



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: (206) 437-1244
ATTN: Daisy Douglass,
Project Manager

Public Notice Date: June 11, 2025
Expiration Date: June 18, 2025

Reference No.: NWS-2021-674
Name: Orcas Power and Light
Cooperative (Shaw Island to Canoe
Island Cable Replacement)

Interested parties are hereby notified that the following request associated with Orcas Power and Light Cooperative (OPALCO) for the Shaw Island to Canoe Island cable replacement has been submitted for a Department of the Army (DA) under the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act as amended. In Executive Order (EO) 14156 the President declared a national emergency under the National Emergencies Act (50 U.S.C. 1621) based upon the finding that the United States' insufficient energy production, transportation, refining, and generation constitutes an unusual and extraordinary threat to our Nation's economy, national security, and foreign policy. The U.S. Army Corps of Engineers (Corps), Seattle District has found that this permit request meets the terms of EO 14156 and is therefore subject to emergency permitting procedures to address an energy supply situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures. The Seattle District will implement the special processing procedures approved by Northwestern Division in accordance with 33 CFR § 325.2(e)(4), work described below and shown on the enclosed drawings dated March 2021.

APPLICANT: Orcas Power and Light Cooperative (OPALCO)
Attention: Mr. Russell Guerry
183 Mount Baker Road
Eastsound, Washington 98245
Telephone: (360) 376-3589

LOCATION: In Indian Cove, Upright Channel at Shaw Island and Canoe Island, San Juan Island County, Washington.

WORK: The install a new submarine cable that will replace an existing insulated submarine cable that provides power from Shaw Island to Canoe Island with a 2-inch diameter Kerite 15kv insulated submarine cable. The approximate cable length replacement is 2,000 feet (ft). The replacement of the cable would result in up to 31 cubic yards (CY) of sediment excavated and the discharge of up to 31 CY of native excavated material backfill below the high tide line (HTL).

NWS-2021-674; OPALCO (Shaw Island to Canoe Island Cable Replacement)

On Shaw Island, a new 7.5-inch diameter conduit would be installed using horizontal directional drilling (HDD). The HDD would start at the OPALCO power facility to approximately +6 Mean Lower Low Water (MLLW). A trench would then be excavated from approximately +6 MLLW to 0-MLLW. The trench would be back filled with a total of 22 CY of the excavated material below the HTL. The cable would then be pulled through the conduit and connected to the existing transformer on Shaw Island. The rest of the cable would then be unspooled from a barge and supporting vessels and laid directly on the seafloor. On Canoe Island, a trench would be excavated from the HTL to +1 MLLW. The trench would be backfilled with the excavated material totaling 9 CY below the HTL. Additional conduit would be trenched up the rocky vegetated bank to the existing transformer. The new cable would then be pulled through the new conduit and connected to the upland transformer. Cast-iron cable protection would be used to secure the exposed cable sections from +1 MLLW to -30 MLLW.

All trenching work would be completed in the dry during low tides using an excavator or backhoe. Additionally, support vessels and divers may be used as necessary while laying the new cables on the seafloor. Upland trenching at each landfall is anticipated to take approximately one week. Each in-water cable installation will also be completed in approximately one week. Relocating the barge and support vessels between proposed cable installation may take several days.

The existing cable from Shaw Island to Canoe Island would remain in place as it is associated with other active utility lines and will be retained as a back-up.

PURPOSE: To maintain power services on Shaw Island and Canoe Island.

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 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. If the Corps determines the project may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat the Corps would consult with NMFS and USFWS in accordance with the special processing procedures approved by Northwestern Division, under 50 CFR Part 402.05 in accordance with Section 7 of the Endangered Species Act.

ESSENTIAL FISH HABITAT: 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 coordinate with NMFS In accordance with the special processing procedures approved by Northwestern Division.

CULTURAL RESOURCES: If the U.S. Army Corps of Engineers (Corps) determines that the proposed action requires Section 106 consultation under the National Historic Preservation Act. The Corps would initiate Section 106 consultation in accordance with the special processing procedures approved by Northwestern Division, under 36 CFR Part 800.12 in accordance with Section 106 of the National Historic Preservation Act.

