



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) 399-8034
ATTN: Lydia Baldwin,
Project Manager

Public Notice Date: February 13, 2025
Expiration Date: March 15, 2025

Reference No.: NWS-2023-965
Name: 1000 C, LLC (Replacement PRF)

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings dated December 2023.

APPLICANT: 1000 C, LLC
Attention: David Ebenal
Post Office Box 31548
Telephone: (360) 319-0898

AGENT: Anchor QEA, LLC
Attention: Joshua Jensen
1201 3rd Avenue, Suite 2600
Seattle, Washington 98101
Telephone: (206) 709-6882

LOCATION: In Whatcom Waterway, at Bellingham, Whatcom County Washington

WORK: The applicant proposes to install a float, ramp, and pilings.

PURPOSE: Establish boat access for property owner.

ADDITIONAL INFORMATION: The project consists of the installation of a 1,240 square foot grated float, a 42 foot long by 4-foot-wide grated ramp, and six 18-inch steel piles. All piles will be installed from a barge using a vibratory pile driver, with limited use of an impact hammer to proof the piles if required. A 3,280 square foot solid timber float and ten creosote treated timber piles were previously removed from the project site to allow for remediation of environmental contaminants in Whatcom Waterway during 2015 to 2016.

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.

MITIGATION: To compensate for impacts to Waters of the United States, the applicant proposes to restore riparian habitat along Squalicum Creek, a tributary to Bellingham Bay. Restoration work will consist of invasive species removal and native plant installation. The Squalicum Creek Restoration Project is proposed to offset the dock installation work by improving habitat and water quality conditions in a waterbody connected to Bellingham Bay.

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 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 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 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 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.

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 Lydia.baldwin@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, 4735 E. Marginal Way S, Bldg 1202, Seattle, Washington, 98134-2388. 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:

