



US Army Corps
of Engineers
Seattle District

Public Notice

Application for a Department of the Army Permit

US Army Corps of Engineers

Regulatory Branch
4735 E. Marginal Way S, Bldg 1202
Seattle, WA 98134-2388
Telephone (206) 316-3822
Attn: Andrew Shuckhart,
Project Manager

Public Notice Date: November 5, 2021

Expiration Date: December 5, 2021

Reference No: NWS-2019-650-WRD

Name: Snohomish County Parks &
Recreation (Kayak Point Park Improvements)

UPDATE: This Public Notice (PN) updates information not included on a Corps PN dated July 9, 2020.

The updated information is as follows:

APPLICANT: Snohomish County Parks & Recreation

Attention: Carol Ohlfs
6705 Puget Park Drive
Snohomish, Washington 98296

Telephone: (425) 388-6609

WORK: Up to 30 cubic yards of fill would be discharged over and up to 250 square feet of beach below High Tide Line for construction of a berm to protect upland areas during storm surge. Material would consist of crushed rock topped with soil, planted with surf grasses.

Additionally, up to 15 cubic yards of beach sand would be placed over and up to 250 square feet of beach below High Tide Line as backfill for the removal of an existing seawall on the northern section of the beach.

Areas of fill are highlighted on the attached plans dated September 22, 2021.

All other information shown on Public Notice NWS-2019-650-WRD remains unchanged.

ORIGINAL PUBLIC NOTICE:

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) has received an application to perform work in waters of the U.S. as described below and shown on the enclosed drawings dated April 17, 2020.

The Corps will review the work in accordance with Section 10 of the Rivers and Harbors Act. The Washington State Department of Ecology (Ecology) will review the work pursuant to the Coastal Zone Management Act.

Ecology is reviewing the proposed work outlined in this public notice to determine if any additional actions are required pursuant to Section 401 of the Clean Water Act and Washington Coastal Zone Management Program.

APPLICANT: Snohomish County Parks, Recreation and Tourism

Attention: Sharon Swan
6705 Puget Park Drive, M/S 303
Snohomish, Washington 98296

Telephone: (425) 388-6616

AGENT: J.A. Brennan Associates, PLLC

Attention: Jim Brennan
2701 First Avenue, Suite 510
Seattle, Washington 98121

Telephone: (206) 583-0620

LOCATION: In Puget Sound near Marysville, Snohomish County, Washington

WORK: Replace an existing concrete slab boat launch with an elevated boat launch and float, and replace existing solid pier decking with light permeable decking.

PURPOSE: Improved recreational water access.

ADDITIONAL INFORMATION:

Proposed In-Water Work:

- Demolish the existing concrete slab boat launch.
- Install a new one-lane pile-supported elevated boat launch with boarding float. The elevated launch design would allow movement of beach sands beneath the launch for improved beach forage fish spawning habitat and maintenance. The new launch float would provide better ADA access and lower impacts to eelgrass by improving circulation for boats to access the shore.
- Install debris deflectors to provide safe operations and protect infrastructure at the boat ramp.
- Repair the fishing pier for safety and longevity. New light-penetrating decking on the pier would replace solid wood decking for improved eelgrass and fish habitat conditions.
- It is anticipated that boat launch maintenance would continue for the life of the project.

Upland improvements outside of Corps Regulatory jurisdiction are included on the attached permit drawings.

No wetland impacts are proposed as a part of this application.

The wetland boundaries and/or location of the ordinary high water mark/ line of mean high water/ 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 wetland/waters are substantially inaccurate a new public notice may be published.

MITIGATION: In addition to removal of the existing concrete slab boat ramp (1,245 sq. ft.) the applicant has proposed removing structures and bank armoring at Picnic Point Park (1,863 sq. ft.) that together will provide compensation for impacts from the proposed new launch and boarding float.

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. A historic properties investigation has been conducted within the permit area. No historic properties determined eligible for or listed on the National Register of Historic Places were found to exist within the permit area. 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.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No. 19112877SHOR, being processed by Snohomish County.

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 andrew.j.shuckhart@usace.army.mil

Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory

Branch,

Attention: Andrew Shuckhart, 4735 E. Marginal Way S, Bldg 1202, Seattle, Washington 98134-2388. 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.

