



US Army Corps  
of Engineers  
Seattle District



# Joint Public Notice

## Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

**US Army Corps of Engineers**  
Regulatory Branch  
Post Office Box 3755  
Seattle, WA 98124-3755  
Telephone: (206) 316-3893  
ATTN: Ron Wilcox,  
Project Manager

**WA Department of Ecology**  
SEA Program  
Post Office Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6076  
ATTN: SEA Program,  
Federal Permit Coordinator

**Public Notice Date:** March 26, 2019  
**Expiration Date:** April 25, 2019

**Reference No.:** NWS-2017-1125  
**Name:** Anacortes, Port of

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Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the U.S. as described below and shown on the enclosed drawings dated December 20, 2017.

The Corps will review the work in accordance with Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to the Coastal Zone Management Act.

**APPLICANT:** Port of Anacortes  
Attention: Ms. Sarah Tchang  
100 Commercial Avenue  
Anacortes, Washington 98221-1560  
Telephone: (360) 299-1827

**LOCATION:** A-Dock at Cap Sante Marina in Fidalgo Bay at Anacortes, Washington.

**WORK:** The Port's proposed A-Dock replacement and utility services upgrade project would remove the existing 10,099 square foot (sf) overwater concrete commercial moorage structure including sixty-three 13 to 14-inch diameter creosote treated piles and install a new 17,145 sf concrete dock with thirty-five 20-inch diameter galvanized steel piles. The project would result in an increase of 7,046 sf of new overwater coverage.

The reconfigured replacement A-Dock would be relocated 55 feet waterward of line of Mean Higher High Water (MHHW), approximately 20-feet further away from the existing dock's foot print into deeper water. The utility service upgrade would include sewer and sanitary systems, electrical, water and fire suppression systems. The work would be performed using upland located equipment and barge-mounted equipment.

**PURPOSE:** To provide commercial vessel moorage.

**ADDITIONAL INFORMATION:** The proposal would also involve upland work including replacement of existing gangway abutment with a new concrete abutment, new approach pier, covered shelter dock entrance area, sidewalk improvements, paved area for cart storage, dumpster storage, and electrical services.

## **NWS-2017-1125, Anacortes, Port of**

The line of mean higher high water shown on the project drawings has not yet been verified by the Corps. If the Corps determines the boundaries of the waters are substantially inaccurate a new public notice may be published.

**MITIGATION:** Proposed mitigation includes the removal of sixty-three 13-14-inch diameter creosote treated timber piles; and installation of 12 large woody debris (LWD) structures within a 3000 SF area of nearshore in the northeast portion of the Cap Sante Marina. LWD would consist of 16-20 foot long logs with rootwads (18-30-inch diameter) secured with screw anchors and cables.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat.

After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

**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 EFH in the project area.

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 Corps has reviewed the latest published version of the National Register of Historic Places, Washington Information System for Architectural and Archaeological Records Data and other sources of information. Historic properties are recorded near the proposed project. However, they do not occur in the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The Corps invites responses to this public notice from Native American Tribes or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

**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 – CORPS:** 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.

## **NWS-2017-1125, Anacortes, Port of**

The Corps 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.

**EVALUATION – ECOLOGY:** Ecology 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. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

**ADDITIONAL EVALUATION:** This proposal is the subject of Shorelines Substantial Development Permit No. SDP-2018-0002 which has been issued by 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 authorizing the work would not be contrary to the public interest. 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. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter'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.

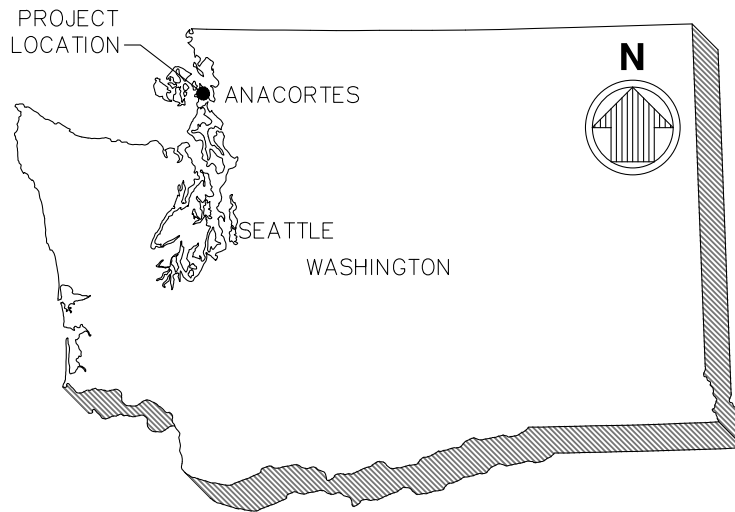
**CORPS COMMENTS:** All e-mail comments should be sent to [ronald.j.wilcox@usace.army.mil](mailto:ronald.j.wilcox@usace.army.mil). Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Mr. Ron Wilcox, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

**ECOLOGY COMMENTS:** Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to [ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov).