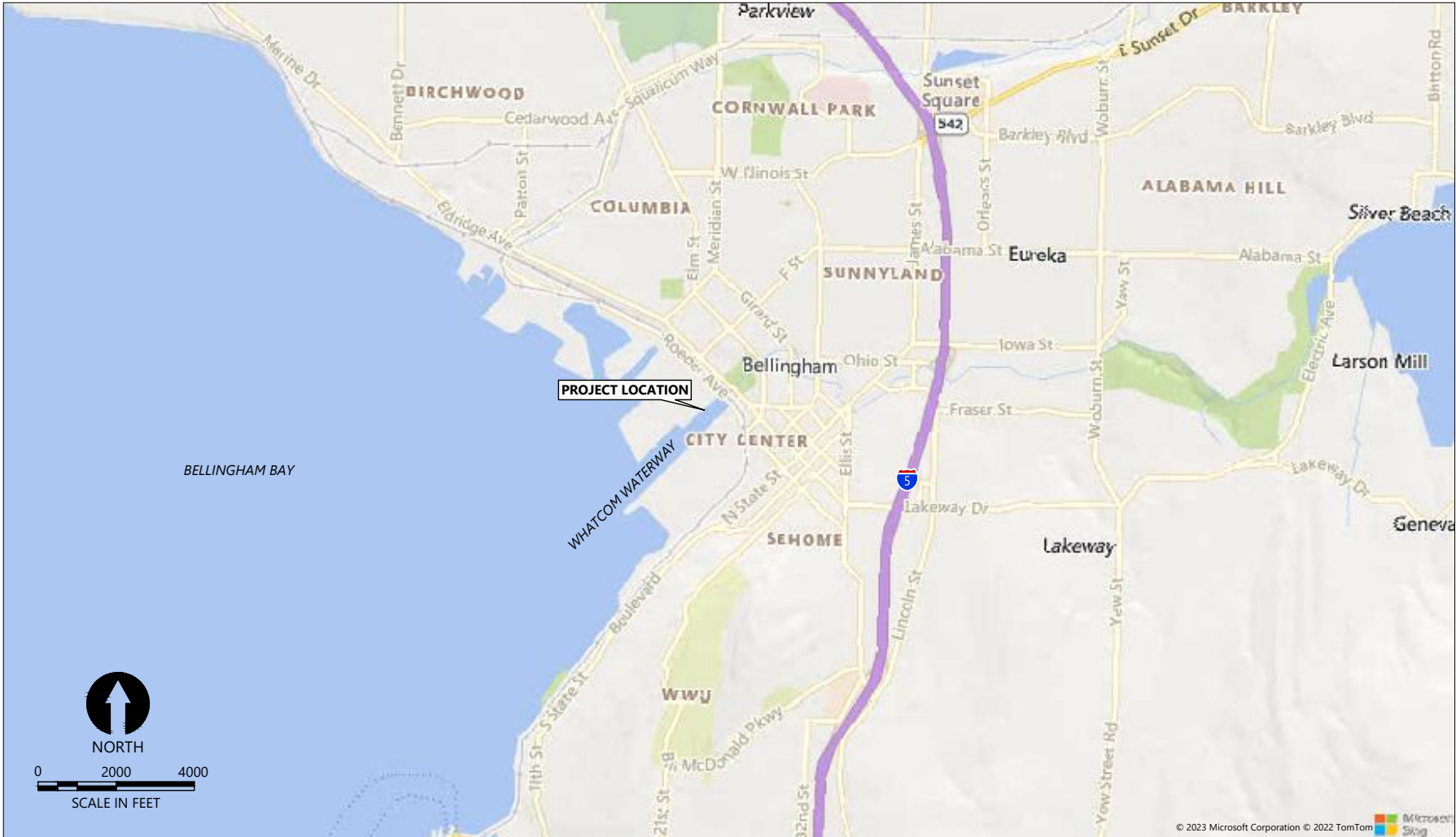
1000 C, LLC, NWS-2023-965

Encl: Figures (6)

PERMIT SUBMITTAL

FLOAT REPLACEMENT

1000 C, LLC



1000 C STREET FLOAT REPLACEMENT

APPLICANT: 1000 C, LLC

LOCATION: 1000 C STREET, BELLINGHAM, WA 98225

ADJACENT PROPERTY OWNERS: ALIOTTI CONSTRUCTION, LLC (380225552227); PORT OF BELLINGHAM (380225535202)

PROPOSED: INSTALL REPLACEMENT FLOAT DOCK AND GANGWAY

PURPOSE: BOAT MOORAGE INFRASTRUCTURE


LATITUDE: 48°45'7.20"N
LONGITUDE: 122°29'12.43"W
S-T-R: SECTION 25, TOWNSHIP 38 NORTH, RANGE 2 EAST

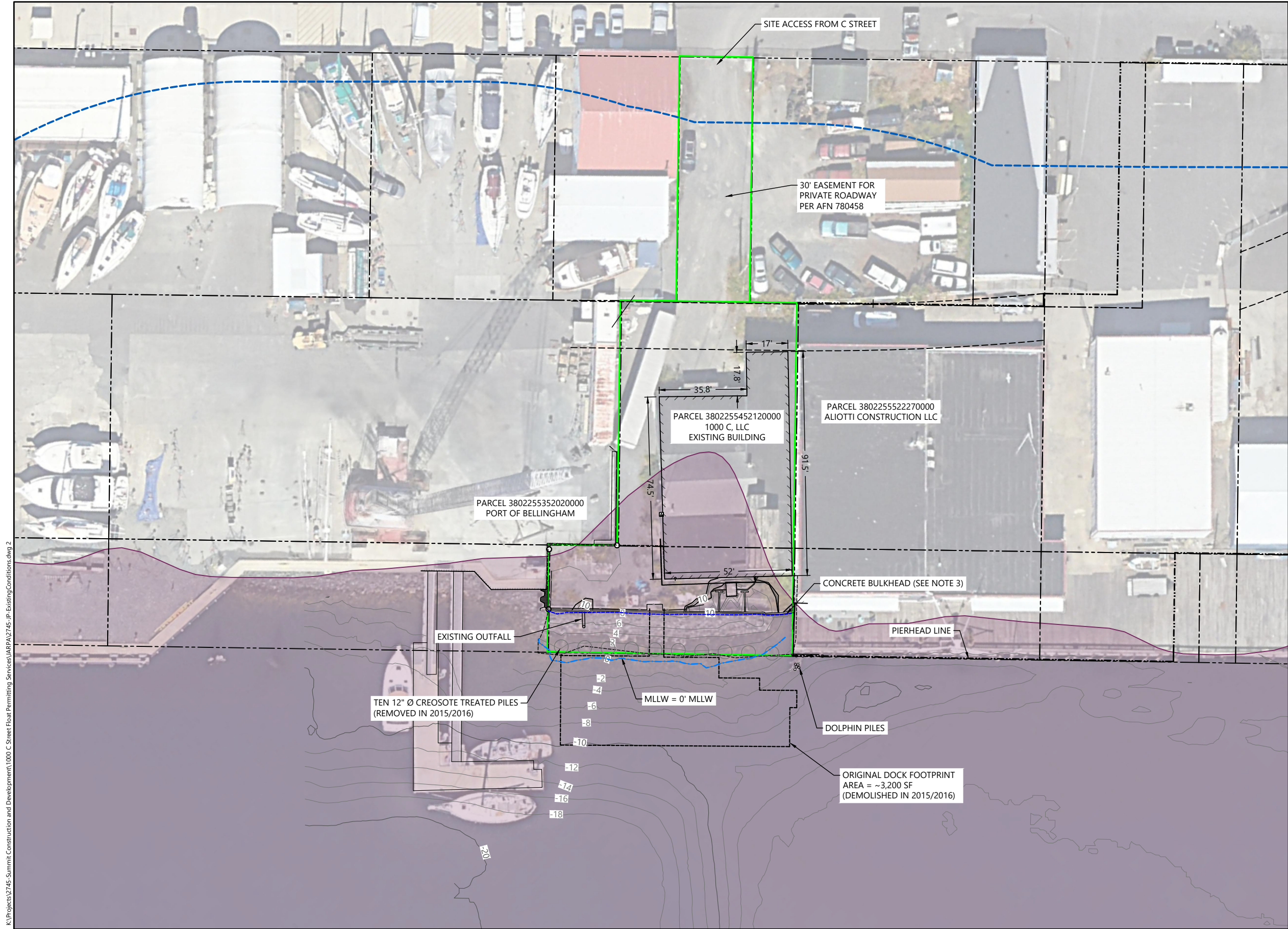
IN: WHATCOM CREEK WATERWAY
NEAR/AT: BELLINGHAM
COUNTY: WHATCOM
STATE: WASHINGTON

