



US Army Corps
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San Francisco District

SAN FRANCISCO DISTRICT

Regulatory Division
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PUBLIC NOTICE

PROJECT: City of Monterey's Municipal Wharves I and II Structural Maintenance Program

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1. **INTRODUCTION:** City of Monterey (POC: Mr. John Haynes, (831) 646-3951), 250 Figueroa Street, Monterey, California 93940 through its agent, ESA (POC: Priya Finnemore, (415) 896-5900), 550 Kearney Street, Suite 800, San Francisco, California 94108, has applied to the U.S. Army Corps of Engineers (USACE), San Francisco District, for a Department of the Army Permit to work within, and discharge fill material into, jurisdictional waters of the United States associated with wharf maintenance and repair activities for the City's two municipal wharves, located in the Monterey Harbor, in southern Monterey Bay, in the City of Monterey, Monterey County, California. This Department of the Army permit application is being processed pursuant to the provisions of Section 404 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1344 *et seq.*) and Section 10 of the Rivers and Harbors Act of 1899, as amended (33 U.S.C. § 403 *et seq.*).

2. PROPOSED PROJECT:

Project Site Location: The wharves are located in the Monterey Harbor, in the City of Monterey, Monterey County, California (Latitude: 36.605564°N, Longitude: 121.892442°W, for the northwest corner of Wharf I and Latitude: 36.601922°N, Longitude: -121.889656°W, for the southeast corner of Wharf II. (Figure 1).

Project Site Description: The City of Monterey's Wharf I (Fisherman's Wharf) is the western of the two wharves and extends approximately 700 feet into Monterey Harbor, comprising an area of approximately 2.3 acres of pile-supported and in- and over-water structures, see Figure 2, Wharf I Overall Project Site Plan. Wharf II, to the east, is the larger of the two wharves and demarcates the eastern boundary of the Monterey Harbor, extending 1,500 feet into the harbor and comprising

approximately 2.5 acres of pile-supported and in- and over-water structures. See Figure 3 for the Wharf II Overall Project Site Plan. Numerous City-owned boat docks occupy the harbor between the two wharves, and the wharves and docks are partially sheltered from wind and wave activity by an existing breakwater to the north.

Wharf I, also called Old Fisherman's Wharf, opened for activity in the mid-1800s and ownership was assumed by the City of Monterey in 1913. The wharf was originally utilized for unloading freight and eventually for the transportation of sardines, though its use has changed over the last century. Today the wharf provides dining, shopping, special events, whale watching, bay cruises, a glass bottom boat, fishing and sailing. On Wharf I, the Main Boardwalk is the main access route for both pedestrian and vehicular traffic (primarily limited to delivery, maintenance, and emergency medical service traffic). The Main Boardwalk is oriented in the north-south direction and is approximately 650 feet long and varies in width. The boardwalk is supported by fifty-three (53) bents of 12- to 16-inch diameter treated or pressure treated timber piles. The number of piles per bent varies from four (4) piles to fourteen (14) piles, with almost all piles being plumb. The piles are typically wrapped with a polyethylene wrap to prevent deterioration by marine borer activity. Generally, the wraps extend from just below the mudline to just above Mean High Water (MHW). At the inshore portion of the boardwalk, most of the piles have partial length concrete encasements. Various fender/guide piles are located throughout the facility associated with the Main Boardwalk. In total, there are 409 structural piles, and 39 fender/guide piles at Wharf I.

Wharf II was originally constructed in 1926 to service the commercial fishing industry. Today, the wharf continues to support the commercial fishing industry as well as public access, parking, restaurants and a yacht

club. When the adjacent marina was expanded in the late 1950's, a new concrete sheet pile breakwater was constructed along the eastern edge of the wharf. The roadway atop the Wharf I deck was then expanded to include a parking area partially supported by the breakwater. The primary wharf can be divided into three (3) main sections (or 'bents') based upon structural configurations; bents 19 to 66, bents 67 to 103, and bents 93 to 128. A structural transition occurs between bents 93 and 103 resulting in bents having configurations typical of both sections. In addition, a number of secondary structures exist that support various enterprises along the wharf including the Monterey Peninsula Yacht Club, the Sandbar & Grill, Loulou's and a boat crane, a boat dock, and the U.S. Freezer Company Building. Wharf II has a total of 109 bents with six (6) to fourteen (14) piles per bent; in total, there are approximately 1,561 structural piles and 257 fender and/or guide piles. Most of the piles are 12" to 16" diameter treated timber piles with wraps, encasements, or jackets depending on the location. However, there are approximately 304, 12"x12" concrete batter piles bracing the concrete sheet pile wall.