EVALUATION: This application will be reviewed in accordance with 33 CFR Parts 320-332 and 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 Clean Water Act 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.

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

NWS-2021-674; OPALCO (Shaw Island to Canoe Island Cable Replacement)

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 will be the existing material excavated and side cast.

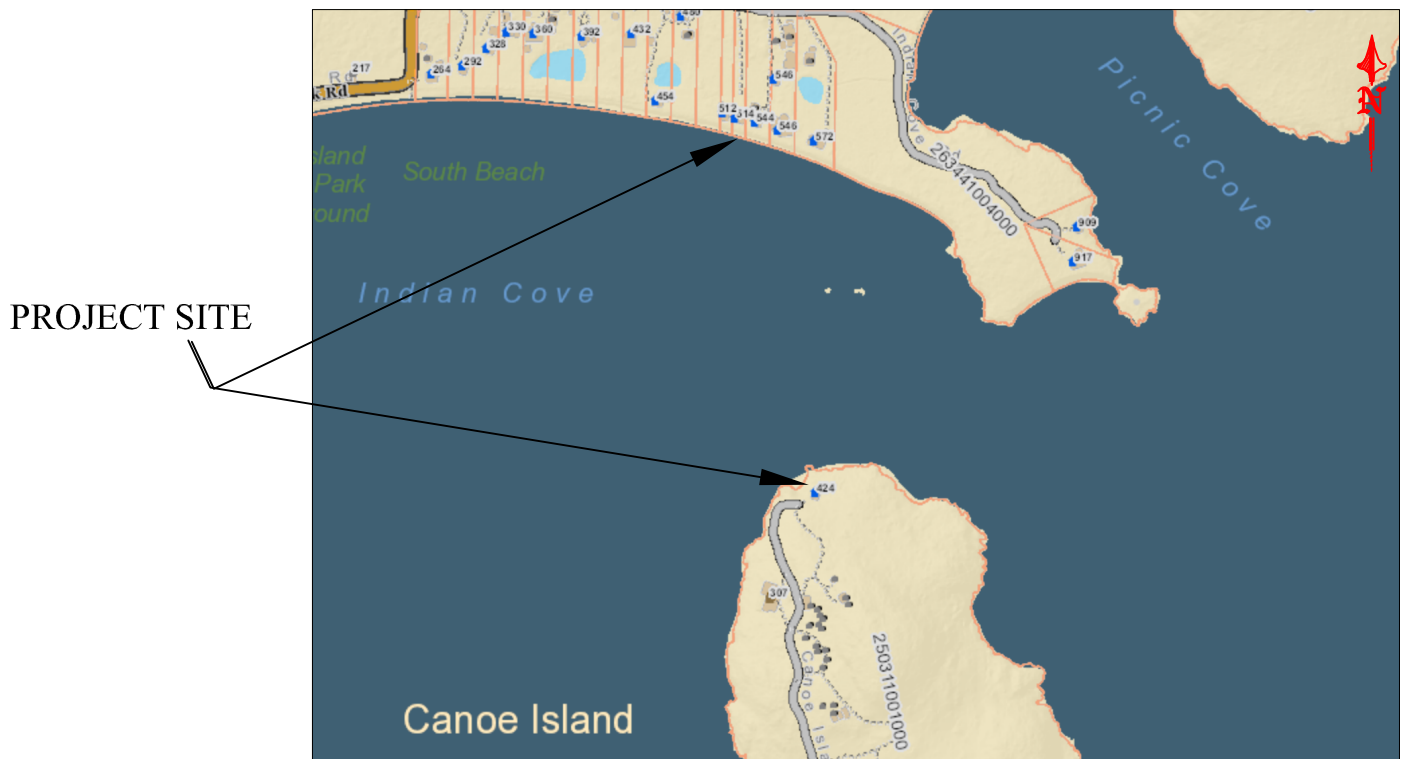
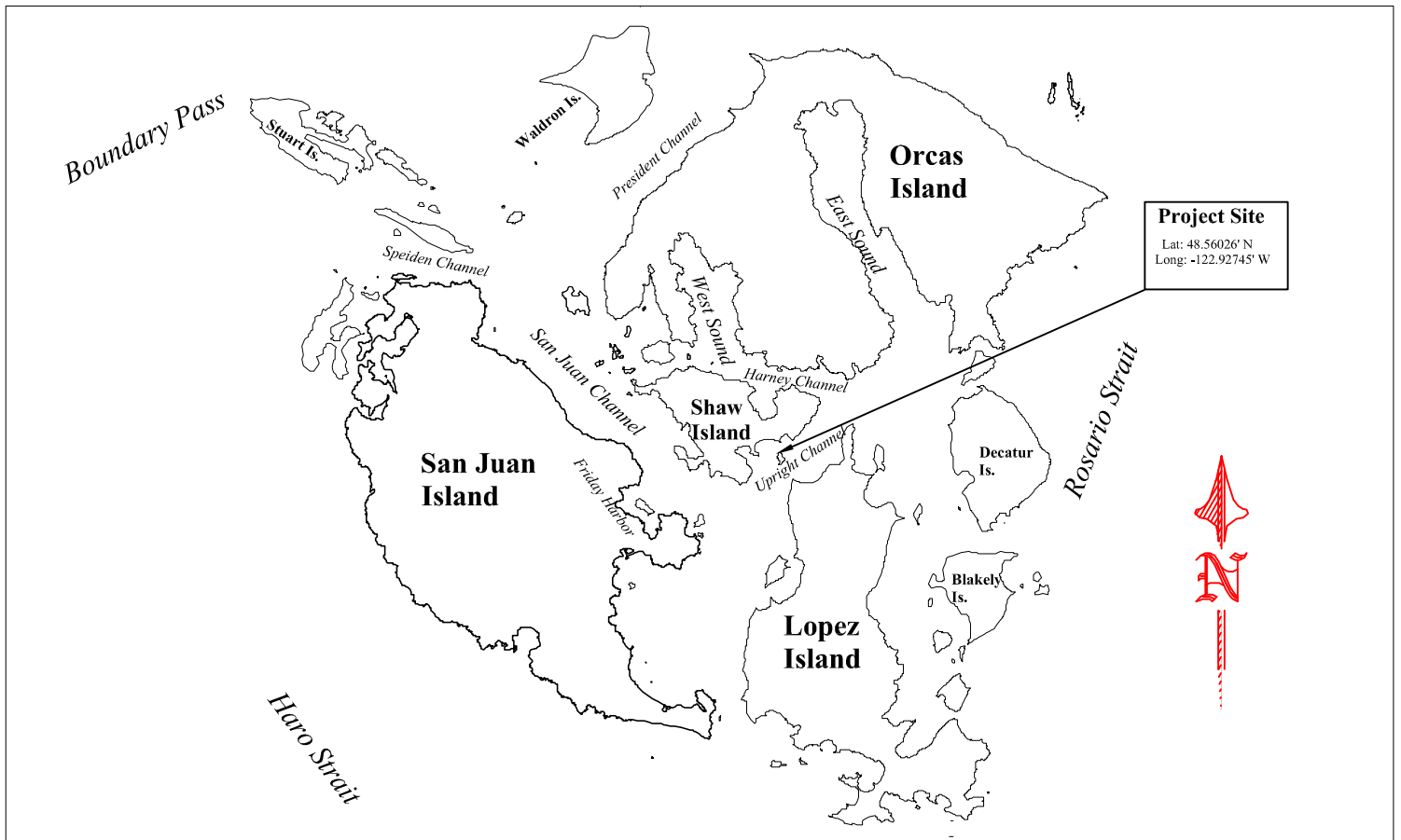
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether authorizing the work would not be contrary to the public interest. In order to be accepted, e-mail comments must originate from 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 daisy.p.douglass@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 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: Daisy Douglass, 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: OPALCO (Shaw Island to Canoe Island Cable Replacement); NWS-2021-674

Encl: Figures (6 Pages)



