



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: (814) 235-1761
ATTN: Marion Gall
Project Manager

Public Notice Date: March 4, 2021

Expiration Date: March 19, 2021

Reference No.: NWS-2020-818-AQ
(Pacific Shellfish Nahcotta LLC -
Willapa- Smokey Hollows) Formerly
NWS-2007-1439, NWS-2007-1501 and
NWS-2009-1287

The U.S. Army Corps of Engineers (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. The Washington Department of Ecology (Ecology) will review the work separately pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

The Corps will also review the work in accordance with Section 14 of the Rivers and Harbors Act of 1899, as codified at 33 U.S.C. Section 408 (Section 408), for work that may alter a Corps civil works project. An alteration is defined as any action that builds upon, alters, improves, moves, occupies or otherwise affects the usefulness, or the structural or ecological integrity of a Corps federally authorized project.

APPLICANT: Mr. Tim Morris
Pacific Shellfish Nahcotta LLC
1200 Robert Bush Drive
South Bend, WA, 98586

AGENT: Miranda Ries
Pacific Shellfish Nahcotta LLC
1200 Robert Bush Drive
South Bend, WA, 98586

LOCATION: In a 918.76-acre cultivation area in Willapa Bay, Pacific County, Washington. The work is proposed on parcel numbers 79004000111, 79004000020, 9004000017, 79004007026, 79004000027, 79004000078, 79004000023, 79004000028, 79004000036, 79004000037

Information specific to each site is as follows:

NWS-2020-818-AQ (Pacific Shellfish Nahcotta LLC -Willapa- Smokey Hollows) Formerly NWS-2007-1439, NWS-2007-1501 and NWS-2009-1287

Former tracking number	Size of bed (acres)	cultured	Frosting Y/N	Latitude	Longitude
2007-1439	561.33	Manila Clams Pacific Oysters	N	46.40527	-123.97591
2007-1501	21.39	Manila Clams	N	46.5268	-123.9333
2009-1287	336.04	Pacific Oysters Manila Clams	N	46.42616	-123.98409

Project Description: To continue to commercially cultivate 918.76 acres of manila clams and Pacific oysters. The work starts 300-feet waterward of the approximate mean high water shoreline and extends a maximum of 8,200-feet waterward of the approximate mean high water shoreline

Formerly 2007-1439 - To continue to cultivate 561.33 acres of manila clams and Pacific oysters (19.2-acres of manila clams with predator nets, 487.53 acres of natural catch oysters and clams and 54.6-acres of on bottom pacific oysters). Anti-predation netting is placed over clams for the first year to assist survival. There will be a total thirty eight 14' x 50' 2-inch mesh nets. No more than 1" of shell or gravel will be placed annually in a 19.2-acre area. Harvest can occur every 1-3 years. Clams and oysters are harvested by hand at low tide.

Formerly 2007-1501 – To continue to cultivate 21.39 acres of on bottom Pacific oysters and Manila clams (17.27 acres natural catch clams and oyster and 4.12 acres of clam with nets) harvested by hand. Clams are grown on the ground in the project area are usually between 1 to 4 inches below the surface. Clams are planted by hand and spread out over a bed during low water as the tide enters the bay. Anti-predation netting is placed over clams for the first year to assist survival. There will be a total of seventeen 14' x 50' 2-inch mesh nets. Clams and oysters are harvested by hand at low tide. The crop cycle is 2-3 years depending on site specific conditions. Harvest will occur year-round.

Formerly 2009-1287 – To continue to commercially cultivate 336.04 acres of bottom culture Pacific oyster and Manilla clams (37-acres of on bottom oysters, 273 .9-acres natural catch oyster and clams, and 25.4 acres of clam nets) harvested by hand and mechanical dredge. No more than 1" of shell or gravel will be placed annually in a 100-acre area for both the clams and oysters. The oysters are planted via a boat or scow at high tide. Beds are harrowed periodically depending on the substrate conditions that are most often influenced by sediment deposition or burrowing shrimp densities. Oysters are harvested by hand at low tide or using mechanical harvest method (not hydraulic harvester). The crop cycle is 2-3 years depending on site specific conditions. Harvest will occur year-round. Clams are grown on the ground in the project area are usually between 1 to 4 inches below the surface. Clams are planted by hand and spread out over a bed during low water as the tide enters the bay. Anti-predation netting is placed over clams for the first year to assist survival. There will be a total of forty five 14' x 50' 2-inch mesh nets. Clams are harvested by hand at low tide by diggers working by hand. The crop cycle is 2-3 years depending on site specific conditions. Harvest will occur year-round.

NWS-2020-818-AQ (Pacific Shellfish Nahcotta LLC -Willapa- Smokey Hollows) Formerly NWS-2007-1439, NWS-2007-1501 and NWS-2009-1287

PURPOSE: To continue to commercially cultivate manila clams and Pacific oysters.

ADDITIONAL INFORMATION: Most of the intertidal area has been mapped by Washington State's Coastal Atlas mapping as having patch eel grass beds. The results of an eel grass survey are shown on the project plans. The applicant has requested a 10-year permit to cover three full cycles of cultivation.

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 boundaries and/or location of the line of mean high water, high tide line, and special aquatic sites (e.g. eelgrass) 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 mitigation is 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 proposed action would impact EFH 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 work has previously been permitted by the Corps and reviewed for Section 106. A search of the Washington Information System for Architectural and Archaeological Records Data online database showed no previously recorded historic properties

NWS-2020-818-AQ (Pacific Shellfish Nahcotta LLC -Willapa- Smokey Hollows) Formerly NWS-2007-1439, NWS-2007-1501 and NWS-2009-1287

in the permit area. The nature, scope, and magnitude of the work to be permitted is such that there is little likelihood that a historic property exists or may be affected, given: 1) it involves permitting of an existing shell fish operation; 2) harvesting is taking place in areas that have already been commercially harvested for the same species of shellfish in the past; and 3) no new ground disturbance is authorized. We are requesting your comments and would like to know if you have any knowledge or concerns regarding historic properties, including sites of religious and cultural significance that would be potentially affected by the permitted activity.

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.