Project Description: As shown in the attached drawings, the applicant proposes to conduct maintenance and repair activities on the wharf structures, including: pile replacement, pile sleeves, wrap repairs, friction collars, encasement repair, concrete block foundations, fender and/or guide pile replacements, timber cap beams, timber stringers, miscellaneous framing, and concrete repairs.

When repair is impractical, a replacement pile would be installed. The large majority of piles needing replacement are expected to be replaced with small diameter (< 18 inches) timber piles, which would be installed using a small impact hammer (typically a 3000-lb drop hammer, with cushion blocks). The replacement timber pile would be installed adjacent to the damaged pile and then tied into the framing such that the loads previously intended for the damaged pile are now resisted by the replacement pile. To the extent practicable, obsolete piles would be pulled or cut at the mudline. A few support piles are expected to be replaced using a formed concrete pile, also of a small diameter (< 18 inches, and possibly 12 inches square). For this method, reinforced concrete piles would be formed in place, using a form made of polyvinyl chloride (PVC), or other inert material, jettted into place (typically limited to a shallow depth). Once the form is in place, it would be filled with pressurized marine-safe concrete or grout and rebar, and cured in sections working upward to the pile cap beams, where the tops of the formed concrete pile would be

grouted, blocked, or bracketed to ensure proper bearing to the cap beam above. Once the pile is complete, the temporary form would either be removed or left in place (to serve as extra protection around the concrete pile). This method would be employed only when it is not practicable to use a crane and vibratory/impact hammer, such as where there is a concession (building) directly above the missing pile; therefore, there would be no vibratory or hydroacoustic implications for this method, and no water quality implications of using treated/wrapped timber. However, because this method is not as robust as driving a replacement pile, this method is not the preferred method for pile replacement, and would be used in very limited situations. To the extent practicable, obsolete piles would be pulled or cut at the mudline.

Pile sleeves would be used when damage to a pile is limited or when pile replacement would not be practical. The pile sleeve would restore the original capacity to the pile. First, a circular, fiberglass sleeve would be installed around the pile extending at least 2 feet above and below the damaged section. Once the sleeve is in place and a seal has been made at the bottom, the annulus would be filled with a cementitious grout. The cementitious grout would be specifically chosen for marine/in-water applications and adheres to all California and national environmental regulations. Once completed, the grout would provide a load path through the damaged section and the sleeve would serve as physical protection for the grout.

Wrap repairs would be conducted where pile wraps have been damaged, or marine borers are able to penetrate to the pile, which could lead to degradation of the pile. Where wraps are damaged, a new wrap would be installed over the damaged area or the wrap would be replaced. The wraps are typically thin high-density polyethylene (HDPE) sheets that come in 3' wide rolls that are wrapped around the pile and attached by nails or cable ties. These would restore the integrity of the wrap, preventing marine borers from reaching the pile. The wrap also kills any borers that may already be infesting the pile by blocking oxygen from reaching the pile. Wrap repairs may be conducted to the above-water portion of piles, to the in-water portion of piles, or both; wrap repairs would not require any grout.

Friction collars would be placed when splits form in piles, leading to further damage to the pile and reduction in load capacity. Friction collars would only be used above water and would typically be installed from a float or small boat/skiff. Friction collars are two halves of a pipe that clamp around the pile, squeezing the pile and closing the split.

Encasement repairs include patching spalls or filling cracks in the concrete encasements with cementitious grout. These repairs would restore the protective function of the encasement to interior timber pile, and would restore structural capacity to the concrete encasements, allowing them to confine the timber piles and transfer loads to the seafloor.

Concrete block foundations would be extended or recast to bear on the seafloor or ground where undermining of the concrete block foundations is significant. This repair work would be accomplished by pouring grout into a fiberglass sleeve or form work, and may be conducted in-water or above water.