LEGAL DESCRIPTION:
NEW WHATCOM TIDELANDS NELY 72 FT OF SWLY 340 FT OF SE 1/2 OF LOT 159-NE 100 FT OF SW 340 FT OF COLONY WHARF STRIP ABTG LOT 159

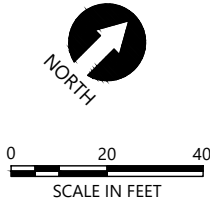


VICINITY MAP


<div><p>1201 3RD AVE, SUITE 2600 SEATTLE, WA 98101 206-287-9130</p></div>	<p>REFERENCE #:</p> <p>APPLICANT: 1000 C, LLC</p> <p>LOCATION: 1000 C STREET, BELLINGHAM, WA 98225</p>	<p>NAME: FLOAT REPLACEMENT</p> <p>ADJACENT PROPERTY OWNERS: ALIOTTI CONSTRUCTION, LLC (3802255522270000), PORT OF BELLINGHAM (3802255352020000)</p>	<p>PROPOSED: INSTALL REPLACEMENT FLOAT DOCK AND GANGWAY</p> <p>PURPOSE: BOAT MOORAGE</p>	<p>HORIZONTAL DATUM: WSP NORTH, NAD83 (2011), US SURVEY FEET</p> <p>VERTICAL DATUM: MLLW, FEET</p> <p>LATITUDE: N48.751900° LONGITUDE: W1122.486692° S-T-R: S25-T38N-R02E</p>	<p>IN: WHATCOM WATERWAY NEAR/AT: BELLINGHAM COUNTY: WHATCOM STATE: WASHINGTON</p> <p>DATE: DECEMBER 2023</p>	<p>VICINITY MAP</p> <p>NWS-2023-965</p> <p>FIGURE: 1 OF 6</p>
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- LEGEND:
- PARCELS, GIS, CITY OF BELLINGHAM
 - EXISTING SURVEYED PROPERTY LINE
 - - - EXISTING EASEMENT LINE
 - 10— EXISTING 2' & 10' CONTOUR INTERVALS (10/24/2022)
 - - - - MEAN LOWER LOW WATER (0' MLLW)
 - - - - CONCRETE BULKHEAD (SEE NOTE 3)
 - FEMA-MAPPED 100-YEAR FLOODPLAIN
 - - - - WATERFRONT DISTRICT - SHORELINE MIXED USE WITHIN MARINE REACH 5