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Anacortes, Port of; NWS-2017-1125

Encl: Figures (8)

TIDAL DATUM  
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 MHW = 7.4  
 MTL = 5.0  
 MLW = 2.6  
 MLLW = 0.0

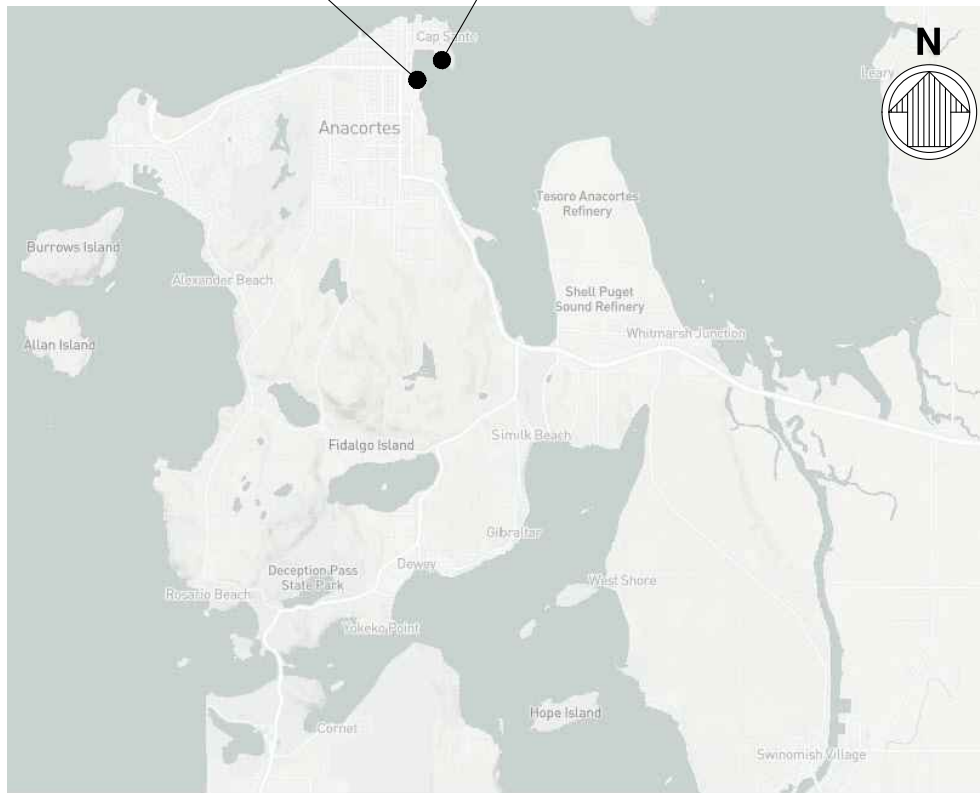


**VICINITY MAP**

SCALE: NOT TO SCALE

PROJECT LOCATION  
 LATITUDE: 48.51667  
 LONGITUDE: -122.60556

MITIGATION LOCATION



NWS-2017-1125

**LOCATION MAP**

SCALE: NOT TO SCALE

APPLICANT: PORT OF ANACORTES  
 ADJACENT PROPERTY OWNERS:  
 1. THE CANNERY & OWNER'S ASSOCIATION  
 2. SEAFARER'S LLP  
 3. CITY OF ANACORTES

