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: Shawn Zinszer, Project Manager

Public Notice Date: January 27, 2005
Expiration Date: February 27 2005
Reference: 200401353
Name: J & A Properties. Tidewater Cove

Interested parties are hereby notified that an application has been received for a Department of the Army permits 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: J & A Properties, LLC
915 Broadway, #250
Vancouver, Washington 98660
ATTN: Kim Logan
Telephone: (360) 737-3841

AGENT: David Evans and Associates, Inc
2100 SW River Parkway
Portland, Oregon 97201
ATTN: John Macklin
Telephone: (503) 223-6663

LOCATION – In Tidewater Cove of the Columbia River at River Mile (RM) 109 north shore. The project is near the City of Vancouver, Clark County, Washington.

WORK –Construct a marina consisting of 90 uncovered slips, 106 14 – 24 inch diameter steel piling, and wave attenuators on the east (upstream,) south (riverward), and west (downstream) sides; install a 120-foot long grated gangway, eight- feet wide will provide access to the from the existing jetty; and dredge 1,000 cubic yards in the moorage basin and 7,000 cubic yards in the access channel using a clamshell dredge with upland disposal.

ADDITIONAL INFORMATION - The marina will create a total of 33,510 square feet of over-water surface area and the piling will displace approximately 233 square feet of substrate. 100 of the proposed pilings will be located in shallow-water habitat (-20 feet Columbia River Datum (CRD). The gangway will connect the marina to a concrete pad near the midpoint of the existing jetty. No houseboats or covered moorages are proposed, and the marina will not include refueling or sewage pumpout facilities. Dredging will be required to maintain the shallower portion of the marina moorage basin at –10 CRD and to maintain the 75-foot wide access channel at –12 CRD. This channel will extend beyond the marina into the Columbia River approximately 150 feet.

PURPOSE – The purpose of the project is to provide boat moorage.

MITIGATION: Mitigation for this project has already been completed and was part of the overall Tidewater Cove Master Plan of which the proposed marina is part. These mitigation measures have included removal of 144,222 square feet of overwater structure and stabilization/revegetation of about 1,940 linear feet (2.2 acres) of Columbia River shoreline. Removal of the existing overwater structure included a pier, a wrecked ship, several barges, and a floating office. This area included 22,854 square feet of structure in shallow water habitat, 2,368 square feet of structure in deep water habitat, and 119,000 square feet of abandoned, grounded barges. These structures were removed after U.S. Army Corps of Engineers authorization in 1998.

ENDANGERED SPECIES: The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. Bald eagle (Haliaeetus leucocephalus) threatened, Columbia River Bull Trout (Salvelinus confluentus) threatened, Columbia River Chum Salmon (Oncorhyncus keta) threatened, Lower Columbia River Chinook (Oncorhynchus tshawytscha) threatened, Upper Willamette River Chinook (Oncorhynchus tshawytscha) threatened, Upper Columbia River Spring Chinook (Oncorhynchus tshawytscha) endangered, Snake River Spring/Summer Chinook (Oncorhynchus tshawytscha) threatened, Snake River Fall Chinook (Oncorhynchus tshawytscha) threatened, Snake River Sockeye Salmon (Oncorhynchus nerka) endangered, Upper Columbia River Steelhead (Oncorhynchus mykiss) endangered, Middle Columbia River Steelhead (Oncorhynchus mykiss) threatened, Snake River Steelhead (Oncorhynchus mykiss) threatened, Upper Willamette River Steelhead (Oncorhynchus mykiss) threatened, Lower Columbia River Steelhead (Oncorhynchus mykiss) threatened, and designated critical habitat for the following ESU's: Snake River Spring/Summer Chinook (Oncorhynchus tshawytscha) threatened, Snake River Fall Chinook (Oncorhynchus tshawytscha) threatened, and Snake River Sockeye (Oncorhynchus nerka) endangered occur in the project area.

A preliminary determination indicates that the activity "may affect, not likely to adversely affect" endangered or threatened species, or their critical habitat, designated under the Endangered Species Act of 1973. Consultation under Section 7 of the ESA will be initiated with National Marine Fisheries Service and 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 occurs in the project area. The proposed action would impact approximately 33,510 square feet 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 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 permit area 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 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.