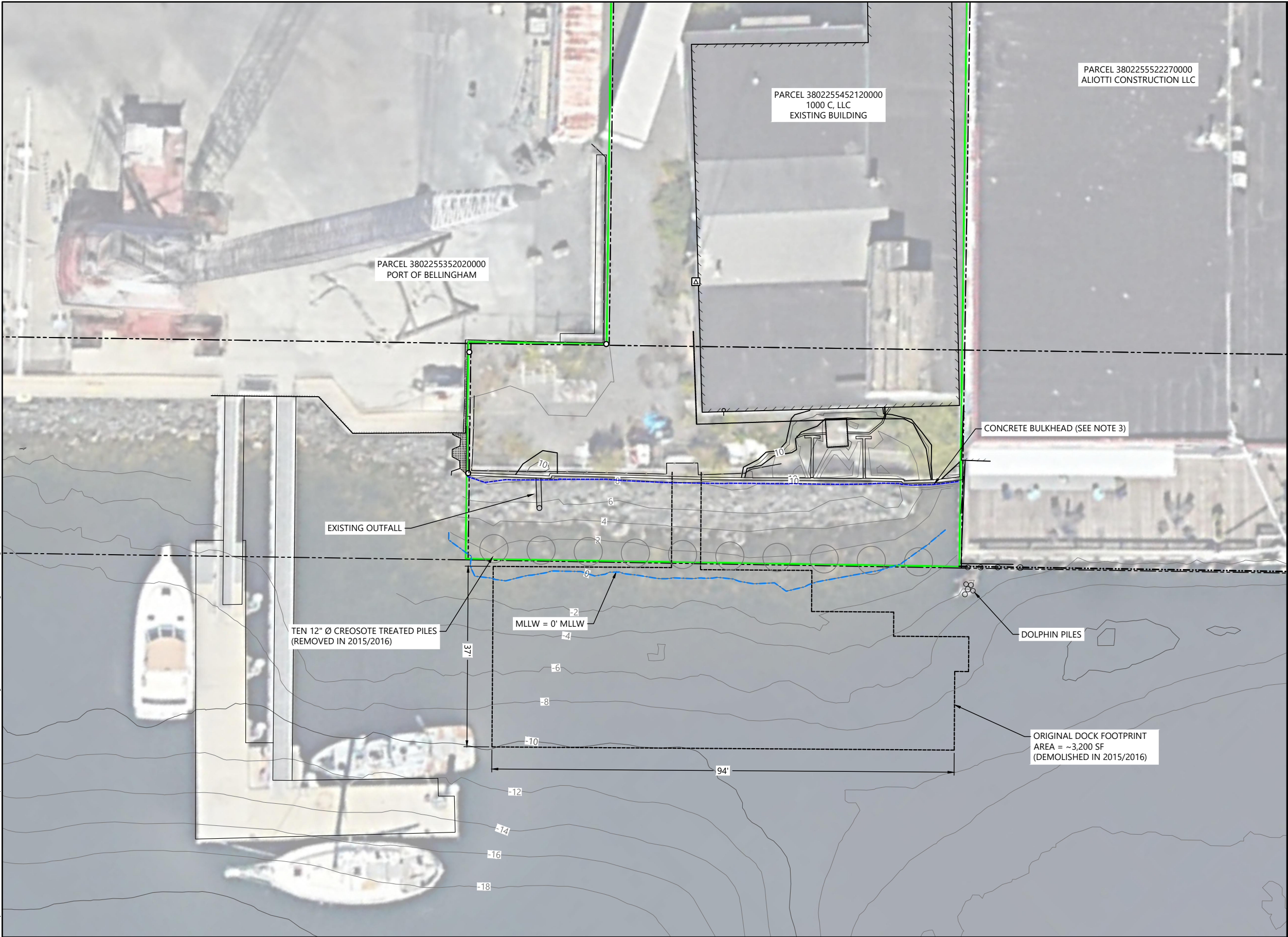


- NOTES:
1. AERIAL: GOOGLE EARTH DATED 07/31/2022
 2. THE TEN EXISTING 12-INCH-DIAMETER CREOSOTE TREATED TIMBER PILES AND 3,200 SQUARE FOOT FLOAT WERE REMOVED AS PART OF THE 2015/2016 WHATCOM WATERWAY CLEANUP.
 3. NOAA DATA INDICATE MHHW IS AT +8.51 FEET MLLW AND HTL IS AT +8.82 FEET MLLW. THE TOP OF THE EXISTING CONCRETE BULKHEAD IS AT APPROX. +11 FEET MLLW FROM SITE SURVEY. DUE TO THE STEEPNESS OF THE ADJACENT RIPRAP SLOPE AND WATERMARKS OBSERVED ON THE VERTICAL BULKHEAD SURFACE, THE BULKHEAD IS USED AS THE APPROXIMATE MHHW AND HIGH TIDE LINES FOR PERMITTING.