LOCATION ADDRESS: 1019 Q AVENUE  
 ANACORTES, WA 98221

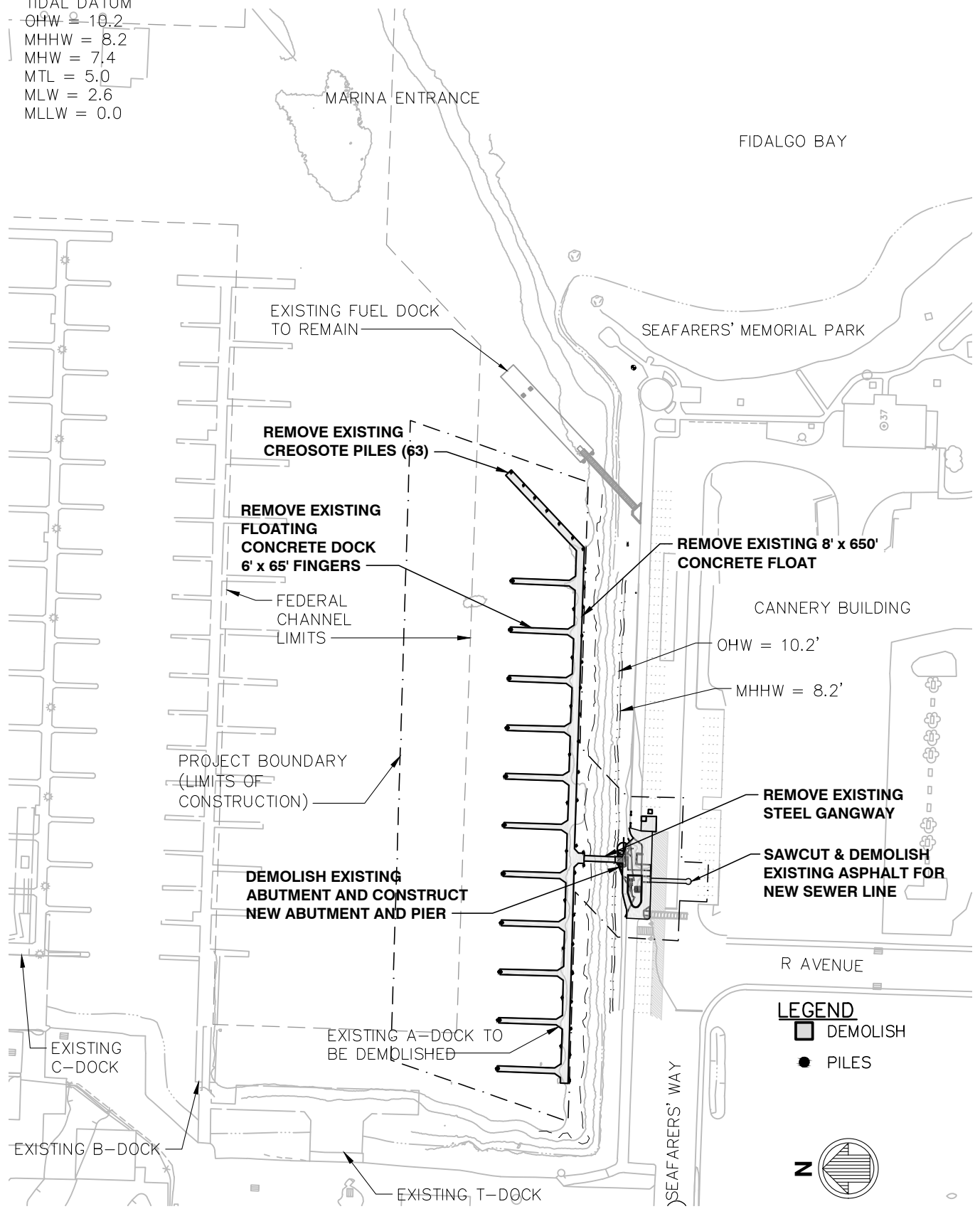
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PAGE: 1 OF 8

DATE: 12/20/2017

PROPOSED PROJECT: A-DOCK DEMOLITION AND REPLACEMENT  
 PURPOSE: DEMOLISH A-DOCK & REPLACE WITH NEW DOCK, PILES, & UTILITIES  
 IN: FIDALGO BAY  
 NEAR/AT: ANACORTES  
 COUNTY: SKAGIT  
 STATE: WA

TIDAL DATUM  
 OHW = 10.2  
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 MLW = 2.6  
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**EXISTING PLAN AND DEMOLITION**

SCALE: 1"=140'

70' 0' 70' 140'

SCALE: 1"=140'

**NWS-2017-1125**

**LOCATION ADDRESS:** 1019 Q AVENUE  
 ANACORTES, WA 98221

**PROPOSED PROJECT:** A-DOCK DEMOLITION AND REPLACEMENT  
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**IN:** FIDALGO BAY  
**NEAR/AT:** ANACORTES  
**COUNTY:** SKAGIT  
**STATE:** WA

**APPLICANT:** PORT OF ANACORTES

**ADJACENT PROPERTY OWNERS:**

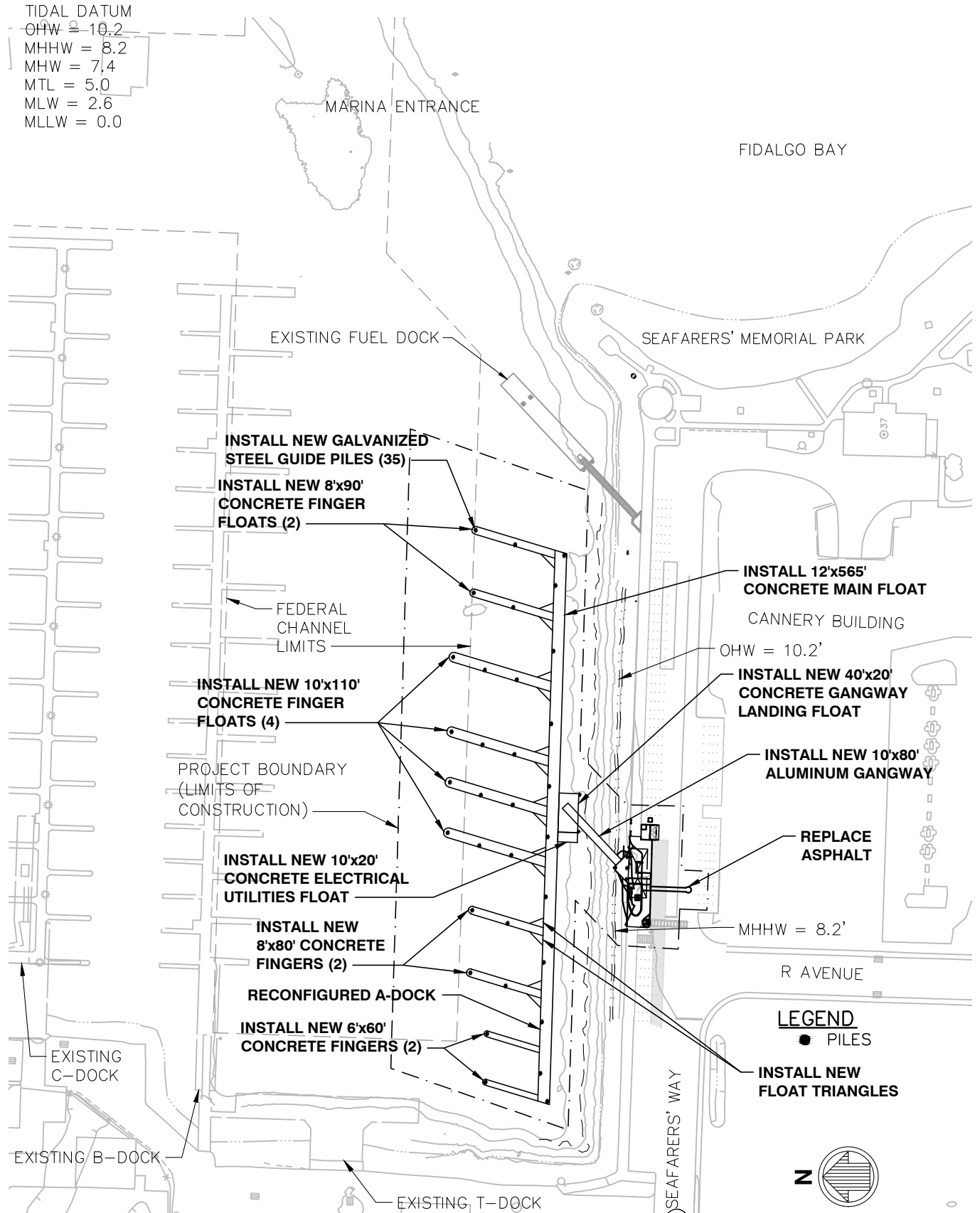
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2. SEAFARER'S LLP
3. CITY OF ANACORTES