OPALCO - CANOE CABLE Project

REFERENCE: # NWS-2021-674		VICINITY MAP		PROPOSED: Power Cable Replacement	
APPLICANT: Orcas Power and Light Co-op, c/o Steve Gerlicher		LOCATION: Canoe Island TPN 250311001000		IN: Indian Cove, Upright Channel	
ADJACENT PROPERTY OWNERS:		LAT/LONG: 48.56026° N, -122.92745° W		AT/NEAR: Shaw Island	
1. Terry Hagstrom TPN 263442001000		LOCATION: Shaw Island TPN 263442002000		COUNTY: San Juan	
2. James R and Gloria Fogelberg TPN 263441001000		LAT/LONG: 48.56453° N, -122.92866° W		STATE: WA	
				DATUM: N.O.S. MLLW=0'	
				SHEET: 1 of 6	
				DATE: March 2021	

SCALE: 1" = 60'



MHHW = 7.76'
MHW = 7.11'
MLLW = 0'
HTL = 9.47'

~~~~~ = cast iron protectors

**PROPOSED AND  
EXISTING POWER  
CABLE  
(≈1300' HTL to HTL)  
DIRECT LAID  
WATERWARD OF  
-30' MLLW**

**CABLE TO BE ENCASED IN  
CAST IRON PROTECTION  
BETWEEN +1' MLLW AND  
-30' MLLW**

↓ = EELGRASS

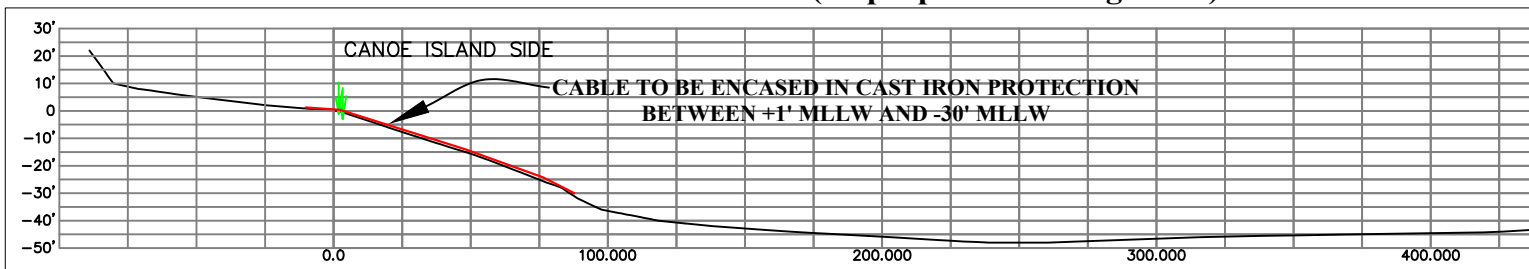
**NEW CONDUIT TRENCHED  
BETWEEN +1' MLLW AND  
HTL (≈120')  
THEN CONTINUED TO  
VAULT (≈11')**

HIGH TIDE LINE = 9.47'  
DETERMINED FROM TIDAL  
STATION "UPRIGHT HEAD"  
10-YEAR OBSERVATION  
PERIOD 2011-2021

**CANOE ISLAND**

**TAX PARCEL NUMBER #250311001  
LAT. 48.56026, LON. -122.92745**

