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 15, 2005
Expiration Date: April 15, 2005
Reference: 200401449
Name: Andy Blair

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 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT: Andy Blair
Post Office Box 108
Fox Island, Washington 98333
Telephone: (253) 219-4277

AGENT: Steve Mitchell
7846 Cultus Bay Road
Clinton, Washington 98236
Telephone: (206) 795-5631

LOCATION: In Gig Harbor, at the City of Gig Harbor, Pierce County, Washington.

WORK: The proposed project will install a new 265-foot long float structure and nine 10-inch diameter galvanized steel piles. The structure will consist of thirteen separate cement floats, each 20-feet long by 5.5-feet wide, total length of 265-feet with total overwater coverage of 1,458 square feet.

PURPOSE: To provide moorage for applicant's commercial fishing vessels.

ADDITIONAL INFORMATION: The new cement floats will be pre-fabricated, constructed off-site, in Tacoma, and then towed into place. The floats will be joined together with pressure treated timber fascia, bolted to the sides of the floats and will run the entire length of the floats. The floats will be installed using hand tools. The floats will be placed in water depths ranging from minus nine feet mean lower low water (MLLW) to minus fifteen feet MLLW. The piling will be installed via impact driver. Three existing creosote piles will be removed and disposed in an approved disposal site.

The location of the proposed floats is within an active harbor with commercial vessel traffic. The adjacent shoreline and upland areas include a mix of commercial activities and private residences.

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*) listed threatened; marbled murrelet (*Brachyramphus marmoratus*) listed threatened; bull trout (*Salvelinus confluentus*) listed threatened; Puget Sound Chinook (*Oncorhynchus tshawytscha*) listed threatened; stellar sea lion (*Eumetopias jubatus*) listed threatened; leatherback sea turtle (*Dermochelys coriacea*) listed threatened; humpback whale

(Megaptera novaeangliae) listed threatened; Southern Resident Killer whale *(Orcinus orca) is proposed threatened*; in the state of Washington, may occur in the proposed project area. For bull trout and Chinook 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, bull trout, Chinook, stellar sea lion, leatherback sea turtle, humpback whale, and killer whale.

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 NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 1,458 square feet of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area.

If the U.S. Army Corps of Engineers (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. 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. 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.

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.

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.

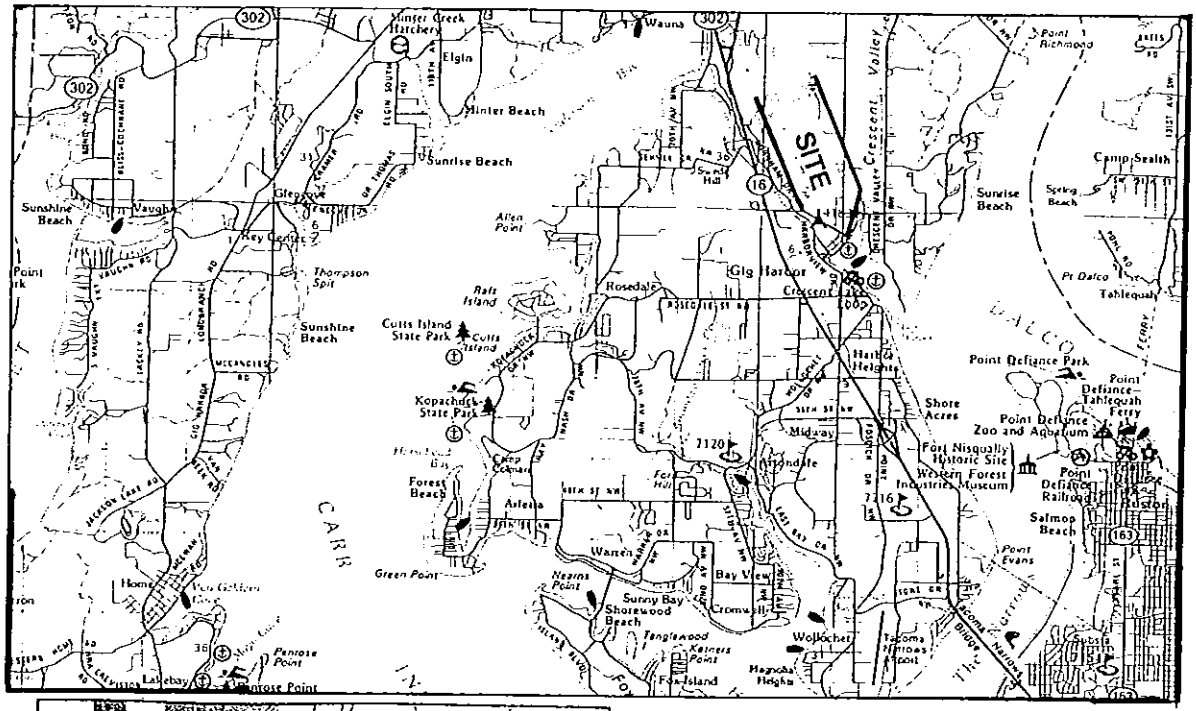
This proposal is the subject of Shorelines Substantial Development Permit No. SDP04-04, being processed by the City of Gig Harbor.