**LAT/LONG:** 48.51667 / -122.60556

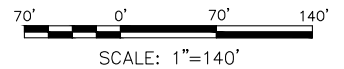
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**PROPOSED PLAN**  
 SCALE: 1"=140'



**LEGEND**

- PILES
- ▲ INSTALL NEW FLOAT TRIANGLES

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**NWS-2017-1125**

**LOCATION ADDRESS:** 1019 Q AVENUE  
 ANACORTES, WA 98221

**PROPOSED PROJECT:** A-DOCK DEMOLITION AND REPLACEMENT

**APPLICANT:** PORT OF ANACORTES

**PURPOSE:** DEMOLISH A-DOCK & REPLACE WITH NEW DOCK, PILES, & UTILITIES

**ADJACENT PROPERTY OWNERS:**

**LAT/LONG:** 48.51667 / -122.60556

**IN:** FIDALGO BAY

1. THE CANNERY & OWNER'S ASSOCIATION

**NEAR/AT:** ANACORTES

2. SEAFARER'S LLP

**PAGE:** 3 OF 8

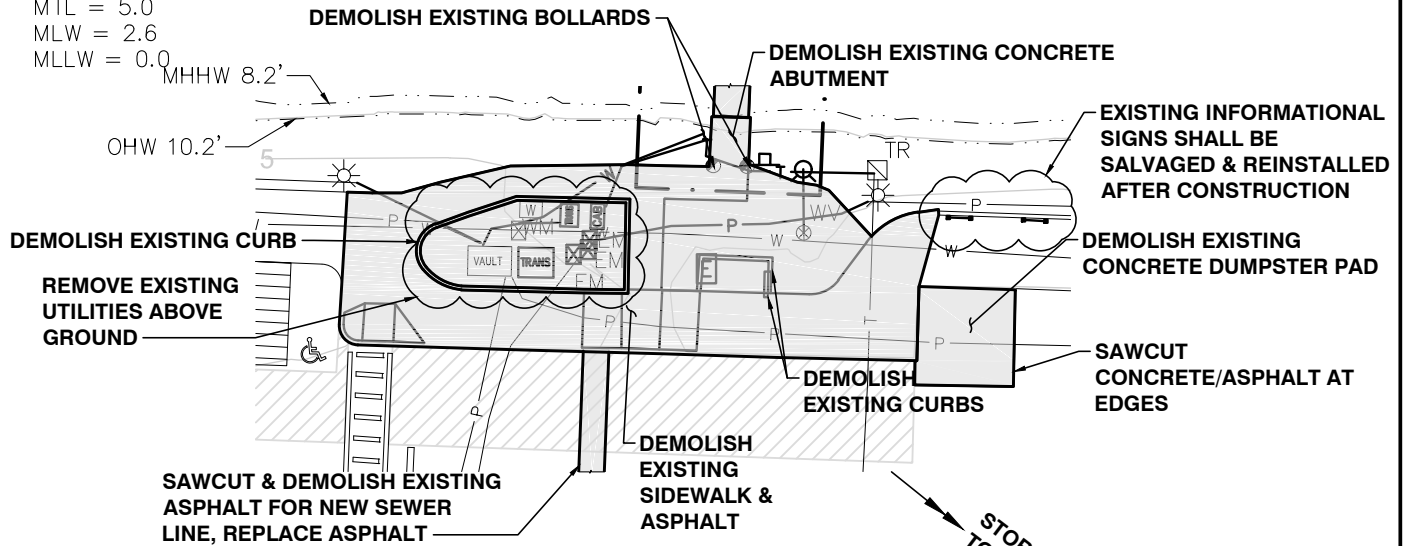
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**COUNTY:** SKAGIT

