



REPLY TO
ATTENTION OF

Regulatory Branch

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

JUN - 1 2017

Mr. Randy Lewis
Port of Grays Harbor
111 South Wooding Street
Aberdeen, Washington 98520

Reference: NWS-2012-530
Grays Harbor, Port of

Dear Mr. Lewis:

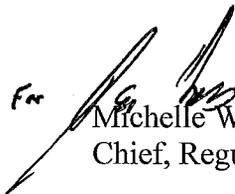
Enclosed is a Department of the Army permit which authorizes performance of the work described in your referenced application. You are cautioned that any change in the location or plans of the work will require submittal of revised plans to this office for approval prior to accomplishment. Deviation from the approved plans may result in imposition of criminal or civil penalties.

Your attention is drawn to General Condition 1 of the permit which specifies the expiration date for completion of the work. Upon completing the authorized work, please fill out and return the enclosed *Certificate of Compliance with Department of the Army Permit* form.

We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey form. This form and information about our program is available on our website at: www.nws.usace.army.mil select "Regulatory Branch, Permit Information" and then "Contact Us."

If you have any questions please contact Mr. Jerry Gregory at (206) 764-6665 or by email at jerald.j.gregory@usace.army.mil.

Sincerely,

For 
Michelle Walker
Chief, Regulatory Branch

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee: Port of Grays Harbor

Permit No: NWS-2012-530

Issuing Office: Seattle District

Mr. Randy Lewis
111 South Wooding Street
Aberdeen, Washington 98520

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Replace an existing 25-foot wide boat launch ramp with a 30-foot wide concrete launch ramp, excavate no more than 343 cubic yards of material at the waterward end of the ramp to deepen the toe elevation of the ramp by 2 feet, install eight new 8- by 20-foot precast concrete access floats on the upstream side of the boat launch, drive eight 16-inch diameter and 30 10-inch diameter steel piles to anchor the access floats, and replace an existing approximately 133-foot long debris barrier with a 142-foot long barrier. Existing riprap will be removed to allow access during project construction and replaced in the same location. (in accordance with the plans and drawings dated May 2012 attached hereto which are incorporated in and made a part of this permit). The purpose of the project is to improve public recreational access to the Chehalis River, Grays Harbor, and the Pacific Ocean.

Project Location: In the Chehalis River at Hoquiam, Grays Harbor County, Washington.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on JUN - 1 2022. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in accordance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification to this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your

permit.

7. After a detailed and careful review of all the conditions contained in this permit, the permittee acknowledges that, although said conditions were required by the Corps, nonetheless the permittee agreed to those conditions voluntarily to facilitate issuance of the permit; the permittee will comply fully with all the terms of all the permit conditions.

Special Conditions:

- a. You must provide a copy of the permit transmittal letter, permit form, and drawings to all contractors performing any of the authorized work.
- b. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- c. You must implement and abide by the Endangered Species Act (ESA) requirements and/or agreements set forth in the *Biological Evaluation, Port of Grays Harbor 28th Street Boat Launch Improvements, Phase 2* dated November 2015 in its entirety. The National Marine Fisheries Service (NMFS) concurred with a finding of "may affect, not likely to adversely affect" based on this document on March 14, 2017 (NMFS Reference Number WCR-2017-6217). The U.S. Fish and Wildlife Service (USFWS) concurred with a finding of "may affect, not likely to adversely affect" based on this document on February 24, 2017 (USFWS Reference Number 01EWF00-2013-I-0409-R001). Both agencies will be informed of this permit issuance. Failure to comply with the commitments made in this document constitutes non-compliance with the ESA and your U.S. Army Corps of Engineers permit. The USFWS/NMFS is the appropriate authority to determine compliance with ESA.
- d. In order to meet the requirements of the Endangered Species Act you may conduct the authorized activities from July 16 through February 15 in any year this permit is valid. You shall not conduct work authorized by this permit from February 16 through July 15 in any year this permit is valid.
- e. You shall implement and abide by the mitigation plan, *28th Street Improvements, Port of Grays Harbor-WDFW Mitigation Plan* dated April 12, 2016. Mitigation shall be constructed before or concurrent with the work authorized by the permit.
- f. An as-built mitigation construction report and as-built drawings of the mitigation area(s) shall be submitted upon completion of mitigation construction. This report must be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch (Corps) for review and approval and must prominently display the reference number NWS-2012-530.

Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

- Section 10 of the Rivers and Harbor Act of 1899 (33 United States Code (U.S.C.) 403).

Section 404 of the Clean Water Act (33 U.S.C. 1344).

Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 Code of Federal Regulations (CFR), Part 325.7 or enforcement procedures such as those contained in 33 CFR, Parts 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR, Part 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

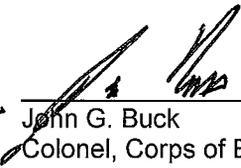


Mr. Randy Lewis, Port of Grays Harbor

5-25-2017

(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

For 

John G. Buck
Colonel, Corps of Engineers
District Engineer

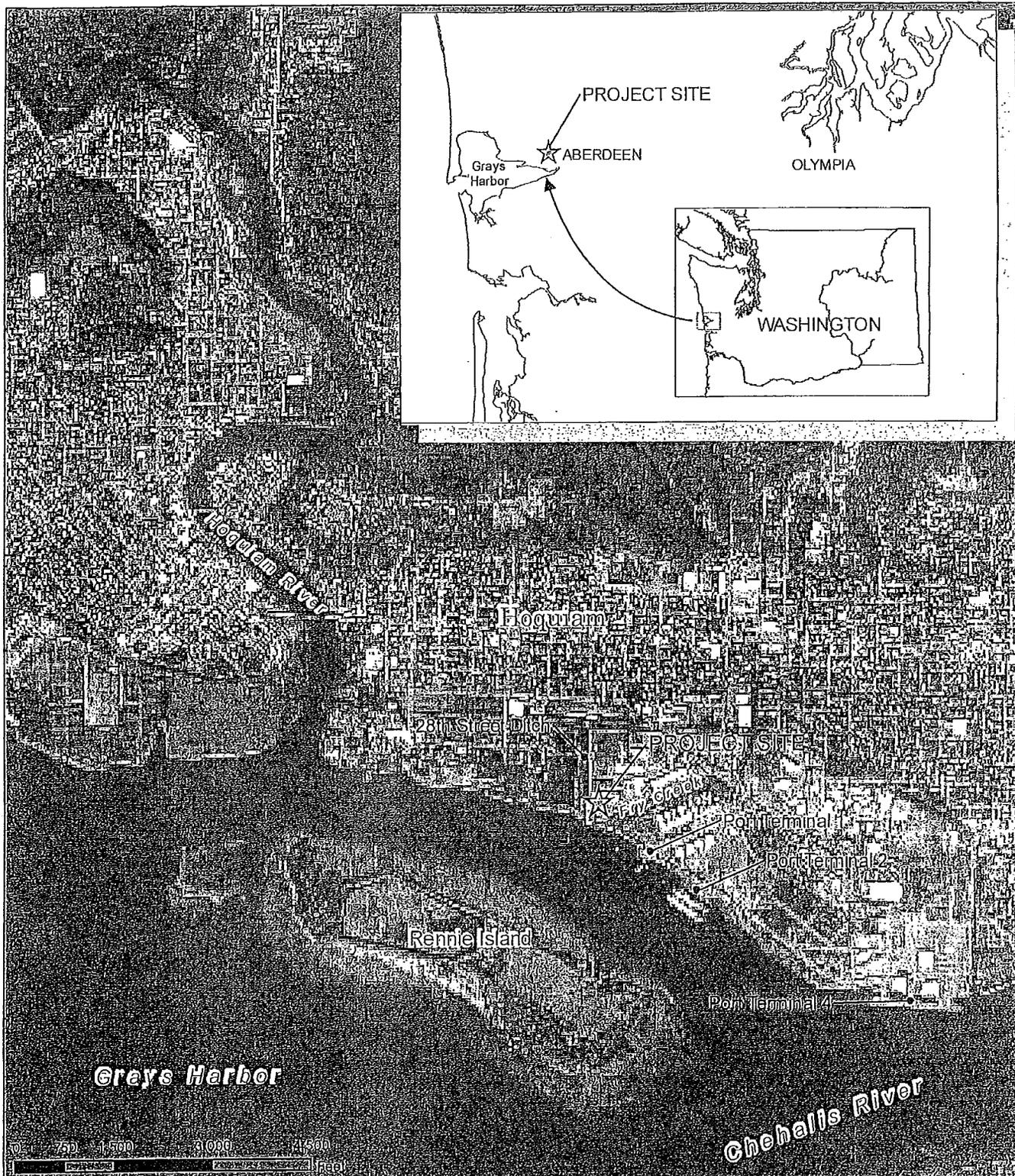
6/1/2017

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEEE)

(DATE)



PURPOSE: IMPROVE BOAT LAUNCH RAMP AND ASSOCIATED UPLAND FACILITIES.