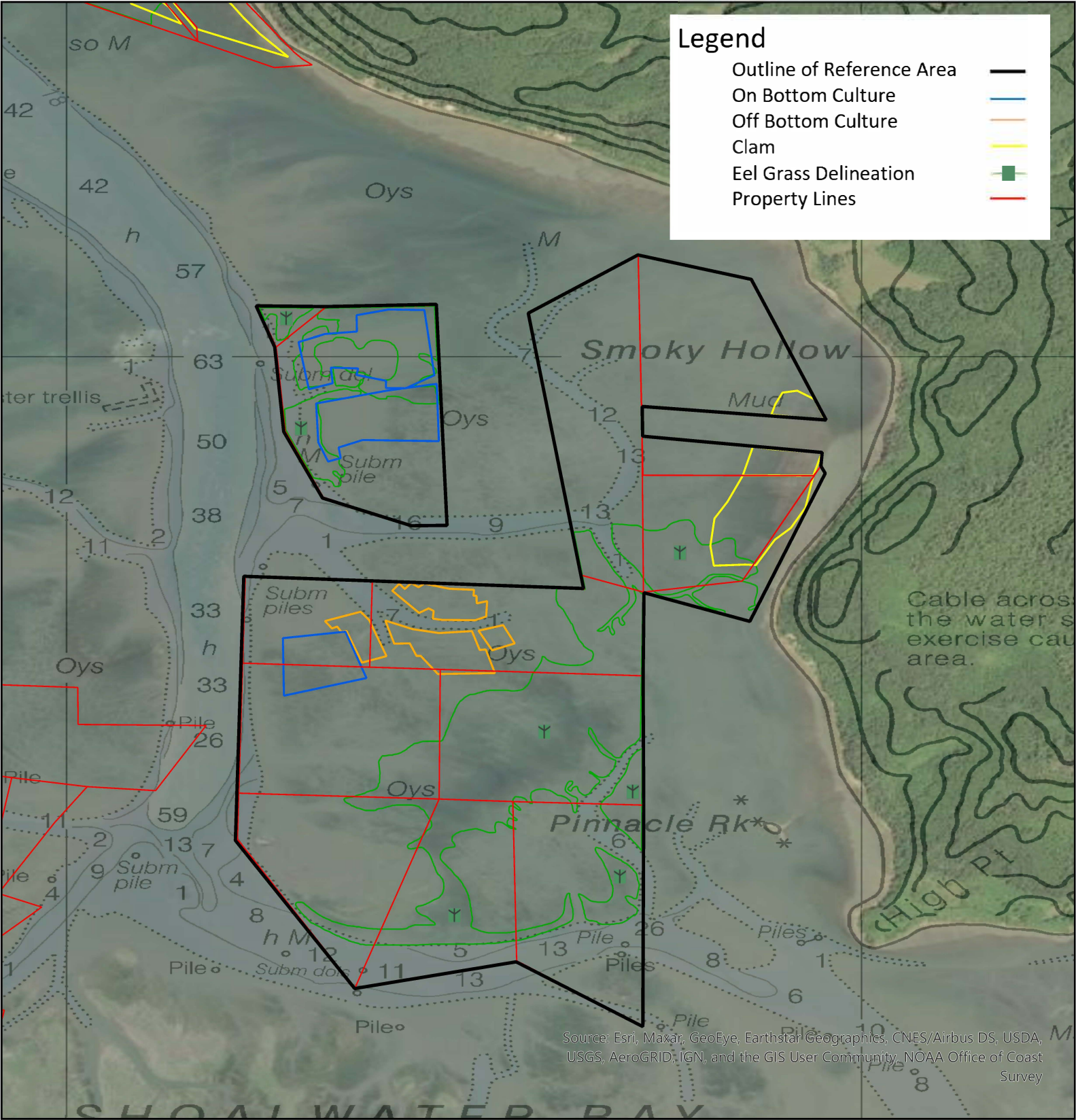
The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered 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.

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 marion.gall@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

NWS-2020-818-AQ (Pacific Shellfish Nahcotta LLC -Willapa- Smokey Hollows) Formerly NWS-2007-1439, NWS-2007-1501 and NWS-2009-1287

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-2020-818-AQ (Pacific Shellfish Nahcotta LLC -Willapa- Smokey Hollows) Formerly NWS-2007-1439, NWS-2007-1501 and NWS-2009-1287.

Encl: Plans (13 pages)



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, NOAA Office of Coast Survey

Company Name: Pacific Shellfish Nahcotta LLC
 Project Name: Willapa-Smokey Hollows
 Attachment Reference: NWS-2020-818-AQ
 Date: Feb. 17, 2021

- Parcel List:
- 79004000111
 - 79004000020
 - 79004000017
 - 79004007026
 - 79004000027
 - 79004000078
 - 79004000023
 - 79004000028
 - 79004000036
 - 79004000037

Description	Current
Smokey Hollows	918.76 Acres
On Bottom	91.60 Acres
Off Bottom	19.20 Acres
Clam	33.80 Acres
Natural Catch	774.16 Acres