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.

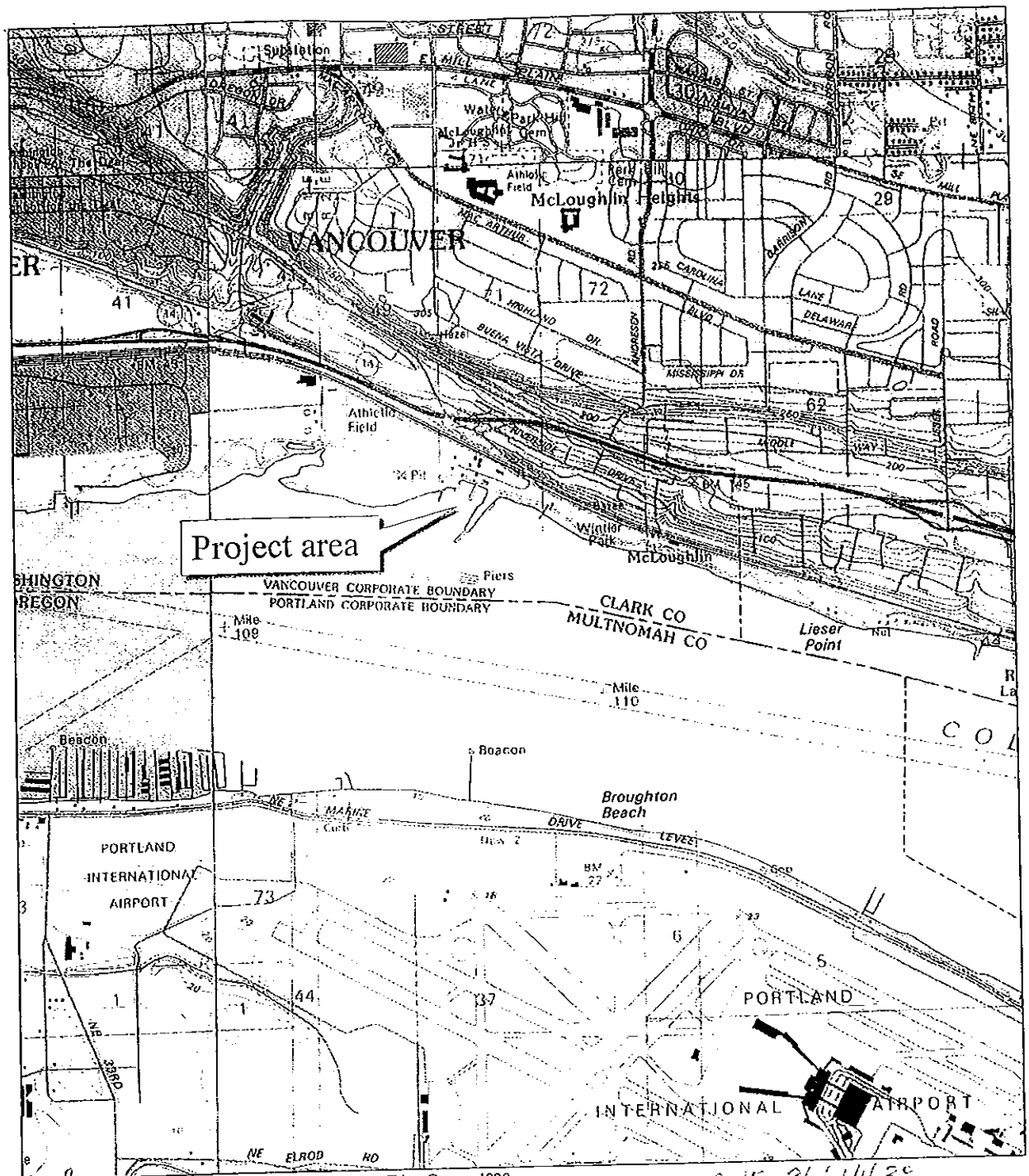
EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits 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 U.S. Army Corps of Engineers (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.

