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: March 8, 2005
Expiration Date: April 8, 2005
Reference: 200400737
Name: Peterson, Dave

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: Mr. Dave Peterson
73 Salmon Beach
Tacoma, Washington 98407
Telephone: (253) 759-7781

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 #73 site is located in tidelands at Salmon Beach, in Section 22, Township 21 North, Range 2 East.

WORK: The proposed project will remove an existing 1,878 square foot single –family residence and construct a new multi-level single-family residence. The new 1877 square foot over-water structure will be supported by 47 timber piles (36 piles will be replaced and 11 piles will remain). The thirty-six replacement piles will be 12 to 14-inch diameter ACZA treated. The piles will be installed by hand, excavating the piling holes to a depth of about 48-inches below beach grade. Up to 10 cubic yards of excavated material will be discharged on to the beach. Up to 10 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.

PURPOSE: To provide housing.

ADDITIONAL INFORMATION: Large construction material and equipment will be brought to the site via small boat. Small tools, equipment, and construction material will be brought to the site via the adjacent upland stair access. Construction debris will be collected in large plastic bags and disposed of at an approved upland disposal site.

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)*, marbled murrelet (*Brachyramphus marmoratus*), Puget Sound bull trout (*Salvelinus confluentus*), and Puget Sound Chinook (*Oncorhynchus tshawytscha)* are listed threatened; and Southern Resident killer whale *(Orcinus orca)*

proposed threatened; in the state of Washington, may occur in the proposed project area. For Puget Sound Chinook and Puget Sound bull trout critical habitat has been proposed.

After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to the bald eagle, marbled murrelet, Puget Sound bull trout, Puget Sound Chinook salmon, and killer whale.

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 1877 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 has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

> 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 (*has been 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 impacts, 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 U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, 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 proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

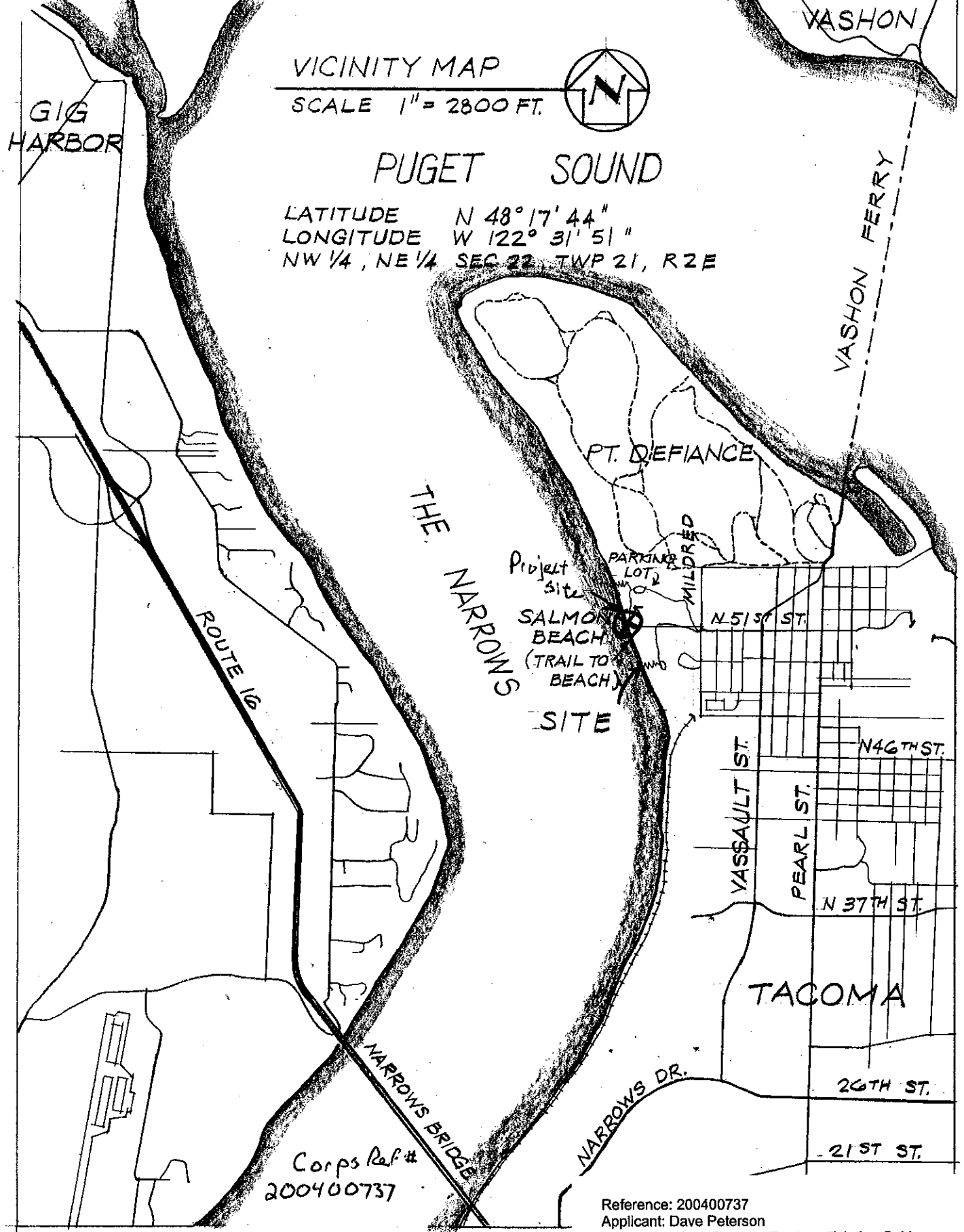
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal is the subject of a Shorelines Substantial Development Permit 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 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:

Dave Peterson, 200400737

Encl
Drawings (7)



PURPOSE: *Demolish existing cabin and decks and replace with new house and decks.*

DATUM: *New City of Tacoma Datum NGVD 29 = 0.00 feet*

ADJACENT PROPERTY OWNERS:

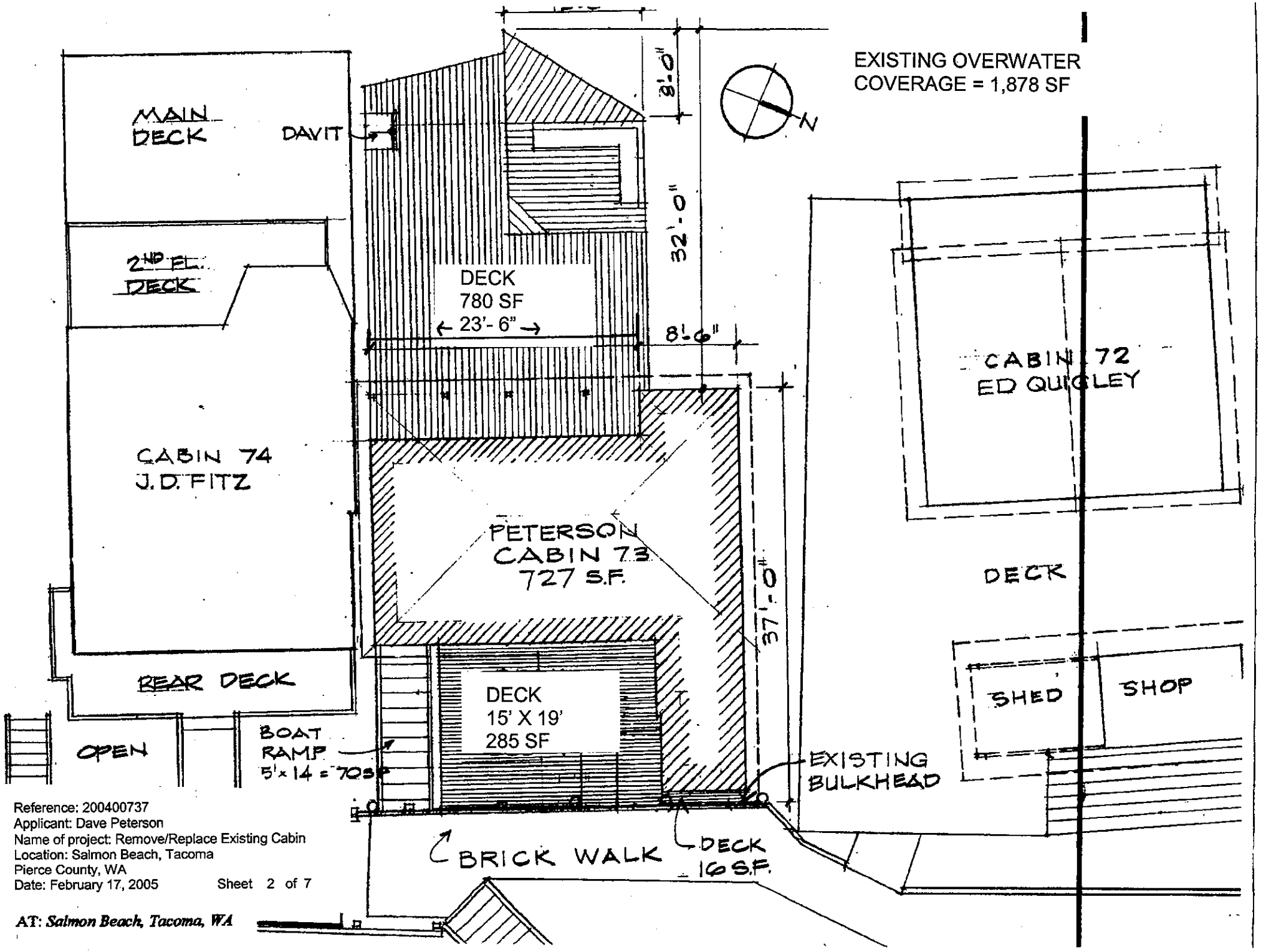
1. *Ed Quigley (North)*
2. *James "J.D." & Leigh Fitz (South)*

APPLICANT: *Dave Peterson*

LOCATION ADDRESS:
#73 Salmon Beach
Tacoma, WA 98407

Reference: 200400737
Applicant: Dave Peterson
Name of project: Remove/Replace Existing Cabin
Location: Salmon Beach, Tacoma
Pierce County, WA
Date: February 17, 2005 Sheet 1 of 7

IN: *Puget Sound, The Narrows*
AT: *Salmon Beach, Tacoma*
COUNTY: *Pierce* STATE: *WA*