Fender and/or guide pile replacements include a number of fender and/or guide piles that could be replaced/installed using either steel pipe piles (typically 18" – 24" diameter with a ¼" wall thickness) or solid timber pointed-tip piles, either of which would be tethered to the wharf in place and would settle several feet in depth under their natural weight over a period of several months, as has been the case for numerous fender/guide pile replacements conducted in the past. However, some fender/guide piles may not successfully settle under their natural weight, and some fender/guide piles may require more efficient replacement. For these situations, hydraulic jetting, to be accomplished by trained diver(s), would be the preferred method proposed by the City and would result in localized disturbance of the surrounding sand and a minimal turbidity plume.

Timber cap beam repairs would involve placing a new structural member alongside an old deteriorating one and joining the two together to provide needed structural integrity to the old member ('sister' type repair). Where a sister repair is impractical due to obstructions on the sides of the cap, new members (typically a pair of 4' x 12's or a C-Channel) would be installed between the piles in the damaged area, below the cap. Blocking and shims would then be installed between the new member and the cap, allowing load to be transferred from the caps, through the blocking to the 4' x 12's, and then ultimately back to the cap. Timber subcap repairs would involve bolting-frames made from steel C-channels to both sides of the caps and pile. The frame would restore the load path between the caps and the pile and provide a splice between the two caps. Cap beam splice repairs would be used where cap beam splices were found to be split. Depending on location, these splices are under load and should not be removed without providing temporary shoring. The recommended repair would be to replace the splices in kind, providing temporary shoring as required. As an alternative, the splices could be repaired without removing the existing cap beam splices. This repair could be done

using a new member installed beneath the splice and an additional member installed outside of the existing splice.

Timber stringer repairs include in-kind replacement, which would involve cutting out the original stringer and placing a new member in its place; or adding a stringer next to the damaged stringer. In both repairs, the stringer can be placed from below on a skiff or float or a portion of the deck can be removed and the stringer added from above.

Miscellaneous framing activities include fender framing and bracing. Fender hardware, chocks and other fendering components exhibiting wear due to frequent contact with berthing vessels would be replaced in-kind by removing the existing member and bolting in a new one, typically from a skiff or float. Where applicable, new materials would be used, which may consist of recycled plastic, plastic lumber, HDPE, treated timber, galvanized steel or rubber. Existing damaged bracing would be replaced in-kind.

Concrete repairs include beam cracks, spalls and sheet pile breakwater. Beam cracks without staining could be repaired with various types of epoxy and grout, depending on crack width, by binding cracked sections together and preventing water intrusion. Cracks with staining would need to be chipped back to the corroded reinforcing, then the reinforcing steel would be cleaned and prepared, and patched with a cementitious grout. Spalled concrete must be removed back to sound material and any exposed steel must be cleaned and prepared. If an excessive section has been lost, it would have to be replaced. For both beam cracks and spalls, a float or skiff would be positioned directly below the repair to catch any debris and in some instances tarps or platforms would be used to ensure no debris falls in the water. The concrete sheet pile breakwater at Wharf II shows minor signs of deterioration. Cracks and spalls would be filled or patched. Cracks without staining could be repaired with various types of epoxy and grout (selected for marine/in-water applications), depending on crack width. Spalls or cracks with staining should be chipped out to sound concrete and patched with cementitious grout. Corroded rebar would be replaced in-kind or supplementary rebar added. Chipping of concrete would only take place above water and the contractor would ensure any debris is captured.

The maintenance and repair program activities are proposed to proceed in cycles of approximately 3 years each, which consist of inspection, design, and implementation. Once initiated, implementation (construction) of the activities proposed under one maintenance 'cycle' would generally be expected to require a total of approximately 3-8 months to complete.

Based on the City's agreements with local businesses on and around the wharves, and to avoid construction-related impacts during the busy summer tourism season, program work would typically be limited to the period from after Labor Day (the first Monday in September) to prior to Memorial Day (the last Monday of May), in any given year. Work would typically occur on weekdays, generally 8am-5pm, but may occur at night, during time periods when the work would severely impact wharf business and tourism. The City proposes to implement the most urgent structural maintenance repairs recommended under the first 'cycle;' this first cycle is anticipated to require approximately 3 – 8 months.

Basic Project Purpose: The basic project purpose comprises the fundamental, essential, or irreducible purpose of the project, and is used by USACE to determine whether the project is water dependent. The basic project purpose is to authorize structures or work, including discharges of dredge or fill material, in waters of the U.S. for maintenance and repair activities.