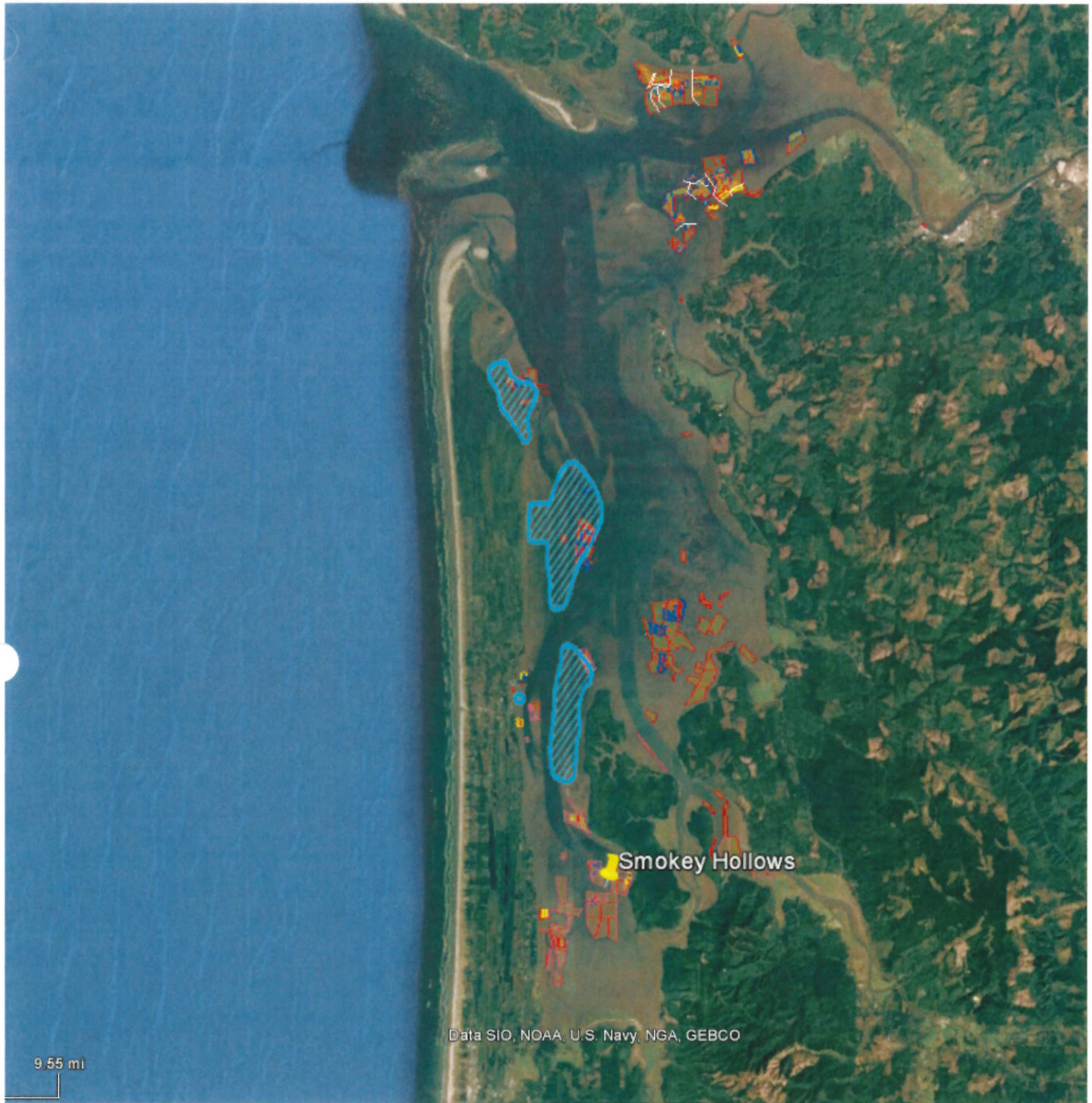
0 1,250 2,500 5,000 Feet

0 250 500 1,000 Meters

GPS Coordinates on Page 2



Vicinity Map With WDFW Forage Fish Data



Reference: NWS-2007-1439

NWS-2020-818-AQ

Application by: Coast Seafoods Company

Water Body: Willapa Bay

Project Description: Existing shellfish Farm

County: Pacific

State: Washington

Latitude: See Attachment

Date: 10-31-2016







Longitude: See Attachment

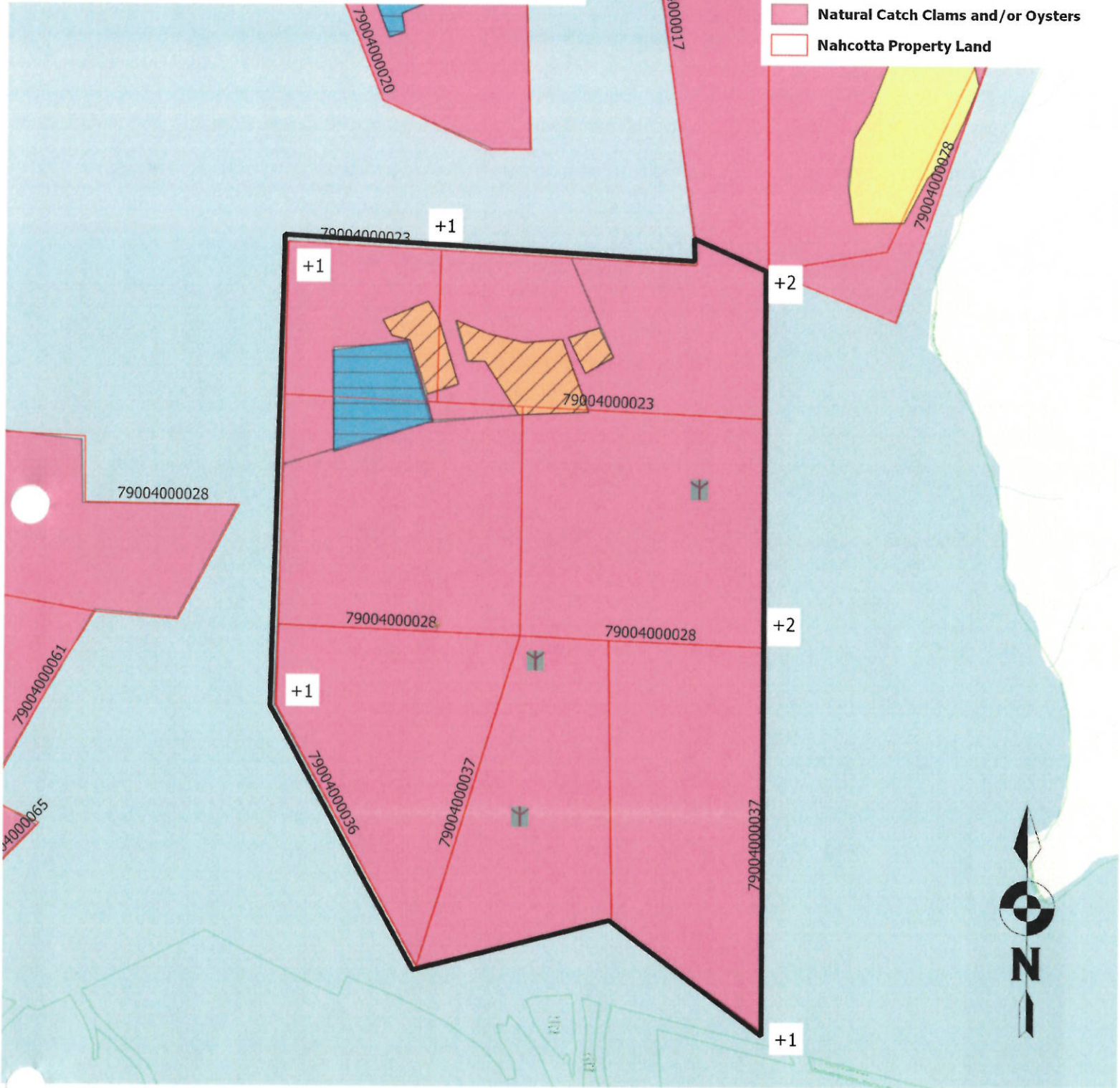
Local Name: Smokey Hollow

Coast Seafood Company Nahcotta Coon Rock (Plan)

Description	Reference Number	Current	Potential
Coon Rock	NWS-2007-1439 NWS-2020-818-AQ	561.33 Acres	561.33 Acres
On Bottom Harvest		54.6 Acres	54.6 Acres
Off Bottom Harvest		0 Acres	0 Acres
Natural Catch Oyster/Clams		487.53 Acres	487.53 Acres
Clams Nets/ Mechanical		19.2 Acres	19.2 Acres

Legend







-  Z. marina any
-  On Bottom Oyster any
-  Off Bottom Oyster any
-  Clams with Predator Exclusion Nets
-  Natural Catch Clams and/or Oysters
-  Nahcotta Property Land