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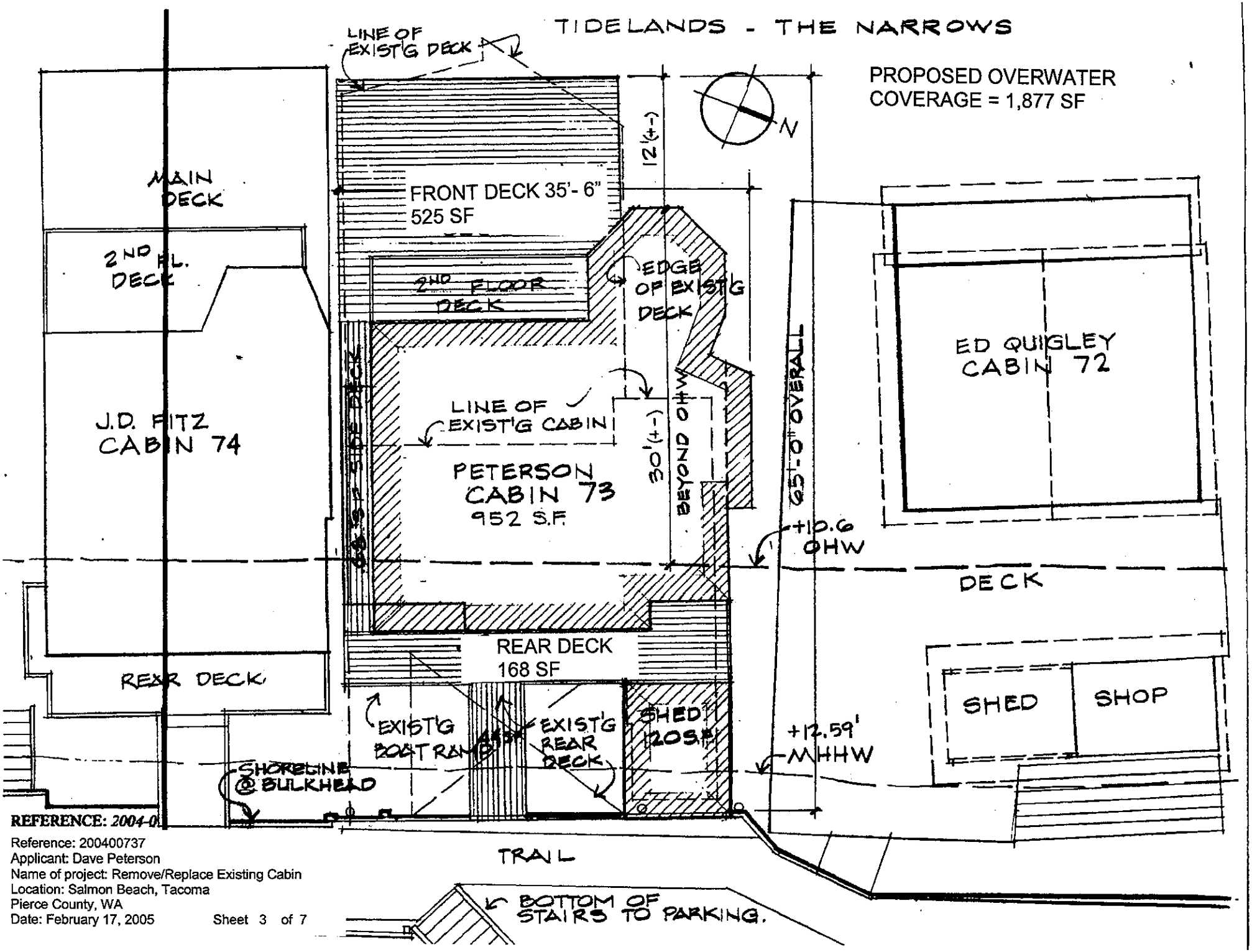
Pierce County, WA
Date: February 17, 2005 Sheet 2 of 7