**STATE:** WA

3. CITY OF ANACORTES

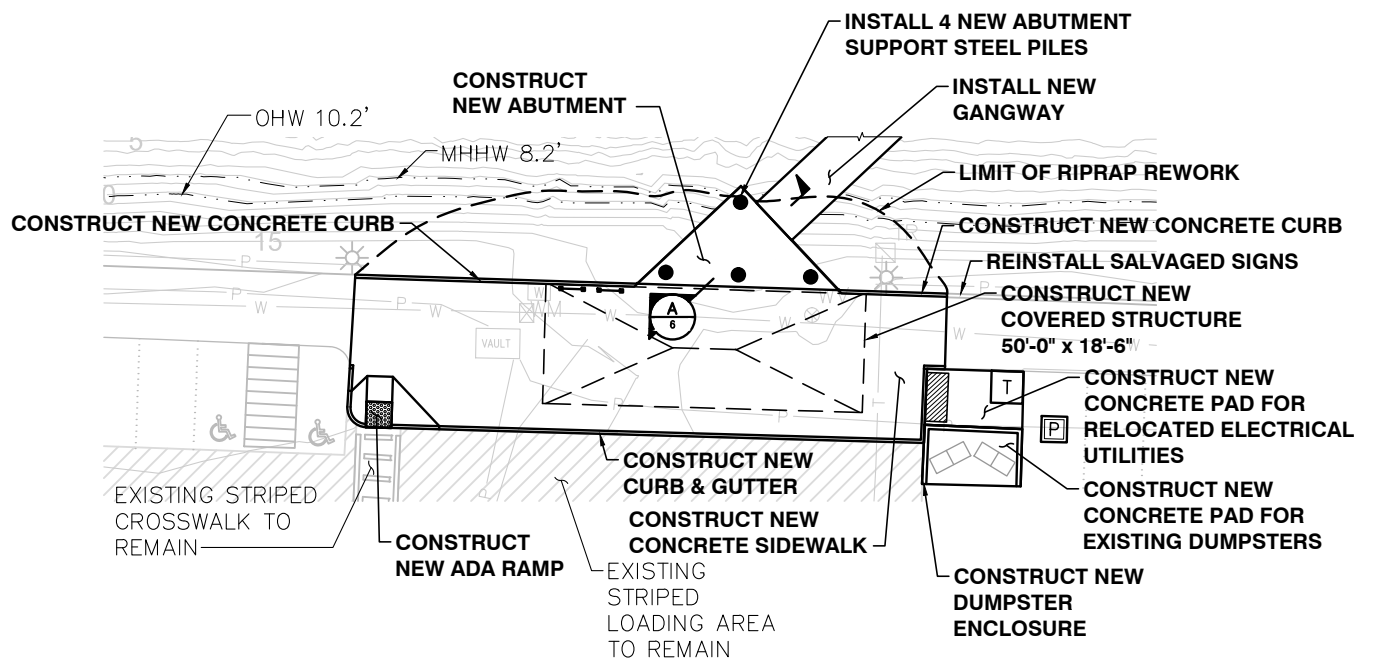
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**UPLAND DEMOLITION - PLAN**

SCALE: 1"=30'

STORMWATER DIRECTED TOWARD (E) CATCH BASINS ACROSS STREET



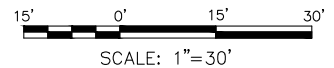
**UPLAND PROPOSED - PLAN**

SCALE: 1"=30'

**LEGEND**

- DEMOLISH
- PILES

NWS-2017-1125



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LOCATION ADDRESS: 1019 Q AVENUE  
 ANACORTES, WA 98221