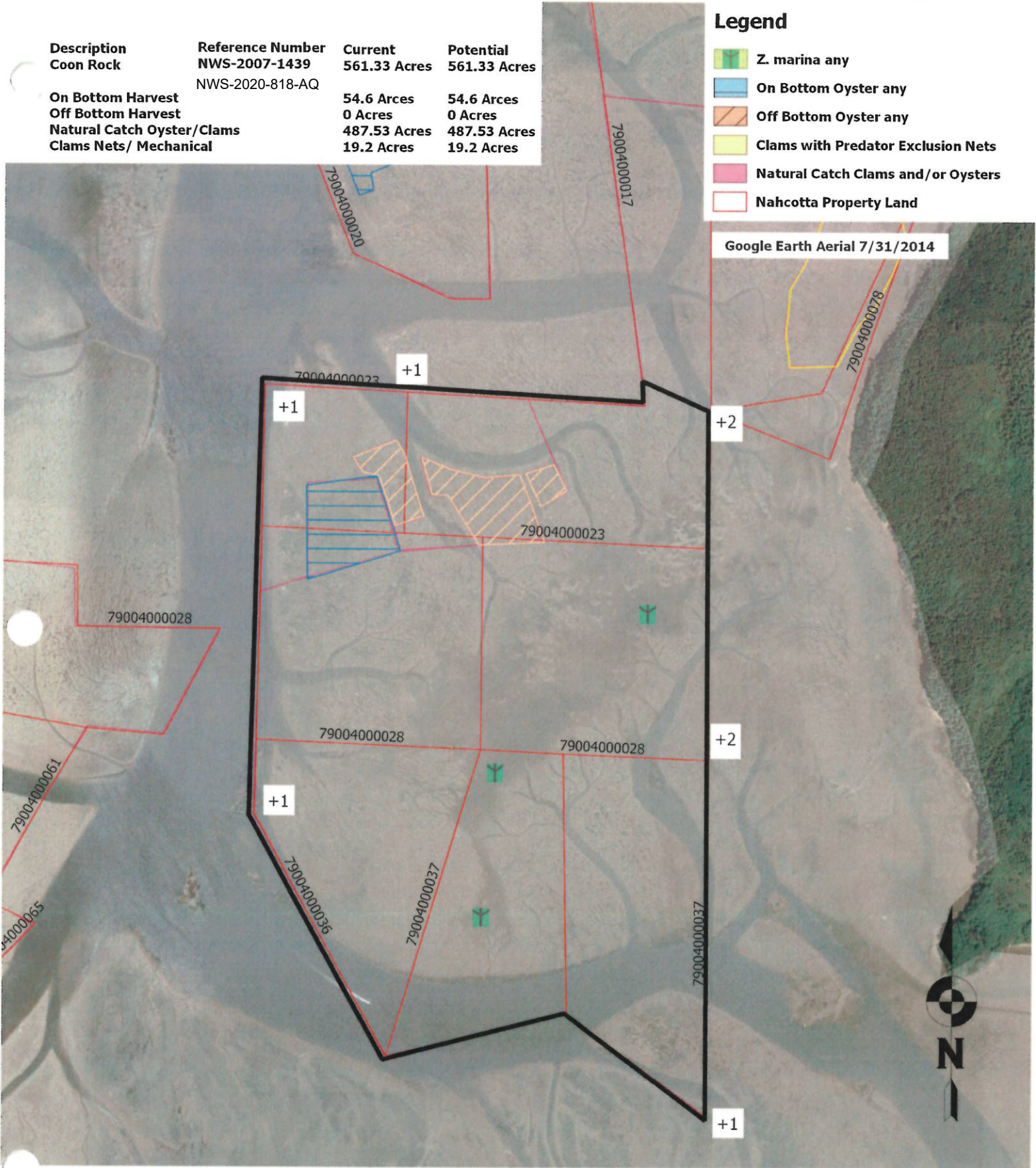


Coast Seafood Company Nahcotta Coon Rock (Aerial)

Description	Reference Number	Current	Potential
Coon Rock	NWS-2007-1439	561.33 Acres	561.33 Acres
On Bottom Harvest	NWS-2020-818-AQ	54.6 Acres	54.6 Acres
Off Bottom Harvest		0 Acres	0 Acres
Natural Catch Oyster/Clams		487.53 Acres	487.53 Acres
Clams Nets/ Mechanical		19.2 Acres	19.2 Acres

Legend

-  Z. marina any
-  On Bottom Oyster any
-  Off Bottom Oyster any
-  Clams with Predator Exclusion Nets
-  Natural Catch Clams and/or Oysters
-  Nahcotta Property Land