DATUM: MHHW = 8.5
MLLW = 0.00

ADJACENT PROPERTY OWNERS:
PORT OF GRAYS HARBOR

FIGURE 1 - VICINITY MAP
NWS-2012-530

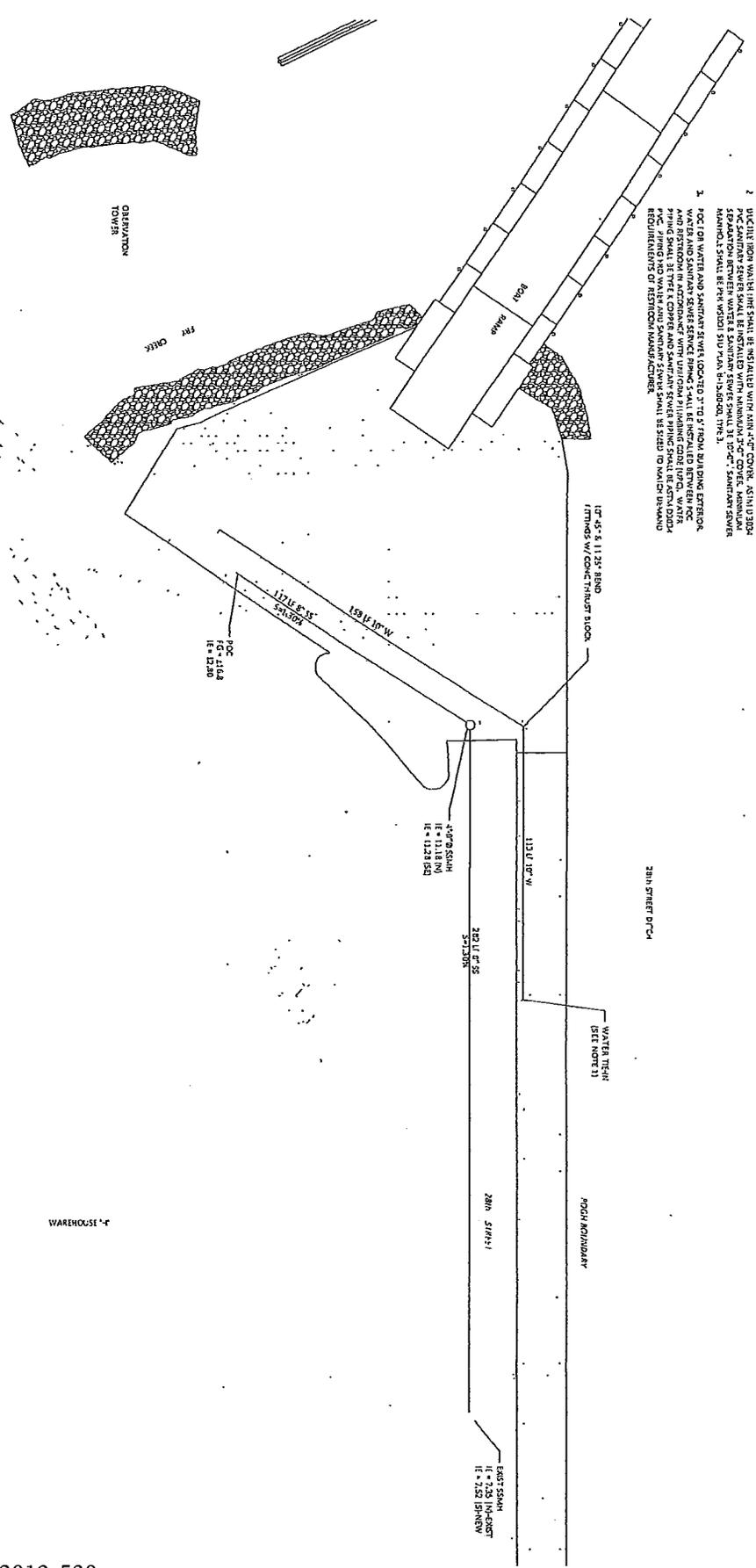


PROJECT: PORT OF GRAYS HARBOR
ADDRESS: 111 S. WOODING
ABERDEEN, WA 98520

LAT/LONG: 46.967485/-123.860314
SECT/TOWN/RANGE: SEC 12 T17N R10W
IN: GRAYS HARBOR
COUNTY OF: GRAYS HARBOR
STATE OF: WA
APPLICATION BY: PORT OF GRAYS HARBOR
SHEET 1 OF 12
MAY 2012