COMMENT AND REVIEW PERIOD: Conventional mail or email 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, email comments must originate from the author's email account and must include on the subject line of the email message the permit applicant's name and reference number as shown below. All email comments should be sent to Shawn.H.Zinszer@usace.army.mil. Conventional mail comments should be sent to, U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Either 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:

J & A Properties, Tidewater Cove 200401353

Encl
Drawings (6)



Source: USGS 7.5 minute Quadrangles, Portland and Mount Tabor, Oregon, 1990; Vancouver, Washington, 1990; Orchards, Washington 1975

Scale - 1:24,000

Figure 1
Vicinity

Tidewater Cove

04 January 2004

USACE Ref. No. 200401353

Sheet 1 of 6

Project Manager: Zinszer

Applicant: J & A Properties, Tidewater Cove

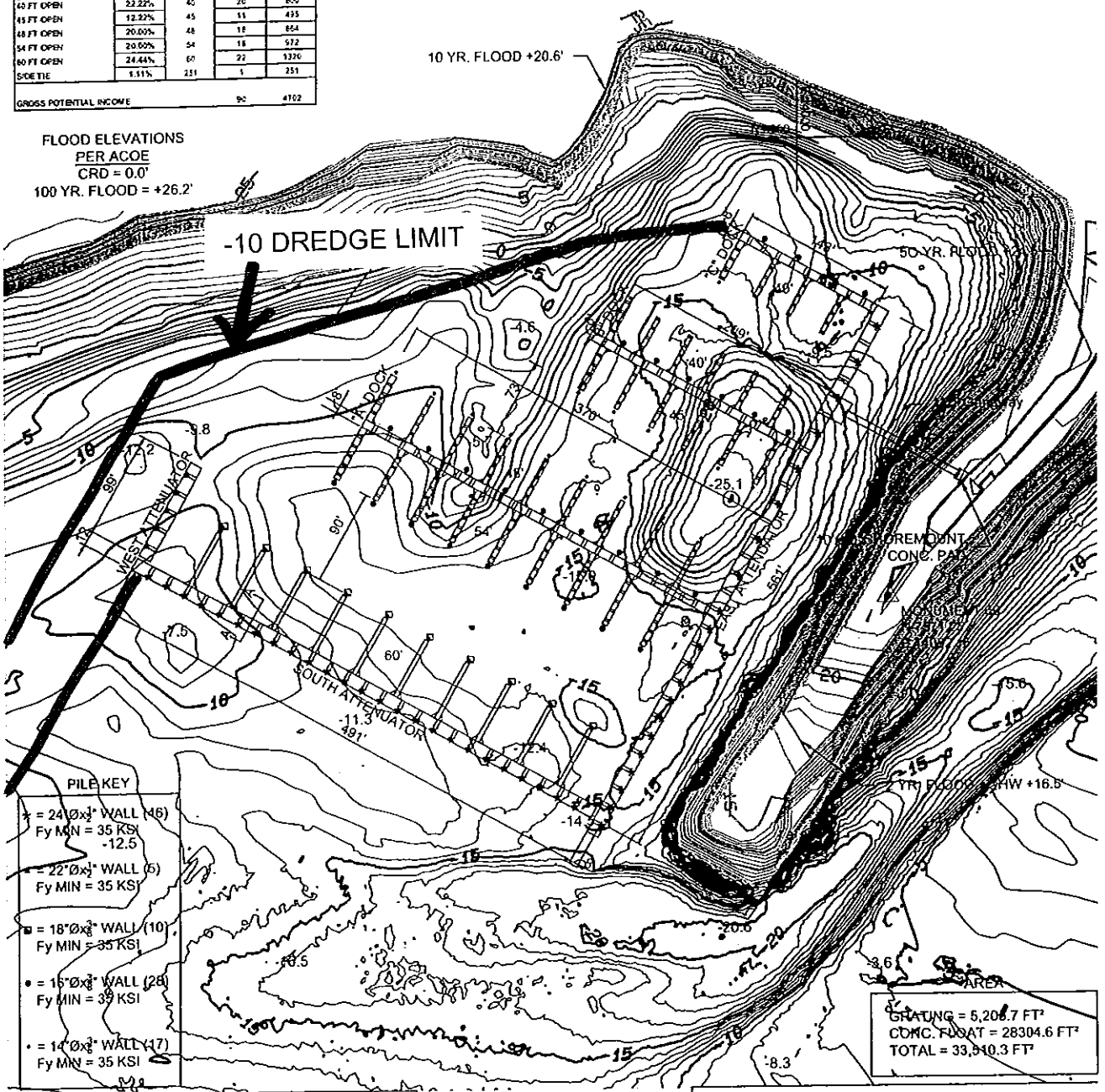
Datum: Columbia River Datum

Location: In Tidewater Cove of the Columbia River at River Mile (RM) 109 north shore. The project is near the City of Vancouver, in Clark County, Washington

Proposed: To construct a marina which will consist of 90 uncovered slips and will include wave attenuators on the east (upstream) and south (riverward) sides, and west (downstream); install a 120-foot grated gangway; and dredge 1,000 cy in the moorage basin and 7000 cy in the access channel (upland disposal).

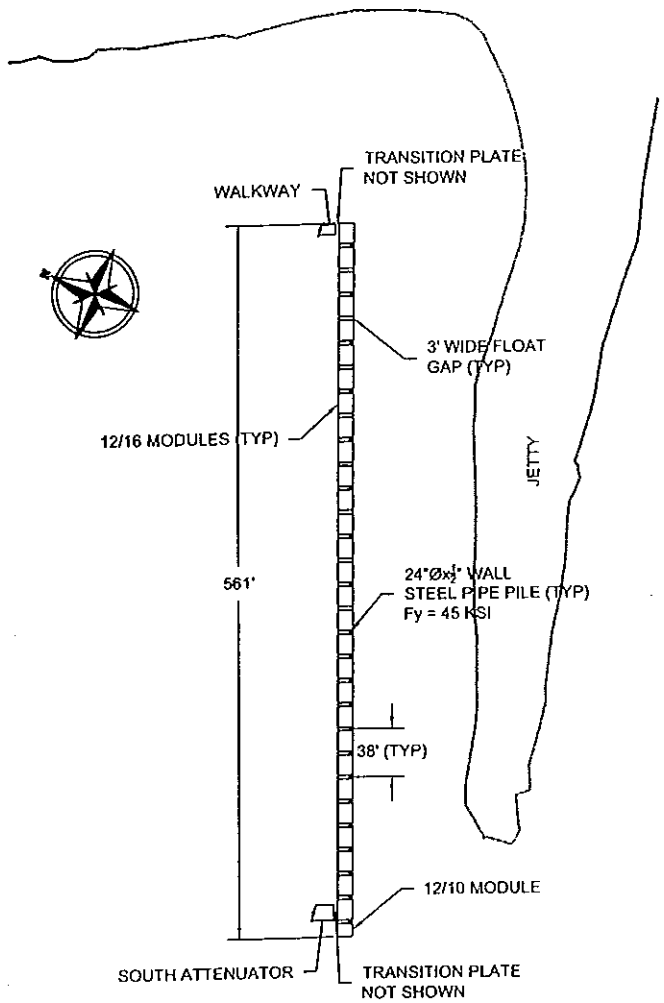
Adjacent Property Owners: City of Vancouver and Hickey Family Companies