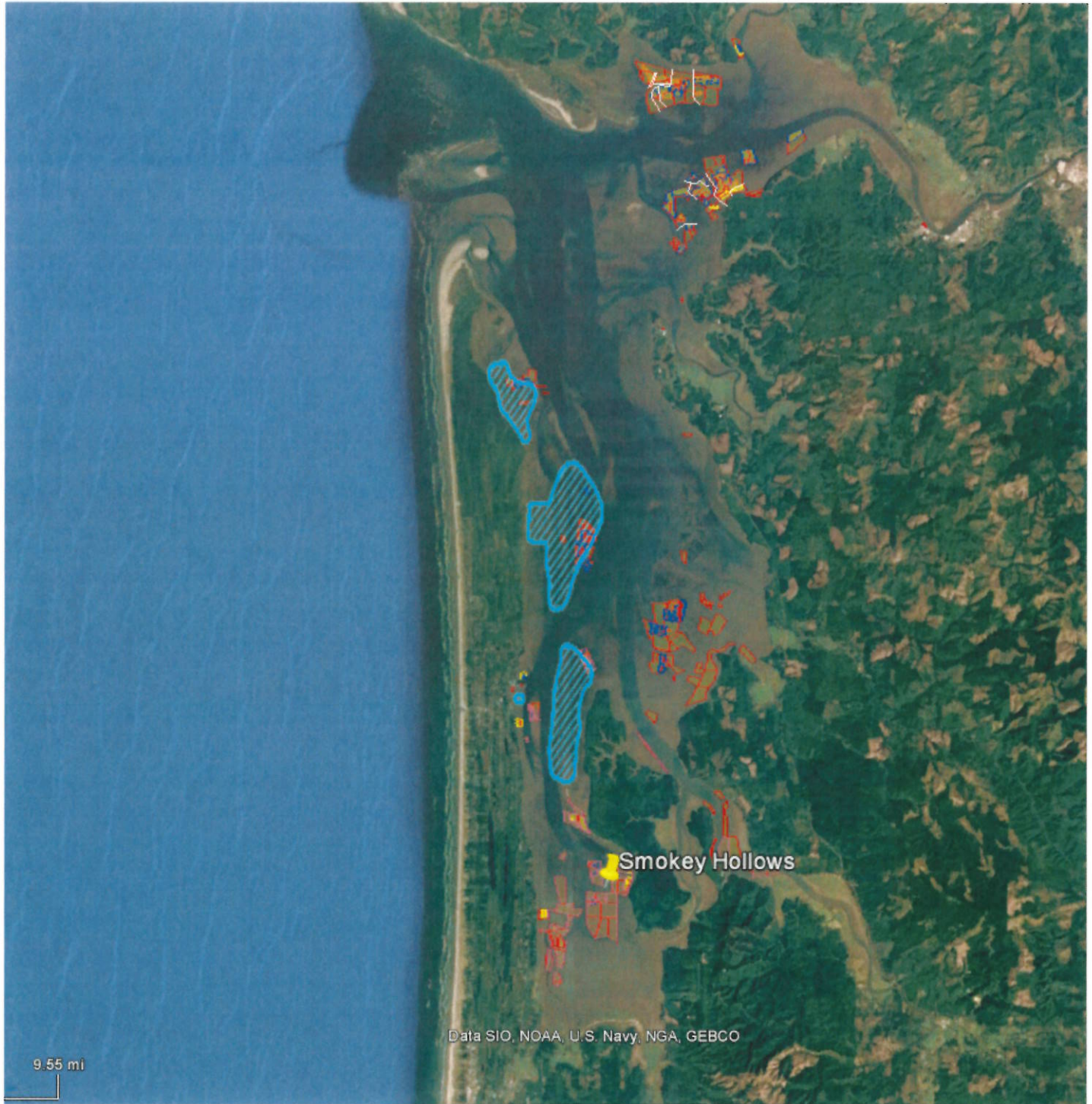


NWS-2007-1439 Shellfish Beds Latitude/Longitude

*Coordinates in WGS 1984

<u>Latitude</u>	<u>Longitude</u>
46.42403	123.99248
46.42343	123.97576
46.40527	123.97591
46.40794	123.98116
46.40681	123.98793
46.41317	123.99288

Vicinity Map With WDFW Forage Fish Data



Reference: NWS-2007-1501 NWS-2020-818-AQ

Water Body: Willapa Bay

County: Pacific

Latitude: See Attachment

Longitude: See Attachment

Application by: Coast Seafoods Company

Project Description: Existing shellfish Farm

State: Washington







Date: 10-31-2016

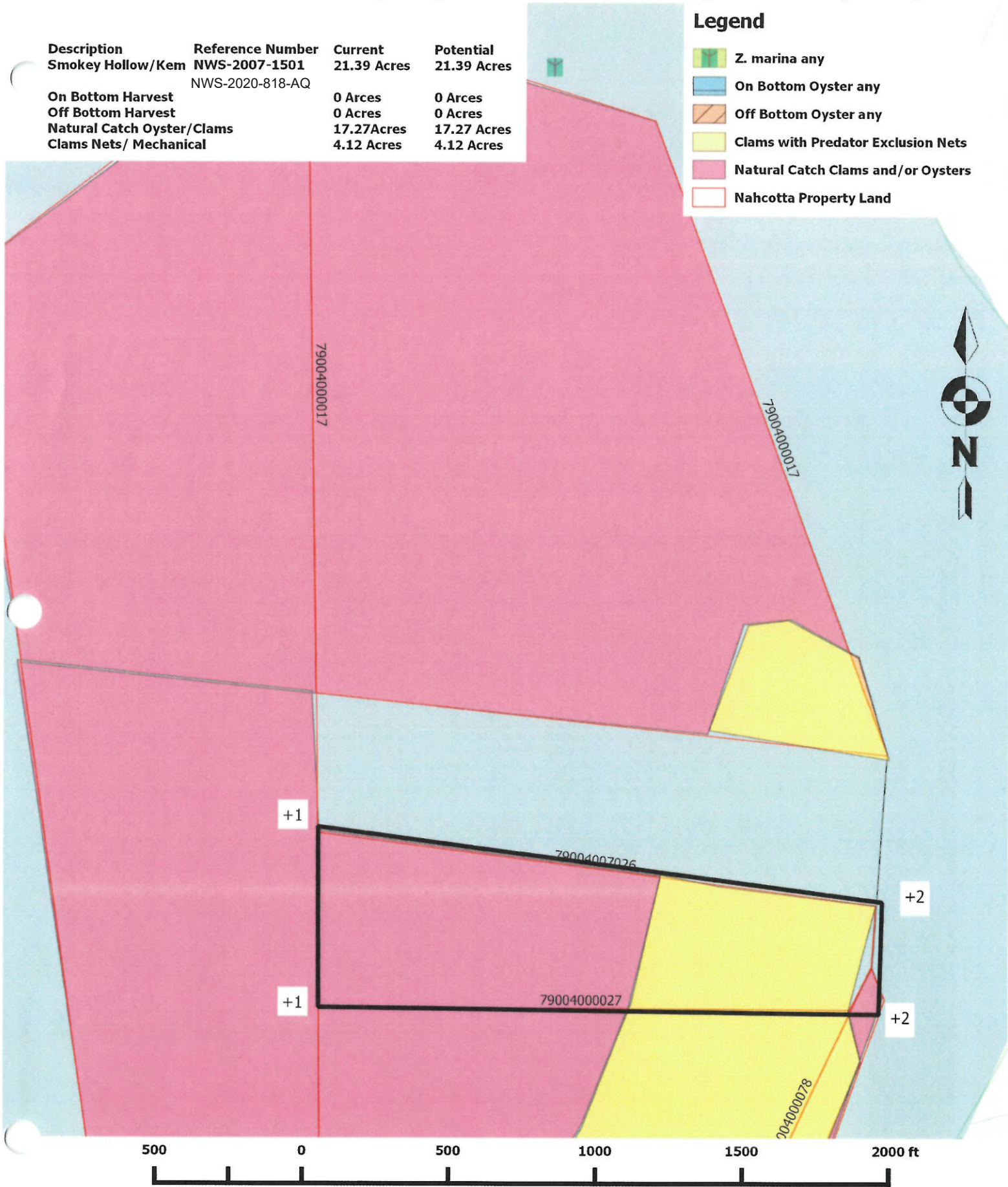
Local Name: Smokey Hollow

Coast Seafood Company Nahcotta Smokey Hollow (Plan)

Description	Reference Number	Current	Potential
Smokey Hollow/Kem	NWS-2007-1501	21.39 Acres	21.39 Acres
	NWS-2020-818-AQ		
On Bottom Harvest		0 Acres	0 Acres
Off Bottom Harvest		0 Acres	0 Acres
Natural Catch Oyster/Clams		17.27 Acres	17.27 Acres
Clams Nets/ Mechanical		4.12 Acres	4.12 Acres

Legend


-  Z. marina any
-  On Bottom Oyster any
-  Off Bottom Oyster any
-  Clams with Predator Exclusion Nets
-  Natural Catch Clams and/or Oysters
-  Nahcotta Property Land