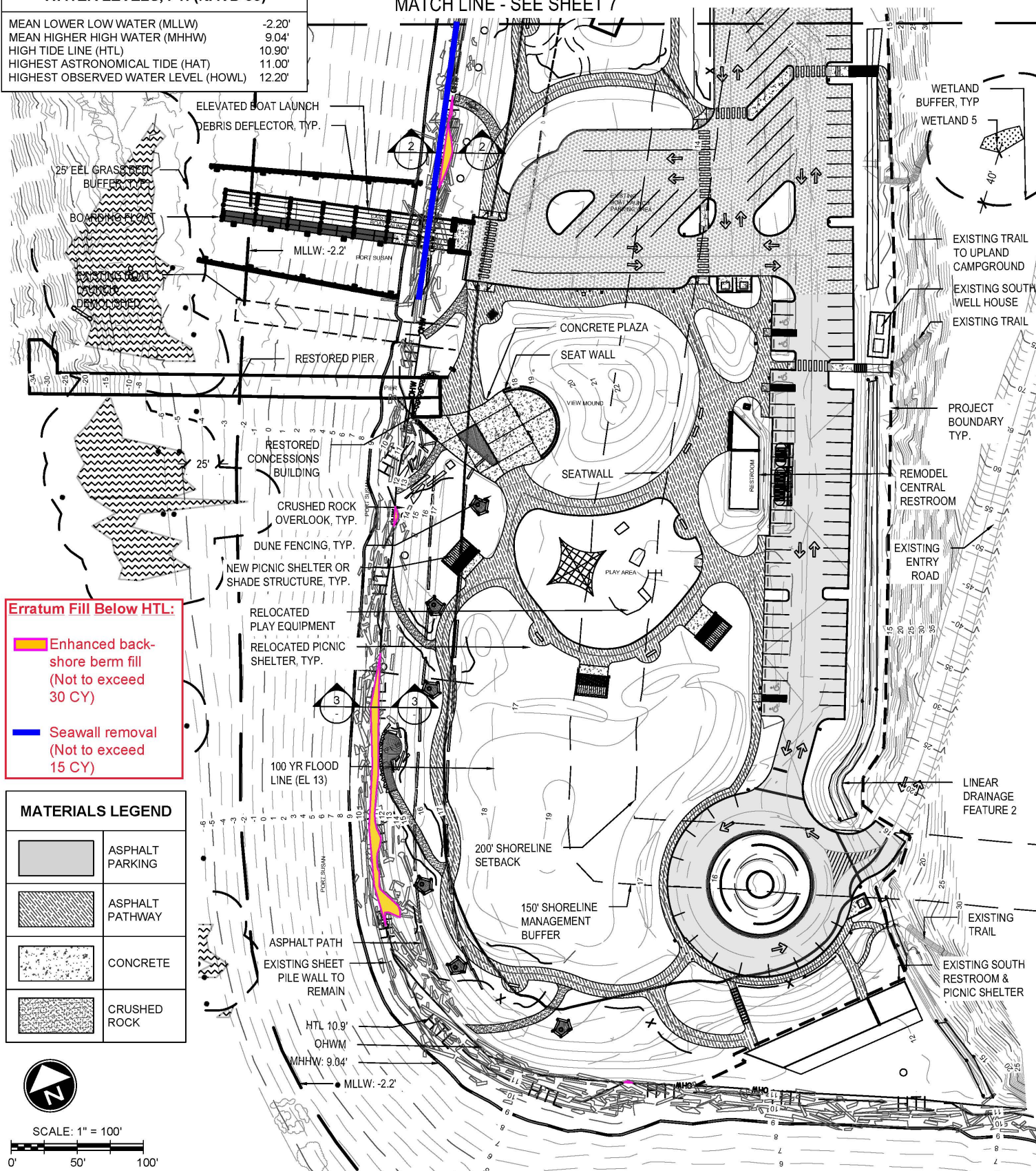
ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department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

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Snohomish County Parks, Recreation, and Tourism (Kayak Point Park Improvements; NWS-2019-650-WRD

WATER LEVELS, FT. (NAVD 88)

MEAN LOWER LOW WATER (MLLW)	-2.20'
MEAN HIGHER HIGH WATER (MHHW)	9.04'
HIGH TIDE LINE (HTL)	10.90'
HIGHEST ASTRONOMICAL TIDE (HAT)	11.00'
HIGHEST OBSERVED WATER LEVEL (HOWL)	12.20'

MATCH LINE - SEE SHEET 7



REFERENCE:

APPLICANT: SNOHOMISH COUNTY PARKS

ADJACENT PROPERTY OWNERS:

1. SNOHOMISH COUNTY PARKS
2. WA DNR AQUATIC LAND PARCELS
3. STRIEBY, KENNETH A & JANE A
4. MU, JAMES Z & TANG, LIHUA
5. CALKINS, GUY & STEPHANIE
6. PREWITT, LARRY

SNOHOMISH COUNTY KAYAK POINT REGIONAL PARK

LOCATION: 48° 8.2' N; 122° 22' W

GRADING AND LAYOUT PLAN- SOUTH

Revised 09-22-2021

SHEET 6 OF 13

DATE: APRIL 17, 2020



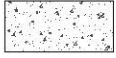

PROPOSED PROJECT: DAY USE AREA PARK IMPROVEMENTS

VERTICAL DATUM: NAVD88


IN: PUGET SOUND (PORT SUSAN)


