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
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ATTN: Ms. Daisy Douglass,
Project Manager

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



**Public Notice Date: July 7, 2020**
**Expiration Date**: **August 6, 2020**
**Reference No.: NWS-2015-264**
**Name: Geoducks Unlimited LLC (Dibble Property)**


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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 April 17, 2020.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: Geoducks Unlimited LLC
Attention: Mr. Greg Reub and Mrs. Anne Reub
5039 78th Avenue Northwest
Olympia, Washington 98502
Telephone: (360) 951-3983

LOCATION: In Totten Inlet at Olympia, Thurston County, Washington.

WORK: To establish a commercial shellfish aquaculture operation cultivating 0.49 of an acre of geoduck within a 0.91 of an acre project area.

PURPOSE: Commercial aquaculture

ADDITIONAL INFORMATION: The proposed project would construct a new commercial geoduck clam (*Panopea generosa*) operation on privately leased tidelands in Totten Inlet at Olympia, Thurston County, Washington. The proposed culture area would be up to 0.49 of an acre of the 0.91 of an acre project area. The culture area would be located in the intertidal portion of the tidelands between the -4.5 feet and +2.0 feet Mean Lower Low Water (MLLW) mark.

During site preparation driftwood and large woody debris in the culture area would be moved by hand to a new location within the same parcel and at the same or similar tidal elevation prior to planting activities. Macroalgae

would be pushed aside by hand in order to install the culture tubes. Given the lack of structure at the site, it is anticipated that site preparation would occur at the same time as culture tube installation.

Geoduck seed would be planted in 4-inch to 6-inch diameter PVC pipe cut in 10-inch to 12-inch length tubes. The culture tubes would be spaced about 12 inches apart within the culture area over a 1 year period. Planting would be accomplished by 5- to 8-person teams over 4 to 8 hours for a maximum of 12 days. The tubes would installed into the ground by hand or foot, and extend above the substrate 3 inches to 4 inches, which would remain in place for 1 to 2 years and then removed. Tube placement and seeding would occur during a low tide by beach crews or during a high tide by divers. A predator exclusion net would be used while the tubes are in place. A canopy net would also be placed over the PVC pipes. No more than 0.49 of an acre would have protective gear present at any time. Culture tubes, predator exclusion netting, and cover netting would be removed after use and stockpiled upland at an off-site location for future use or recycled.

Access to the project area would be from the water or upland. Boats would be used to transport crews to and from the site by water, and would also be used to tow barges transporting equipment. Upland access would occur from boat ramps at the project area property.

Maintenance of the proposed geoduck aquaculture area would ensure gear remains on-site and would start once gear is present. Frequency of maintenance would be a minimum of once a month, as well as directly following storm events. During the first 2 years of the project, the site would be visited 1 to 4 times per month, depending on tides. Debris that could snag the predator exclusion devices or cover nets would be moved off the bed and placed within the same parcel and at the same or similar tidal elevation. Any washed up garbage would be collected and disposed of appropriately.

Harvesting would typically occur after 5 to 7 years when geoduck reach marketable size. Geoduck clams would be harvested using either dry or wet harvest methods. Both methods employ low-pressure water pumped from offshore through a 1-inch to 2-inch diameter hand-operated hose and infused through a 0.5-of an inch to 0.6-of an inch diameter PVC probe. The probe would be inserted into the sediment directly adjacent to the visible geoduck siphons of the clams to be harvested. The pressure at the nozzle would be approximately 40 pounds per square inch and the volume would be approximately 20 gallons per minute. This method allows for the extraction of geoducks without the removal of large quantities of overlying sediments. Pumps for the hoses would be run by small internal combustion engines located in a boat just offshore of the harvest site. Water intake lines on the pumps would be fitted with screens that meet National Marine Fisheries Service screening criteria to prevent fish entrainment.

Dry or wet harvest would be accomplished by 2- to 4-person teams. Dry harvesting would occur during a minus tide series (typically lasting 3 to 4 hours), and wet harvesting would occur during a high tide series. Harvest would occur in the same basic pattern in which planting occurred, although because only about 0.1 to 0.5 of an acre could be harvested in a day, the length of time allotted for harvest would likely exceed that of planting activities. Under most conditions, dive and beach harvest would not occur in the same day.

The line of mean high water and high tide line shown on the project drawings have not yet been verified by the U.S. Army Corps of Engineers (Corps). If the Corps determines the boundaries of the waters are substantially inaccurate a new public notice may be published.

MITIGATION: No compensatory mitigation is being proposed.

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 U.S. Army Corps of Engineers (Corps) has determined that the proposed action will adversely affect designated EFH for federally managed fisheries in Washington waters.

