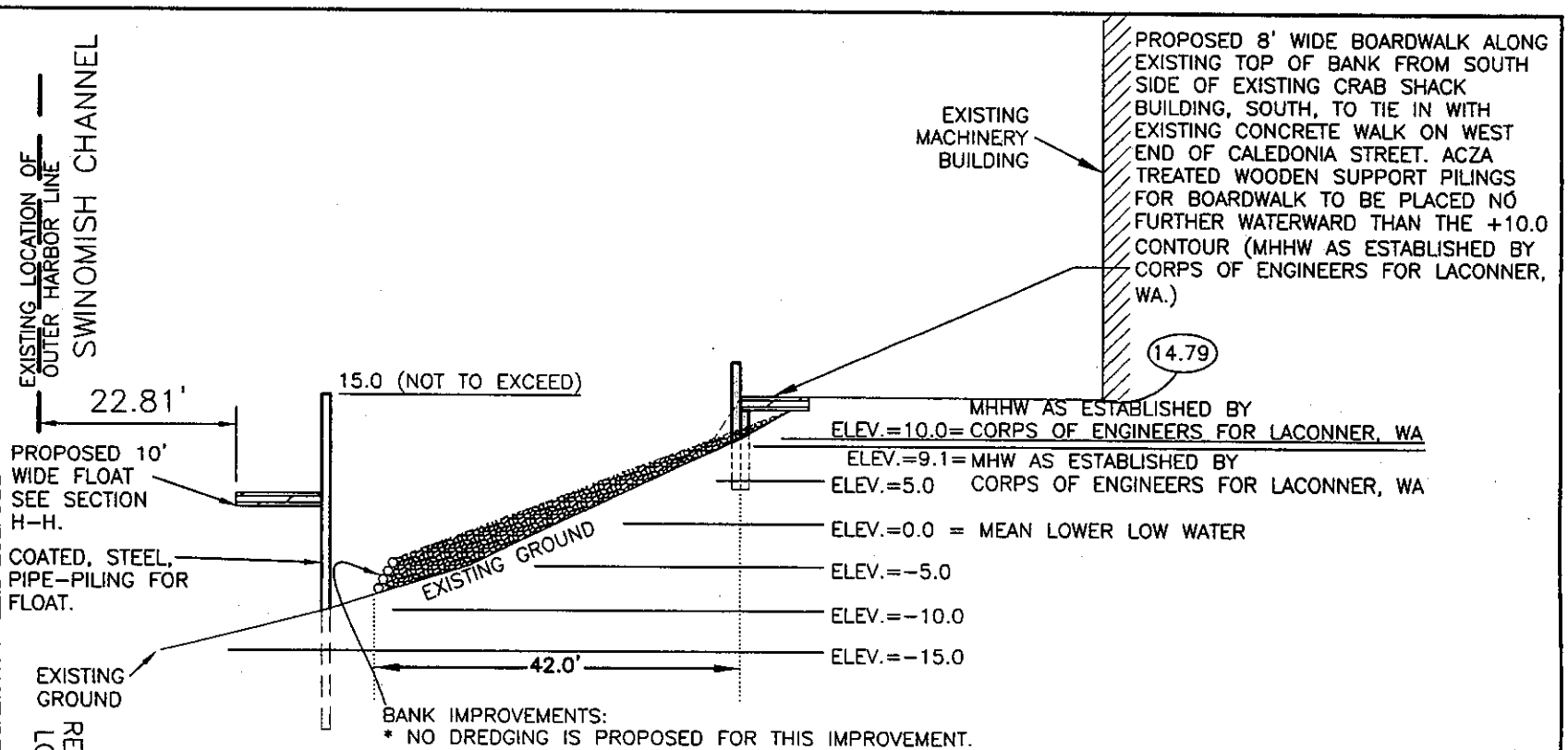

BANK IMPROVEMENTS:
* NO DREDGING IS PROPOSED FOR THIS IMPROVEMENT.

AS PER THE HORIZONTAL ALIGNMENT DEPICTED ON SHEET 4, NEAR APPROXIMATE ELEVATION −9, LARGE, 1000−2000 LB. ROCK IS TO BE KEYED AND PLACED ON A 1.5:1 SLOPE TO APPROXIMATE ELEVATION −4.0. QUARRY SPALLS TO BE PLACED ON EVEN SLOPE FROM −4.0 TO TOP OF BANK. THIN LAYER OF 2"−4" RAILROAD BALLAST TO BE APPLIED TO FILL IN SURFACE VOIDS.