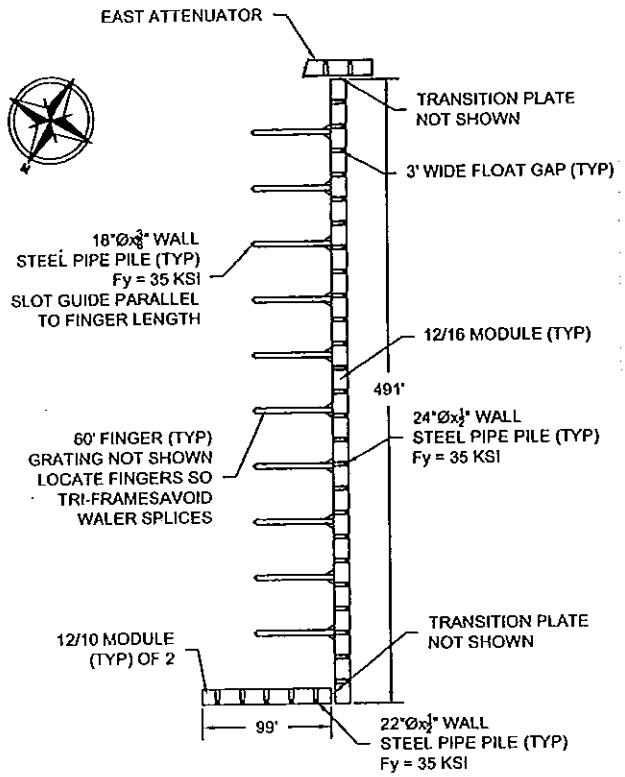
TIDE WATER COVE BMI LAYOUT 10-20-04 MARINA SLIPS TOTAL		Length	Number	Total LF
40 FT OPEN	22.22%	40	20	800
45 FT OPEN	12.22%	45	11	495
48 FT OPEN	20.00%	48	18	864
54 FT OPEN	20.00%	54	18	972
60 FT OPEN	24.44%	60	22	1320
SIDE TIE	1.11%	251	1	251
GROSS POTENTIAL INCOME			90	4702



Scale: 1/8" = 12'-0"

FIGURE 2
Plan View, Dredge Limits, and Bathymetry





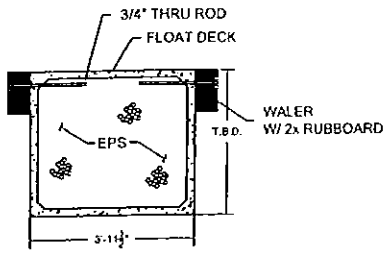
NOTE: WALERS AND GANGWAY
LANDING FLOATS NOT SHOWN.

EAST ATTENUATOR

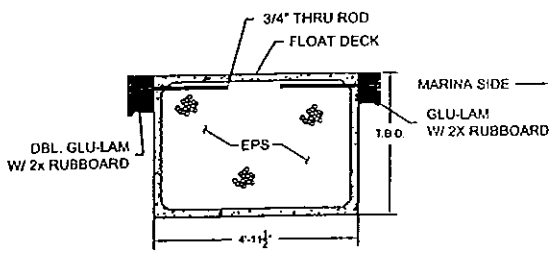
SOUTH ATTENUATOR

Scale: 1/8" = 12'-0"

