



**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: (978) 578-7548
ATTN: Christine Jacek,
Project Manager

Public Notice Date: 7 July 2021
Expiration Date: 22 July 2021

Reference No.: NWS-2015-147-AQ
Name: Arcadia Point Seafood – DNR
Lease

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 26 May 2014.

The Washington Department of Ecology has issued a section 401 Water Quality Certification on 5 March 2021 and a Coastal Zone Management Consistency Determination on 9 March 2021.

APPLICANT: Arcadia Point Seafood
Attention: Steve & Vicki Wilson
240 SE Arcadia Point Road
Shelton, Washington 98584
Telephone: (360) 426-4367

LOCATION: Tidelands within Totten Inlet, on parcel numbers 220282002020, 220282002050, and 220282002000, adjacent to 571, 581, and 601 SE Dawnview Dr., near Shelton, Mason County, Washington; Section 28, Township 20 North, Range 2 West; WRIA 14, Kennedy-Goldsborough Watershed. Project site coordinates:

Latitude	Longitude
47.19269	-122.94271
47.19280	-122.94187
47.19309	-122.94111
47.19333	-122.94078
47.19362	-122.94112

WORK: Continuation of an existing aquaculture operation cultivating 1.2 acres of geoduck clams sited between +1.5 ft. and -4.5 ft. Mean Low Low Water (MLLW) tidal elevations. In general, there is minimal-to-no site preparation. No rooted aquatic vegetation is removed, no fill or grading occurs, and no chemical controls are used. All access to the farm site is by boat, and no motorized machinery operates on the beach. Geoduck will be planted (primarily via diving) in 4-inch diameter by 10-inch long PVC tubes with individual mesh caps that have been pushed into the substrate at low tide, with tubes extending 4-6 inches above the substrate. These tubes may be covered with area netting (40ft x 40ft, with no more than 3” stretched mesh) and secured to the substrate with 24-inch hairpin-shaped rebar, which are spaced every 5 ft. around the perimeter. Caps are removed 6-12 months after planting, and tubes and netting are removed 18-24 months after planting.

Geoduck are harvested 5-7 years after planting. Harvest occurs both at low tide (beach harvest) and at high tide (dive harvest). Geoducks are extracted from the sediment using a diesel powered, low pressure, high volume water

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pump which is mounted on a vessel moored offshore. Water is delivered to the harvester from the pump through a hose ending in a 3'-long, 5/8"-diameter probe that has a valve to control rate of flow.

Portions of the project site have been previously verified under Nationwide Permit 48 using Corps file ID's NWS-2007-1228, NWS-2007-1226, and NWS-2012-1291.

PURPOSE: Cultivation of shellfish for commercial sale.

ADDITIONAL INFORMATION:

The applicant has requested an authorization duration of 15 years to allow for two geoduck cultivation cycles.

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 line of mean high water 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 wetland/waters are substantially inaccurate a new public notice may be published.

MITIGATION: Mitigation has not been proposed for this project.

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 proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded 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 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 Christine.M.Jacek@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 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:

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Encl: Figures (6)

REFERENCE: NWS-2014-	LOCATION: No street address: DNR aquatic lands abutting upland Parcel Nos. 22028-20-02020, -02050, & -02000. No Mason County Parcel No. (DNR No. 2317125)	PROPOSED PROJECT: Arcadia Point Intertidal Shellfish Farm
APPLICANT: Arcadia Point Seafood	LAT/LONG: Area has irregular shape--starting at the southern-most end, there are roughly five corners located at: 47.19269, -122.94271; 47.19280, -122.94187; 47.19309, -122.94111; 47.19333, -122.94078; 47.19362, -122.94112	Project/Farm Site Area: 1.22 acres
DATE: 05.26.14	ADJACENT PROPERTY OWNERS: 1. LaChine, Thomas & Karin, Parcel 22028-20-02020 2. Estate of Charleen L. Broehl, Parcel 22028-20-02050 3. Myers, Harrell & Lisa, Parcel 22028-20-02000	IN: Totten Inlet, South Puget Sound NEAR/AT: Shelton COUNTY: Mason STATE: WA

DNR LEASE AREA PHOTO



Note: The proposed DNR lease area was included in NWP 48 verifications NWS-2007-1228, NWS-2007-1226, and NWS-2012-1291; was included in the prior biological consultations with the Services (i.e., National Marine Fisheries Service and U.S. Fish and Wildlife Service) as pre-2007 culture; and has been continuously farmed since 2004 (some parts were farmed as early as 1998).