NEAR: STANWOOD
 COUNTY: SNOHOMISH
 STATE: WASHINGTON

MATERIALS LEGEND

	ASPHALT PARKING
	ASPHALT PATHWAY
	CONCRETE
	CRUSHED ROCK

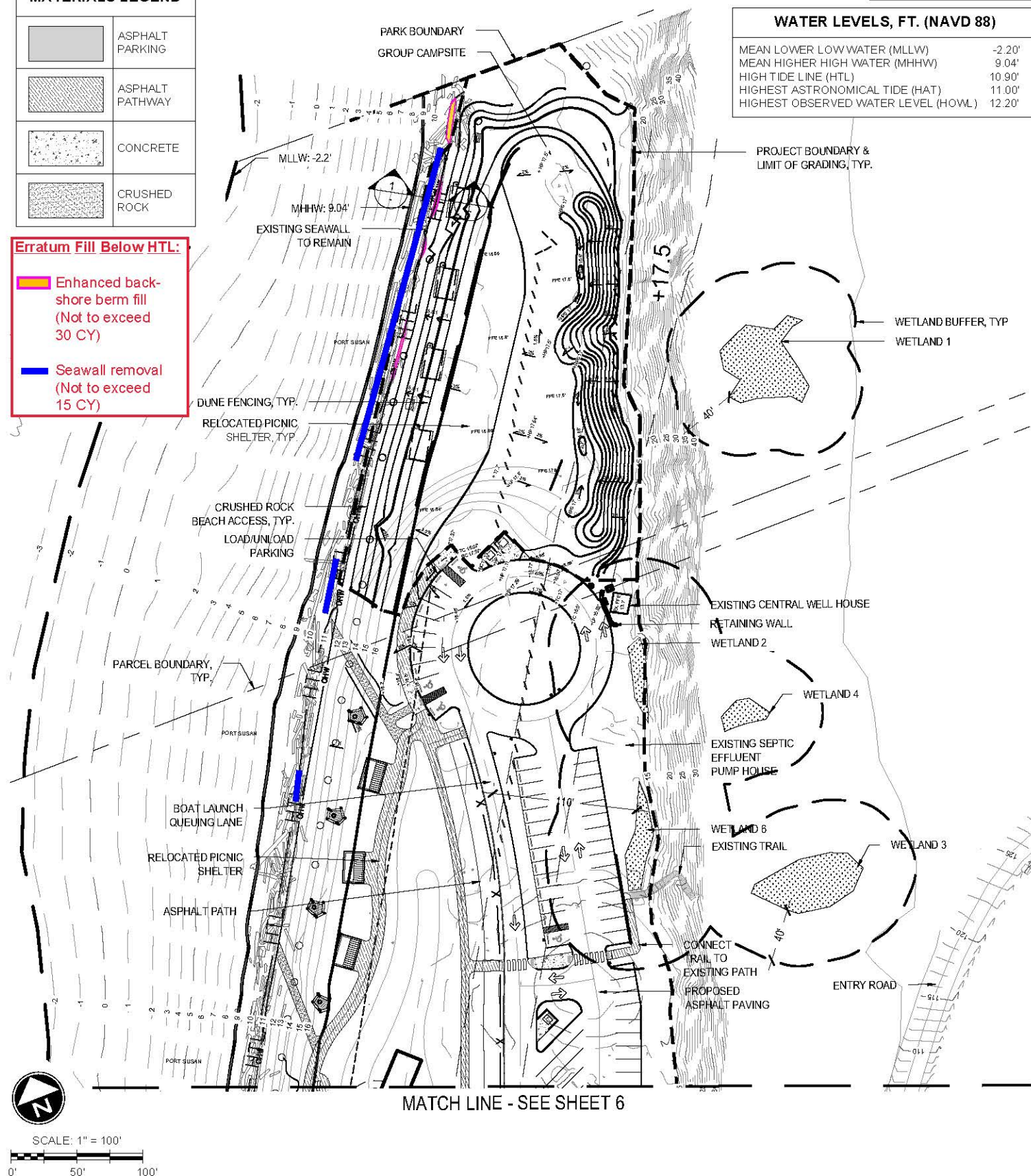
Erratum Fill Below HTL:

 Enhanced back-shore berm fill
(Not to exceed 30 CY)

 Seawall removal
(Not to exceed 15 CY)

WATER LEVELS, FT. (NAVD 88)

MEAN LOWER LOW WATER (MLLW)	-2.20'
MEAN HIGHER HIGH WATER (MHHW)	9.04'
HIGH TIDE LINE (HTL)	10.90'
HIGHEST ASTRONOMICAL TIDE (HAT)	11.00'
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MATCH LINE - SEE SHEET 6

REFERENCE:

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5. CALKINS, GUY & STEPHANIE
6. PREWITT, LARRY

SNOHOMISH COUNTY KAYAK POINT REGIONAL PARK

LOCATION: 48° 8.2' N; 122° 22' W

GRADING AND LAYOUT PLAN - NORTH

Revised 09-22-2021

SHEET 7 OF 13 DATE: APRIL 17, 2020

PROPOSED PROJECT: DAY USE AREA PARK IMPROVEMENTS

VERTICAL DATUM: NAVD88

IN: PUGET SOUND (PORT SUSAN)

NEAR: STANWOOD
COUNTY: SNOHOMISH
STATE: WASHINGTON