



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 Decision

US Army Corps of Engineers

Regulatory Branch 4735 E. Marginal Way S, Bldg 1202 Seattle, WA 98134-2388 Telephone: (206) 764-6665 ATTN: Ms. Sarah Albright-Garland, Project Manager

WA Department of Ecology SEA Program Post Office Box 47600 Olympia, WA 98504-7600 Telephone: (360) 407-6076 ATTN: SEA Program, Federal Permit Coordinator Public Notice Date: August 21, 2024 Expiration Date: September 20, 2024

Reference No.: NWS-2023-897 Name: Comiskey-Lockett (Soft Shore Enhancement)

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 May 2024.

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.

<u>APPLICANT</u>: Mid Sound Fisheries Enhancement Group Attention: Mr. Torren Valdez 7400 Sand Point Way Northeast #202N

Seattle, Washington 98115 Telephone: (360) 790-9147

<u>AGENT</u>: Blue Coast Engineering Attention: Ms. Jennifer Allen 18320 47th Place Northeast Lake Forest Park, Washington 98155 Telephone: (360) 920-6578

<u>LOCATION</u>: The proposed activity is located in Puget Sound at 18161 Southwest Normandy Terrace, Normandy Park, Washington. The location is depicted on Page 1 of 9 of the project drawings dated May 2024, prepared by Blue Coast Engineering.

<u>WORK</u>: The applicant proposes to discharge up to 274 cubic yards (CY) along 200 linear feet of shoreline below/waterward of High Tide Line (HTL), remove an existing anchored log and timber piles and install 200 LF of soft shore armoring. Soft shore armoring would include beach

nourishment to create a berm, placement of large unanchored wood on the shoreward side of the berm, and native vegetation planted to stabilize the berm and backshore.

Specifically, construction elements include: Clear and grub vegetation from the properties as needed to complete the work. Stockpile large wood from the beach area in preparation for the berm construction. Place approximately 340 CY of imported beach nourishment material (fine to medium sands and gravels) in the beach berm area, 70 CY above/landward of the HTL and 270 CY below/waterward of the HTL. Replace large wood in the beach area after berm construction is complete. Vegetate with native species after berm construction is complete. Vegetate with native species after berm construction is complete. Vegetate with native species after berm construction is complete. Vegetate with native species after berm construction is complete. Vegetate with native species after berm construction is complete. Vegetate with native species after berm construction is complete. Vegetatewith native species after berm construction is complete. Vegetation includes: Oceanspray (*Holodiscus discolor*), Red-flowering currant (*Ribes sanguineum*), Baldhip rose (*Rosa gymnocarpa*), Nootka rose (*Rosa nutkana*), Evergreen huckleberry (*Vaccinium ovatum*), Mock orange (*Philadelphus lewisii*), Red osier dogwood (*Cornus sericea*), Lyngbye's sedge (*Carex lyngbyei*), Tufted hairgrass (*Deschampsia cespitosa*), American dunegrass (*Elymus mollis*), Coastal strawberry (*Gragaria chiloensis*), and more native plants that are common along Puget Sound shorelines.

During construction, all access to the site would be completed by land. The contractor would access the shoreline area from the southern parcel via a private access easement off Normandy Terrace SW. The contractor would periodically need to operate heavy equipment in the shoreline area to place and grade beach nourishment and large wood. All work would be conducted from the uplands to minimize impacts to the beach during construction. Work along the beach would occur in the dry. Imported beach nourishment material, cobble material, and existing large wood would be stockpiled on the southern parcel landward of the proposed beach berm alignment.

<u>PURPOSE</u>: The purpose of the project is to reduce flooding and mitigate erosion at the subject properties.

ADDITIONAL INFORMATION:

The datums of mean high water and highest astronomical tide (displayed as a surrogate for the 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.

<u>MITIGATION</u>: The applicant has not proposed compensatory mitigation. The applicant has designed the project to minimize impacts to the greatest extent feasible by proposing a softshore alternative to the improvised armoring currently in place. A sand berm would replace piles and anchored large woody materials. Large wood and native vegetation would be placed on the constructed sand berm and in the adjacent upland area to enhance riparian habitat and to stabilize the sand berm. The 12 low vertical timber pilings in the back beach area and a log chained to the pilings are impacting natural coastal processes as they are placed with respect to tidal elevations and are inhibiting the natural accumulation of wood and the establishment of a vegetated back beach area. This soft-shore project would protect nearshore habitat and ecosystems and forage fish spawning habitat by preventing the need for improvised shoreline armoring implemented by shoreline residents in the project area on both parcels.

<u>ENDANGERED SPECIES</u>: 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.

<u>ESSENTIAL FISH HABITAT</u>: 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.

<u>CULTURAL RESOURCES</u>: 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.

<u>PUBLIC HEARING</u>: 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.

<u>EVALUATION</u> – <u>CORPS</u>: 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.