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BANK IMPROVEMENT SECTION D-D

SCALE: 1"=20'

REFER TO SHEET 1 OF 13 FOR LOCATION OF TYPICAL SECTION D−D

SCALE: 1"=20'
DRAWN BY: DJS
JOB NO. 97018a

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

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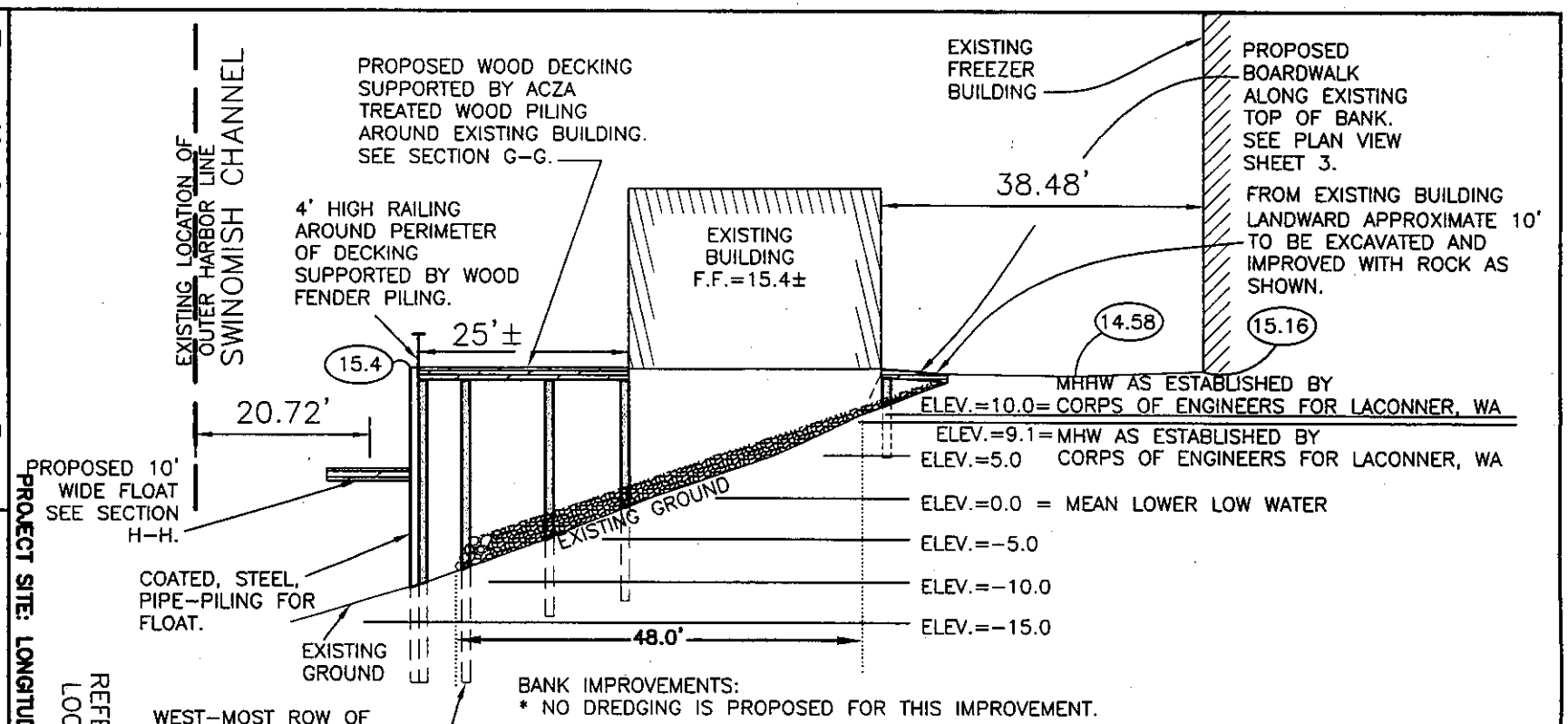

BANK IMPROVEMENTS:
* NO DREDGING IS PROPOSED FOR THIS IMPROVEMENT.

