

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

NPSOP-RF

## public notice

3 April 1978

Reference: 071-OYB-2-004781 Swinomish Tribal Community

Application has been received from the Swinomish Tribal Community, P. O. Box 277, LaConner, Washington 98257 (ATTN: J. Michael Moyer, telephone (206) 466-3184) for Department of the Army permit in accordance with Section 10 of the River and Harbor Act of March 3, 1899 and Section 404 of the Federal Water Pollution Control Act for certain work described below and shown on the inclosed prints.

Proposed Work:

a. Location: In the Swinomish Channel near the Town of LaConner, Skagit County, Washington.

b. Physical Character: Construct a bulkhead; place fill and riprap.

c. Purpose (as explained by the applicant): Retain fill for new building foundation support.

The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Federal Water Pollution Control Act.

Preliminary review by the Seattle District indicates that this work will not significantly affect the quality of the human environment. The preparation of a Federal Environmental Impact Statement is not anticipated at this time.

Preliminary determinations indicate that the proposed activity will not affect endangered species, or their critical habitat, designated as endangered or threatened pursuant to the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation pursuant to Section 7 of the Act with the Department of the Interior is not required for this proposed activity.

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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Presently unknown archeological, scientific, prehistorical or historical data may be lost or destroyed by work to be accomplished under the requested permit. The work is not located on a property registered in the National Register of Historic Places.

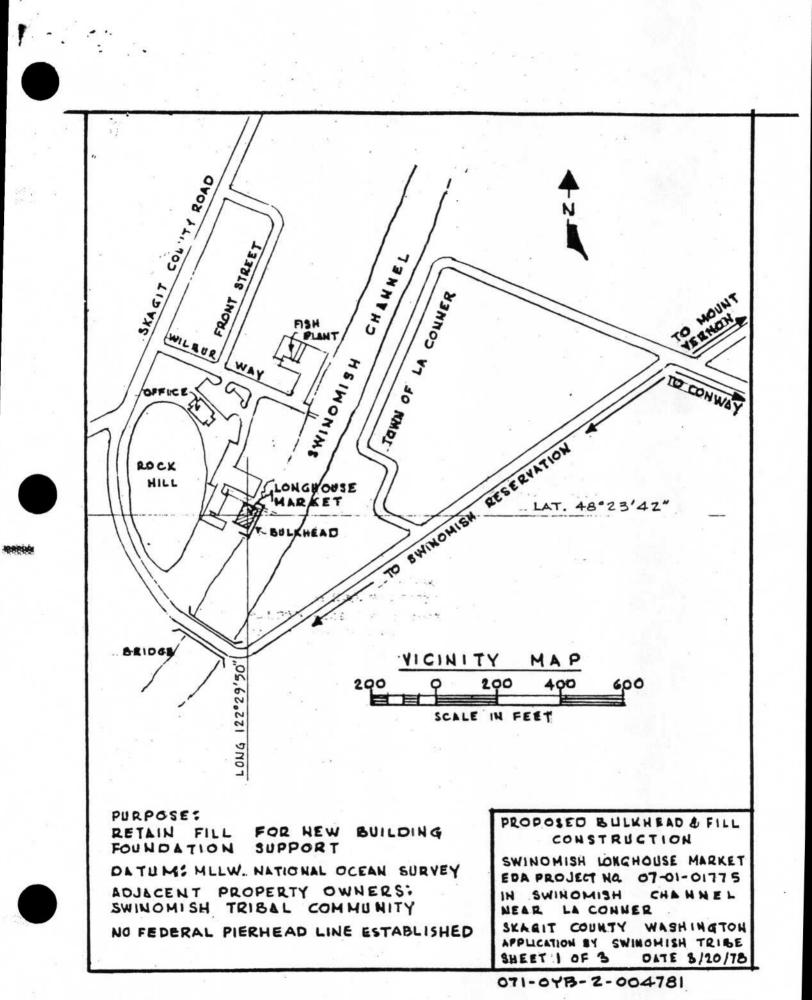
The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