AT: *Salmon Beach, Tacoma, WA*



REFERENCE: *2004-0*

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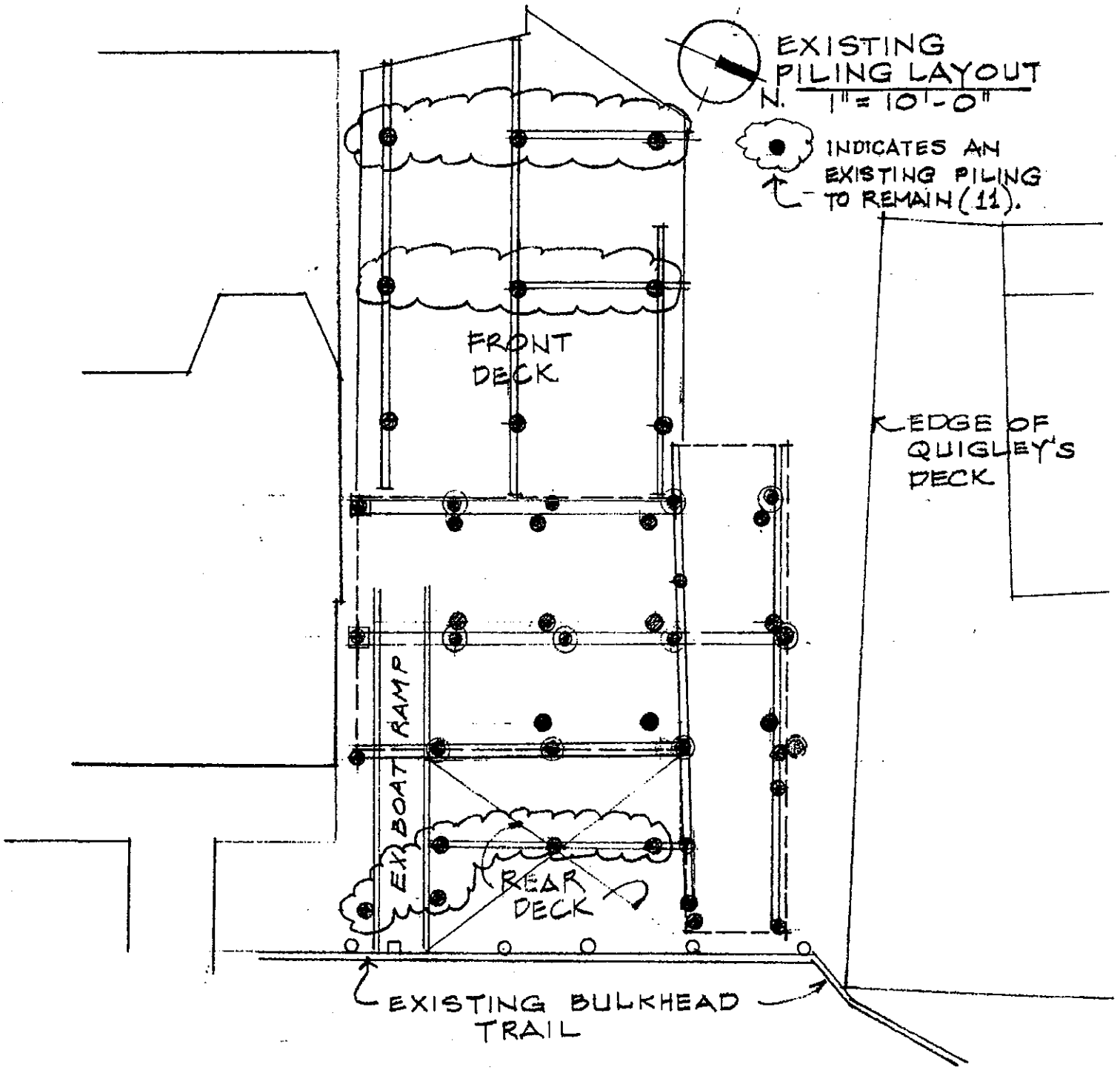
THE NARROWS



REMOVE ALL EXISTING PILING EXCEPT THOSE CLOUDED. REMOVE 36 - RETAIN 11 EXISTING.