AS PER THE HORIZONTAL ALIGNMENT DEPICTED ON SHEET 4, NEAR APPROXIMATE ELEVATION −8, LARGE, 1000−2000 LB. ROCK IS TO BE KEYED AND PLACED ON A 1.5:1 SLOPE TO APPROXIMATE ELEVATION −4.0. QUARRY SPALLS TO BE PLACED ON EVEN SLOPE FROM −4.0 TO TOP OF BANK. THIN LAYER OF 2"−4" RAILROAD BALLAST TO BE APPLIED TO FILL IN SURFACE VOIDS.

THE HORIZONTAL ALIGNMENT OF THE PROPOSED LARGE−ROCK CRIB−WALL TRANSITIONS ACROSS THE PROPERTY'S FRONTAGE, COMMENCING FROM THE −10.0 CONTOUR AT SECTION A−A, NORTHEASTERLY TO THE −7.0 CONTOUR AT SECTION C−C; THENCE NORTHERLY TO THE LANDWARD−SIDE OF THE PROPOSED PILE LOCATED AT THE SOUTHWEST CORNER OF THE PROPOSED OVERLYING DECKING AROUND THE CRAB SHACK BUILDING; THENCE NORTHEASTERLYALONG THE LANDWARD SIDE OF THE PROPOSED DECK PILING WHICH PARALLEL THE BUILDING, TO APPROXIMATELY 33 FEET SOUTH OF THE NORTH PROPERTY LINE, WHERE EXISTING CONTOUR −4.0 IS ENCOUNTERED. FROM THIS ENCOUNTERED LOCATION WITH CONTOUR −4.0 NORTH TO THE NORTH PROPERTY LINE, ALL AREA BETWEEN THE −4.0 & +10.0 CONTOURS COMPRISES THE INTERTIDAL ZONE, AND SHALL BE CLEANED OF MAN−MADE MATERIALS SUCH AS CONCRETE BLOCKS & RUBBLE. THIS ENTIRE INTERTIDAL AREA SHALL BE SURFACED WITH A 1−FOOT−DEPTH OF QUARRY SPALLS, WITH A THIN LAYER OF 2" − 4" RAILROAD BALLAST PLACED ON TOP TO FILL−IN SURFACE−VOIDS ON THE QUARRY SPALLS. REFER TO THE CROSS−SECTION DETAILS. THE HEIGHT OF THE PROPOSED LARGE−ROCK CRIB−WALL ALSO TRANSITIONS, AS REFERENCED WITHIN THE CROSS SECTION DETAILS.

BANK IMPROVEMENT SECTION E-E

SCALE: 1"=20'

REFER TO SHEET 1 OF 13 FOR LOCATION OF TYPICAL SECTION

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

SCALE: 1"=20'
DRAWN BY: DJS
JOB NO. 97018a

Ravnik & Associates, Inc.
CIVIL ENGINEERING & LAND-USE PLANNING
108 E. GILKEY ROAD/P.O. BOX 361
BURLINGTON, WA 98233
PH: (360) 707-2048 FAX: (360) 707-2216

PROPOSED: Boat Moorage Float Facility REFERENCE: 200401163
PURPOSE: Support Waterfront Activities for Adjoining Commercial - Residential Zoned Areas
APPLICATION BY: LaConner Associates in Swinomish Channel, at LaConner, WA
DATE: 09/30/04