**ELEVATION: CANOE ISLAND TO 400' (on proposed/existing route) SCALE: 1" = 70'**



**REFERENCE:** # NWS-2021-674

**APPLICANT:**

Orcas Power and Light Co-op, c/o Steve Gerlicher

**ADJACENT PROPERTY OWNERS:**

1. Terry Hagstrom  
TPN 263442001000
2. James R and Gloria Fogelberg  
TPN 263441001000

**DETAIL VIEW 1**

**LOCATION:** Canoe Island

TPN 250311001000

**LAT/LONG:** 48.56026° N, -122.92745° W

**LOCATION:** Shaw Island

TPN 263442002000

**LAT/LONG:** 48.56453° N, -122.92866° W

**PROPOSED:** Power Cable Replacement

**IN:** Indian Cove, Upright Channel

**AT/NEAR:** Shaw Island

**COUNTY:** San Juan

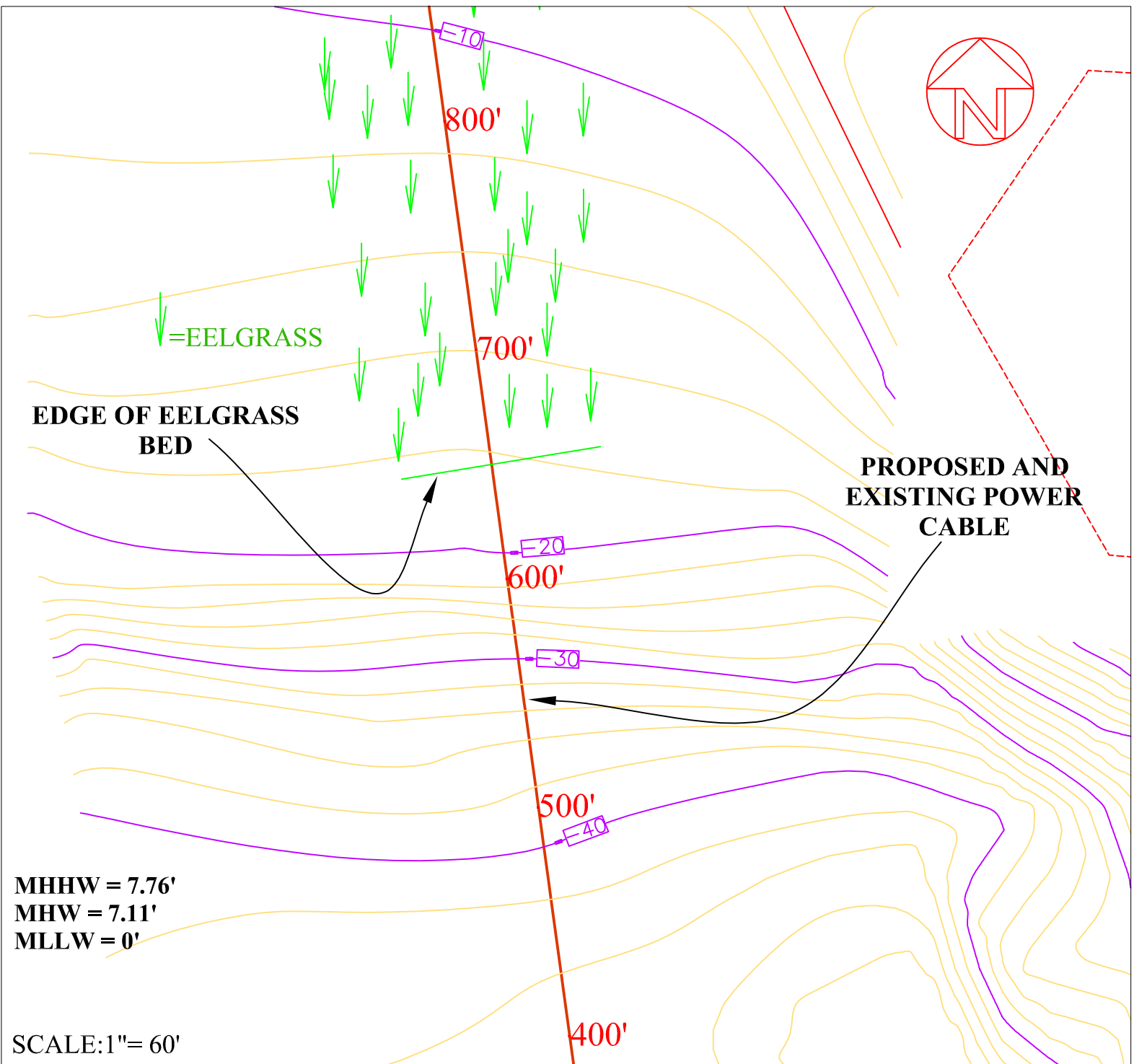
**STATE:** WA

**DATUM:** N.O.S. MLLW=0'

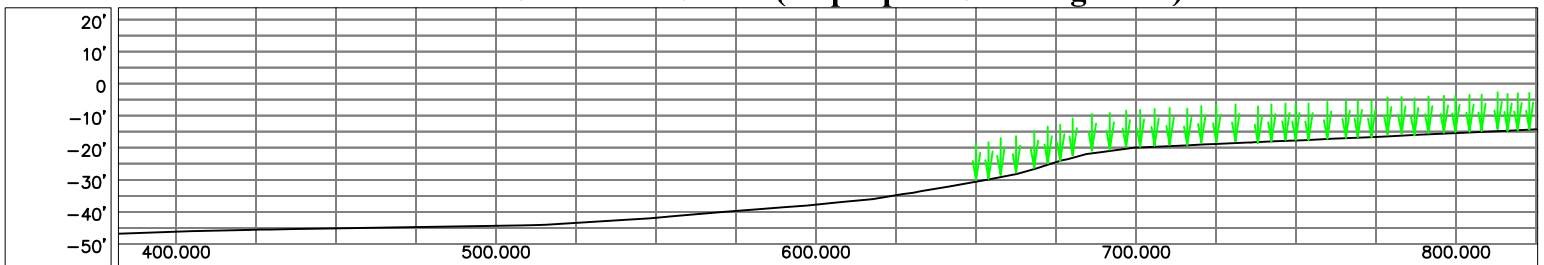
**SHEET:** 3 of 6

**DATE:** March 2021





**ELEVATION: 400' TO 800' (on proposed/existing route)**



**REFERENCE: #** NWS-2021-674

**APPLICANT:**

Orcas Power and Light Co-op, c/o Steve Gerlicher

**ADJACENT PROPERTY OWNERS:**

1. Terry Hagstrom  
TPN 263442001000
2. James R and Gloria Fogelberg  
TPN 263441001000

**DETAIL VIEW 2**

**LOCATION:** Canoe Island  
TPN 250311001000

**LAT/LONG:** 48.56026° N, -122.92745° W

**LOCATION:** Shaw Island  
TPN 263442002000