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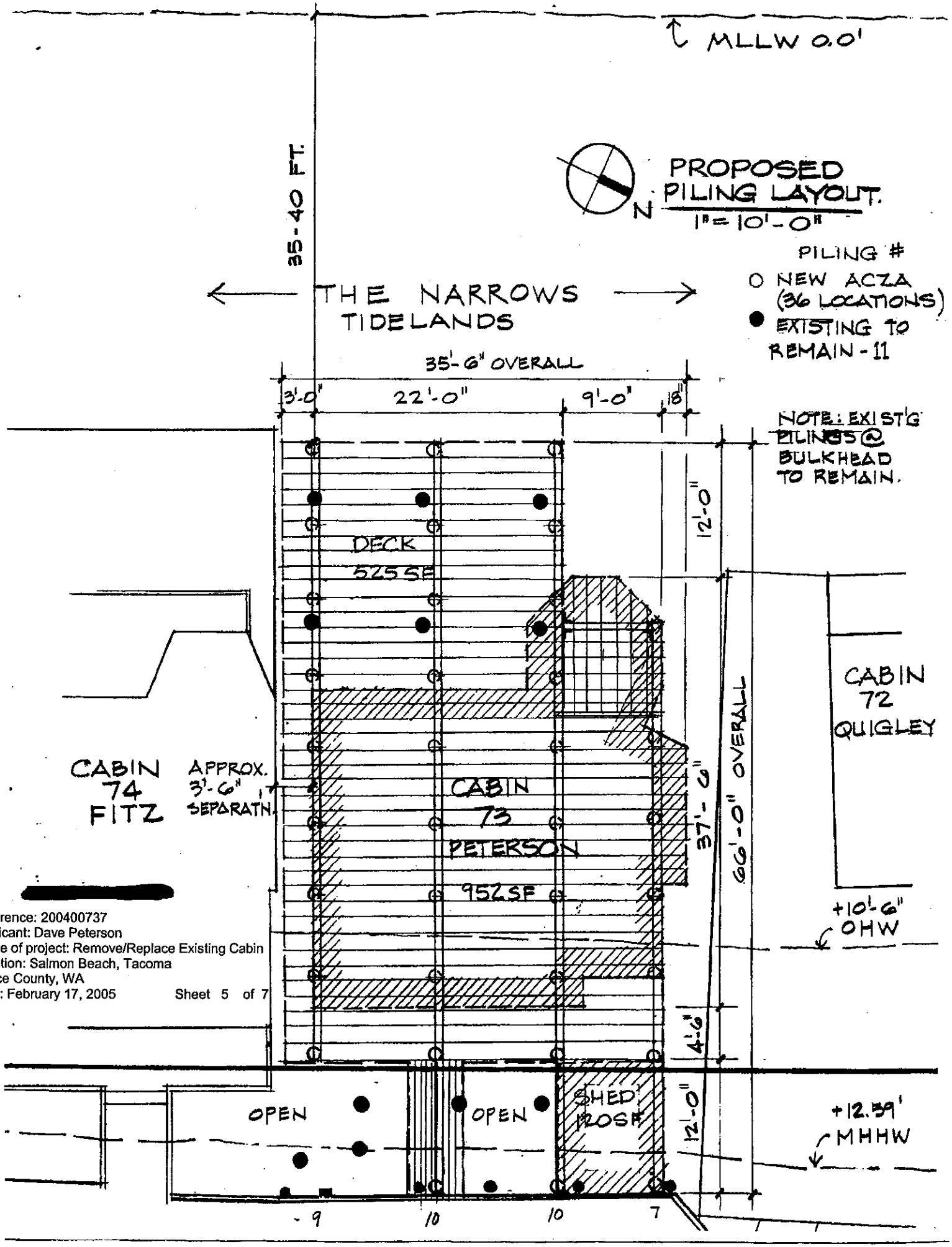
Sheet 4 of 7

[redacted]



