



US Army Corps
of Engineers
Seattle District



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

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (206) 764-6904
ATTN: Pamela Sanguinetti,
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: February 27, 2020
Expiration Date: March 27, 2020

Reference No.: NWS-2020-65
Name: Chelsea Farms (Lewis
Shellfish Beach)

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 15, 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: Chelsea Farms
Attention: Mr. Kyle Lentz
6438 Young Road
Olympia, Washington 98502
Telephone: (360) 866-8059

AGENT: Chelsea Farms
Attention: Mr. Marty Beagle
6438 Young Road
Olympia, Washington 98502
Telephone: (360) 866-8059

LOCATION: In Eld Inlet on tidelands adjacent to 7435 Cooper Point Road, near Olympia, Thurston County, Washington.

WORK: The project is to commercially cultivate up to 0.75 of an acre of geoduck clams between the +1.0 ft. and -4.5 ft. mean lower low water (MLLW) tidal elevations on parcel number 93019300000. Work will occur by hand with access to the tidelands by boat. No access will occur from uplands. Cultivation will entail placing the geoduck seed within PVC anti-predator tubes (4-inch diameter by 10-inch length) at a density of one tube per square foot on the tidelands. Each tube will have a mesh cap secured with a rubber band resistant to UV light and salt water. The area is then covered with netting comprised of 40 ft. by 40 ft. squares (3-inch or smaller stretched mesh). The netting is secured to the sand with 24-inch u-shaped rebar, spaced every five feet around the perimeter. Planting may occur at low tide in the "dry" or at high tide in the "wet". Between 6-12 months after planting, the

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caps and bands can be removed from the tubes; at 18-24 months, the tubes and netting can be removed from the site. The geoducks will be harvested at about 5-7 years using low-pressure water pumps with a “stinger/wand” with nozzle pressure to liquefy/loosen the sediment so that the geoduck can be removed by hand. Harvest occurs at low tide, or by divers at high tides.

PURPOSE: To provide commercially farmed geoduck in Eld Inlet for human consumption.

ADDITIONAL INFORMATION: A Department of the Army permit for the proposed project, if issued, would authorize the proposed commercial shellfish activities at this site over a 10-year period.

The location of 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.

MITIGATION: The applicant did not propose mitigation for unavoidable impacts to the aquatic environment.

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 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 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.

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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.

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.

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, being processed by Thurston 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 pamela.sanguinetti@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Pamela Sanguinetti, 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,

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Attention: Federal Permit Coordinator, 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: Chelsea Farms (Lewis Shellfish Beach), NWS-2020-65

Encl: Figures (6)

REFERENCE: NWS-2020-65

LOCATION: Eld Inlet, Puget Sound

PROPOSED PROJECT: Lewis Shellfish Beach

APPLICANT: Chelsea Farms

approximate LAT /LONG of Project Area:

Project Area 1.16. Acres

NW:47.14008N -122.93192W

Farm Culture Site 0.75. Acre

SW:47.13919N -122.93365W

IN: Eld Inlet, Puget Sound

NE:47.14008N -122.93139W

NEAR/AT:Cooper Point

SE:47.13933N -122.93202W

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December 25, 2019

1.

Vicinity Map



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Applicant Name: Chelsea Farms Proposed Project: Lewis Shellfish Beach Location: Eld Inlet, Puget Sound

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Date: December 25th, 2019



Lewis Shellfish Beach Project Area (White Polygon)

Lat/Long of **PROJECT** Area:

