



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

US Army Corps of Engineers
Regulatory Branch
4735 E. Marginal Way S., Bldg 1202
Seattle, WA 98134-2388
Telephone: (360) 318-3724
ATTN: Joshua Taylor,
Project Manager

Public Notice Date: April 14, 2025
Expiration Date: May 14, 2025

Reference No.: NWS-2024-852
**Name: Knuth, Shelley - Bulkhead
Replacement**

Interested parties are hereby notified that all or a portion of the work as described below and shown on the enclosed amended drawings, dated March 27, 2025, was performed without specific authorization under Section 10 of the Rivers and Harbors Act of 1899. U.S. Army Corps of Engineers (Corps) permit regulations (33 CFR 320-332) allow District Engineers to make a determination of whether the activity is contrary to the public interest or if the work should be authorized by an after-the-fact permit.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA).

APPLICANT: Shelley Knuth
Attention: Joseph Knuth
421 East Treasure Island Drive
Allyn, Washington 98524
Telephone: (971) 409-5109

LOCATION: 81 East Grape Drive
Grapeview, Washington 98546

WORK: The applicant proposes to retain a previously unauthorized discharge of up to 5.9 cubic yards of large granite rock (rip rap), across 26.25 square feet, below the high tide and mean high water lines of elevation to replace a 15-foot-long failed concrete bulkhead section within Case Inlet, at 81 East Grape Drive, Grapeview, Mason County, Washington. It should be noted that the footprint occupied by the replacement rock bulkhead is the same as the previously existing concrete bulkhead prior to the failure resulting from the 2022 King Tide and storm surge event. However, the material chosen renders the replacement “out-of-kind”, thus precluding a Clean Water Act, Section 404 maintenance exemption. Additionally, work was conducted, and structure was constructed, below mean high water line of elevation, constituting a Rivers and Harbors Act, Section 10-regulated action.

To construct the 15-foot-long section of rock bulkhead in place of the failed concrete bulkhead, a ramp-equipped barge was floated to the beach at the project location. The failed bulkhead

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section was removed, and new rock bulkhead constructed using an excavator and rip rap staged on the barge. At no point during construction was the barge allowed to ground out.

PURPOSE: The applicant's stated purpose is to protect this property and the neighbor's property from shoreline erosion.

ADDITIONAL INFORMATION: The location of the mean high water and high tide lines of elevation shown on the project drawings have been verified by the Corps.

MITIGATION: Because the bulkhead replacement section exists within the same footprint as the previously existing bulkhead (prior to its failure), 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).

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. The Corps is reviewing this permit and will assess potential impacts to historic properties. The Corps 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 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 Nations 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: 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 will evaluate the proposed project in accordance with Section 401 of the Clean Water Act and for consistency with the Coastal Zone Management Act. As a Federal agency, the Corps will contact the Washington Department of Ecology directly to ensure the work is consistent with the Coastal Zone Management Program.

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.

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.

SOURCE OF FILL MATERIAL: The source of the fill material was commercially sourced.

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 joshua.r.taylor@usace.army.mil. 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

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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.