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Location: Salmon Beach, Tacoma
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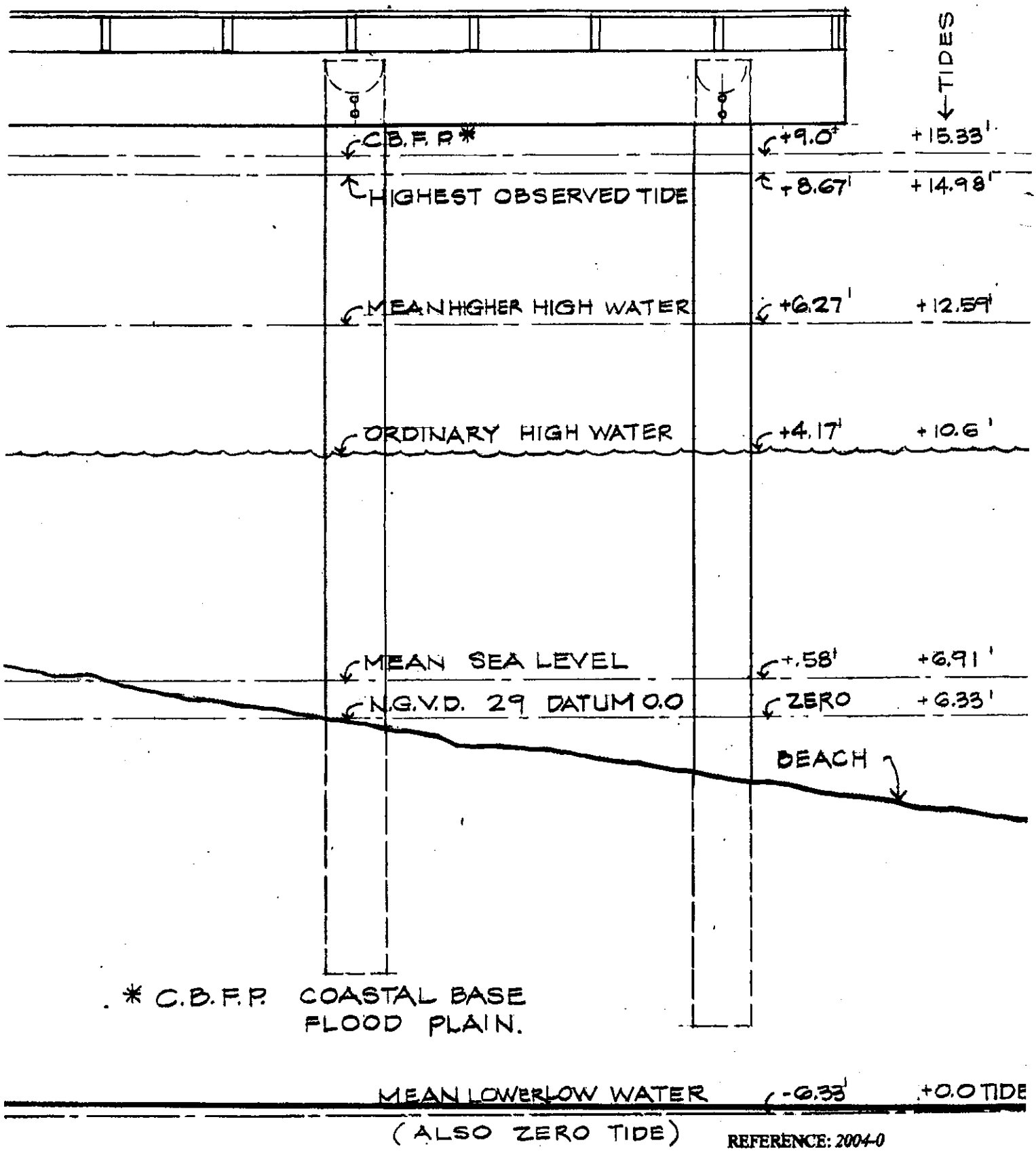
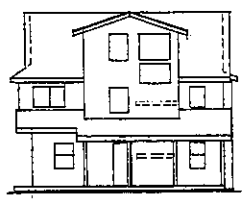


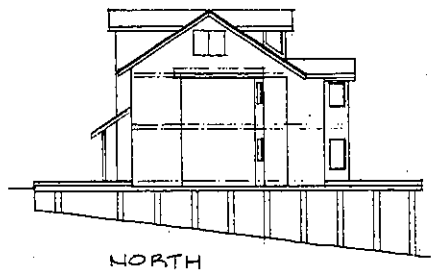
REFERENCE: 2004-0

CABIN 73 PETERSON
TIDAL RELATIONSHIP
DIAGRAM 1/2" = 1'-0"

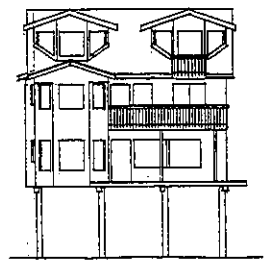
Reference: 200400737
Applicant: Dave Peterson
Name of project: Remove/Replace Existing Cabin
Location: Salmon Beach, Tacoma
Pierce County, WA
Date: February 17, 2005



