

RETAIN IN PERPETUITY

FLOOD DEVELOPMENT REVIEW

<input type="checkbox"/> Flood Development Review - (if associated with another city permit/approval) <input type="checkbox"/> Flood Development Permit (Type I-A) - (if no other city permit applies) <input type="checkbox"/> Flood Development Permit (Type II) - (if requesting a Variance from 16.08)	Office Use Only Permit # _____
Property address or general location (cross-streets): Boat Haven Breakwater, 2740 Washington St	Associated Permits: _____ _____ _____
Current Legal Description and Tax #: Addition: <u>Hastings 2nd Addn</u> Block(s): <u>23</u> Lot(s): <u>1-4, TL 110</u> Assessor's Parcel Number: <u>957602301</u>	_____ _____ _____
Property Owner: Name: <u>Port of Port Townsend</u> Address: <u>2701 Jefferson (Po Box 1180)</u> City/St/Zip: <u>Port Townsend WA 98368</u> Phone: <u>360 385 0256</u> Email: <u>dankagawara@portofpt.com</u>	Contact/Representative (if different): Name: _____ Address: _____ City/St/Zip: _____ Phone: _____ Email: _____
Description of Proposed Development and Methods of Construction: (include square footage, quantities) (Attach additional pages as needed) <u>Repair Existing Breakwater. Excavate and dispose 1760 cu of unsuitable materials, place 2720 Tons of new armor stone and 830 Tons of bedding stone.</u>	
General Information: 1) Is the proposed development in a FEMA Special Flood Hazard Area (All A or V Zones)? <input type="checkbox"/> No (Flood development review is <u>not</u> required) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partially 2) Estimated Project Cost: \$ <u>2M</u> 3) Will impervious surface be changed? <input checked="" type="checkbox"/> No change <input type="checkbox"/> Yes: Existing Square footage: _____ Proposed Square footage: _____ 4) Does the proposal involve a historic site, building or structure? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Year built: _____ 5) Are other Federal, State or local permits required? If yes, list the permit(s) and status (not yet applied/pending/issued)? _____ Copies of all necessary state and federal permit approvals will be required prior to start of construction.	

Complete if work involves remodel/addition to an existing structure:

- Existing Footprint _____ square feet. Proposed: _____ square feet No change
- Assessor's Value of Existing Building: \$ N/A (Attach copy of Assessor's data)
- What is the cost of the proposed construction? \$ 2M

If the cost of the proposed construction equals or exceeds 50 percent of the market value of the structure, then the substantial improvement provisions apply

Complete for New Structures and Additions: For non-residential structures, floodproofing may be used, see below. A relocated structure is treated as new construction.

- Base Flood Elevation at the site: 12/13 feet NAVD88
- Proposed lowest floor elevation (including basement): N/A feet NAVD88
- Elevation to which all attendant utilities, including all heating and electrical equipment will be protected from flood damage: N/A feet NAVD88.

Complete for Non-Residential Construction proposing flood proofing:

- Type of floodproofing method: Elevation
- Building is floodproofed to an elevation of: 19.1' feet NAVD88
- Height of floodproofing on the building above lowest adjacent grade is _____ feet. N/A
- Floodproofing certification by a registered professional engineer currently licensed in the State of Washington or architect that the flood proofing methods meet the floodproofing criteria of PTMC 16.08 is attached No Yes Matt McDonald (Evan Edgcomb)

Complete for Subdivisions and Planned Unit Developments:

- Will the subdivision or other development contain 50 lots or 5 acres? No Yes N/A
- If yes, does the plat or proposal clearly identify base flood elevations? No Yes N/A
- Is the special flood hazard area delineated on the site plan? No Yes

Habitat Assessment: Check one:

- The project is subject to a Section 7, Section 4d, or Section 10 under the Endangered Species Act
- A habitat assessment is attached
- A habitat assessment is being prepared
- Is not required Unknown

Unless otherwise excepted per PTMC 16.08.120 C and D, applications for projects located within the SFHA shall include a habitat impact assessment prepared in accordance with PTMC Section 19.05.080 (I) "Special Report Required". Projects within the Protected Area must be inherently designed to avoid adverse impacts to floodplain functions that support ESA listed species.

The undersigned, as owner or authorized agent of the property owner, hereby makes application for a permit to develop in the Special Flood Hazard Area (SFHA) and certifies that, to the best of his/her knowledge, the information submitted in support of the application is true and correct. The work to be performed is described above and in attachments hereto. The undersigned agrees that all such work shall be done in accordance with the requirements of the City of Port Townsend Flood Damage Prevention Ordinance (Chapter 16.08 PTMC) and with all other applicable local, State and Federal regulations. This application does not create liability on the part of the City of Port Townsend or any officer or employee thereof for any flood damage that results from reliance on this application or any administrative decision made lawfully thereunder. The undersigned grants permission for City staff and agents to enter areas covered by this permit application for the sole purpose of inspecting these areas to process this application and to enforce code provisions to the issued permit(s). The undersigned acknowledges that the final certificate of occupancy will be issued only if the applicant provides copies of the required federal, state, and local permits or letters stating that a permit is not required.

Print Name: Dave Nakagawara

Signature: [Signature]

Date: 9/30/25

I request consolidated review: Elected consolidated review increases staff efficiency in permitting, and is intended to shorten permit timelines due to consolidated instead of consecutive review. Failure to check box may result in delayed review start for permits.