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. A historic properties investigation has been conducted within the permit area. No historic properties determined eligible for or listed on the National Register of Historic Places were found to exist within the permit area. 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.

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.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

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 Project No. 2015102245, processed by Thurston County.

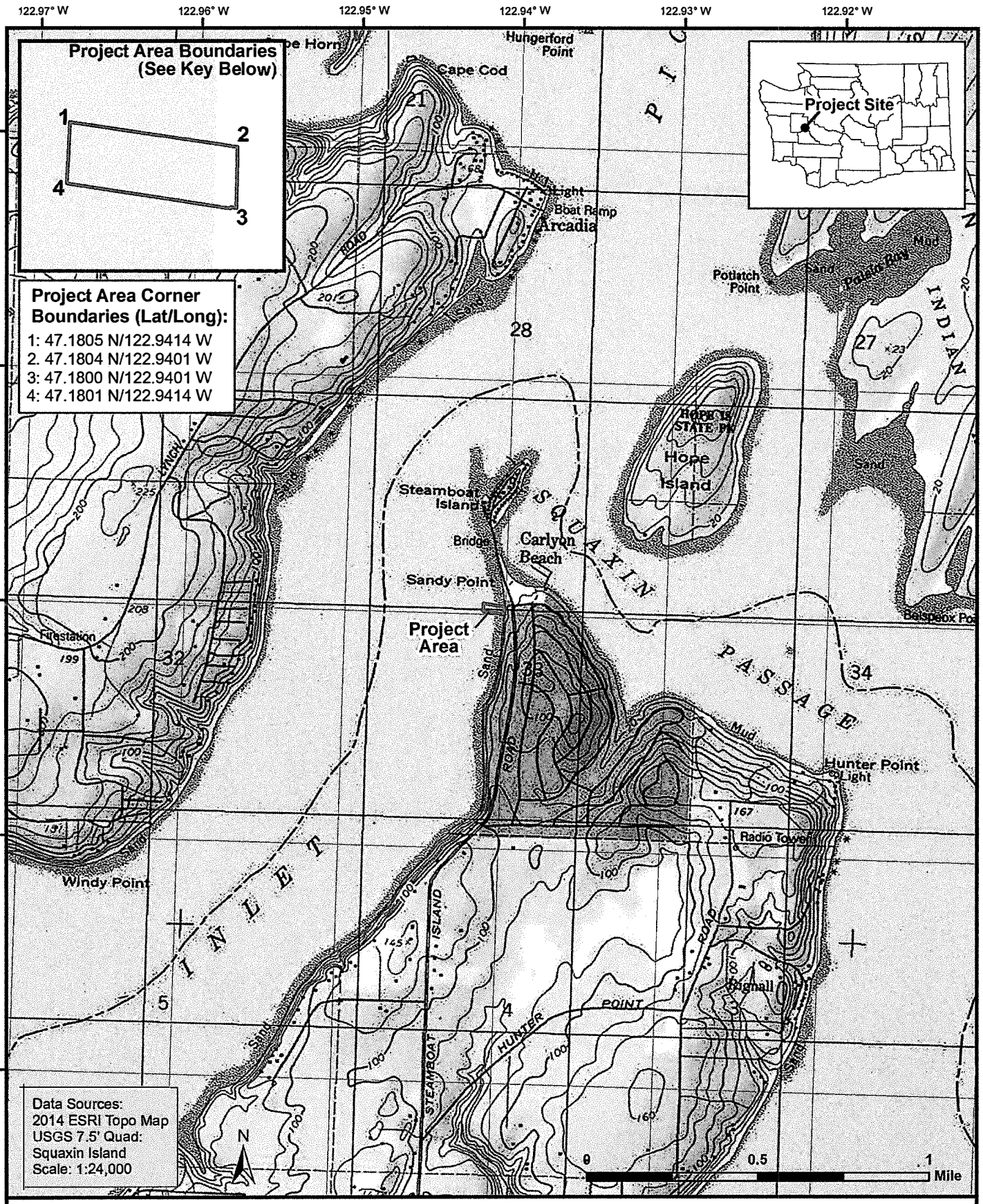
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether authorizing the work would not be contrary to the public interest. In order to be accepted, e-mail comments must originate from 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 daisy.p.douglass@usace.army.mil Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Daisy Douglass, 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: 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: Geoducks Unlimited LLC (Dibble Property); NWS-2015-264

Encl: Figures (2)