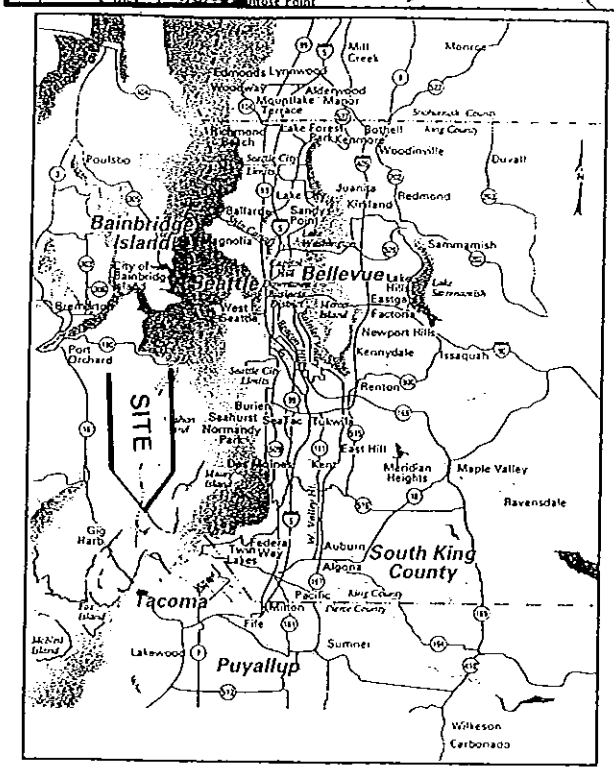
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from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

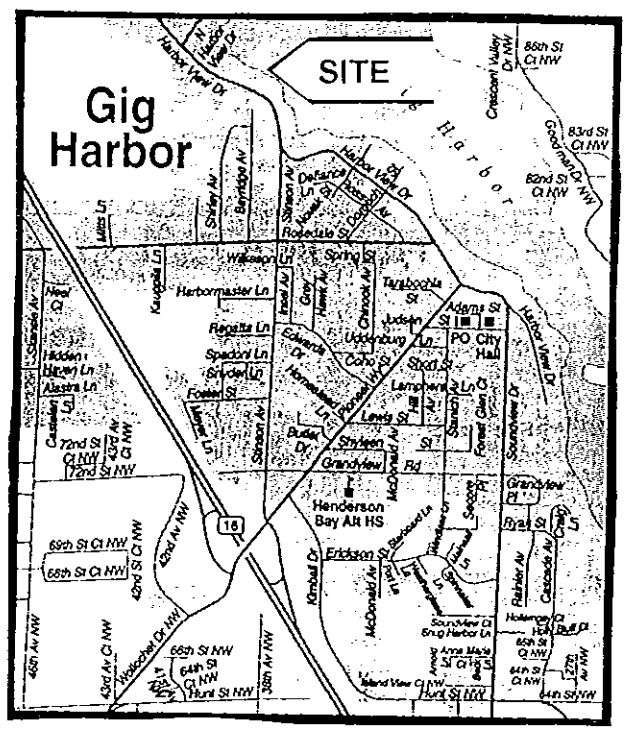
Andy Blair, 200401449

Encl
Drawings ( )