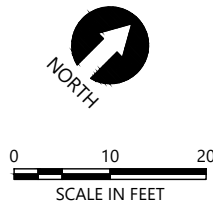
<div><p>1201 3RD AVE, SUITE 2600 SEATTLE, WA 98101 206-287-9130</p></div>	<p>REFERENCE #:</p> <p>APPLICANT: 1000 C, LLC</p> <p>LOCATION: 1000 C STREET, BELLINGHAM, WA 98225</p>	<p>NAME: FLOAT REPLACEMENT</p> <p>ADJACENT PROPERTY OWNERS: ALIOTTI CONSTRUCTION, LLC (3802255522270000), PORT OF BELLINGHAM (3802255352020000)</p>	<p>PROPOSED: INSTALL REPLACEMENT FLOAT DOCK AND GANGWAY</p> <p>PURPOSE: BOAT MOORAGE</p>	<p>HORIZONTAL DATUM: WSP NORTH, NAD83 (2011), US SURVEY FEET</p> <p>VERTICAL DATUM: MLLW, FEET</p> <p>LATITUDE: N48.751900° LONGITUDE: W1122.486692° S-T-R: S25-T38N-R02E</p>	<p>IN: WHATCOM WATERWAY NEAR/AT: BELLINGHAM COUNTY: WHATCOM STATE: WASHINGTON</p> <p>DATE: DECEMBER 2023 NWS-2023-965</p>	<p>WATERBODIES, FLOODPLAINS, AND SHORELINE JURISDICTION</p> <p>FIGURE: 2 OF 6</p>
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K:\Projects\2745-Summit Construction and Development\1000 C Street Float Permitting Services\JARRA\2745-IP-Existing Conditions.dwg 3

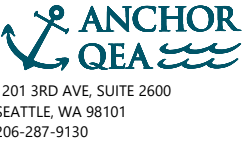
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- LEGEND:
- PARCELS, GIS, CITY OF BELLINGHAM
 - EXISTING SURVEYED PROPERTY LINE
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 - - - CONCRETE BULKHEAD (SEE NOTE 3)



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1201 3RD AVE, SUITE 2600
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206-287-9130

REFERENCE #:
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NAME: FLOAT REPLACEMENT
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PURPOSE: BOAT MOORAGE

HORIZONTAL DATUM: WSP NORTH, NAD83 (2011),
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VERTICAL DATUM: MLLW, FEET
LATITUDE: N48.751900°
LONGITUDE: W1122.486692°
S-T-R: S25-T38N-R02E

IN: WHATCOM WATERWAY
NEAR/AT: BELLINGHAM
COUNTY: WHATCOM
STATE: WASHINGTON
DATE: DECEMBER 2023

EXISTING CONDITIONS
PLAN
NWS-2023-965
FIGURE: 3 OF 6

K:\Projects\2745-Summit Construction and Development\1000 C Street Float Permitting Services\ARPA\2745-IP SitePlan.dwg 4

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VERTICAL DATUM: MLLW, FEET

LATITUDE: N48.751900°
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S-T-R: S25-T38N-R02E