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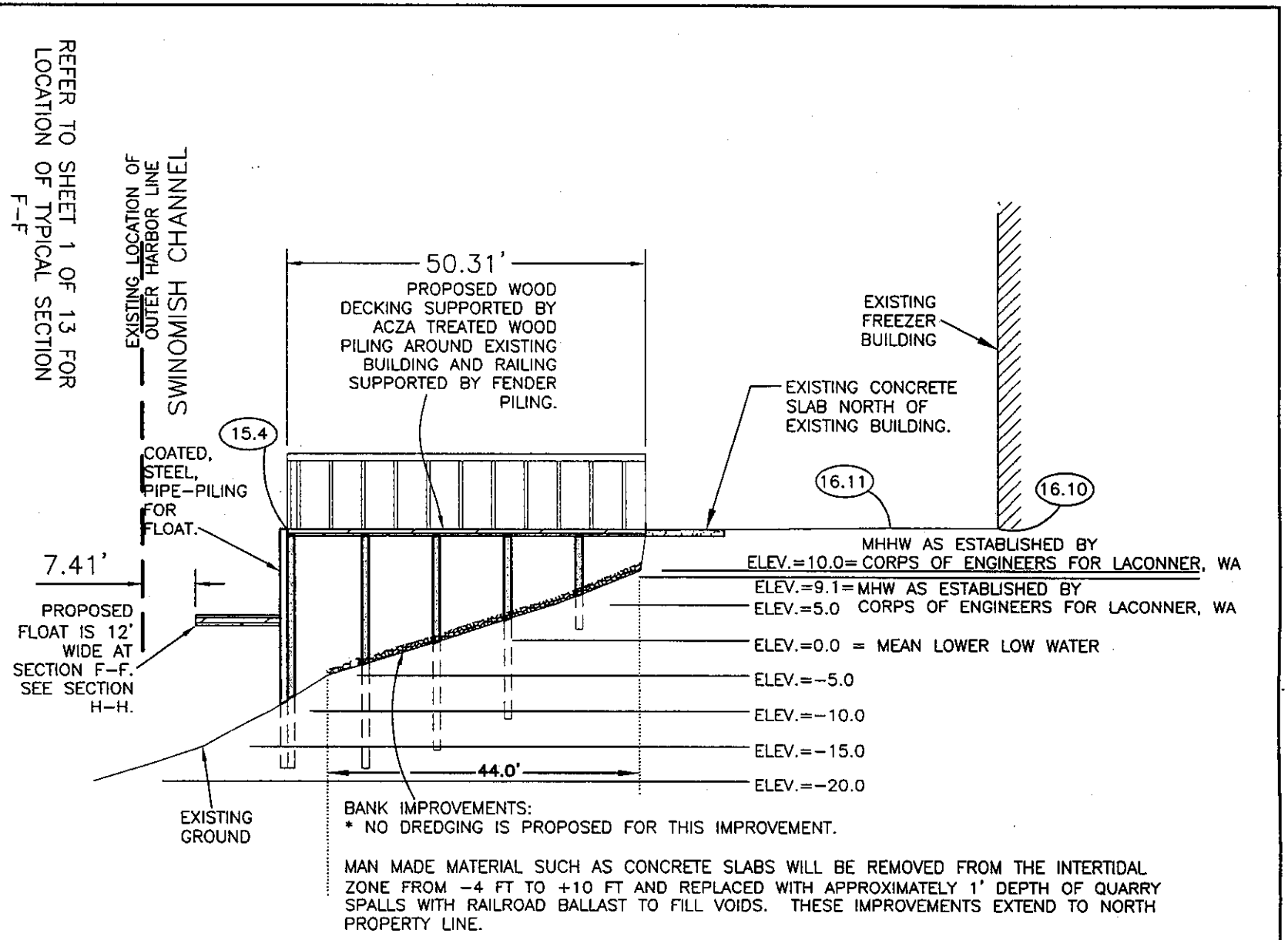

BANK IMPROVEMENT SECTION F-F

SCALE: 1"=20'