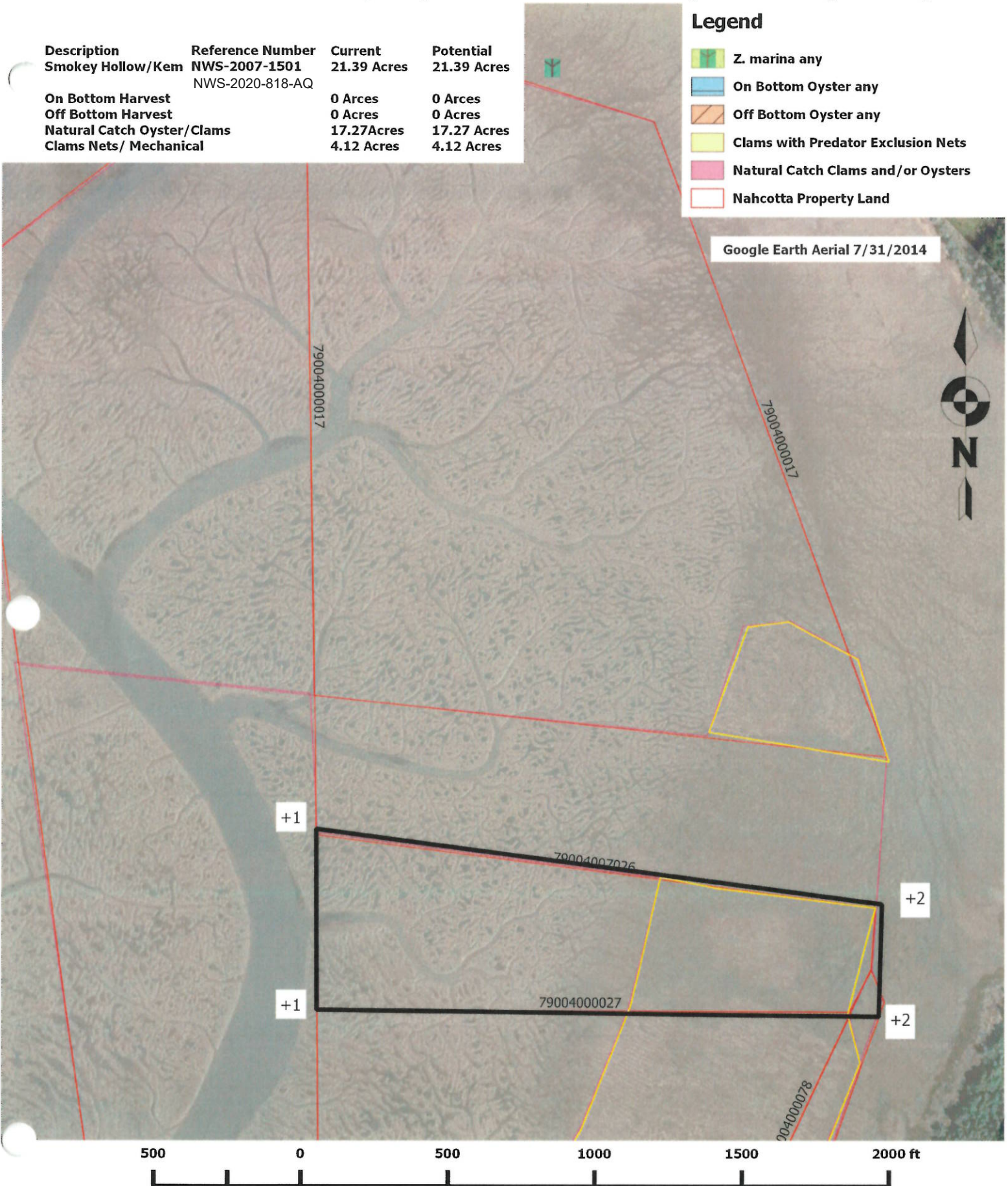


Coast Seafood Company Nahcotta Smokey Hollow (Aerial)

Description	Reference Number	Current	Potential
Smokey Hollow/Kem	NWS-2007-1501	21.39 Acres	21.39 Acres
	NWS-2020-818-AQ		
On Bottom Harvest		0 Arces	0 Arces
Off Bottom Harvest		0 Acres	0 Acres
Natural Catch Oyster/Clams		17.27Acres	17.27 Acres
Clams Nets/ Mechanical		4.12 Acres	4.12 Acres

Legend

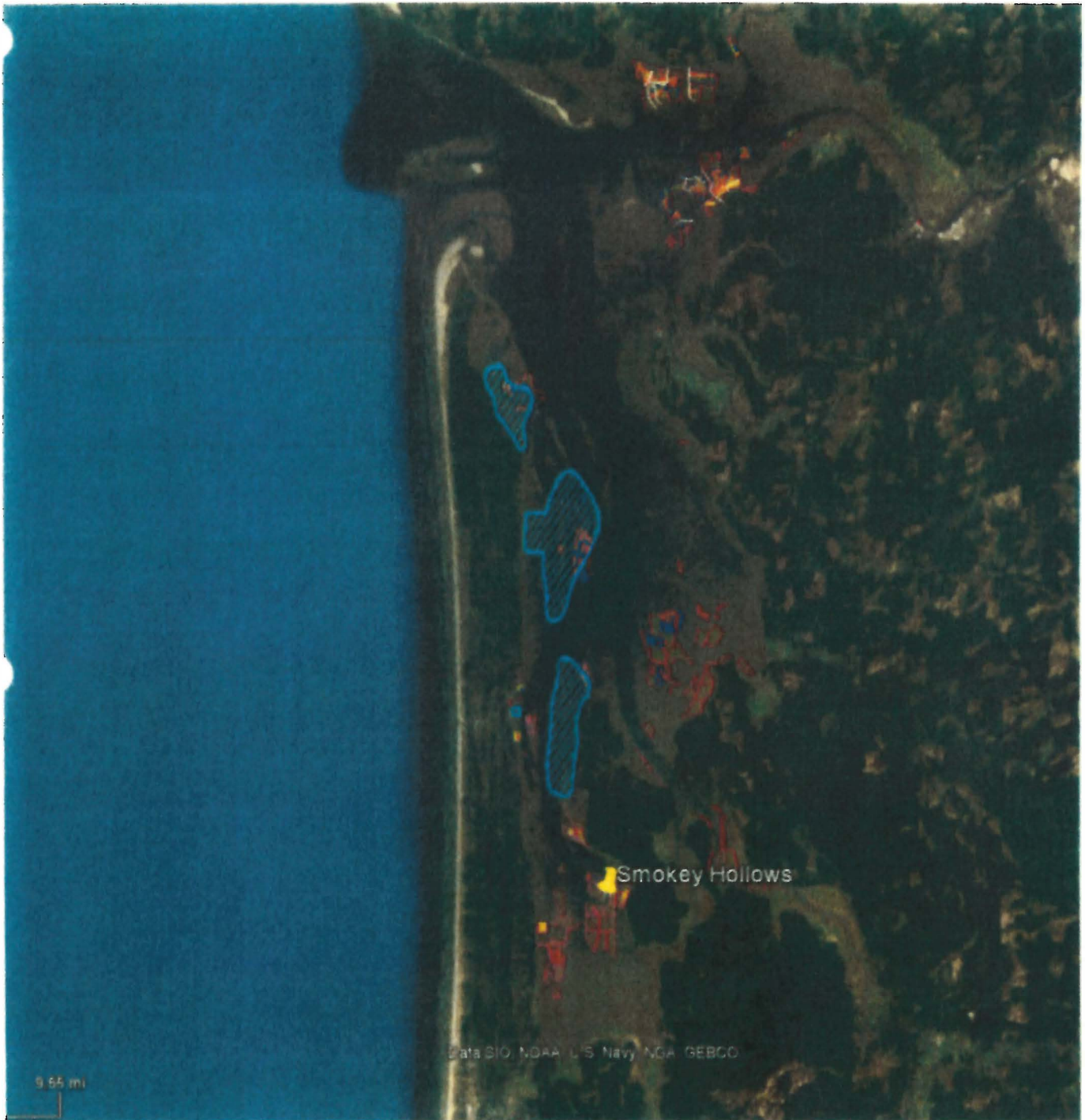
-  Z. marina any
-  On Bottom Oyster any
-  Off Bottom Oyster any
-  Clams with Predator Exclusion Nets
-  Natural Catch Clams and/or Oysters
-  Nahcotta Property Land



