



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (978) 318-8676
ATTN: Colin Greenan,
Project Manager

Public Notice Date: July 9, 2021
Expiration Date: July 26, 2021

Reference No. NWS-2020-00720-AQ
Name: Pacific Shellfish Nahcotta
LLC, Willapa-Oysterville Lease

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.

APPLICANT: Pacific Shellfish Nahcotta LLC
Attention: Tim Morris
1200 Robert Bush Drive
South Bend, Washington 98586
Telephone: (360) 875-5557

AGENT: Pacific Shellfish/Pacific Seafood Company
Attention: Miranda Ries
1200 Robert Bush Drive
South Bend, Washington 98586
Telephone: (360)- 951-7334

LOCATION: Approximately 220.25 acres within 12 distinct parcels in Willapa Bay near Oysterville, Pacific County, Washington on privately owned property assigned a shellfish farming use designation. The parcel numbers are: 79005000179, 79005000216, 79005000098, 79005000110, 79005000219, 79005000153, 79005000164, 79005000182, 79005000230, 79005000210, 79005000195, and 79005000101. The approximate latitude/longitude coordinates for the center of the site are 46.552274° /-123.995162°, and the project corners are indicated on the project plans.

WORK: This project proposes to continue the commercial cultivation of Pacific oysters within a 220.25-acre cultivation area spread across 12 parcels. Oysters would be cultivated using two techniques: on-bottom and natural catch. For on-bottom cultivation, approximately 134.34 acres of the cultivation area located between the +1 foot and 0 foot Mean Lower Low Water (MLLW) would be seeded with oysters dispersed from a boat at high tide. For natural catch cultivation, approximately 85.91 acres of the cultivation area located between the +1 foot and 0 foot MLLW would receive cleaned and washed spent shell dispersed from a boat at high tide. The discharge of the spent, clean, and washed shell would be less than one inch placed upon 85.91 acres up to once annually. Harrowing of the site would occur periodically depending on substrate conditions. Market-sized oysters would be harvested either by hand at low tide or by mechanical dredge at high tide. Harvesting would occur approximately 2-3 years after seeding.

Access to the site will be exclusively by boat.

PURPOSE: Cultivation of shellfish for commercial sale and human consumption

ADDITIONAL INFORMATION: The applicant has requested that the project be authorized for 12 years.

Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project. The location of 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 wetland/waters are substantially inaccurate a new public notice may be published.

MITIGATION: Compensatory mitigation has not been proposed for this project.

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. There are no recorded historic properties within 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.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and 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.

The Corps is assessing the potential impacts to listed species and critical habitat in the project area for consistency with the Programmatic Biological Opinions for Shellfish Activities in Washington State Inland Marine Waters (U.S. Fish and Wildlife Service (USFWS) Reference Number 01EWF00-2016-F-0121, National Marine Fisheries Service (NMFS) Reference Number WCR-2014-1502).

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 Corps is assessing potential impacts to Essential Fish Habitat in the project area for consistency with the with the Programmatic Biological Opinion for Shellfish Activities in Washington State Inland Marine Waters (National Marine Fisheries Service (NMFS) Reference Number WCR-2014-1502).

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 Washington Department of Ecology has or will evaluate the proposed project in accordance with Section 401 of the CWA and for consistency with the Coastal Zone Management Act.

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.

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. All e-mail comments should be sent to colin.m.greenan@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. 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 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. 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: NWS-2020-00720-AQ; Pacific Shellfish Nahcotta LLC, Willapa-Oysterville Lease.

Encl: Figures (3)

Driving Directions: A vessel/boat is requiring to reach intertidal ground

Pacific County, Washington
Head West on US-101 S toward 40th St NW
Turn Right onto Sandrigde Rd
12.2 mi
Turn right onto 275th St
0.1 mi
275th St
Ocean Park, WA 98640

Company Name: Pacific Shellfish Nahcotta LLC
Project Name: Willapa-Oysterville
Attachment Reference: 5p
Date: June 25, 2020

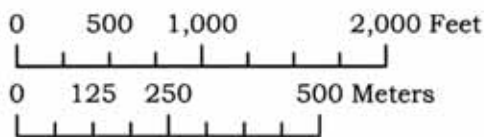




Company Name: Pacific Shellfish Nahcotta LLC
 Project Name: Willapa-Oysterville
 Attachment Reference:
 Date: June 25, 2020

Parcel List:
 79005000179
 79005000216
 79005000098
 79005000110
 79005000219
 79005000219
 79005000153
 79005000164
 79005000182
 79005000230
 79005000210
 79005000195
 79005000101

Description	Current
Oysterville	220.25 Acres
On Bottom	134.34 Acres
Natural Catch	85.91 Acres



GPS Coordinates on Page 2



Company Name: Pacific Shellfish Nahcotta LLC
Project Name: Willapa-Oysterville
Attachment Reference:
Date: June 25, 2020

GPS Coordinate Points:

Northern Point
46.560225 N lat. / 123.996875 W long.

Eastern Point
46.552583 N lat. / 123.987931 W long.

Southern Point
46.543064 N lat. / 123.993203 W long.

Western Point
46.551911 N lat. / 124.006186 W long.