- NOTES:
1. REMOVE EXISTING 90° BENDING AT 115'-0" & 105'-0" 10" IS 100% BATHURON OR WATER MAIN.
 2. 10" DIA. IRON WATER MAIN SHALL BE INSTALLED WITH MIN. 4'-0" COVER. AS IN 10' DIA. SEPARATION BETWEEN WATER & SANITARY SEWER SHALL BE MINIMUM 3'-0" COVER. MINIMUM SEPARATION BETWEEN WATER & SANITARY SEWER SHALL BE 1'-0" FOR SANITARY SEWER. MINIMUM SHALL BE 1'-0" FROM 10' DIA. BOLLARD. (SEE 3)
 3. 10" DIA. WATER AND SANITARY SEWER LOCATED 3' TO 5' FROM BUILDING EXTERIOR. WATER AND SANITARY SEWER SERVICE LINES SHALL BE INSTALLED BETWEEN POE AND BUILDING EXTERIOR. WATER AND SANITARY SEWER SERVICE LINES SHALL BE 10' FROM BUILDING EXTERIOR. PIPING SHALL BE TYPE K COPPER AND SANITARY SEWER PIPING SHALL BE ASTM D2003 PVC. 10" DIA. WATER AND SANITARY SEWER SHALL BE SIZED TO MATCH DEMAND REQUIREMENTS OF RESIDENTIAL DEVELOPMENT.

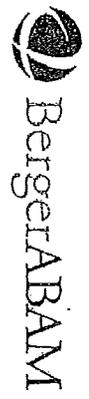


PURPOSE: IMPROVE BOAT LAUNCH RAMP AND ASSOCIATED UPLAND FACILITIES.

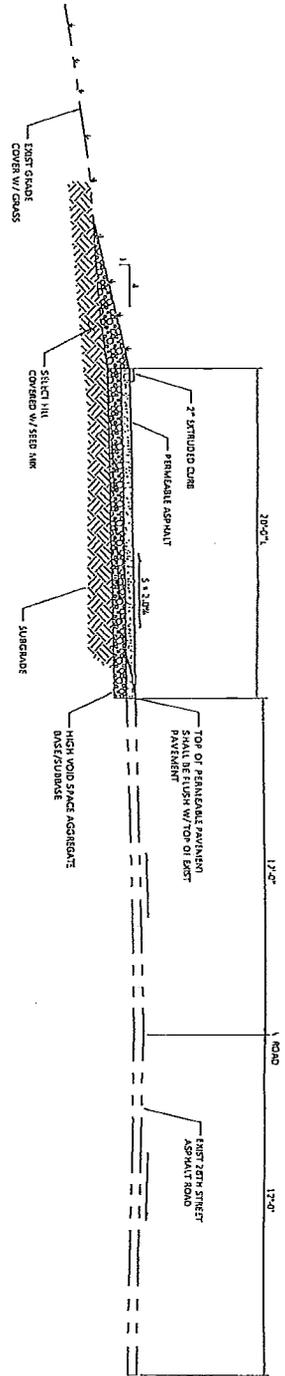
DATUM: MHHW = 8.5
MLLW = 0.00

ADJACENT PROPERTY OWNERS:
PORT OF GRAYS HARBOR

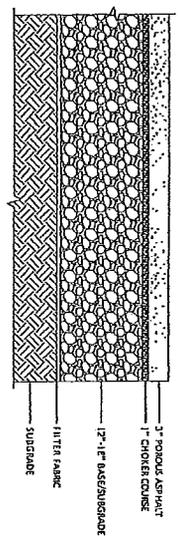
FIGURE 4 - UTILITIES PLAN



PROJECT: PORT OF GRAYS HARBOR
ADDRESS: 111 S. WOODING
ABERDEEN, WA 98520
LAT/LONG: 46.967485/-123.860314
SECT/TOWN/RANGE: SEC12 T17N R10W
IN: GRAYS HARBOR
COUNTY OF: GRAYS HARBOR
STATE OF: WA
APPLICATION BY: PORT OF GRAYS HARBOR
MAY 2012
SHEET 4 OF 12



SECTION - GRADING ALONG 28th ST.