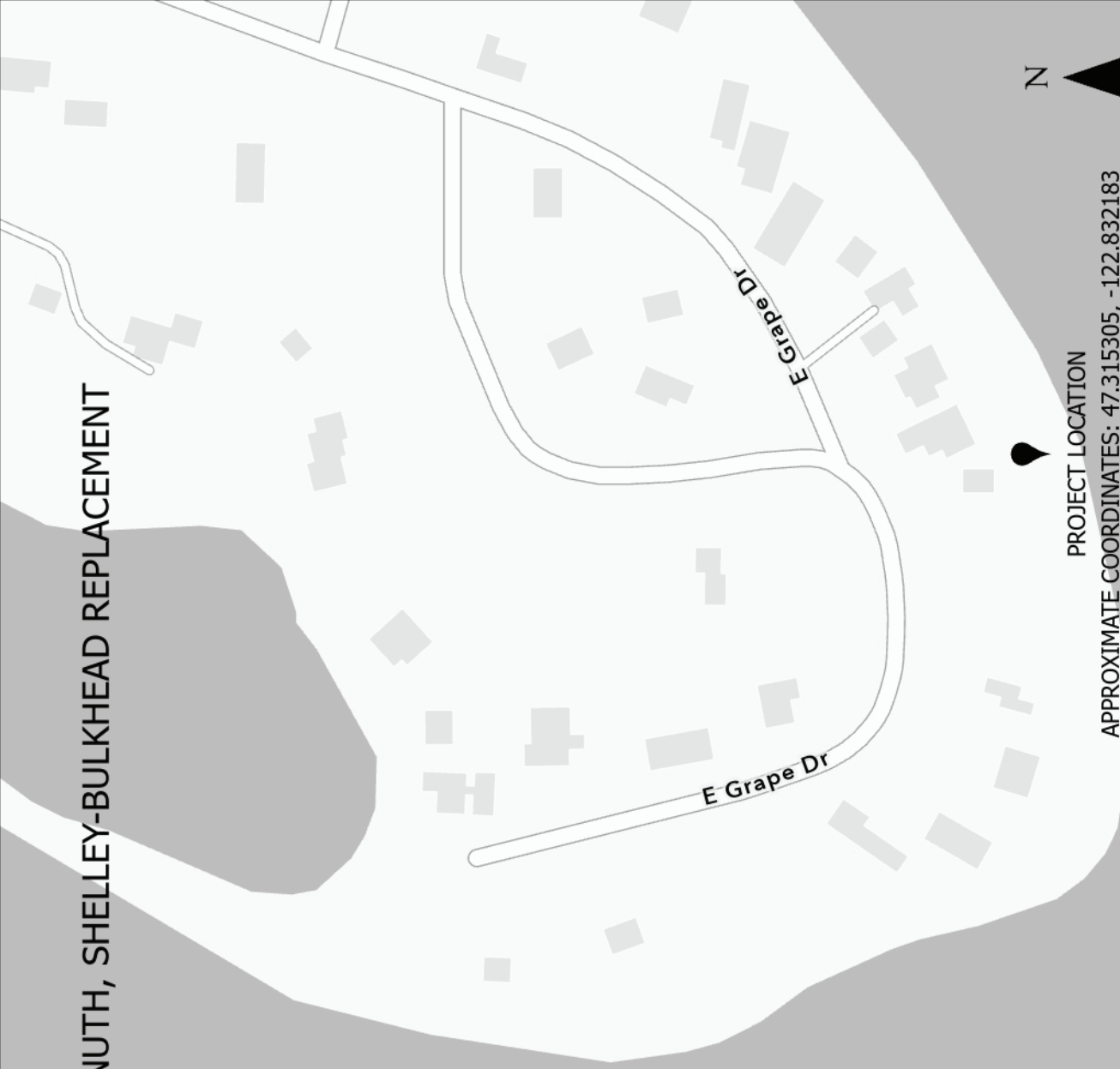
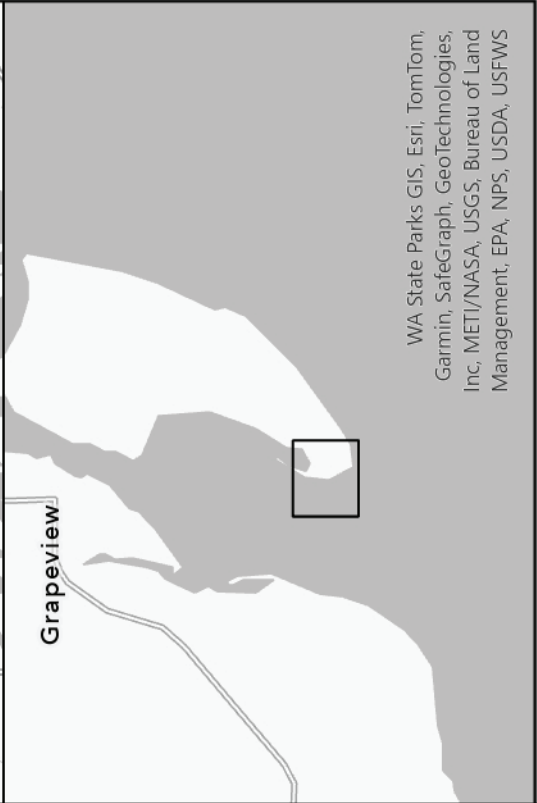
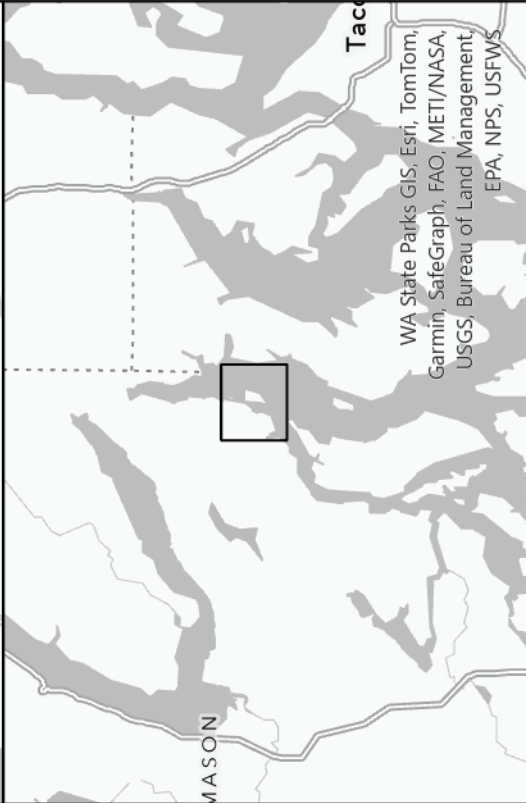
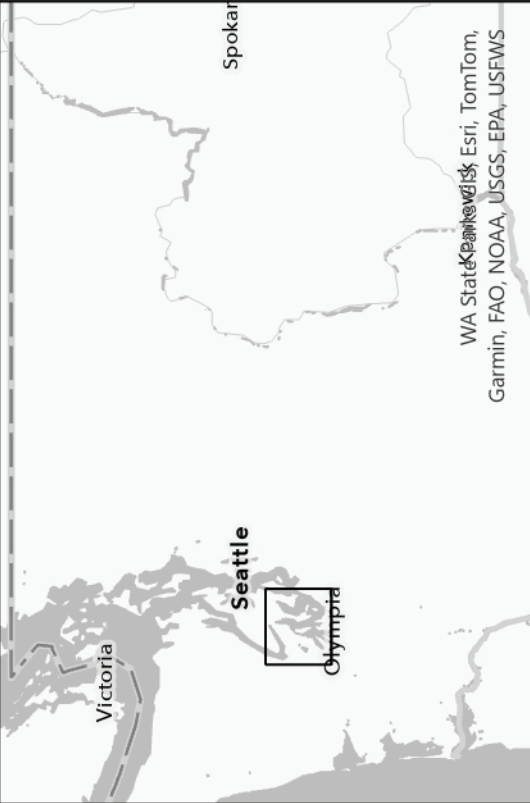
You may also now submit project specific comments to the Corps through the new Regulatory Request System (RRS) through this link: <https://rrs.usace.army.mil/rrs>; Click Public Notices and filter to Washington State to see all current Seattle District Public Notices, including this notice. You may submit your comments directly through this portal.