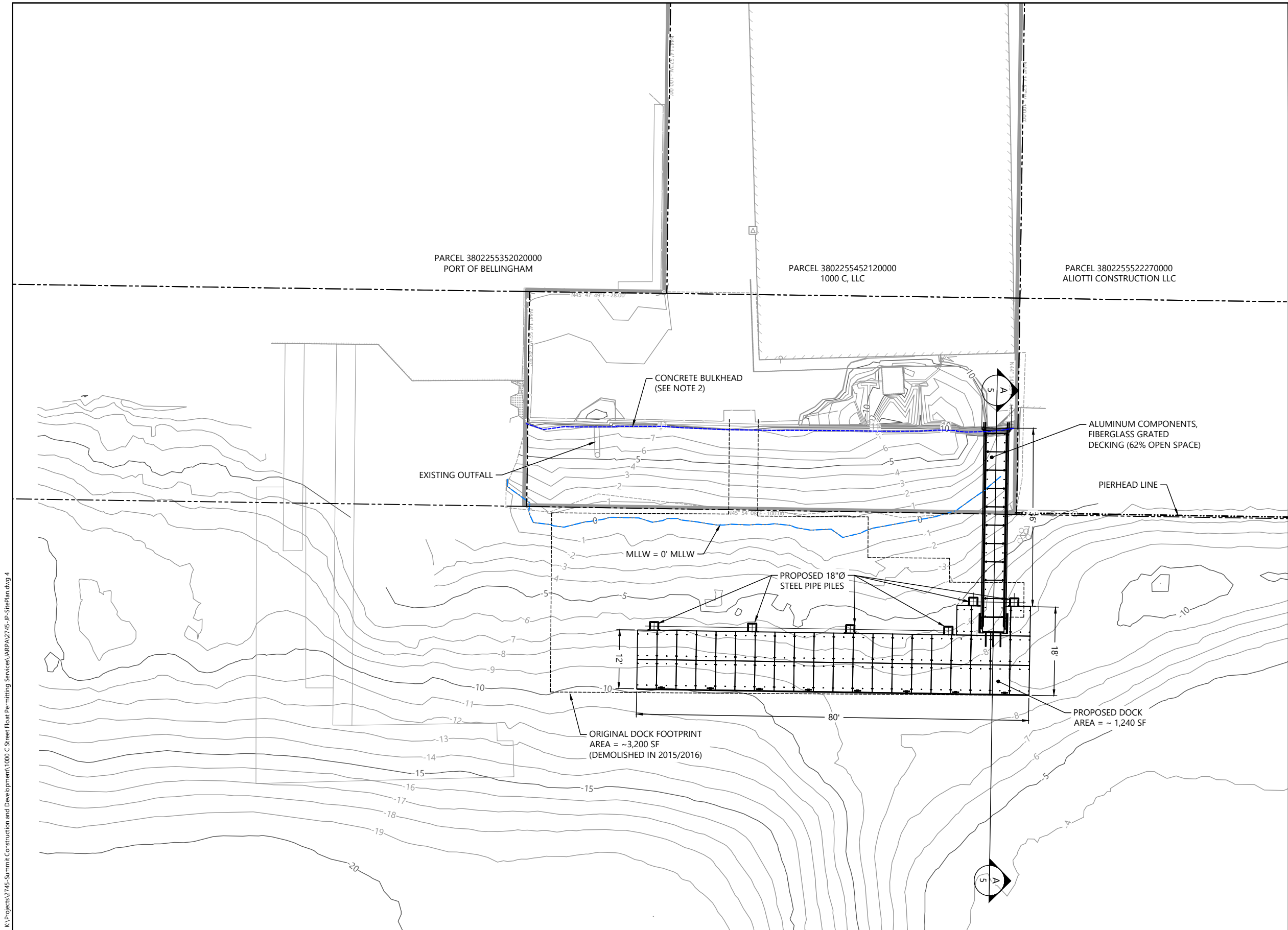
IN: WHATCOM WATERWAY
NEAR/AT: BELLINGHAM
COUNTY: WHATCOM
STATE: WASHINGTON

DATE: DECEMBER 2023

SITE PLAN

NWS-2023-965

FIGURE: 4 OF 6



LEGEND:

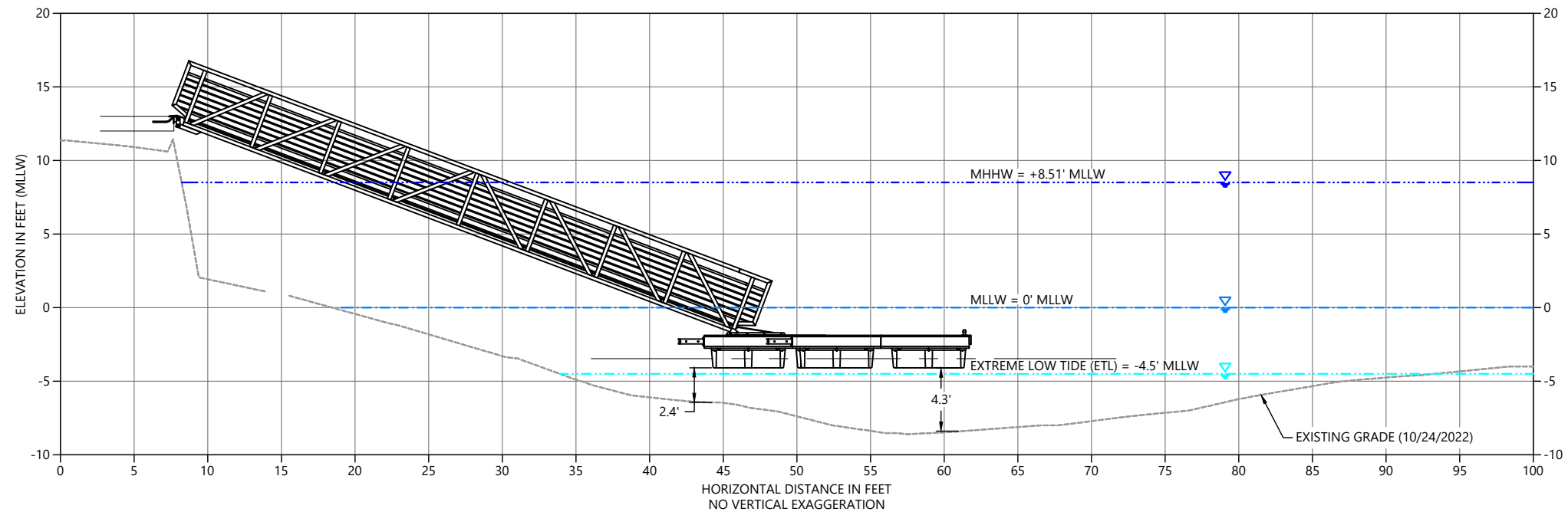
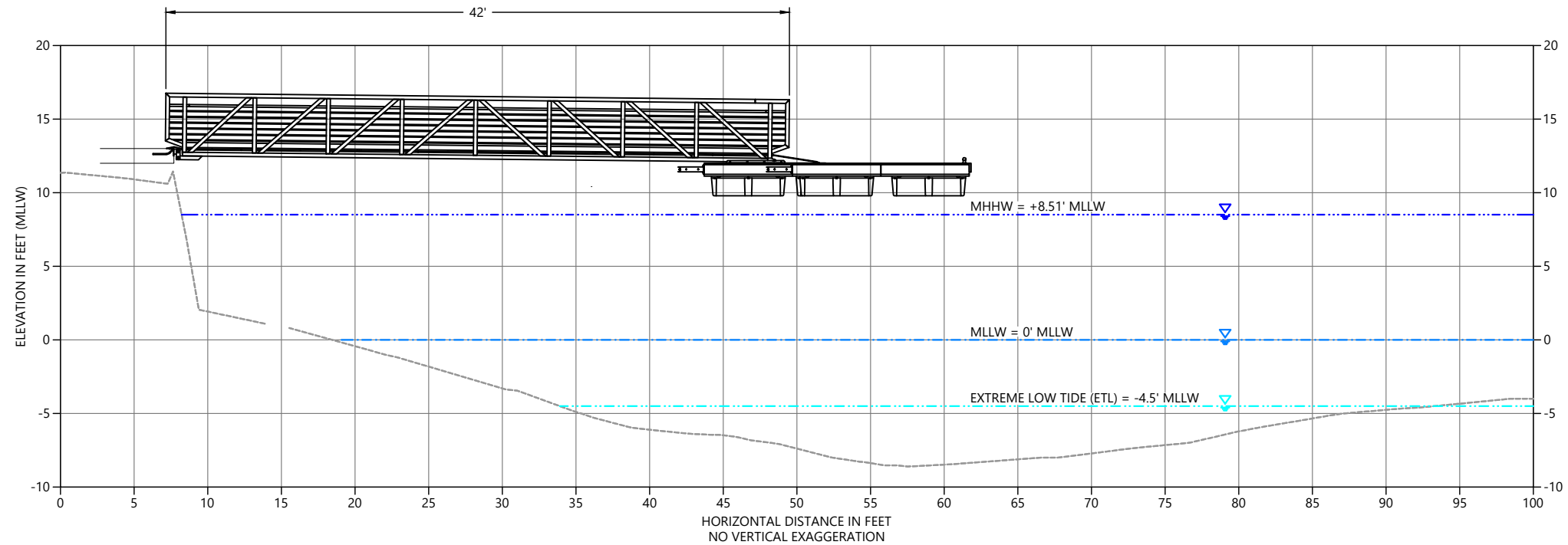
- PARCELS, GIS, CITY OF BELLINGHAM
- 10 --- EXISTING 2' & 10' CONTOUR INTERVALS (10/24/2022)
- MEAN LOWER LOW WATER (0' MLLW)
- CONCRETE BULKHEAD (SEE NOTE 2)
- EXISTING STRUCTURE



0 10 20
SCALE IN FEET

NOTES:

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SECTION
A
4
SCALE: 1" = 10'



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S-T-R: S25-T38N-R02E

IN: WHATCOM WATERWAY
NEAR/AT: BELLINGHAM
COUNTY: WHATCOM
STATE: WASHINGTON
DATE: DECEMBER 2023

CROSS SECTIONS

NWS-2023-965

FIGURE: 5 OF 6

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Dec 14, 2023 1:41pm Invernick