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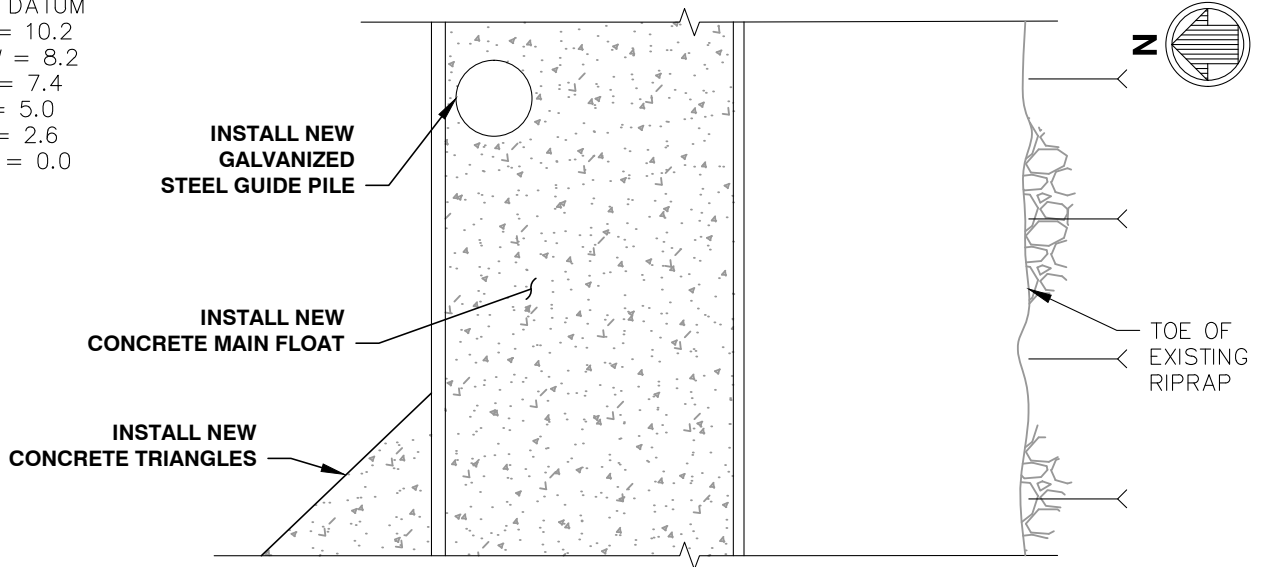
APPLICANT: PORT OF ANACORTES  
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PAGE: 4 OF 8

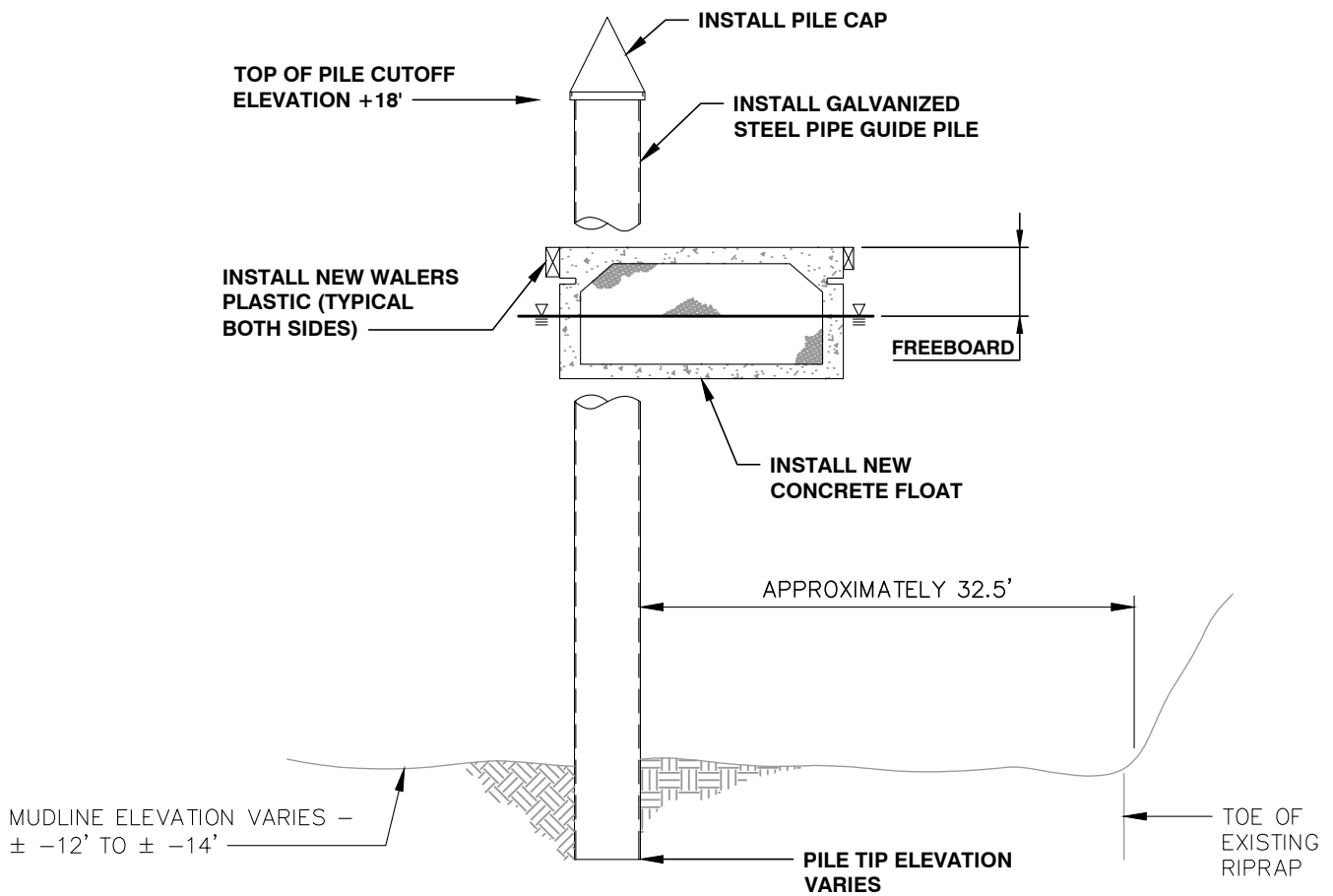
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**PROPOSED MAIN FLOAT – PARTIAL PLAN (TYP)**