Conventional mail comments should be sent to:
U.S. Army Corps of Engineers, Regulatory Branch,
Attention: Joshua Taylor, 4735 E. Marginal Way S, Bldg 1202, Seattle, Washington, 98134-2388.

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: NWS-2024-852; Knuth, Shelley - Bulkhead Replacement

Encl: Figures (3)

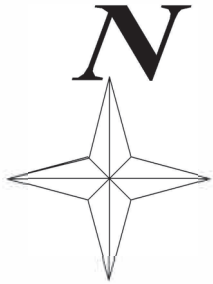
KNUTH, SHELLEY-BULKHEAD REPLACEMENT



PROJECT LOCATION

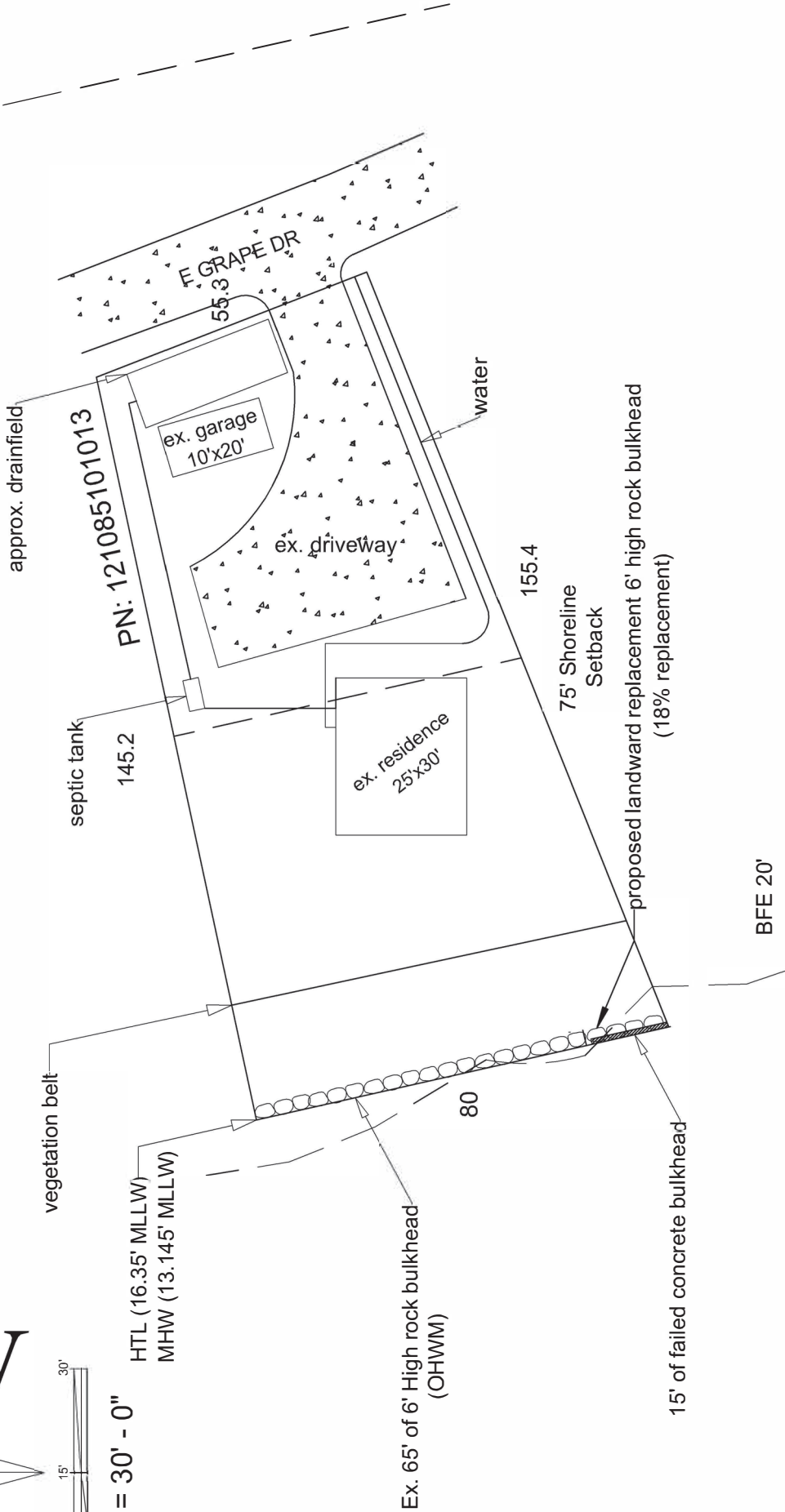
APPROXIMATE COORDINATES: 47.315305, -122.832183