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S-T-R: S25-T38N-R02E

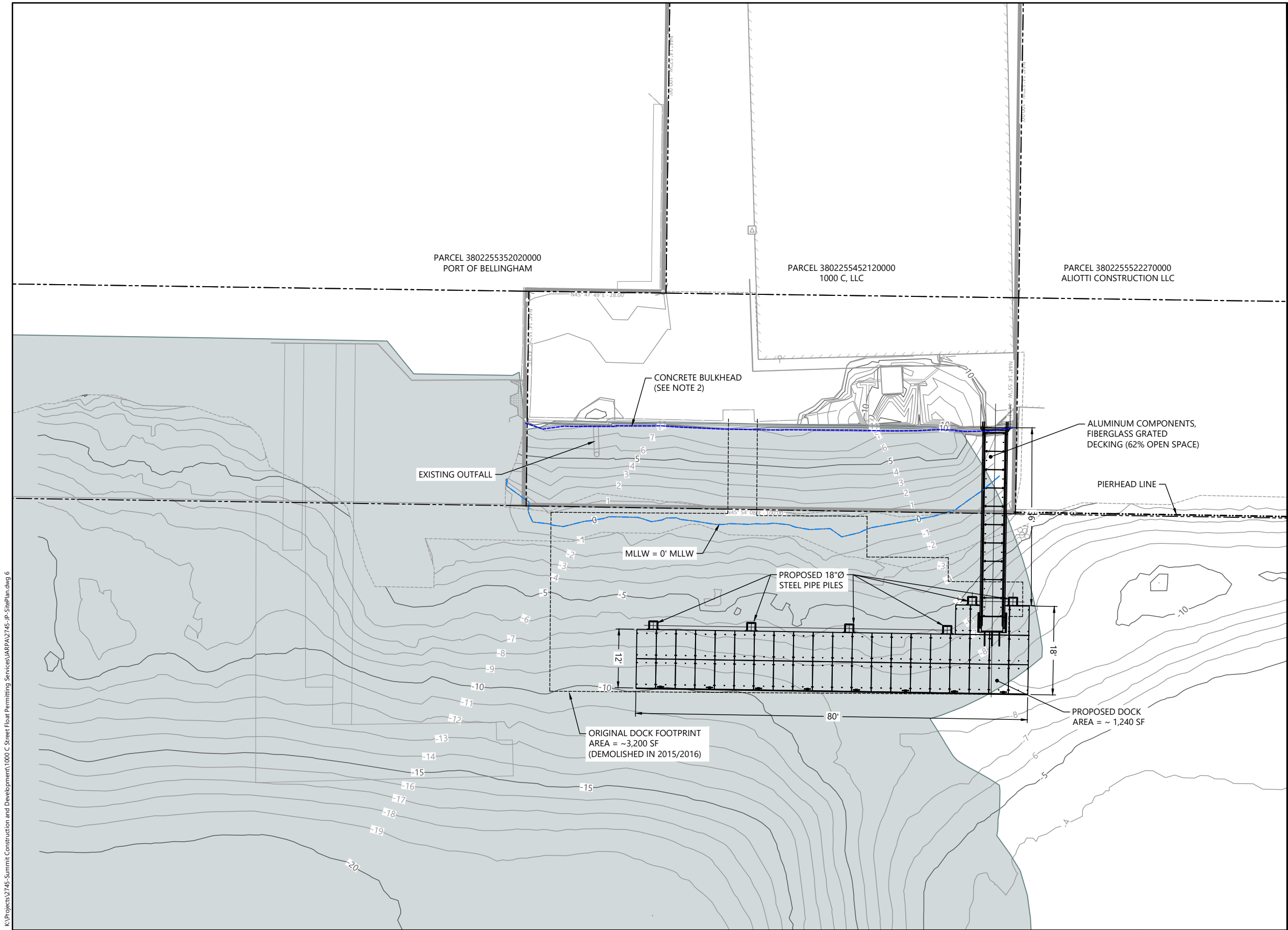
IN: WHATCOM WATERWAY
NEAR/AT: BELLINGHAM
COUNTY: WHATCOM
STATE: WASHINGTON

DATE: DECEMBER 2023

EXTENT OF 2016
ENGINEERED CAP

NWS-2023-965

FIGURE: 6 OF 6



LEGEND:

- PARCELS, GIS, CITY OF BELLINGHAM
- 10 EXISTING 2' & 10' CONTOUR INTERVALS (10/24/2022)
- MEAN LOWER LOW WATER (0' MLLW)
- CONCRETE BULKHEAD (SEE NOTE 2)
- WHATCOM WATERWAY CLEANUP AS-BUILT CAP EXTENT



0 10 20
SCALE IN FEET

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