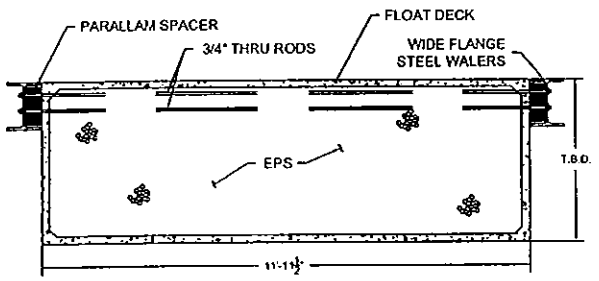
FIGURE 3
Attenuator Details



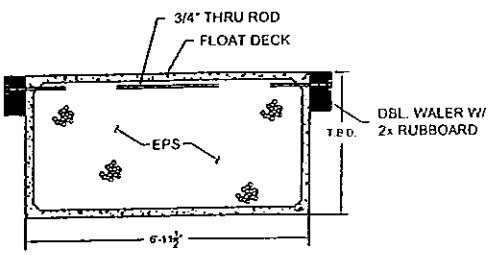
SECTION @ FINGER



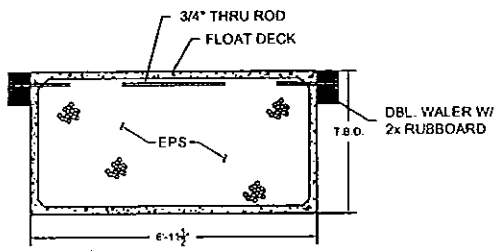
SECTION @ "T" HEAD



SECTION @ ATTENUATOR



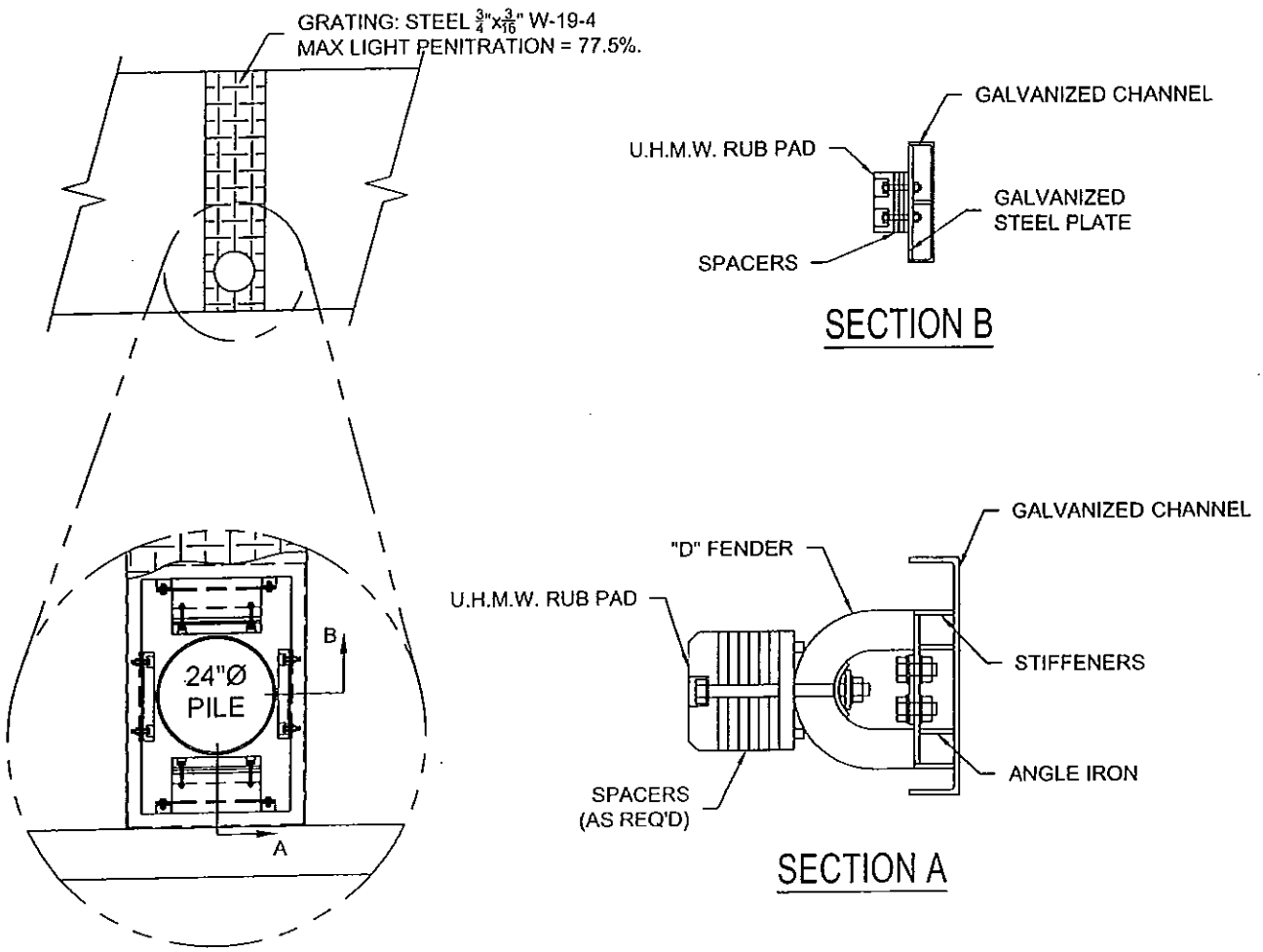
SECTION @ "A" DOCK WALKWAY



SECTION @ "B" & "C" DOCK WALKWAYS

Scale: 1/4" = 1'-0"