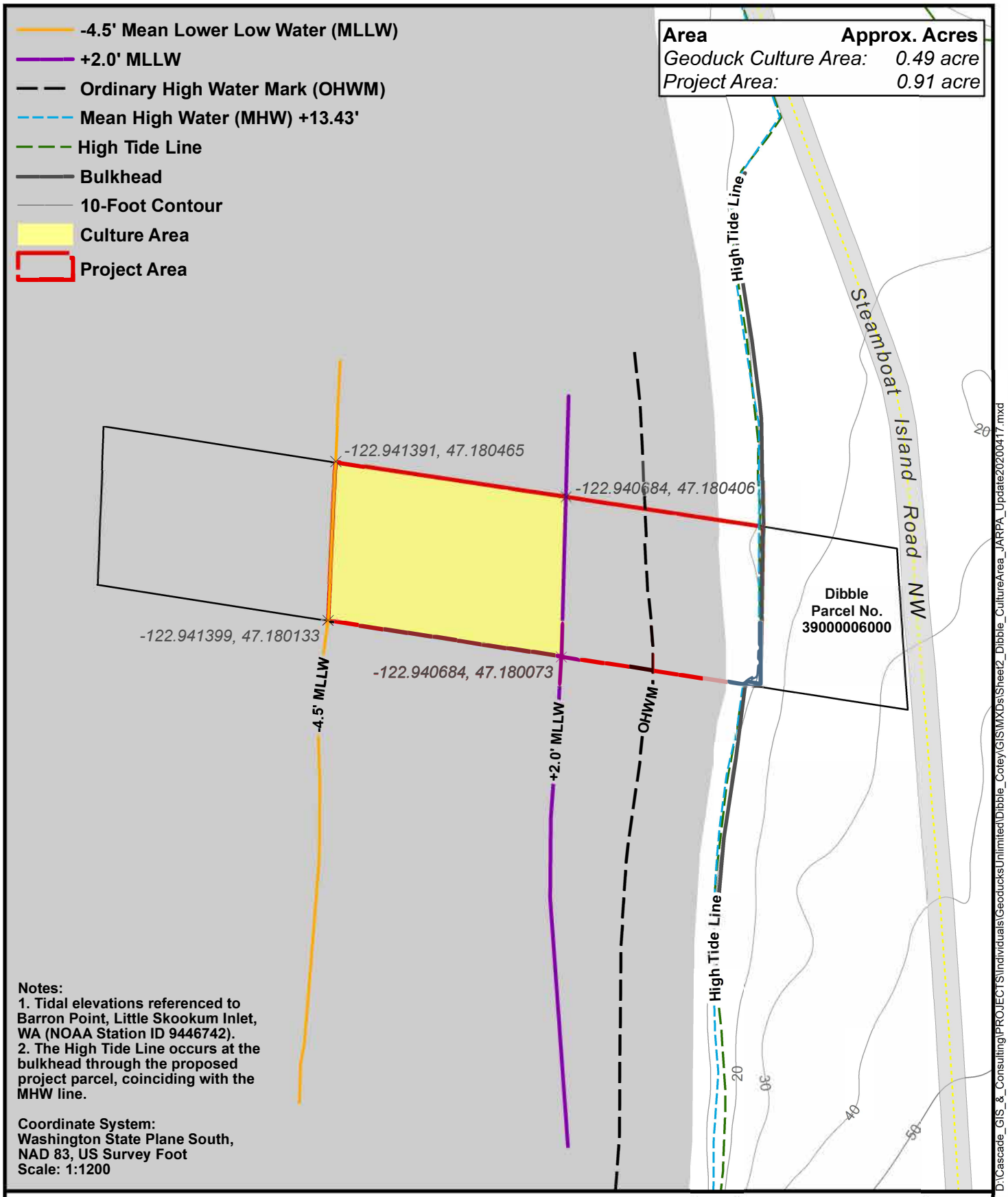

**REFERENCE:** NWS-2015-264 **LOCATION:** Totten Inlet

**APPLICANT:** Geoducks Unlimited LLC **LAT/LONG:** 122°56'26.527"W

**AD JACENT PROPERTY OWNERS:** 47°10'48.986"N See JARPA

**SHEET 1 of 2** **Date:** 4/17/2020

**PROPOSED PROJECT:**
Dibble-Cotey Geoduck Farm
**IN:** Totten Inlet
**NEAR/AT:** Carlyon Beach
**COUNTY:** Thurston
**STATE:** WA




**Reference Number: NWS-2015-264**
**Applicant Name: Geoducks Unlimited LLC**
**Proposed Project: Dibble Cotey Geoduck Farm**
**Location: Totten Inlet, near Carlyon Beach, WA**

**Date: 4/17/2020** **Sheet 2 of 2**