Figure 1. Location and Vicinity Maps





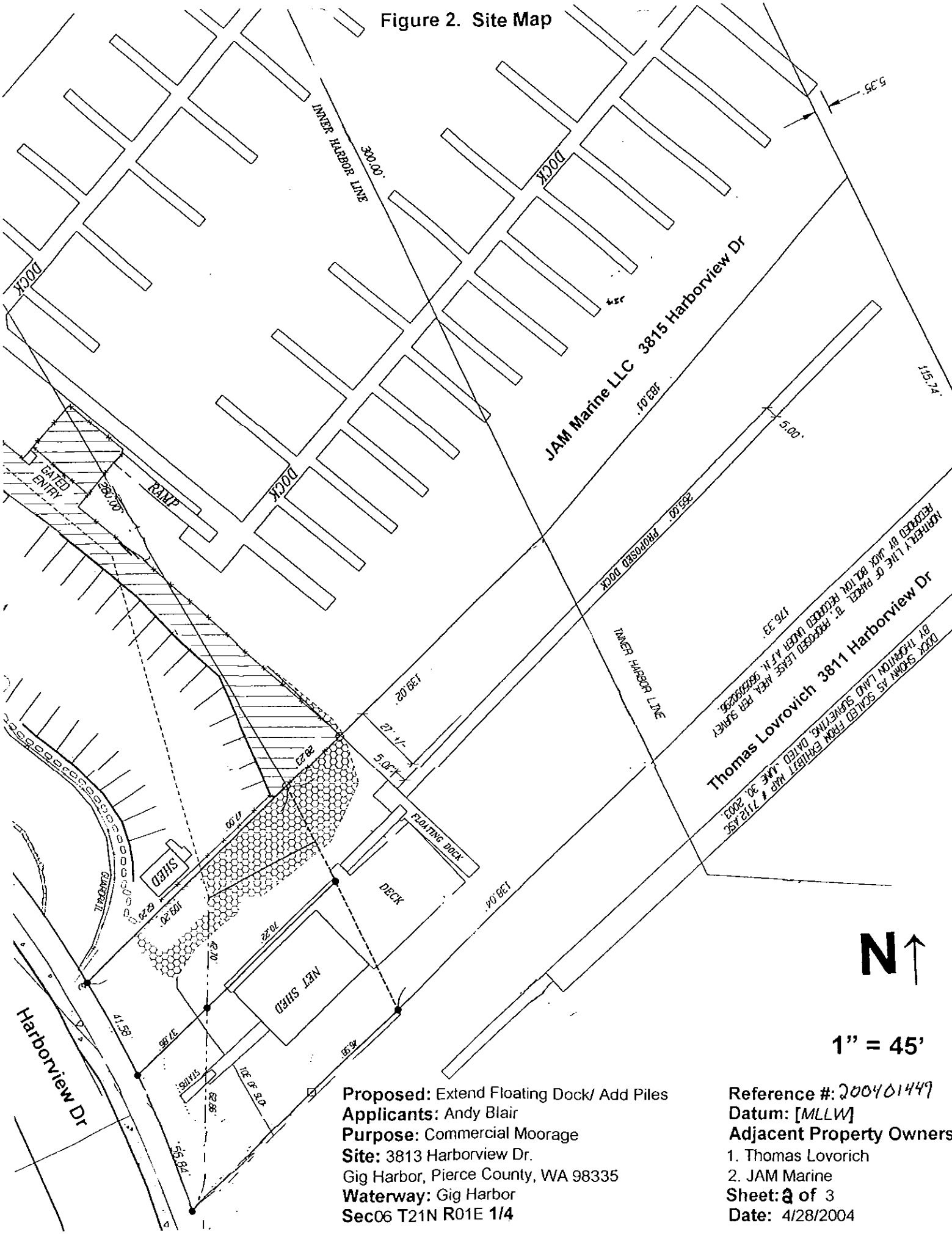


N

Proposed: Extend Floating Dock/ Add Piles
Applicants: Andy Blair
Purpose: Commercial Moorage
Site: 3813 Harbor View Dr.
Gig Harbor, Pierce County, WA 98335
Waterway: Gig Harbor
Sec06 T21N R01E 1/4

Reference #: 200401449
Datum: [*MLLW*]
Adjacent Property Owners:
1. Thomas Loudrich
2. JAM Marine
Sheet: 1 of 3
Date: 4/28/2004