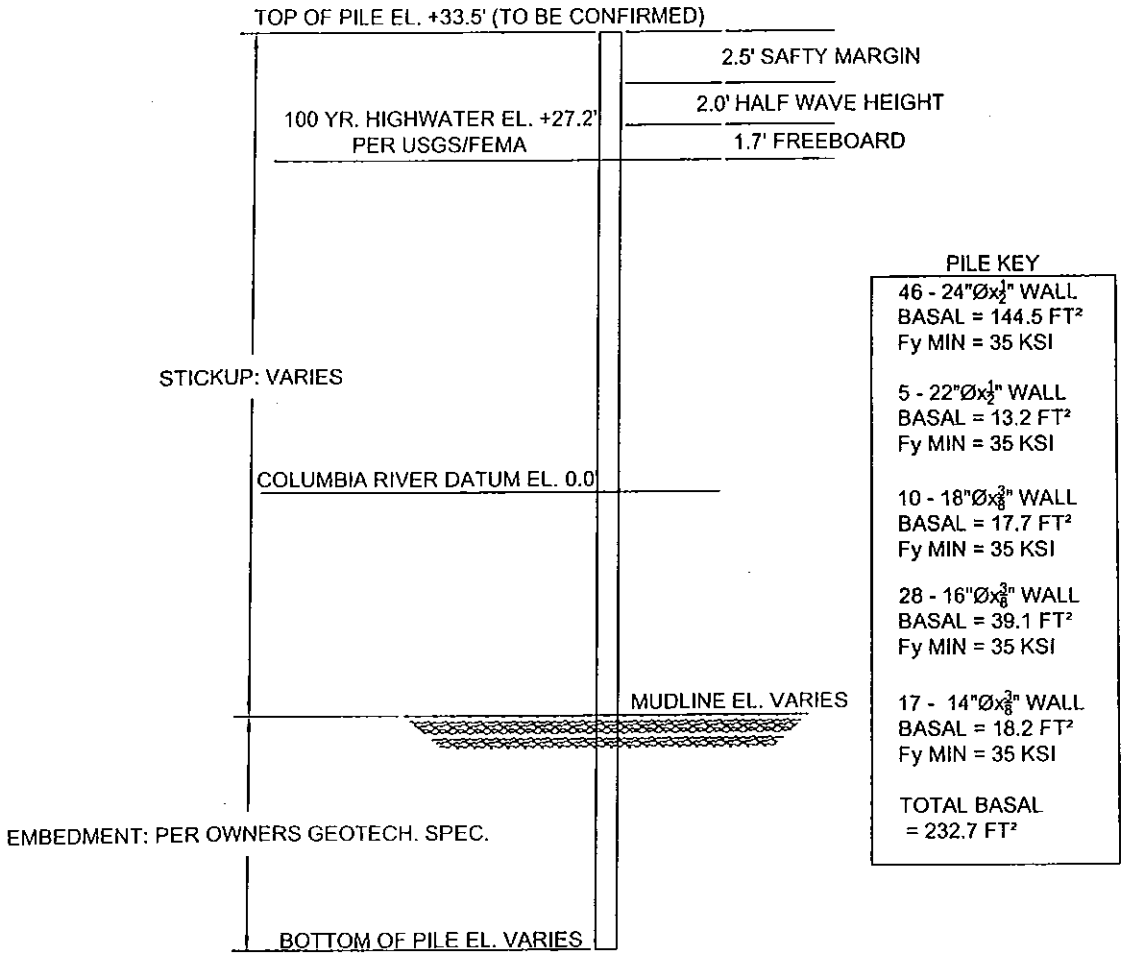
FIGURE 4
Cross-Sections



TYPICAL PILE @ ATTENUATOR

Scale: NTS

FIGURE 5
Piling Detail



Scale: 1/8" = 1'-0"

FIGURE 6
Piling Elevation