SCALE: 1"=20'
DRAWN BY: DJS
JOB NO. 97018a

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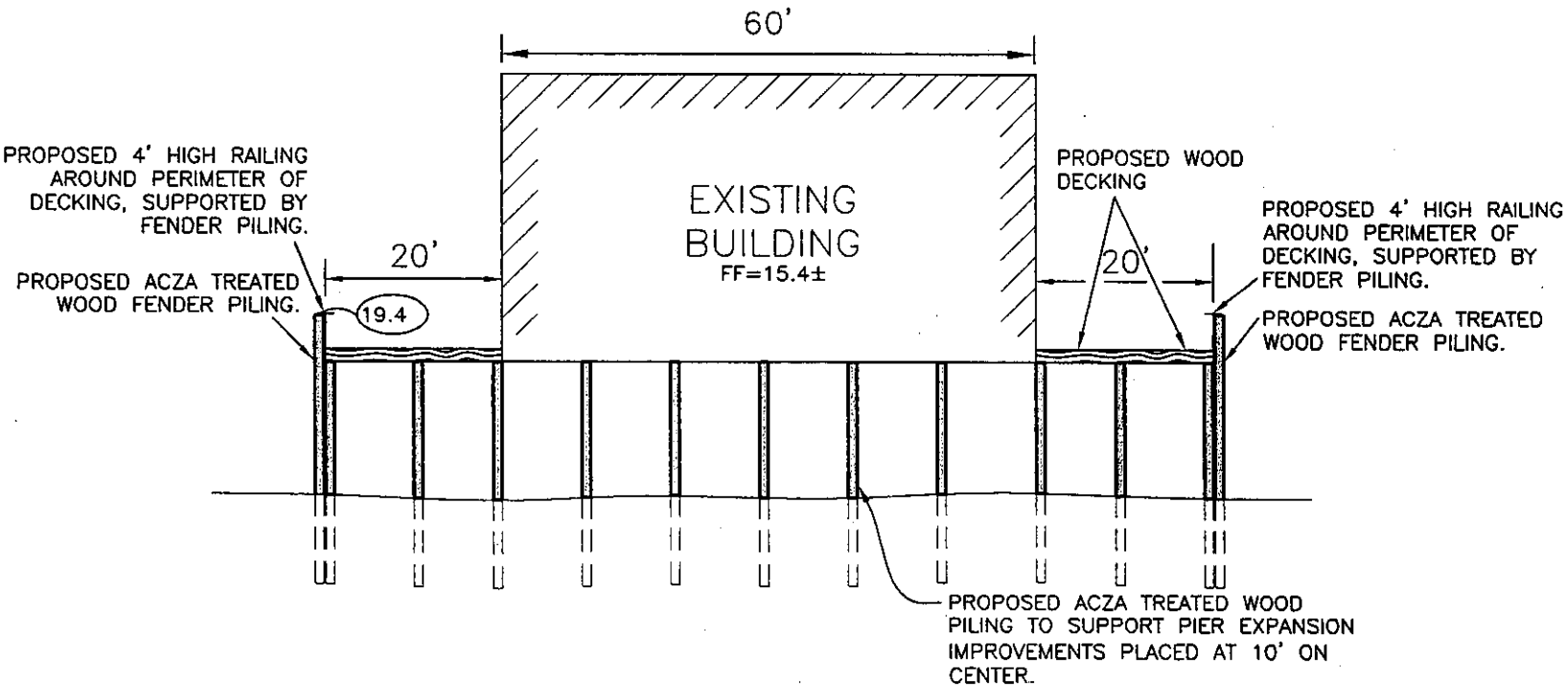
PH: (360) 707-2048 FAX: (360) 707-2216

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

PROPOSED: Boat Moorage Float Facility **REFERENCE:** 200401163
PURPOSE: Support Waterfront Activities for Adjoining Commercial - Residential Zoned Areas
APPLICATION BY: LaConner Associates in Swinomish Channel, at LaConner, WA
DATE: 09/30/04

SHEET 10 OF 15

REFER TO SHEET 1 OF 13
FOR LOCATION OF TYPICAL
SECTION G–G



EXISTING OVER-WATER BUILDING WITH DECKING IMPROVEMENTS SECTION G-G

SCALE: 1"=20'

Ravnik & Associates, Inc.
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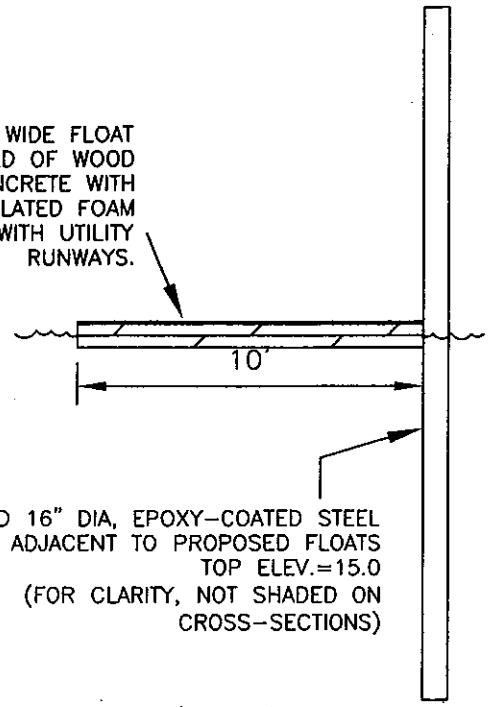
BURLINGTON, WA. 98233
PH: (360) 707-2048 FAX: (360) 707-2216