Figure 2. Site Map



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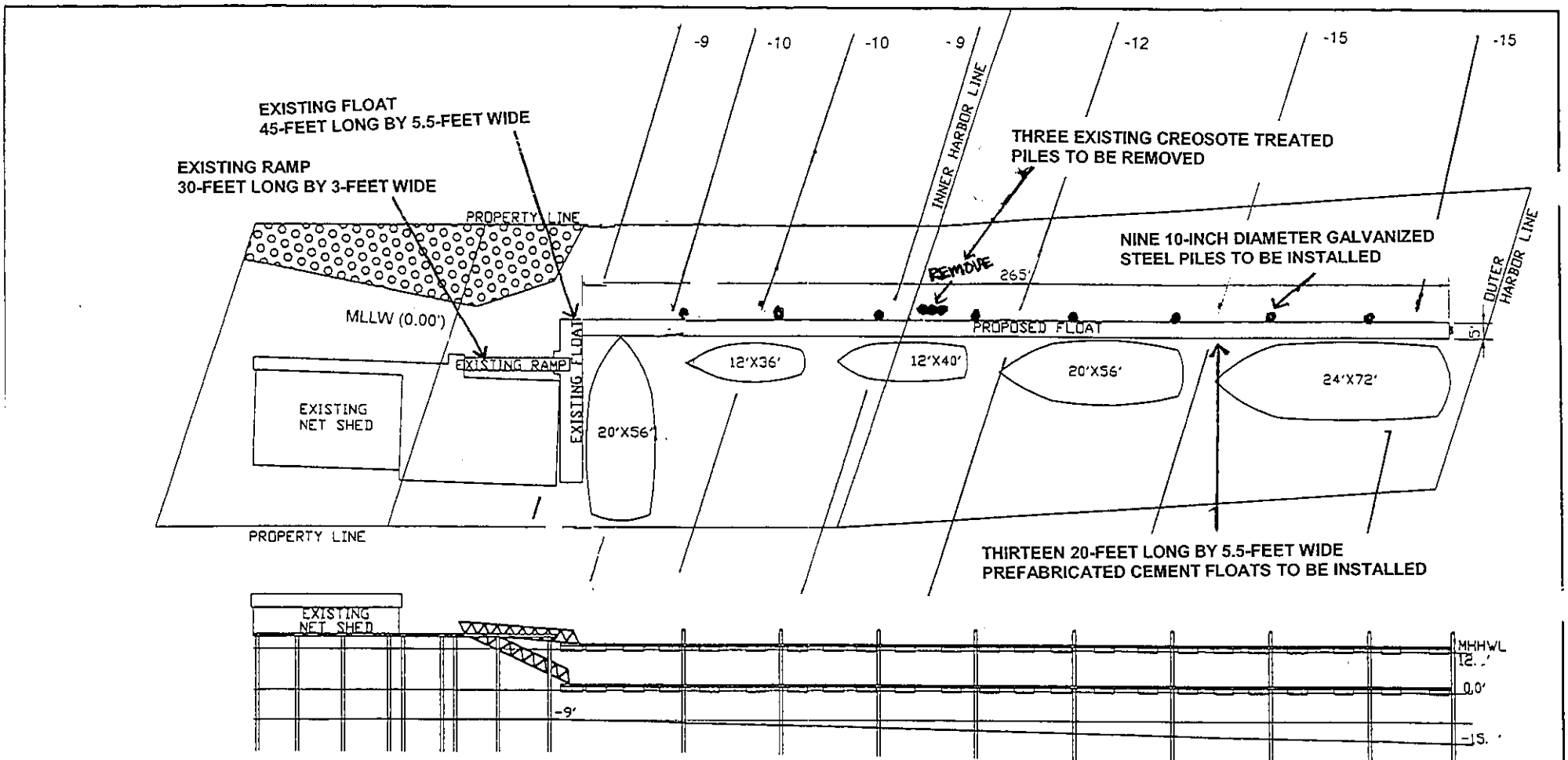
Adjacent Property Owners
1. Thomas Lovorich
2. JAM Marine
Sheet: 2 **of** 3
Date: 4/28/2004

Figure 3. Plan and Section Views



N

1" = 45'

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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: March 15, 2005

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. 200401449 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