A: 47.14008N -122.93192W

B: 47.14008N -122.93138W

C: 47.13932N -122.93203W

D: 47.13968N -122.93205W

E: 47.13924N -122.9393352 W

F 47.13954N -122.93337W

G: 47.13981N -122.93213W

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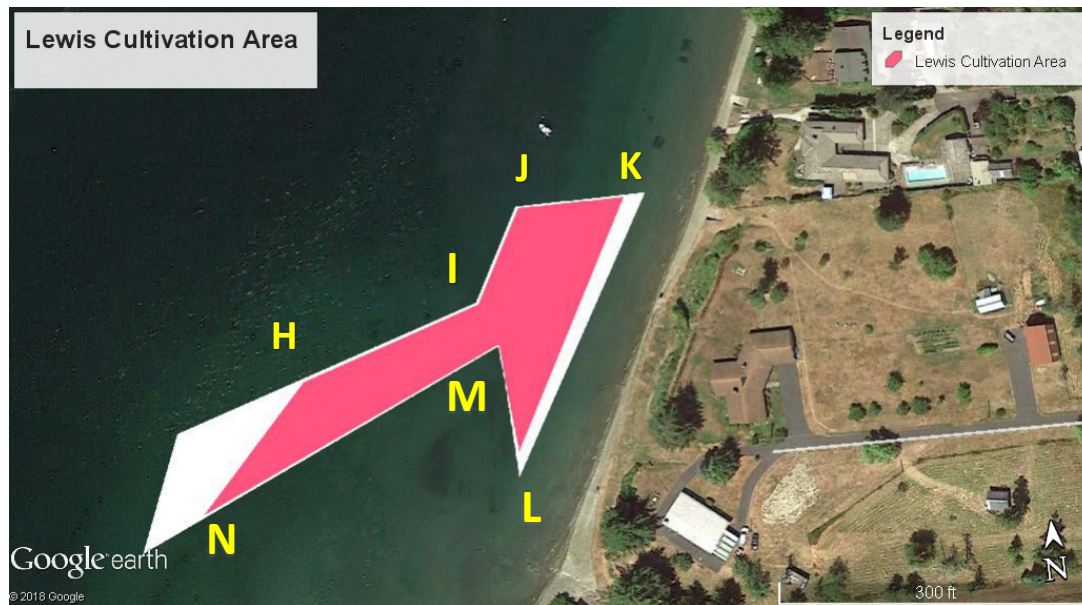
Applicant Name: Chelsea Farms

Location: Eld Inlet, Puget Sound

Proposed Project: Lewis Shellfish Beach

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Date: December 25, 2019



Lewis Shellfish Beach Cultivation Area (Pink Polygon)