1" = 30' - 0"

HTL (16.35' MLLW)
MHW (13.145' MLLW)



Project Description:

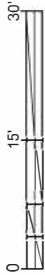
Permitting after emergency construction: Replaced 15 linear ft of total existing 80 ft long, 6 ft high rock bulkhead, with new 6 ft high rock bulkhead. 15 linear ft of bulkhead had collapsed during December 2022 king tide and storm surge.

Author: Joseph Knuth
On behalf of Shelley Knuth
knuth.joe@gmail.com
971.409.5109
USACE Ref #: NWS-2024-852

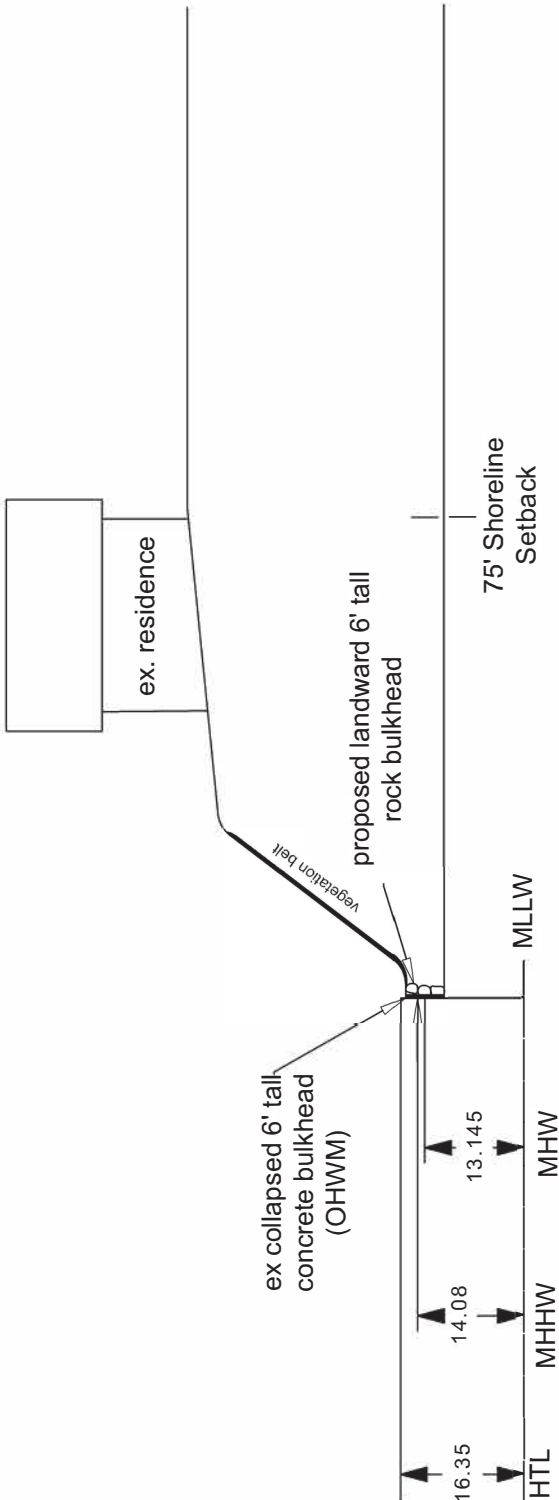
Site Plan: Shelley Knuth
81 E Grape Dr
Parcel #121085101013

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1" = 30' - 0"



Project Description:

Permitting after emergency construction: Replaced 15 linear ft of total existing 80 ft long, 6 ft high rock bulkhead, with new 6 ft high rock bulkhead. 15 linear ft of bulkhead had collapsed during December 2022 king tide and storm surge.

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Site Plan:		Shelley Knuth 81 E Grape Dr Parcel #121085101013	
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