Overall Project Purpose: The overall project purpose serves as the basis for the Section 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project while allowing a reasonable range of alternatives to be analyzed. The overall project purpose is to streamline the permitting of the wharves' maintenance and repair activities that would restore the original capacity of the wharves while providing safe and reliable access to the existing wharf structures, greater predictability and time- and cost-efficiencies associated with permitting and ensuring minimal environmental impacts.

Project Impacts: The project activities would have short-term and localized water quality impacts, such as turbidity from pile removal and replacement installation of piles using an impact hammer and the hydraulic jetting method; accidental discharges of debris while conducting in-water and over-water work; substrate/habitat disturbance from pile replacement activities, pile sleeving and/or encasement repair, and concrete block foundation repair activities; and potential hydroacoustic impacts to marine mammals and protected fish species from replacement installation of piles using an impact hammer. The project would avoid permanent impacts to waters of the U.S. to the extent practicable, though some minor permanent impacts would be unavoidable. These include minor net increases in in-water footprints and/or displacement volumes due to some repairs requiring

placement of additional parts/materials on existing structures. There would be no expansion in usable wharf footprints nor any changes in the existing uses of the wharves. The total increase volume associated with these activities over a period of 10 years would be approximately 17.24 cubic yards (over a total increase of 54.24 square feet).

Proposed Mitigation: The City of Monterey would avoid impacts to waters of the U.S. to the maximum extent practicable and the project would result in negligible discharge of fill and no expansion of area of the wharves' usable footprint. Where work in waters of the U.S. cannot be avoided due to safety concerns or logistical considerations, standard best management practices for construction activities would be implemented to minimize adverse effects to aquatic resources. Short-term water quality and hydroacoustic impacts to aquatic species, including protected marine mammals, are associated with pile replacement/installation, and measures to avoid and minimize these impacts would be determined through consultation with the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service. Permanent impacts are anticipated to be minimal, but cannot be accurately calculated until a specific round of repairs has been fully designed. The City of Monterey proposes compensatory mitigation for any permanent impacts that are greater than 0.1 acre at a 1:1 ratio for net permanent losses of aquatic habitats, and 0.5:1 for net increases in overwater shading.

3. STATE AND LOCAL APPROVALS:

Water Quality Certification: State water quality certification or a waiver thereof is a prerequisite for the issuance of a Department of the Army Permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1341 *et seq.*). The applicant is hereby notified that, unless USACE is provided documentation indicating a complete application for water quality certification has been submitted to the RWQCB within 30 days of this Public Notice date, the District Engineer may consider the Department of the Army permit application to be withdrawn. No Department of the Army Permit will be issued until the applicant obtains the required certification or a waiver of certification. A waiver can be explicit, or it may be presumed if the RWQCB fails or refuses to act on a complete application for water quality certification within 60 days of receipt, unless the District Engineer determines a shorter or longer period is a reasonable time for the RWQCB to act.

Water quality issues should be directed to the Executive Officer, California Regional Water Quality Control Board, Central Coast Region, 895 Aerovista Place, Suite 101, San Luis Obispo, California 93401, by the close of the comment period.

Coastal Zone Management: Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1456(c) *et seq.*), requires a non-Federal applicant seeking a federal license or permit to conduct any activity occurring in or affecting the coastal zone to obtain a Consistency Certification that indicates the activity conforms with the state's coastal zone management program. Generally, no federal license or permit will be granted until the appropriate state agency has issued a Consistency Certification or has waived its right to do so. Since the project occurs in the coastal zone or may affect coastal zone resources, the applicant is hereby advised to apply for a Consistency Certification from the California Coastal Commission to comply with this requirement.

Coastal zone management issues should be directed to the District Manager, California Coastal Commission, Central Coast District Office, 725 Front Street, Suite 300, Santa Cruz, California 95060-4508, by the close of the comment period.

4. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act (NEPA): Upon review of the Department of the Army permit application and other supporting documentation, USACE has made a *preliminary* determination that the project neither qualifies for a Categorical Exclusion nor requires the preparation of an Environmental Impact Statement for the purposes of NEPA. At the conclusion of the public comment period, USACE will assess the environmental impacts of the project in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347), the Council on Environmental Quality's regulations at 40 C.F.R. § 1500-1508, and USACE regulations at 33 C.F.R. § 325. The final NEPA analysis will normally address the direct, indirect, and cumulative impacts that result from regulated activities within the jurisdiction of USACE and other non-regulated activities USACE determines to be within its purview of Federal control and responsibility to justify an expanded scope of analysis for NEPA purposes. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing or denying a Department

of the Army Permit for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division.

Endangered Species Act (ESA): Section 7(a)(2) of the ESA of 1973, as amended (16 U.S.C. § 1531 *et seq.*), requires Federal agencies to consult with either the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) to ensure actions authorized, funded, or undertaken by the agency are not likely to jeopardize the continued existence of any Federally-listed species or result in the adverse modification of designated critical habitat. As the Federal lead agency for this project, USACE has conducted a review of the California Natural Diversity Data Base, digital maps prepared by USFWS and NMFS depicting critical habitat, and other information provided by the applicant to determine the presence or absence of such species and critical habitat in the project area. Based on this review, USACE has made a preliminary determination that the following Federally-listed species and designated critical habitat are present at the project location or in its vicinity and may be affected by project implementation. North American green sturgeon, Southern Distinct Population Segment DPS (*Acipenser medirostris*), steelhead, Central California Coast DPS (*Oncorhynchus mykiss*), steelhead, South Central California Coast DPS (*O. mykiss*), Chinook salmon, several ESUs (*Oncorhynchus tshawytscha*), Coho salmon, California Coastal ESU (*Oncorhynchus kisutch*), Leatherback sea turtle (*Dermochelys coriacea*), black abalone (*Haliotis cracherodii*), Southern sea otter (*Enhydra lutris nereis*), and Western snowy plover (*Charadrius alexandrinus nivosus*). Critical habitat for green sturgeon and Leatherback sea turtle is identified in the project area, but the project would involve maintenance of existing structures and so impacts to critical habitat would not occur. To address project related impacts to these species and designated critical habitat, USACE will initiate formal consultation with USFWS and NMFS, pursuant to Section 7(a) of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project.

Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA): Section 305(b)(2) of the MSFCMA of 1966, as amended (16 U.S.C. § 1801 *et seq.*), requires Federal agencies to consult with the NMFS on all proposed actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). EFH is defined as those waters and

substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. EFH is designated only for those species managed under a Federal Fisheries Management Plan (FMP), such as the *Pacific Groundfish FMP*, the *Coastal Pelagics FMP*, or the *Pacific Coast Salmon FMP*. As the Federal lead agency for this project, USACE has conducted a review of digital maps prepared by NMFS depicting EFH to determine the presence or absence of EFH in the project area. Based on this review, USACE has made a *preliminary* determination that EFH is present at the project location or in its vicinity and that the critical elements of EFH may be adversely affected by project implementation. The following FMPs are present within the project action area: the *Pacific Groundfish FMP*, the *Coastal Pelagics FMP*, the *Pacific Coast Salmon FMP*, the *West Coast Highly Migratory Species FMP* and the Rocky reef and Canopy kelp habitat areas of particular concern (HAPC). To address project related impacts to EFH, USACE will initiate consultation with NMFS, pursuant to Section 305(5)(b)(2) of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project.

Marine Protection, Research, and Sanctuaries Act (MPRSA): Section 302 of the MPRSA of 1972, as amended (16 U.S.C. § 1432 *et seq.*), authorizes the Secretary of Commerce, in part, to designate areas of ocean waters, such as the Cordell Bank, Gulf of the Farallones, and Monterey Bay, as National Marine Sanctuaries for the purpose of preserving or restoring such areas for their conservation, recreational, ecological, or aesthetic values. After such designation, activities in sanctuary waters authorized under other authorities are valid only if the Secretary of Commerce certifies that the activities are consistent with Title III of the Act. No Department of the Army Permit will be issued until the applicant obtains any required certification or permit. The project does not occur in sanctuary waters, and a *preliminary* review by USACE indicates the project is not likely to affect sanctuary resources. This presumption of effect, however, remains subject to a final determination by the Secretary of Commerce or his designee. While the Monterey Harbor is not within the boundary of the Monterey Bay National Marine Sanctuary, Wharf II is adjacent, and so the City proposes to coordinate with the MBNMS to inform them of the proposed project.