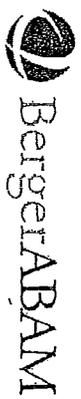
DETAIL - PERMEABLE PAVEMENT

PURPOSE: IMPROVE BOAT LAUNCH RAMP AND ASSOCIATED UPLAND FACILITIES.

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MLLW = 0.00

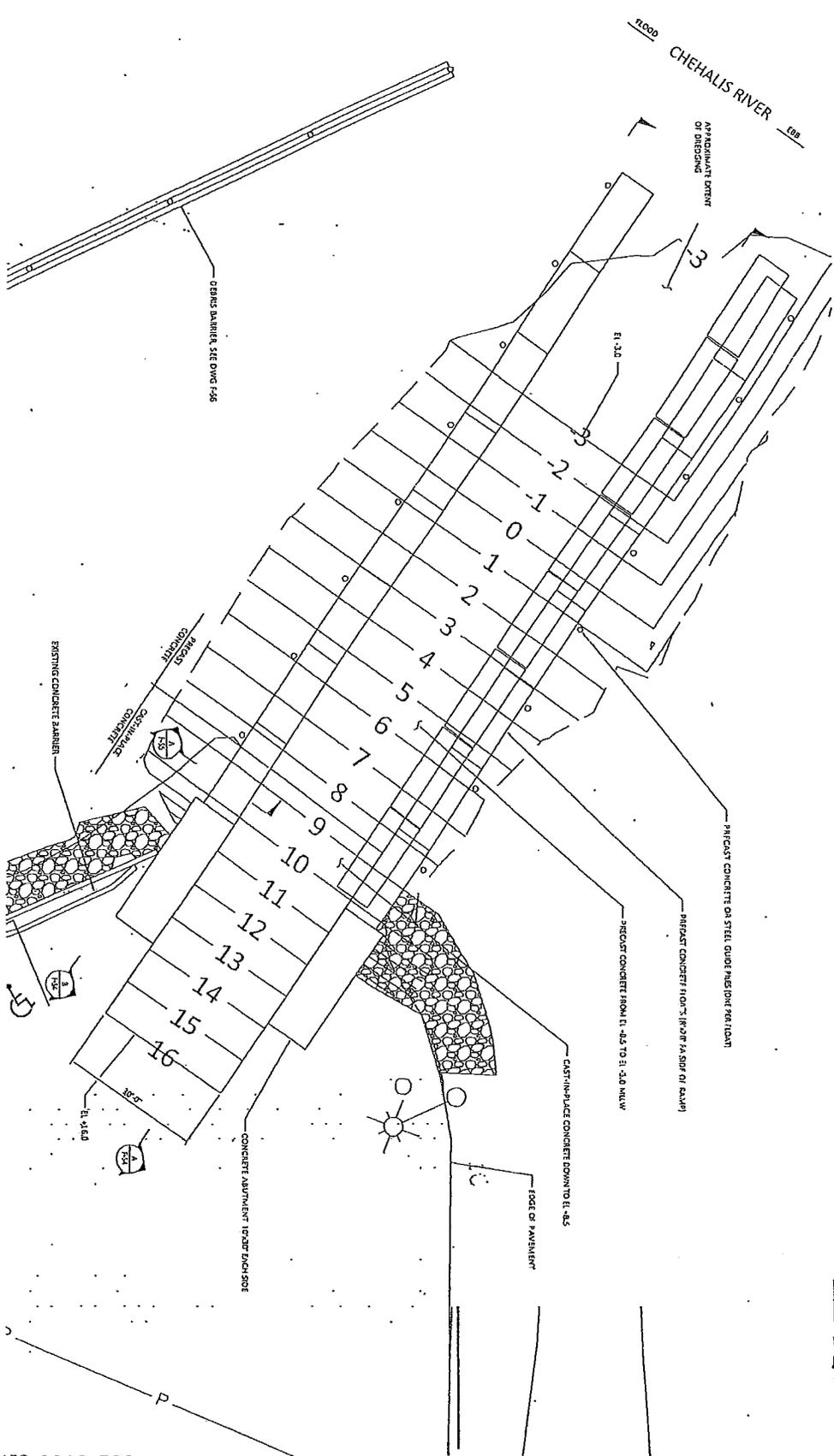
ADJACENT PROPERTY OWNERS:
PORT OF GRAYS HARBOR