NWS-2007-01501 Shellfish Beds Latitude/Longitude

<u>Latitude</u>	<u>Longitude</u>	*Coordinates in WGS 1984
46.42992222	123.9758722	
46.42933056	123.9682528	
46.42835556	123.9682139	
46.42836111	123.975875	

Vicinity Map With WDFW Forage Fish Data



Reference: NWS-2009-1287 NWS-2020-818-AQ

Water Body: Willapa Bay

County: Pacific

Latitude: See Attachment

Longitude: See Attachment

Application by: Coast Seafoods Company

Project Description: Existing shellfish Farm

State: Washington







Date: 3/13/2018

Local Name: Smokey Hollow

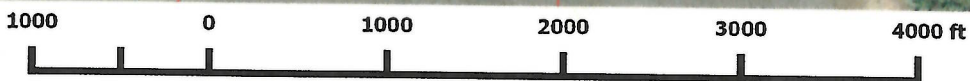
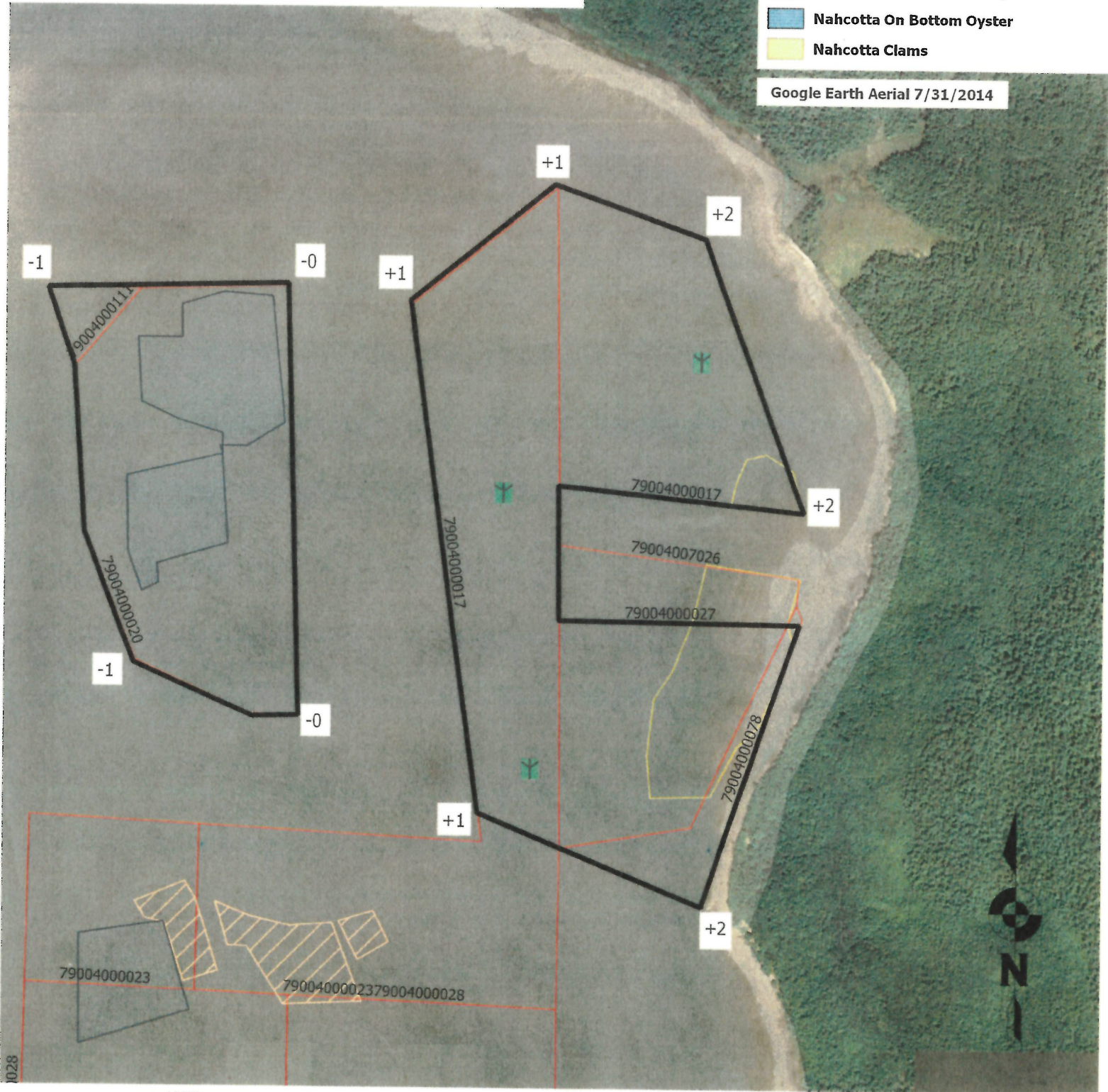
Coast Seafood Company Nahcotta Smokey Hollow (Aerial)

Description	Reference Number	Current	Potential
Smokey Hollow	NWS-2009-1287	336.04 Acres	336.04 Acres
On Bottom Harvest	NWS-2020-818-AQ	37.0 Acres	37.0 Acres
Off Bottom Harvest		0 Acres	0 Acres
Natural Catch Oyster/Clams		273.9 Acres	273.9 Acres
Clams Nets/ Mechanical		25.14 Acres	25.14 Acres

Legend

-  Z. marina any
-  Off Bottom Oyster any
-  Nahcotta Property Land
-  Nahcotta Natural Catch Oyster
-  Nahcotta On Bottom Oyster
-  Nahcotta Clams

Google Earth Aerial 7/31/2014



Date Created: Jan 22nd, 2018 Created In: QGIS with USDA Farm Agency Aerial
 Created By: Jason R. Powell GIS Technician Coast Seafoods Company