National Historic Preservation Act (NHPA): Section 106 of the NHPA of 1966, as amended (16 U.S.C. § 470 *et seq.*), requires Federal agencies to consult with the appropriate State Historic Preservation Officer to take

into account the effects of their undertakings on historic properties listed in or eligible for listing in the *National Register of Historic Places*. Section 106 of the Act further requires Federal agencies to consult with the appropriate Tribal Historic Preservation Officer or any Indian tribe to take into account the effects of their undertakings on historic properties, including traditional cultural properties, trust resources, and sacred sites, to which Indian tribes attach historic, religious, and cultural significance. As the Federal lead agency for this undertaking, USACE has conducted a review of the latest published version of the *National Register of Historic Places*, survey information on file with various city and county municipalities, and other information provided by the applicant to determine the presence or absence of historic and archaeological resources within the permit area. Based on this review, USACE has made a *preliminary* determination that historic or archaeological resources may be present in the permit area but that such resources would not be adversely affected by the project. Businesses or concessions on Wharf I (Fisherman's Wharf) may be eligible as part of the Monterey National Historic Landmark District. To address project related impacts to historic or archaeological resources, USACE will initiate consultation with the State Historic Preservation Officer or the Tribal Historic Preservation Officer, pursuant to Section 106 of the Act. Any required consultation must be concluded prior to the issuance of a Department of the Army Permit for the project. If unrecorded archaeological resources are discovered during project implementation, those operations affecting such resources will be temporarily suspended until USACE concludes Section 106 consultation with the State Historic Preservation Officer or the Tribal Historic Preservation Officer to take into account any project related impacts to those resources.

5. COMPLIANCE WITH THE SECTION 404(b)(1) GUIDELINES: Projects resulting in discharges of dredged or fill material into waters of the United States must comply with the Guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. § 1344(b)). An evaluation pursuant to the Guidelines indicates the project is dependent on location in or proximity to waters of the United States to achieve the basic project purpose. This conclusion raises the (rebuttable) presumption of the availability of a practicable alternative to the project that would result in less adverse impact to the aquatic ecosystem, while not causing other major adverse environmental consequences. No analysis of project alternatives was submitted because

there are no practicable alternatives to the proposed minor or incidental discharges that would have less adverse effect on the aquatic ecosystem and no alternative locations for conducting the shoreline maintenance activities.

6. PUBLIC INTEREST EVALUTION: The decision on whether to issue a Department of the Army Permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project and its intended use on the public interest. Evaluation of the probable impacts requires a careful weighing of the public interest factors relevant in each particular case. The benefits that may accrue from the project must be balanced against any reasonably foreseeable detriments of project implementation. The decision on permit issuance will, therefore, reflect the national concern for both protection and utilization of important resources. Public interest factors which may be relevant to the decision process include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore 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.

7. CONSIDERATION OF COMMENTS: USACE is soliciting comments from the public; Federal, State, and local agencies and officials; Native American Nations or other tribal governments; and other interested parties in order to consider and evaluate the impacts of the project. All comments received by USACE will be considered in the decision on whether to issue, modify, condition, or deny a Department of the Army Permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, and other environmental or public interest factors addressed in a final environmental assessment or environmental impact statement. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the project.

8. SUBMITTING COMMENTS: During the specified comment period, interested parties may submit written comments to Frances Malamud-Roam, San Francisco District, Regulatory Division, 450 Golden Gate Avenue, 4th Floor, Suite 0134, P.O. Box 36152, San Francisco, California 94102-3406; comment letters should cite the project name, applicant name, and public notice number to

facilitate review by the Regulatory Permit Manager. Comments may include a request for a public hearing on the project prior to a determination on the Department of the Army permit application; such requests shall state, with particularity, the reasons for holding a public hearing. All substantive comments will be forwarded to the applicant for resolution or rebuttal. Additional project information or details on any subsequent project modifications of a minor nature may be obtained from the applicant and/or agent or by contacting the Regulatory Permit Manager by telephone or e-mail (cited in the public notice letterhead). An electronic version of this public notice may be viewed under the *Public Notices* tab on the USACE website:
<http://www.spn.usace.army.mil/Missions/Regulatory>.