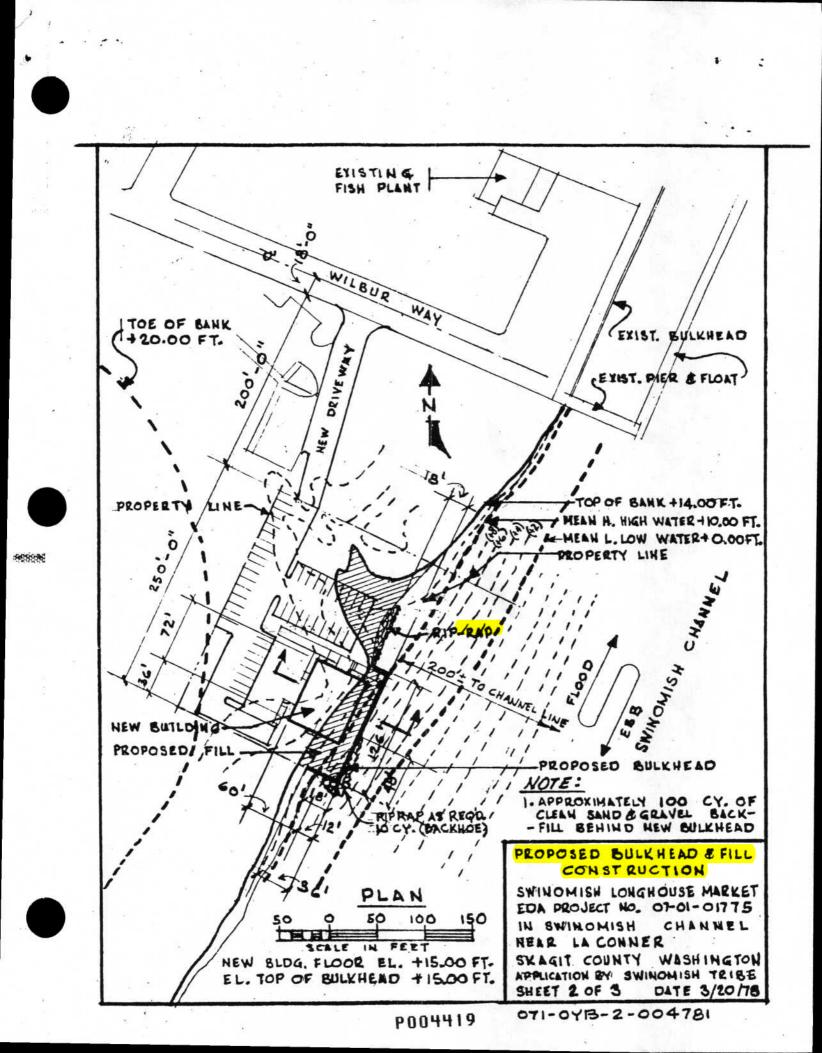
Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments should refer to the reference number shown above and reach this office not later than 18 April 1978 to insure consideration.

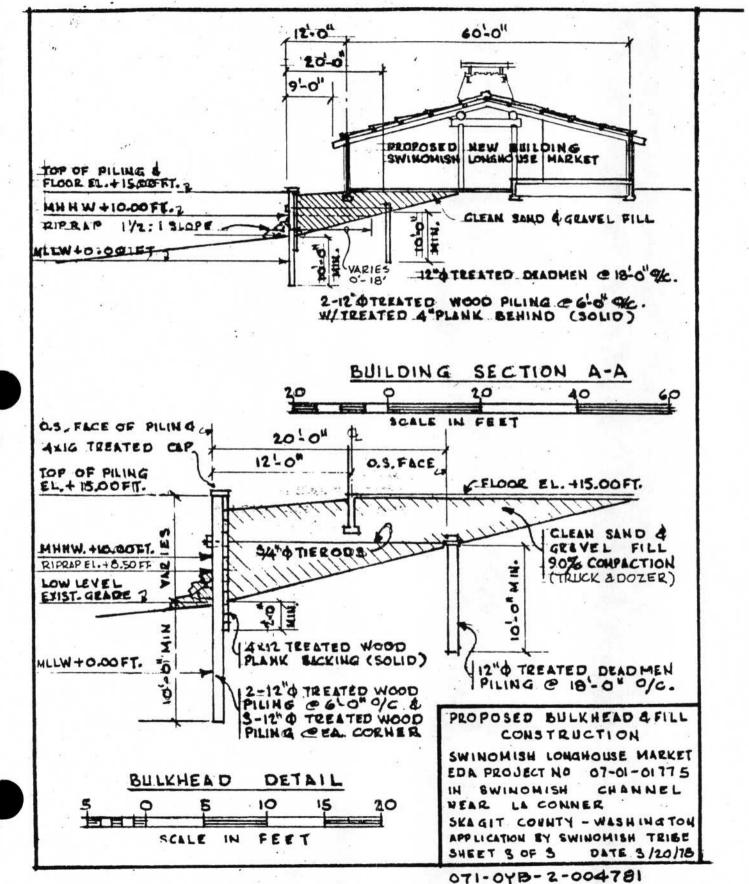
1 Incl Prints (3) Permit Section

WARREN E. BAXTER

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