FIGURE 5 - CIVIL DETAILS



PROJECT: PORT OF GRAYS HARBOR
ADDRESS: 111 S. WOODING ABERDEEN, WA 98520
LAT/LONG: 46.967485/-123.860314
SECT/TOWN/RANGE: SEC12 T17N R10W
IN: GRAYS HARBOR
COUNTY OF: GRAYS HARBOR
STATE OF: WA
APPLICATION BY: PORT OF GRAYS HARBOR
SHEET 5 OF 12
MAY 2012

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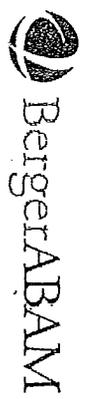
NWS-2012-530

PURPOSE: IMPROVE BOAT LAUNCH RAMP AND ASSOCIATED UPLAND FACILITIES.

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MLLW = 0.00

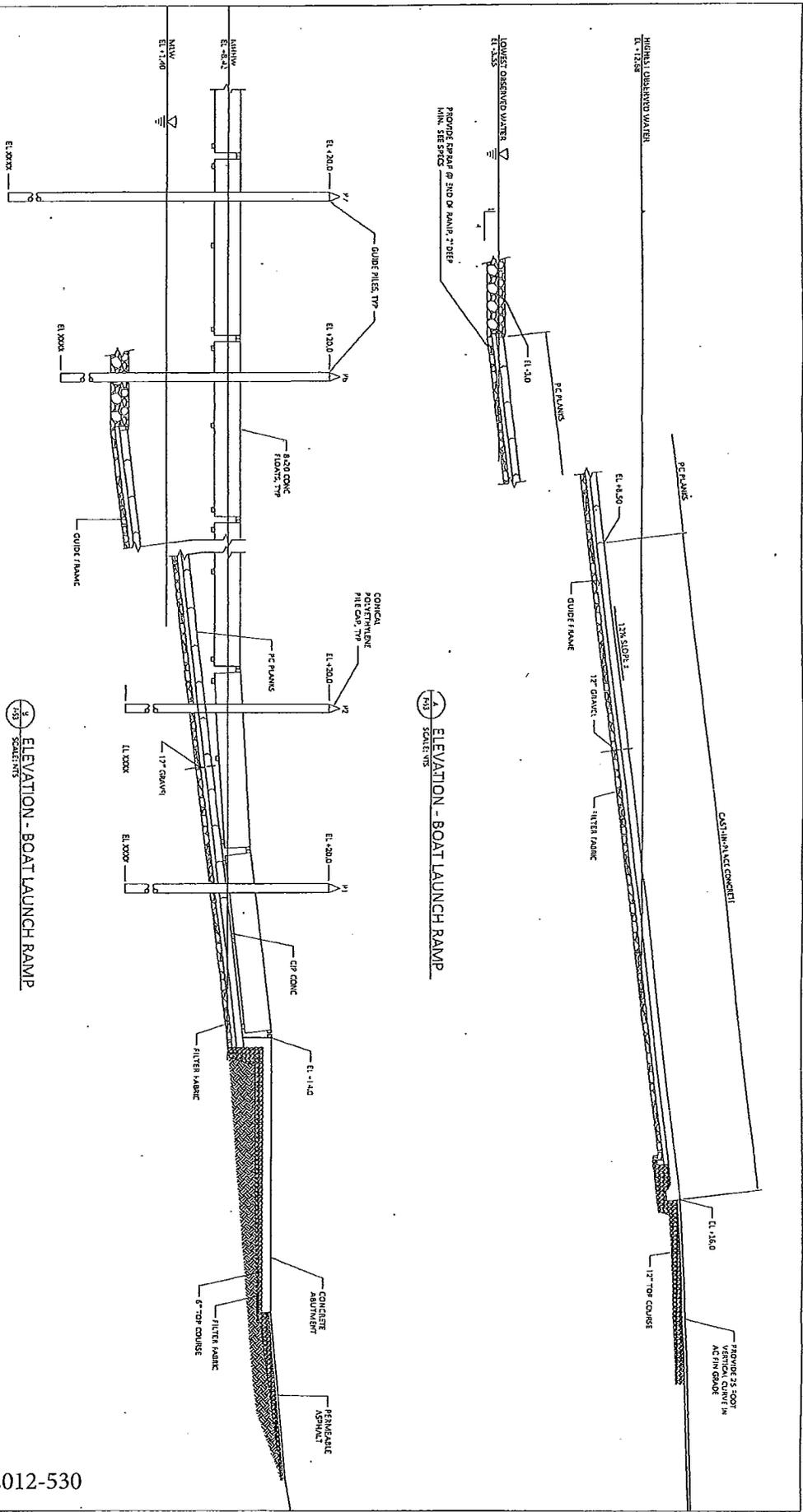
ADJACENT PROPERTY OWNERS:
PORT OF GRAYS HARBOR