*Sheet 2 of 4
 3/13/2018*

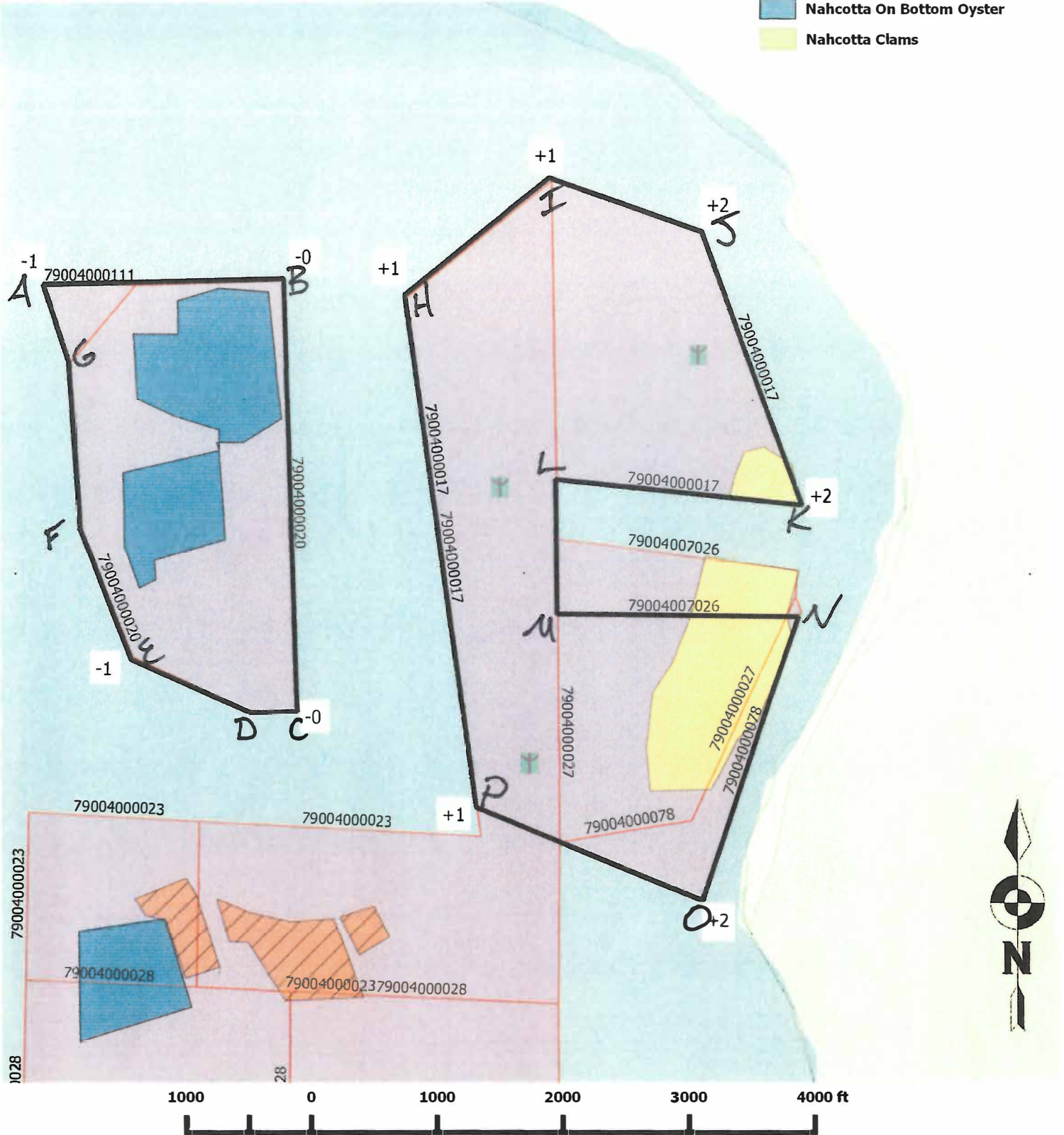
Sheet 11 of 13

Coast Seafood Company Nahcotta Smokey Hollow (Plan)

Description	Reference Number	Current	Potential
Smokey Hollow	NWS-2009-1287	336.04 Acres	336.04 Acres
	NWS-2020-818- AQ		
On Bottom Harvest		37.0 Arces	37.0 Arces
Off Bottom Harvest		0 Acres	0 Acres
Natural Catch Oyster/Clams		273.9Acres	273.9 Acres
Clams Nets/ Mechanical		25.14 Acres	25.14 Acres

Legend

-  Z. marina any
-  Off Bottom Oyster any
-  Nahcotta Property Land
-  Nahcotta Natural Catch Oyster
-  Nahcotta On Bottom Oyster
-  Nahcotta Clams



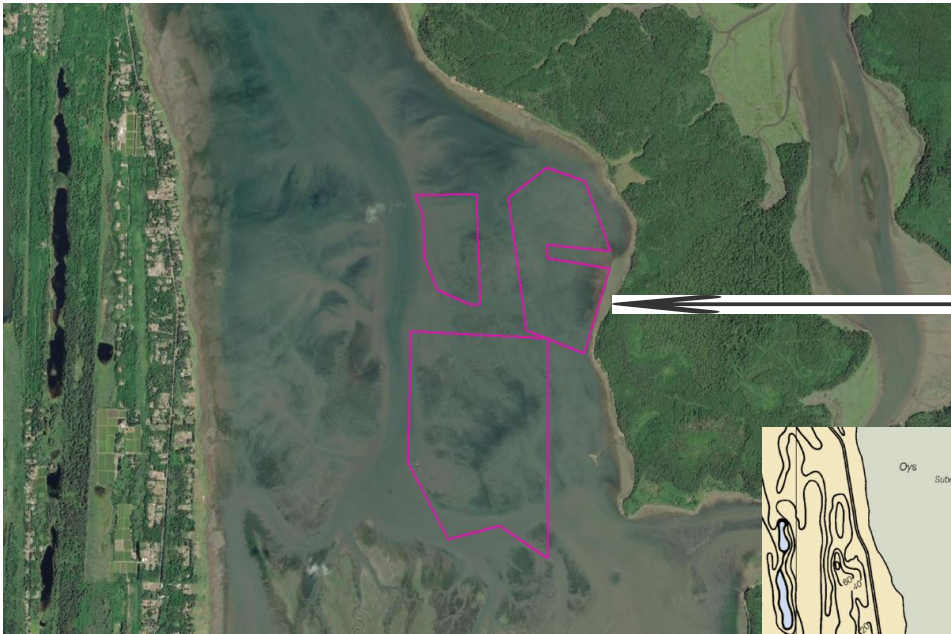
NWS-2009-1287 Shellfish Beds Latitude/Longitude

NWS-2020-818-AQ

	<u>Latitude</u>	<u>Longitude</u>	*Coordinates in WGS 1984
A	46.43518	123.99195	NW Corner of W Poly
B	46.43537	123.98455	NE Corner of W Poly
C	46.42617	123.98409	
D	46.42626	123.98537	
E	46.42744	123.98926	
F	46.42999	123.99081	
G	46.43364	123.99114	

Points are in series clockwise around outline polygon

H	46.43504	123.98064	NW Corner of E Poly
I	46.43750	123.97601	N Corner of E Poly
J	46.43641	123.97130	
K	46.43062	123.96818	
L	46.43112	123.97584	
M	46.42837	123.97586	
N	46.42839	123.96818	
O	46.42217	123.97142	
P	46.42409	123.97846	



Approximate MHW
Shoreline