Lat/Long of **CULTURE** Area

H 47.135819° -122.935989° **I**: 47.137783° -122.934873°

J: 47.136260° -122.934886° **K**: 47.135650° -122.935523°

L 47.135819° -122.935989° **M**: 47.137783° -122.934873°

N: 47.137783° -122.934873°

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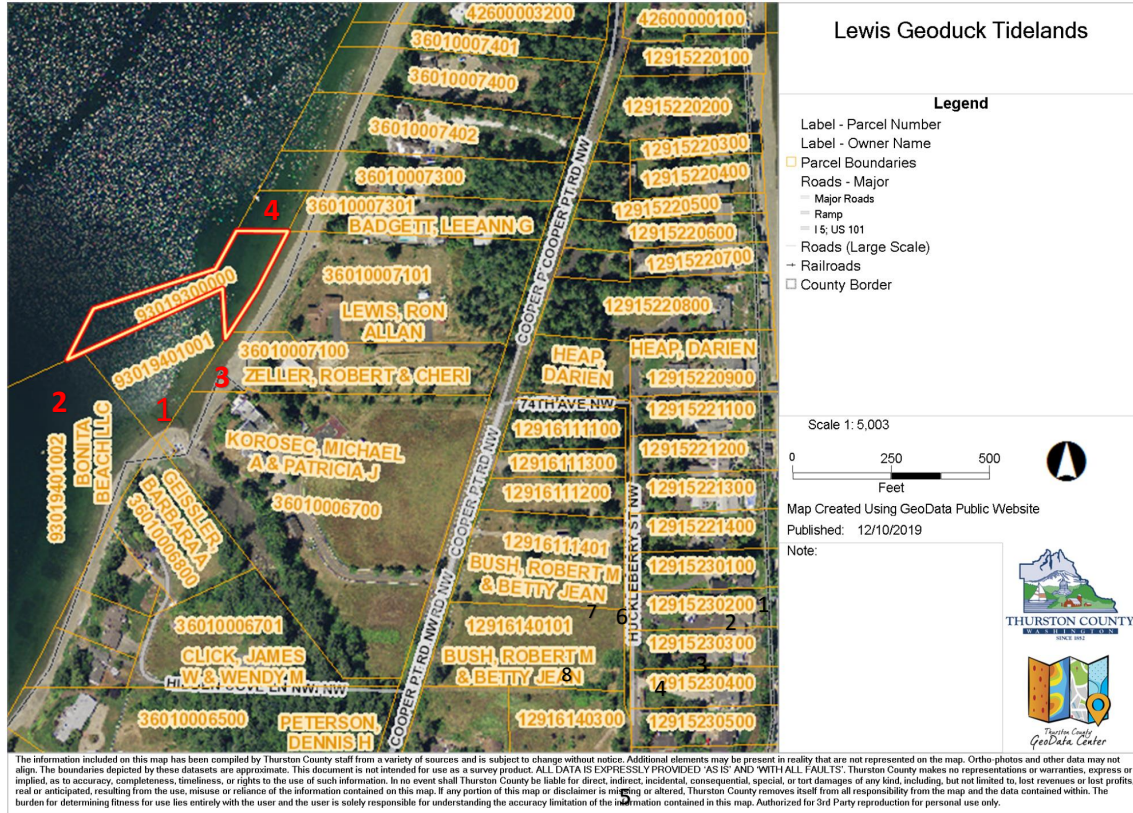
Location: Eld Inlet, Puget Sound

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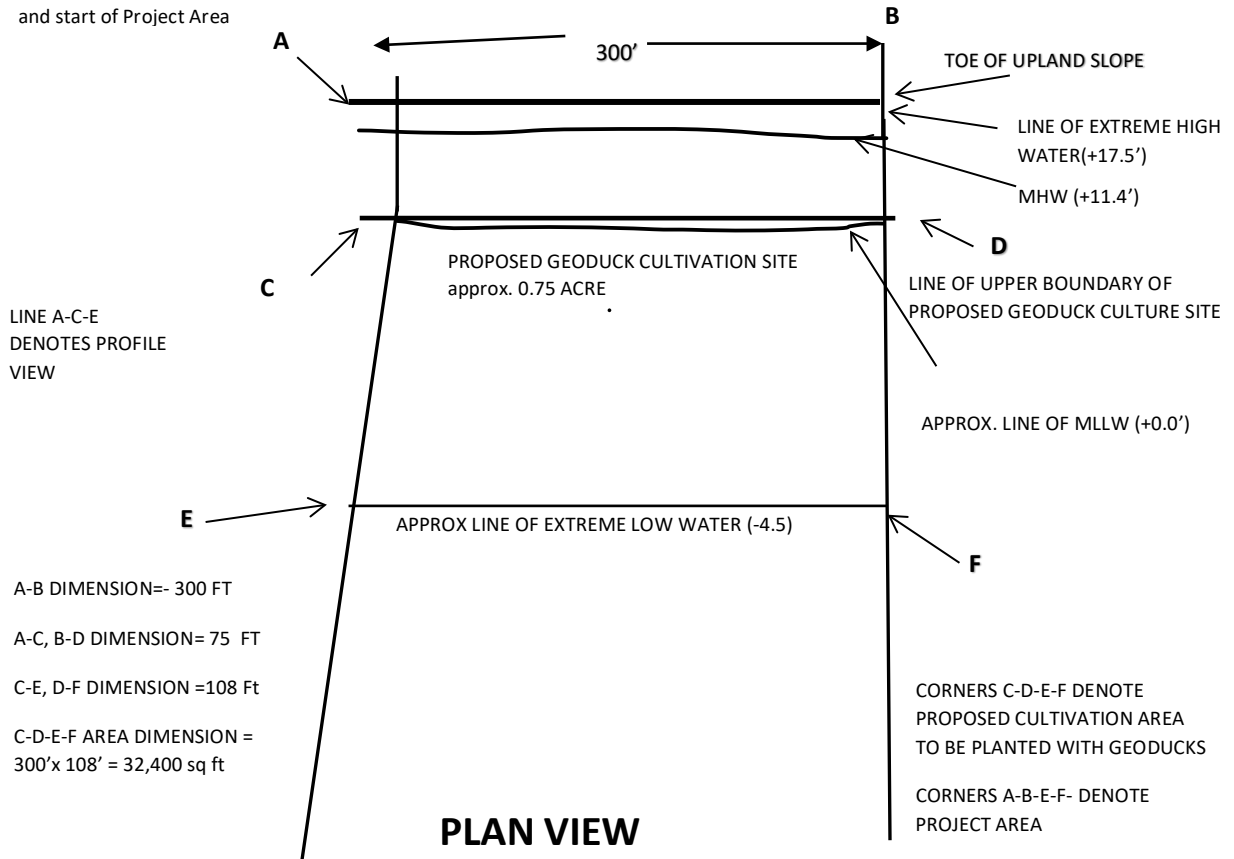
PARCEL MAP Lewis SHELLFISH FARM