FIGURE 8 - BOAT LAUNCH RAMP PLAN



PROJECT: PORT OF GRAYS HARBOR
ADDRESS: 111 S. WOODING
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LAT/LONG: 46.967485/-123.890314
SECT/TOWN/RANGE: SEC12 T17N R10W
IN: GRAYS HARBOR
COUNTY OF: GRAYS HARBOR
STATE OF: WA
APPLICATION BY: PORT OF GRAYS HARBOR
MAY 2012
SHEET 8 OF 12

DATE: 04/19/12 10:25 AM A-13-14500-01-00-00-00-00



4 ELEVATION - BOAT LAUNCH RAMP
SCALE: V.S.

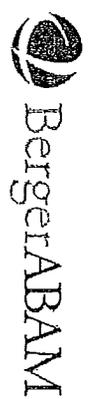
3 ELEVATION - BOAT LAUNCH RAMP
SCALE: V.S.

PURPOSE: IMPROVE BOAT LAUNCH RAMP AND ASSOCIATED UPLAND FACILITIES.

DATUM: MHHW = 8.5
MLLW = 0.00

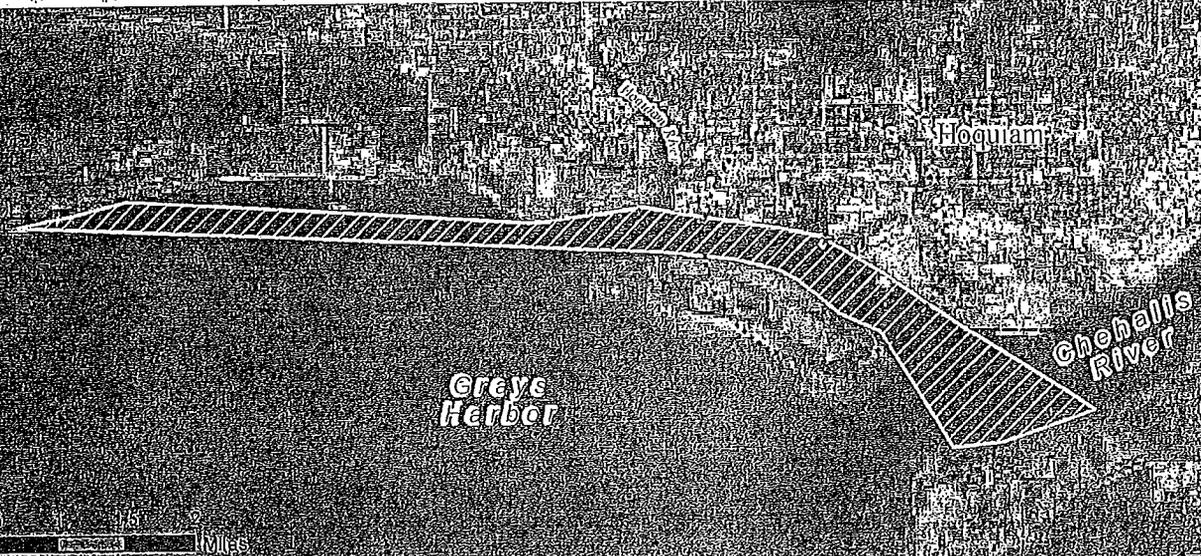
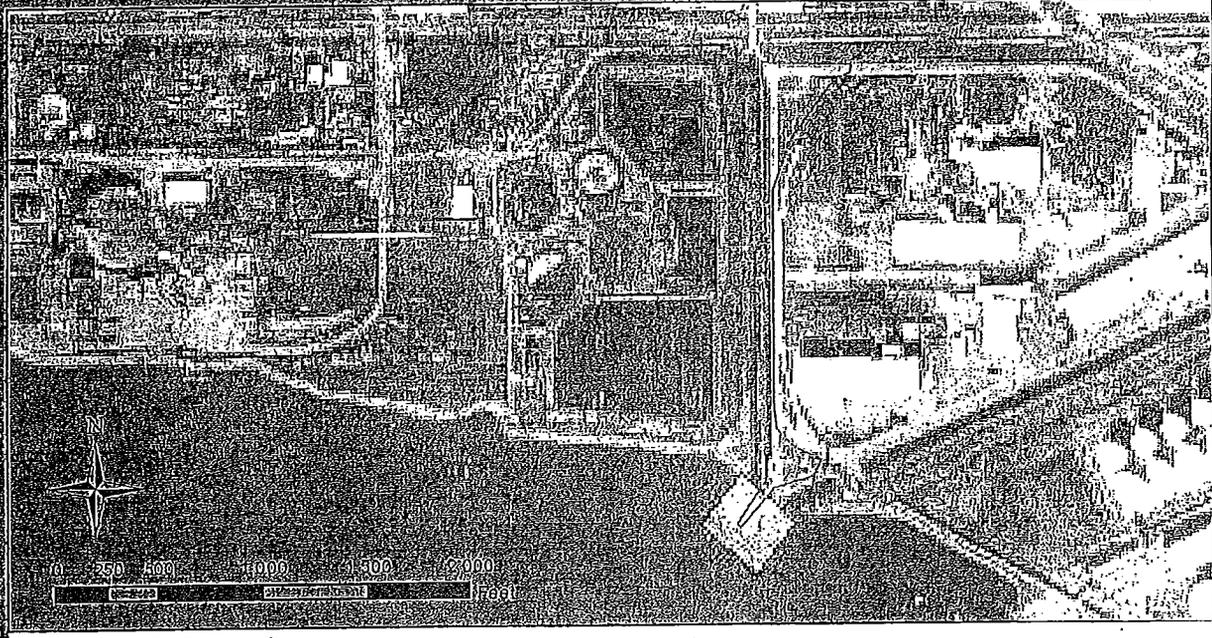
ADJACENT PROPERTY OWNERS:
PORT OF GRAYS HARBOR

