# Joint Public Notice

**Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence**

<table>
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<tr>
<th>US Army Corps of Engineers</th>
<th>WA Department of Ecology</th>
<th>Public Notice Date: July 23, 2020</th>
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<tbody>
<tr>
<td>Regulatory Branch</td>
<td>SEA Program</td>
<td>Expiration Date: August 24, 2020</td>
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<tr>
<td>Post Office Box 3755</td>
<td>Post Office Box 47600</td>
<td>Reference No.: NWS-2019-1049</td>
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<td>Seattle, WA 98124-3755</td>
<td>Olympia, WA 98504-7600</td>
<td>Name: Pacific Fisherman Shipyard</td>
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<td>Telephone: (206) 764-3262</td>
<td>Telephone: (360) 407-6076</td>
<td>(Dredging)</td>
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<td>ATTN: Colleen Anderson,</td>
<td>ATTN: SEA Program,</td>
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<tr>
<td>Project Manager</td>
<td>Federal Permit Coordinator</td>
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Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the U.S. as described below and shown on the enclosed drawings dated December 16, 2019.

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. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

**APPLICANT:** Pacific Fisherman Shipyard and Electric, LLC  
Attention: Mr. John Douglas Dixon  
5351 24th Avenue Northwest  
Seattle, Washington 98107-4122  
Telephone: (206) 784-2562

**AGENT:** Mr. E. Frank Hofmeister  
1416 Northwest Norcross Way  
Seattle, Washington 98177-5238  
Telephone: (206) 363-0197

**LOCATION:** In the Lake Washington Ship Canal, Salmon Bay at Seattle, Washington.

**WORK:** The applicant proposes to dredge up to 2,000 cubic yards (cy) of accreted sediment from the Screw Lift Dry Dock. The proposed dredging would restore and maintain safe vessel access, with a target substrate depth -2 feet (COE Datum) in elevation from existing contours. Two feet of sand cover (1050 cy) would be placed after dredging has occurred to provide an adequate isolation barrier.

Dredging would occur via excavator with a clamshell bucket on the pier or barge and loaded onto a barge for transportation to an approved processing facility for dewatering and separating solids. The water would be tested and depending on the testing results, be discharged back into the Lake Washington Ship Canal or the metro sewer serving the site. The solid material would be tested for heavy metals and delivered to an approved upland facility for disposal.
NWS-2019-1049, Dixon, John Douglas (Pacific Fisherman Shipyard Dredging)

PURPOSE: Restore and maintain safe vessel access at the Screw Lift Dry Dock.

DREDGED MATERIAL MANAGEMENT PROGRAM (DMMP):

Dredged Material Testing: The proposed dredged material has been tested according to the procedures specified by DMMP, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Washington State. The DMMP evaluations may include both chemical and biological testing of sediments. For this project, the DMMP agencies determined that none of the sediments proposed for dredging were acceptable for open-water disposal. Therefore, the dredged material will be deposited at an upland site, approved by the Washington State Department of Ecology and the King County Department of Health. The sediment testing data are available at the Corps, Seattle District, Dredged Material Management Office.

ADDITIONAL INFORMATION: The applicant indicates the site has operated as a drydock since 1919, and maintenance dredging previously occurred in 1976. The proposed dredging would remove materials accumulated since 1976 and restore the drydock to its original dredge depth. The location of the ordinary high water mark shown on the project drawings has not yet been verified by the Corps. If the Corps determines the boundaries of the waters are substantially inaccurate, a new public notice may be published.

MITIGATION: The applicant has not submitted a mitigation plan.

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 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 was created in modern times and there is little likelihood that the proposed project will impinge on any 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.

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 – CORPS: 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 Corps 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.

SOURCE OF FILL MATERIAL: No imported fill material is proposed to be discharged, only the (incidental return water and/or dredge slurry (discharge of dredged material)) is proposed to occur.

EVALUATION – ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No.

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. 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 whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

CORPS COMMENTS: All e-mail comments should be sent to colleen.c.anderson@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Colleen Anderson, P.O. Box 3755, Seattle, Washington 98124-3755. 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.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.
NWS-2019-1049, Dixon, John Douglas (Pacific Fisherman Shipyards Dredging)

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Pacific Fisherman Shipyards (Dredging); NWS-2019-1049

Encl: Figures (5)
PREVIOUS CORPS OF ENGINEERS PERMIT 071-OYP-1-011503

REFERENCE: NWS-2019-1049

APPLICANT: PACIFIC FISHERMEN INC.
5351 24th AVE NW
SEATTLE WA, 98107

ADJACENT PROPERTY OWNERS
1. BALLARD OIL CO. (WEST)
   PARCEL 041600-0665
2. CITY OF SEATTLE (EAST)
   PARCEL 041600-0417,
   4-0423

PROPOSED PROJECT:
MAINTENANCE DREDGING OF THE LIFT DOCK MOORAGE AREA

IN: SALMON BAY
AT: SEATTLE
COUNTY: KING
STATE: WASHINGTON
SECTION 2

REFERENCE NUMBER: NWS-2019-1049
APPLICANT: PACIFIC FISHERMEN SHIPYARD, LLC
PROPOSED PROJECT: MAINTANCE DREDGING
OF LIFT DOCK SITE IN SALMON BAY WATERWAY
LOCATION: LAT. N47°40'06" LONG. W122°23'18"
SEATTLE, COUNTY OF KING, WASHINGTON
SHEET 5 OF 5 DATE 12/16/2019

LIFT DOCK AND PIER ELEV. 24.5'
ORD. HIGH WATER 21.8'
ORD. LOW WATER 20.0'
EXIST. BOTTOM BELOW LIFT DOCK ELEV. VARIES
ELEV. 0.00'
DREDGE TO ELEV. -2.00'
CLEAN SAND BACKFILL

SCALE 1" = 10'

36'-0'

36'-0'