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

PROPOSED: Boat Moorage Float Facility **REFERENCE:** 20040116 3
PURPOSE: Support Waterfront Activities for Adjoining Commercial – Residential Zoned Areas
APPLICATION BY: LaConner Associates In Swinomish Channel, at LaConner, WA
DATE: 09/30/04

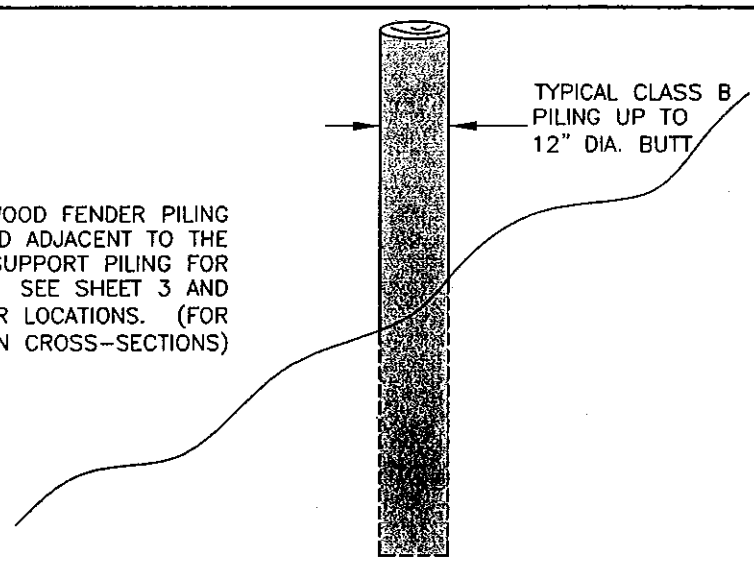
SCALE: 1"=20'
DRAWN BY: DJS
JOB NO. 97018a

REFER TO SHEETS 1 & 3 OF 13 FOR LOCATION OF TYPICAL SECTION H–H



TYPICAL FLOAT & STEEL PILING CROSS SECTION H-H

NOT TO SCALE



TYPICAL TREATED WOOD PILING

NOT TO SCALE

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

SCALE: NTS
DRAWN BY: DJS
JOB NO. 97018a

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PH: (360) 707-2048 FAX: (360) 707-2216

PROPOSED: Boat Moorage Float Facility **REFERENCE:** 200401163
PURPOSE: Support Waterfront Activities for Adjoining Commercial – Residential Zoned Areas
APPLICATION BY: LaConner Associates in Swinomish Channel, at LaConner, WA

DATE: 09/30/04

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1. THE MEAN HIGHER HIGH WATER LINE IS THE 10' CONTOUR SHOWN ON ALL PLAN & PROFILE VIEW SHEETS.

2. THE MEAN HIGH WATER LINE IS THE 9.10' CONTOUR SHOWN ON ALL PLAN & PROFILE VIEW SHEETS.

3. TOTAL APPROXIMATE QUANTITY OF DREDGED MATERIAL = 0 CU. YDS.

4. TOTAL APPROXIMATE QUANTITY OF STABILIZATION ARMORING ROCK = 1,076 CU. YDS. CALCULATIONS SHOWN BELOW.

APPROXIMATE FILL CALCULATIONS

SECTION	CROSS SECTIONAL AREA	DISTANCE BETWEEN SECTIONS	VOLUME BETWEEN SECTIONS
SOUTH END	49.65 SQ.FT.	14.18 FT.	704 CU. FT.
A–A	49.65 SQ.FT.	97.05 FT.	6,917 CU. FT.
B–B	92.90 SQ.FT.	49.25 FT.	4,969 CU. FT.
C–C	108.87 SQ.FT.	28.71 FT.	3,317 CU. FT.
D–D	122.20 SQ.FT.	62.57 FT.	7,733 CU. FT.
E–E	124.98 SQ.FT.	54.47 FT.	4,537 CU. FT.
F–F	41.62 SQ.FT.	20.70 FT.	862 CU. FT.
NORTH END	41.62 SQ.FT.		

TOTAL VOL.=29,039 CU. FT.
TOTAL VOL.=1,076 CU. YDS.

SCALE: NTS
DRAWN BY: DJS
JOB NO. 97018a

PROJECT SITE: LONGITUDE=48° 23' 18" LATITUDE=122° 29' 53"

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DATE: 09/30/04

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

Date: October 21, 2004

Notice is herby 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. 200401163 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 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 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