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 Applicant Name: Chelsea Farms Location: Eld Inlet, Puget Sound Sheet 5 of 6
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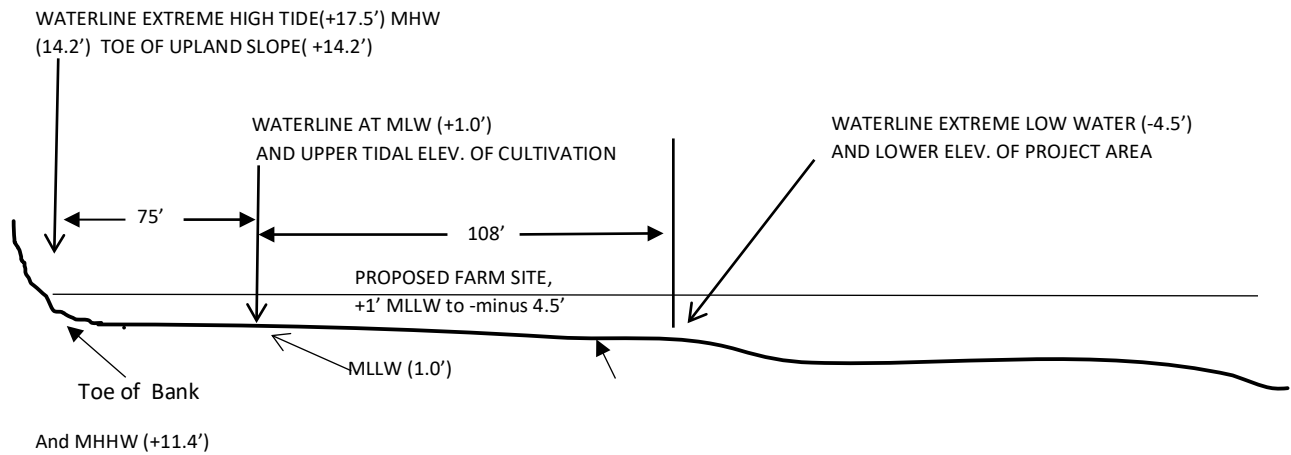
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POINTS A,B, DENOTE UPLANDS
 and start of Project Area



Lewis Shellfish Beach 12/25/19

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Proposed Project: Lewis Shellfish Beach	Location: Eld Inlet, Puget Sound
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PROFILE VIEW