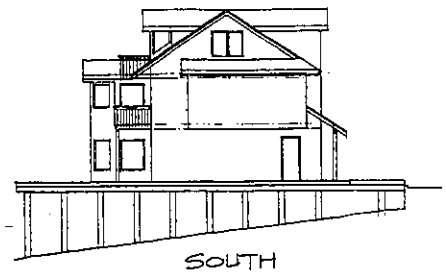
TRAIL SIDE



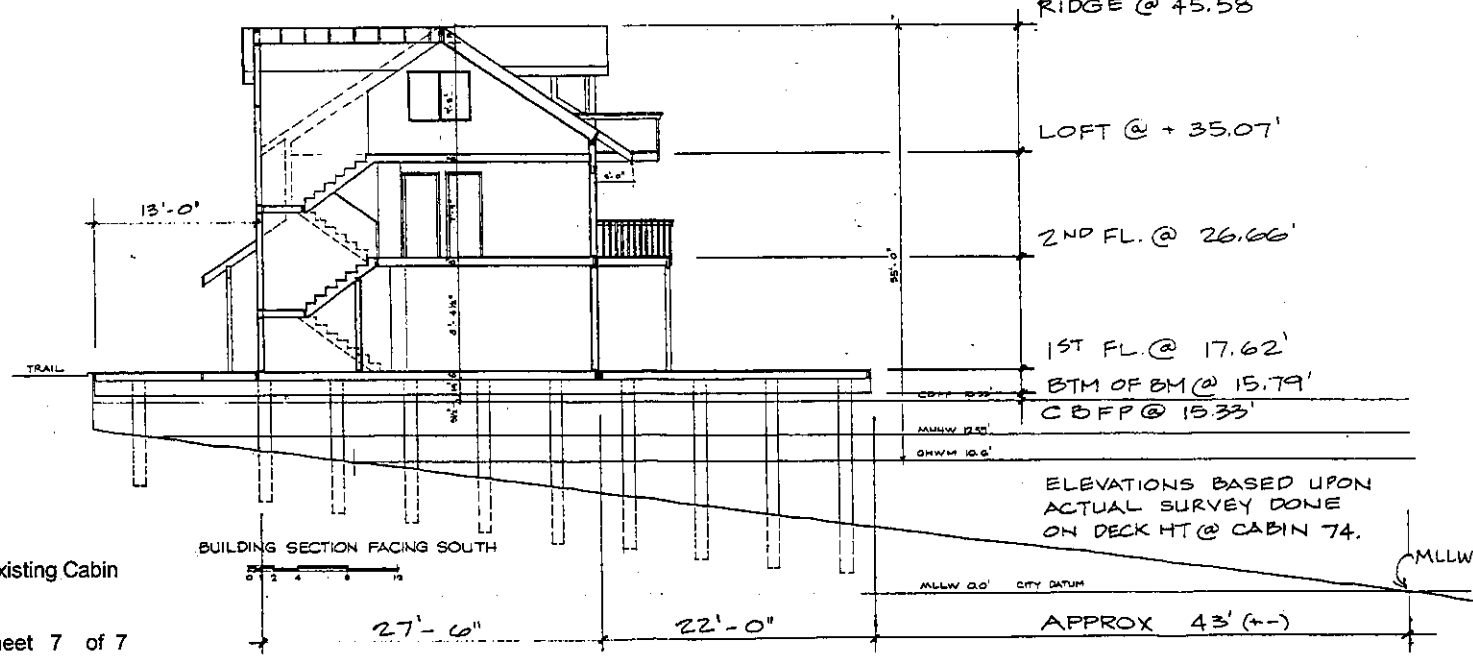
NORTH



WATER SIDE



SOUTH



BUILDING SECTION FACING SOUTH

0 2 4 8 12

REPLACEMENT CABIN 73 SALMON BEACH
BUILDING SECTION & ELEVATIONS.
DAVE [redacted] PETERSON

Reference: 200400737
Applicant: Dave Peterson
Name of project: Remove/Replace Existing Cabin
Location: Salmon Beach, Tacoma
Pierce County, WA
Date: February 17, 2005

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: March 8, 2005

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. 200400737 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