United States Department of the Interior
FISH AND WILDLIFE SERVICE



Washington Fish and Wildlife Office
510 Desmond Dr. S.E., Suite 102
Lacey, Washington 98503

In Reply Refer To:
01EWWF00-2019-I-1479

FEB 03 2020

Michelle Walker, Chief Regulatory Branch
Seattle District, U.S. Army Corps of Engineers
ATTN: Daisy Douglass
P.O. Box 3755
Seattle, Washington 98124-3755

Dear Ms. Walker:

Subject: Port of Port Townsend, Commercial Basin Breakwater (NWS-2019-360)

This letter is in response to your August 5, 2019, request for our concurrence with your determination that the proposed action in Port Townsend Bay, Port Townsend, Jefferson County, Washington, "may affect, but is not likely to adversely affect" federally listed species. We received your letter, Programmatic ESA Consultation Specific Project Information Form, Habitat Survey Report, and project drawings and figures, providing information in support of "may affect, not likely to adversely affect" determinations, on August 12, 2019.

Specifically, you requested informal consultation pursuant to section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (ESA) for the federally listed species and critical habitat identified below:

- Bull trout (*Salvelinus confluentus*)
- Marbled murrelet (*Brachyramphus marmoratus*)

INTERIOR REGION 9
COLUMBIA-PACIFIC NORTHWEST

IDAHO, MONTANA*, OREGON*, WASHINGTON

*PARTIAL

INTERIOR REGION 12
PACIFIC ISLANDS

AMERICAN SAMOA, GUAM, HAWAII, NORTHERN
MARIANA ISLANDS

Project Description:

The proposed project involves the repair of up to 360 linear feet of an existing breakwater. A barge loaded with materials will lift an excavator onto the breakwater. The excavator will remove eroded armor and materials from the failed portions of the breakwater, and a crane will place 3-, 4-, and 5-man rock in the excavated area. A 1-foot thick layer of sand will be spread over the armor rock.

Sufficient information has been provided to determine the effects of the proposed action and to conclude whether it would adversely affect federally listed species and/or designated critical habitat. Our concurrence is based on information provided by the federal action agency, best available science, and complete and successful implementation of the conservation measures included by the federal action agency.

I. EFFECTS TO BULL TROUT

Exposures are extremely unlikely (discountable) to bull trout because of the following:

- The action is located in Port Townsend Bay, where, at present, bull trout occurrence is rare and exposure to this action is extremely unlikely.
- The action will be completed when bull trout are least likely to be present.
- The action will occur during a time of year (July 16 to February 15) when few, if any, bull trout are present in the action area.

II. EFFECTS TO MARBLED MURRELET

Effects will not be measureable (insignificant) and will not significantly disrupt normal behaviors (i.e., the ability to successfully feed, move, and/or shelter) and are therefore considered insignificant because of the following:

- The action will result in temporary impacts to water quality, including potential temporary increases in turbidity and suspended solids. These effects will be intermittent and limited in physical extent and duration.

III. EFFECTS TO MARBLED MURRELET HABITAT AND THEIR PREY

With successful implementation of the conservation measures included by the federal action agency as part of the proposed action, we expect that the effects of the action will not measurably degrade or diminish habitat functions or prey resources in the action area. Therefore, the effects of the action are considered insignificant.

- Construction activities and proposed permanent features may have impacts to habitats that support the species and/or their prey. These impacts will be limited in physical extent and/or duration and will not measurably degrade habitat functions, including prey resources that are important to the species within the action area:
 - The action will result in limited temporary and/or permanent impacts to submerged aquatic vegetation and the benthic invertebrate community. All work will occur on the existing breakwater, and therefore will not have impacts to native substrates. Eelgrass is present adjacent to the breakwater. The action will have limited impacts to eelgrass, primarily from turbidity and suspended sediments during construction. No permanent loss of eelgrass will result from the action. Impacts will not result in an overall decline in the benthic invertebrate community.
 - The action will result in limited impacts to submerged aquatic vegetation. However, the action includes conservation measures to reduce the impacts to submerged aquatic vegetation and prey. The action will not result in destruction or permanent removal of prey resource habitat.
 - Actions in marine waters will occur only during the recommended in-water work window, from July 16 to February 15, when prey fish presence, spawning, and/or holding is least likely to occur.
 - The action is located approximately 250 feet from documented sand lance (*Ammodytes hexapterus*) spawning habitat. The action may have impacts to prey resources for the species; however, the action will not result in the permanent, net loss of spawning habitat for prey or prey productivity.

IV. CONCLUSION

This concludes consultation pursuant to the regulations implementing the ESA (50 CFR 402.13). Our review and concurrence with your effect determinations is based on implementation of the project as described. It is the responsibility of the federal action agency to ensure that the projects they authorize or carry out are in compliance with the regulatory permit and ESA. If a permittee or the federal action agency deviates from the measures outlined in a permit or project description, the federal action agency has the obligation to reinitiate consultation and comply with section 7(d).

This project should be re-analyzed and re-initiation may be necessary if 1) new information reveals effects of the action that may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation, 2) if the action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this consultation, and/or 3) a new species is listed or critical habitat is designated that may be affected by this project.

This letter constitutes a complete response by the U.S. Fish and Wildlife Service to your request for informal consultation. A record of this consultation is on file at the Washington Fish and Wildlife Office, in Lacey, Washington. If you have any questions about this letter or our shared responsibilities under the ESA, please contact the consulting biologist identified below.

U.S. Fish and Wildlife Service Consultation Biologist(s):
Jim Muck (360-753-9586)

Sincerely,

A handwritten signature in blue ink, appearing to read "Brad Thompson".A small, stylized blue handwritten mark or signature.

Brad Thompson, State Supervisor
Washington Fish and Wildlife Office