SCALE: NOT TO SCALE



**PROPOSED MAIN FLOAT – SECTION (TYP)**

SCALE: NOT TO SCALE

**NWS-2017-1125**

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**STATE:** WA

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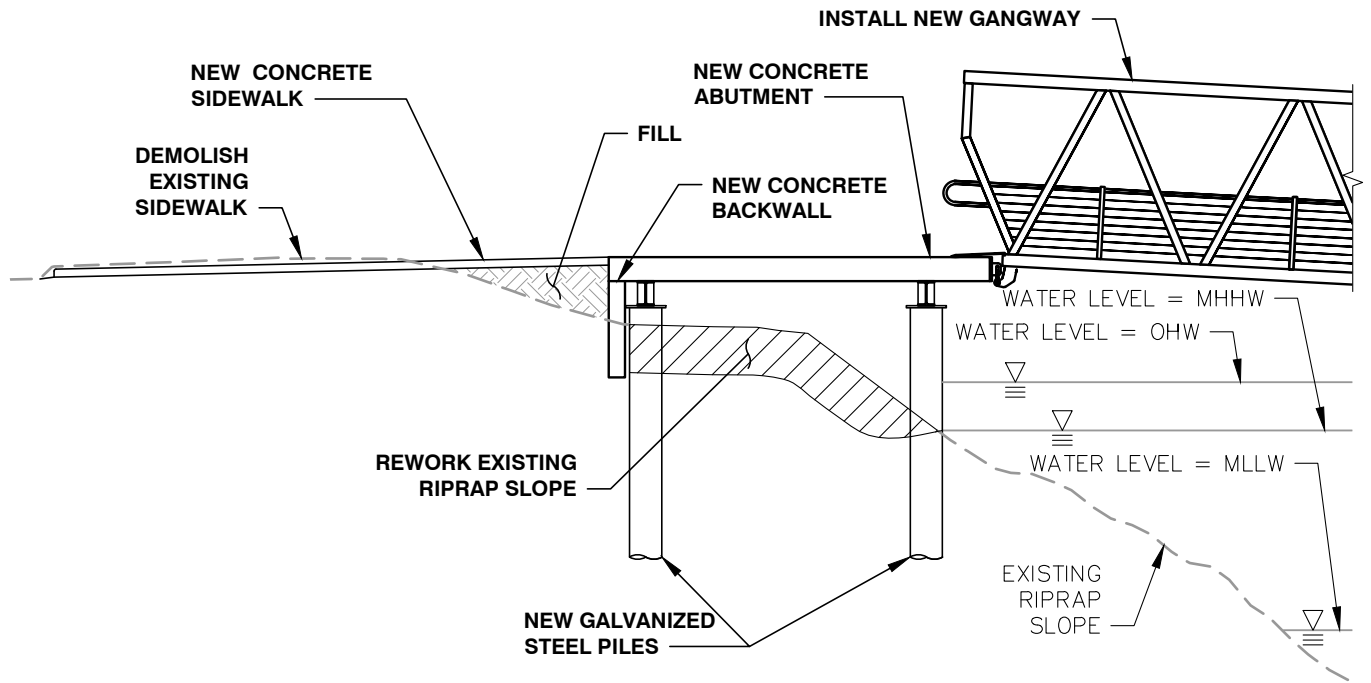
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**PROPOSED ABUTMENT – SECTION A**  
 SCALE: NOT TO SCALE