FIGURE 9 - BOAT LAUNCH RAMP ELEVATIONS

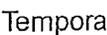


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LAT/LONG: 46.967485/-123.860314
SECT/TOWN/RANGE: SECT12 T17N R10W
COUNTY OF: GRAYS HARBOR
STATE OF: WA
APPLICATION BY: PORT OF GRAYS HARBOR
MAY 2012

01/28/12 10:13 AM 17:14:51 NWS-2012-530



Legend

-  Project Footprint
-  Temporarily Elevated Sediment and Turbidity (150 ft)
-  Temporarily Elevated Underwater Noise During Pile Removal & Installation
-  Temporarily Elevated Terrestrial Noise (3200 ft. radius)

PURPOSE: IMPROVE BOAT LAUNCH RAMP AND ASSOCIATED UPLAND FACILITIES.

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ADJACENT PROPERTY OWNERS:
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FIGURE 12 - ACTION AREA

NWS-2012-530



PROJECT: PORT OF GRAYS HARBOR
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LAT/LONG: 46.967485/-123.860314
SECT/TOWN/RANGE: SEC12 T17N R10W
IN: GRAYS HARBOR
COUNTY OF: GRAYS HARBOR
STATE OF: WA
APPLICATION BY: PORT OF GRAYS HARBOR
SHEET 12 OF 12
MAY 2012





US Army Corps
of Engineers ®
Seattle District

CERTIFICATE OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT



Permit Number: _____ NWS-2012-530 _____

Name of Permittee: _____ Port of Grays Harbor _____

Date of Issuance: _____ JUN - 1 2017 _____

Upon completion of the activity authorized by this permit, please check the applicable boxes below, date and sign this certification, and return it to the following address:

Department of the Army
U.S. Army Corps of Engineers
Seattle District, Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of your authorization, your project is subject to suspension, modification, or revocation.

<input type="checkbox"/>	The work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of this permit. Date work complete: _____
	<input type="checkbox"/> Photographs and as-built drawings of the authorized work are attached.
<input type="checkbox"/>	If applicable, the mitigation required (not including monitoring (e.g., construction and plantings) in the above-referenced permit has been completed in accordance with the terms and conditions of this permit. Date work complete: _____
	<input type="checkbox"/> Photographs and as-built drawings of the mitigation are attached.

Printed Name: _____

Signature: _____

Date: _____