**LAT/LONG:** 48.56453° N, -122.92866° W

**PROPOSED:** Power Cable Replacement

**IN:** Indian Cove, Upright Channel

**AT/NEAR:** Shaw Island

**COUNTY:** San Juan

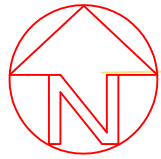
**STATE:** WA

**DATUM:** N.O.S. MLLW=0'

**SHEET:** 4 of 6

**DATE:** March 2021





# SHAW ISLAND

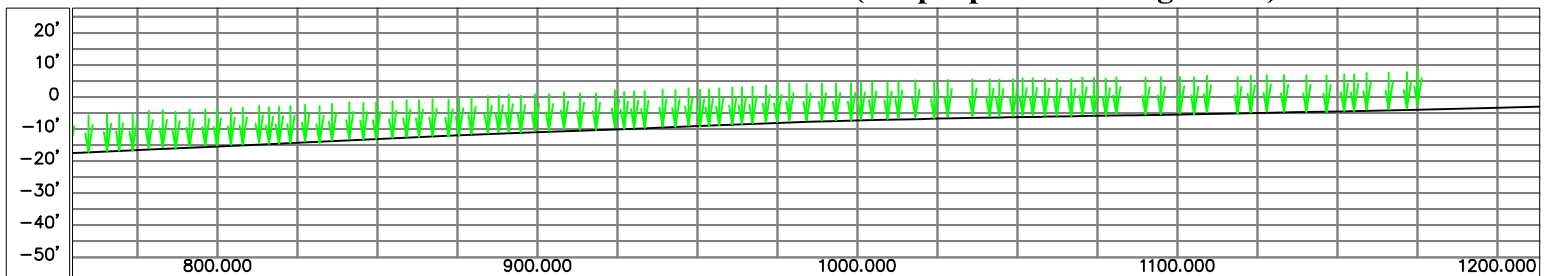
↓=EELGRASS

**PROPOSED AND  
EXISTING POWER  
CABLE**

↓=EELGRASS

SCALE: 1" = 60'

**ELEVATION: 800' TO 1200' (on proposed/existing route)**



**REFERENCE:** # NWS-2021-674

**APPLICANT:**

Orcas Power and Light Co-op, c/o Steve Gerlicher

**ADJACENT PROPERTY OWNERS:**

1. Terry Hagstrom  
TPN 263442001000

2. James R and Gloria Fogelberg  
TPN 263441001000

## DETAIL VIEW 3

**LOCATION:** Canoe Island  
TPN 250311001000

**LAT/LONG:** 48.56026° N, -122.92745° W

**LOCATION:** Shaw Island  
TPN 263442002000

**LAT/LONG:** 48.56453° N, -122.92866° W

**PROPOSED:** Power Cable Replacement

**IN:** Indian Cove, Upright Channel

**AT/NEAR:** Shaw Island

**COUNTY:** San Juan

**STATE:** WA

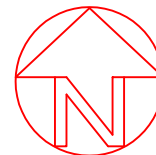
**DATUM:** N.O.S. MLLW=0'

**SHEET:** 5 of 6

**DATE:** March 2021

# SHAW ISLAND

TAX PARCEL NUMBER #263442002  