NWS-2017-1125

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APPLICANT: PORT OF ANACORTES  
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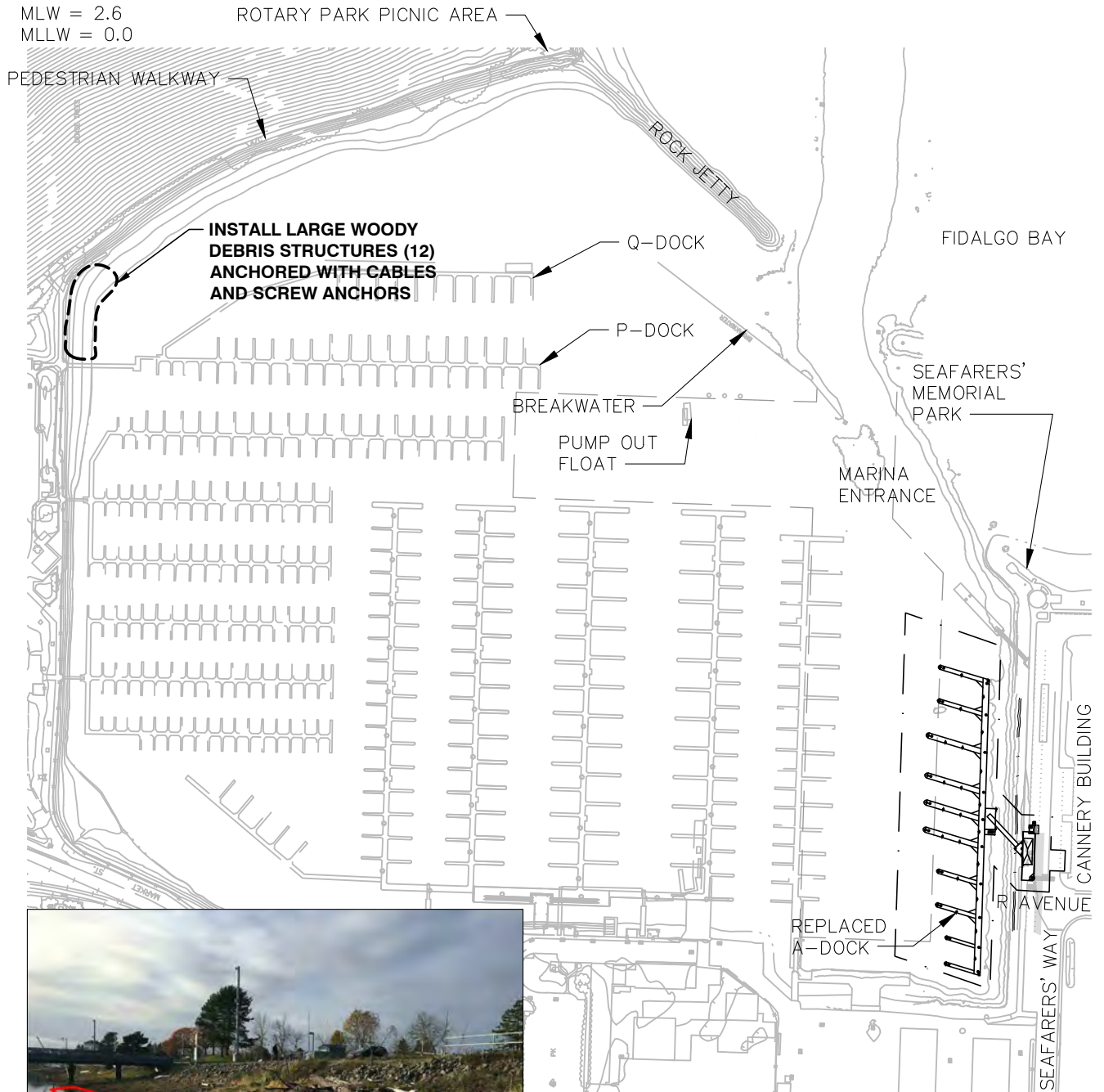
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PAGE: 6 OF 8

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EXISTING SITE

NWS-2017-1125

MITIGATION SITE PLAN

SCALE: 1"=300'



300' 0' 300' 600'

SCALE: 1"=300'

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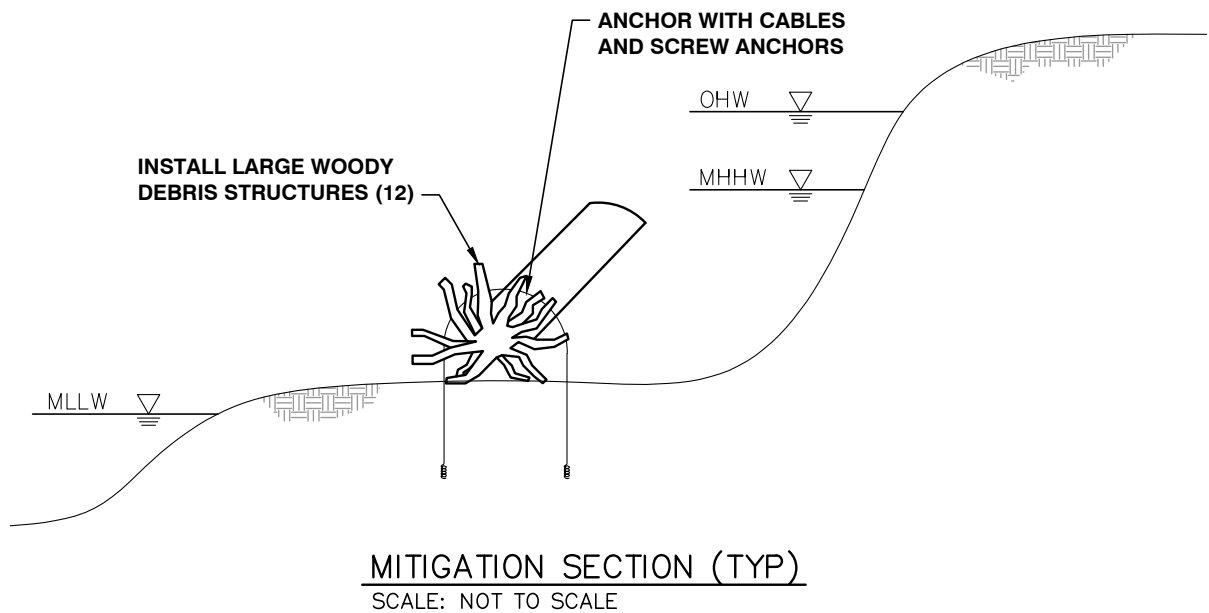
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EXAMPLE – LARGE WOODY DEBRIS IN CAP SANTE MARINA WEST BASIN



NWS-2017-1125

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