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 guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

<u>SOURCE OF FILL MATERIAL</u>: The applicant has not yet identified the source of the fill material. Should a permit be issued, the Corps will evaluate the fill material source prior to the start of construction.

<u>EVALUATION</u> – <u>ECOLOGY</u>: 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 a Section 401 Water Quality Certification for the proposed project.

<u>COMMENT AND REVIEW PERIOD</u>: 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.

<u>CORPS COMMENTS</u>: All e-mail comments should be sent to sarah.l.albright@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Sarah Albright-Garland, 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.

<u>ECOLOGY COMMENTS</u>: 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 decision, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permitting Section, Post Office Box 47600, Olympia, Washington, 98504-7600, or e-mail to 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: Comiskey-Lockett; NWS-2023-897.

Encl: Figures (9)



Highest Astronomical Tide (HAT) = +13.3' MLLW Mean Higher High Water (MHHW) = +11.4' MLLW

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BLUE COAST ENGINEERING

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APPLICANT: MID-SOUND FISHERIES	SHORELINE RESTORATION	SURVEY FEET VERTICAL DATUM: MEAN LOWER LOW WATER, FT	
ENHANCEMENT GROUP LOCATION: 18161 NORMANDY TERRACE SW,	PROPOSED: BEACH NOURISHMENT AND BERM	LATITUDE: N47.437501° LONGITUDE: W, 122.353327°	
NORMANDY PARK WA 98166		S-T-R: S15-T28N-R02E IN: NORMANDY PARK	
ADJACENT PROPERTY OWNERS: SOUTHERN GREGORY, BLACK CHARLES, STEEL		COUNTY: KING	
KAKEIN	PURPOSE: FLOOD RESILIENCE	STATE: WASHINGTON DATE: MAY 2024	PAGE: 1 OF 9
			NWS-2023-897





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Zone w/description	Scientific Name	Common Name	Plant Form	
+ + + + + +	Corylus cornuta	Beaked hazelnut		
+ + + + + + + + + + + + + + + + + + +	Holodiscus discolor	Oceanspray		
	Mahonia aquifolium	Tall Oregon grape		
	Malus fusca	Pacific crabapple		
	Ribes sanguineum	Red-flowering currant	Shrubs	
	Rosa gymnocarpa	Baldhip rose		
А	Symphoricarpos	Snowberry		
Top of Berm,	Vaccinium ovatum	Evergreen huckleberry		
high and dry	Deschampsia cespitosa	Tufted hairgrass		
	Elymus mollis	American dunegrass		
	Fragaria Chiloensis	Coastal strawberry		
	Grindelia integrifolia	Puget Sound gumweed	Grasses/Perennials	
	Lupinus littoralis	Coastal lupine		
	Sidalcea hendersonii	Henderson's checker mallow		
	Pinus contorta	Shore pine	Coniferous Tree	
<u> </u>	Cornus sericea	Red osier dogwood		
	Rubus spectabilis	Salmonberry	Shrubs	
B Unland side of barry	Symphoricarpos albus	Snowberry		
Upland-side of berm,	Polystichum munitum	Sword fern	Fern	
	Sambucus racemosa	Sambucus racemosa Red elderberry		
	Salix hookeriana	Hooker's willow		
	Angelica lucida	Sea-watch		
	Argentina Pacifica	Pacific silverweed		
	Armeria maritima	Thrift (Sea pink)		
C	Aster subspicatus	Douglas aster		
Waterward-side of borm	Distichlis spicata	Saltgrass	Grasses /Porophiala	
sand and large wood	Elymus mollis	Elymus mollis American dunegrass Grasses/P		
	Fragaria Chiloensis	Coastal strawberry		
	Grindelia integrifolia	Puget Sound gumweed		
	Lupinus littoralis	Coastal lupine		
	Sidalcea hendersonii	Henderson's checker mallow		
REFERENCE #:	NAME: NORMANDY PARK (COMISKEY-LOCKETT) SHORELINE RESTORATION	HORIZONTAL DATUM: WSP NORTH, NAD83, US SURVEY FEET		
APPLICANT: MID-SOUND FISHERIES ENHANCEMENT GROUP LOCATION: 18161 NORMANDY TERRACE SW, NORMANDY PARK WA 98166	PROPOSED: BEACH NOURISHMENT AND BERM	VERTICAL DATUM: MEAN LOWER LOW WATER, FT LATITUDE: N47.437501° LONGITUDE: W, 122.353327° S-T-R: S15-T28N-R02E IN: NORMANDY PARK	PLANT SCHEDULE	
AST N G SOUTHERN GREGORY, BLACK CHARLES, STEEL KAREN	PURPOSE: FLOOD RESILIENCE	NEAR/AT: PUGET SOUND COUNTY: KING STATE: WASHINGTON DATE: MAY 2024	PAGI	
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