LAT. 48.56453°, LONG. -122.92866°



TRANSFORMER

HDD CONDUIT INSTALLED  
FROM SUBMARINE CABLE  
TERMINATION POINT TO  
+6' MLLW  
(≈530')

NEW CONDUIT TRENCHED  
FROM +6' MLLW  
TO 0' MLLW (≈120')

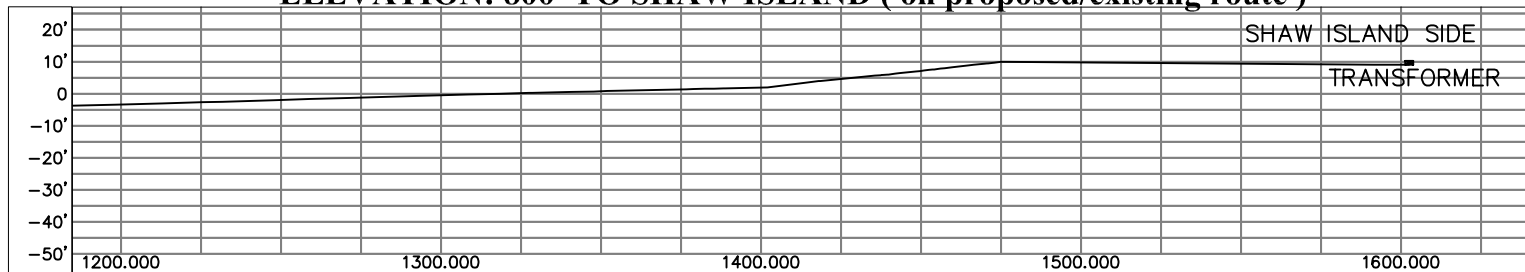
PROPOSED AND  
EXISTING POWER  
CABLE  
(≈1300' HTL to HTL)  
DIRECT LAID  
WATERWARD OF 0'  
MLLW

MHHW = 7.76'  
MHW = 7.11'  
MLLW = 0'  
HTL = 9.47'  
SCALE: 1" = 60'

EDGE OF EELGRASS  
BED

HIGH TIDE LINE = 9.47'  
DETERMINED FROM TIDAL  
STATION "UPRIGHT  
HEAD"  
10-YEAR OBSERVATION  
PERIOD 2011-2021

ELEVATION: 800' TO SHAW ISLAND ( on proposed/existing route )



REFERENCE: # NWS-2021-674

## APPLICANT:

Orcas Power and Light Co-op, c/o Steve Gerlicher

## ADJACENT PROPERTY OWNERS:

1. Terry Hagstrom  
TPN 263442001000
2. James R and Gloria Fogelberg  
TPN 263441001000

## DETAIL VIEW 4

LOCATION: Canoe Island  
TPN 250311001000

LAT/LONG: 48.56026° N, -122.92745° W

LOCATION: Shaw Island  
TPN 263442002000

LAT/LONG: 48.56453° N, -122.92866° W

PROPOSED: Power Cable Replacement

IN: Indian Cove, Upright Channel

AT/NEAR: Shaw Island

COUNTY: San Juan

STATE: WA

DATUM: N.O.S. MLLW=0'

SHEET: 6 of 6

DATE: March 2021