



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 (509) 682 7010
Attn: Debbie Knaub, Project Manager

WA Department of Ecology
SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: January 14, 2008
Expiration Date: February 13, 2008

Reference No.: NWS-2006-597 CRC
Name: Bachtel, Douglas

AFTER THE FACT SECTIONS 10 AND/OR 404

Interested parties are hereby notified that all or a portion of the work as described below and shown on the enclosed drawings was performed without specific authorization under Section 10 of the Rivers and Harbors Act and Section 404 and 401 of the Clean Water Act. U.S. Army Corps of Engineers permit regulations (33 CFR 320-330) allow District Engineers to make a determination of whether the activity is contrary to the public interest or if the work should be authorized by an after-the-fact permit.

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: Doug Bachtel
P.O. Box 1676
Taos, New Mexico 87571

AGENT: Todd Jackson
2458 Highland Place
East Wenatchee, Washington 98802

Telephone: (509) 679 9297

LOCATION: In Lake Chelan, near Manson, Chelan County, Washington. (3565 Chelan Boulevard, Manson, Washington)

WORK: Retain and replace existing pier (10 x 30' and 6 x 16') including 12 piles with concrete footings (2x2x2') armored with large angular rock; install ground based boat lift; install mooring buoy; install large woody debris as mitigation.

PURPOSE: Retain and repair existing recreational pier and provide recreational lake access and boat moorage.

MITIGATION: Install woody debris as mitigation.

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 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. The Corps has consulted with the USFWS under Section 7 of the ESA. The USFWS concurred with the Corps determination of may affect, not likely to adversely affect for the proposal.

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 project will not impact EFH in the project area.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

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.

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 Chelan County.

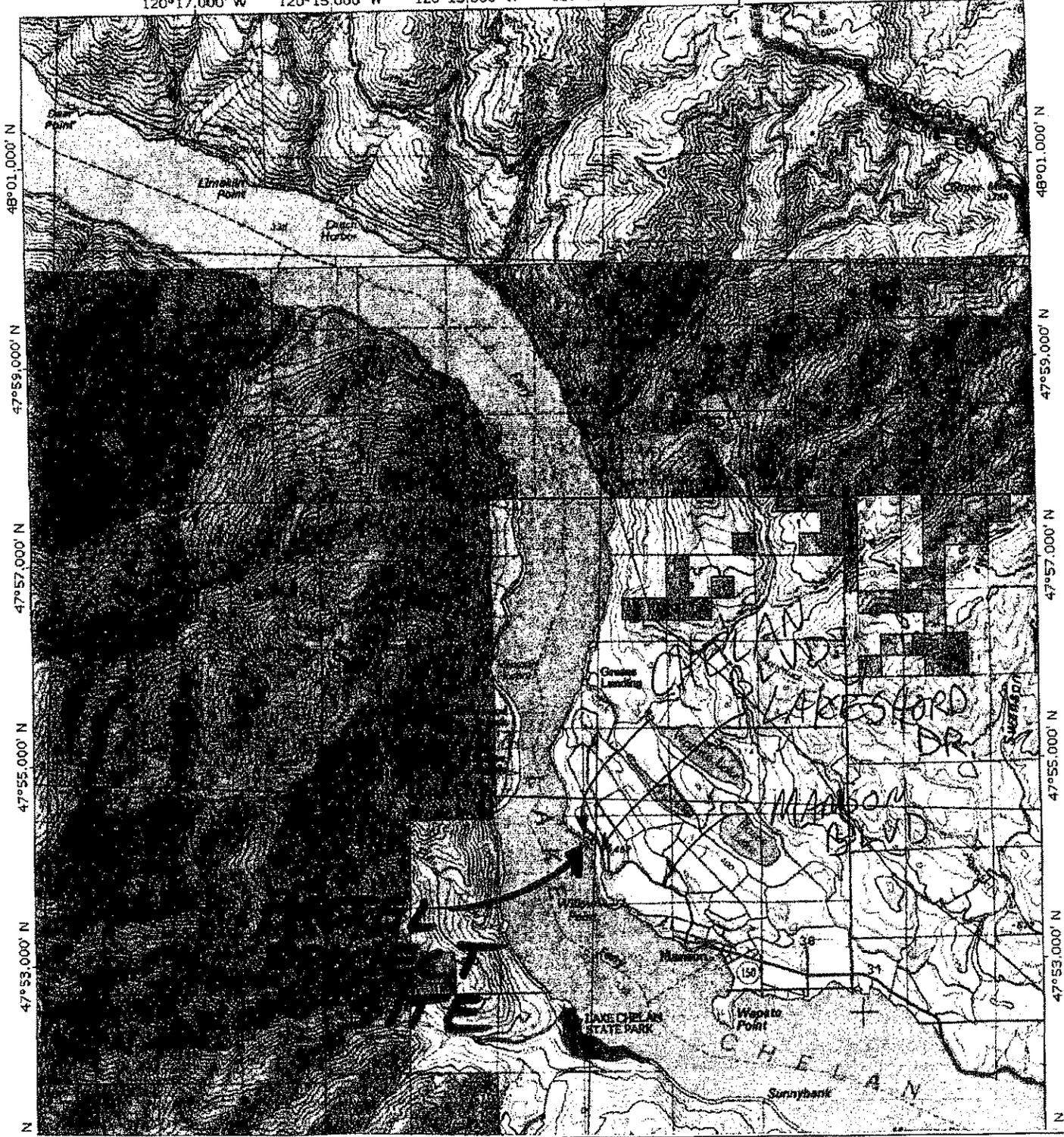
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from 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 commentor'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 Deborah.J.Knaub@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Debbie Knaub, Post Office Box 3755, Seattle, Washington, 98124-3755.

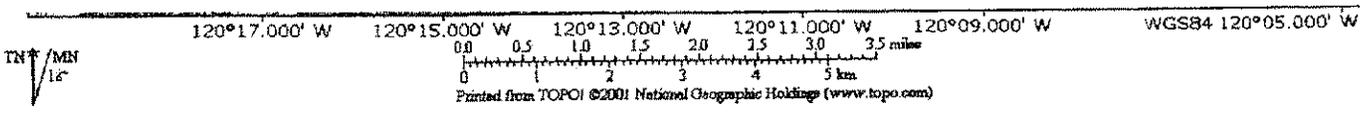
Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington, 98504-7600, or e-mail to ecyrefedpermit@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: Doug Bachtel, NWS 2006 597 CRC

Encl: Figures (5)



| | | |
|---|--------------------------------|---|
| REFERENCE # <i>NWS2006597LR</i> | APPLICANT: <i>DOUG BACHTEL</i> | PROJECT: REBUILD PEIR, LIFT, BUDY, MITIGATION |
| PROPERTY ADDRESS: 3565 CHELAN BLVD. MANSON W.A. 98831 | WATERBODY: LAKE CHELAN | DATUM: NGVD |
| PROXIMITY TO: MANSON 3MI | TOWNSHIP: 28N | RANGE: 21E SECTION: 28 COUNTY: CHELAN |
| ADJACENT PROPERTY OWNERS: PARKER | SCALE: <i>NTS</i> | PURPOSE: MOORAGE SHEET: 1 OF 5 |



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TO MANSON 3 MI

FLOW

NORTH

LAKE CHELAN

PIER TO BE REBUILT

PROPOSED BUDY

PROPOSED LIFT

EXISTING SEAWALL

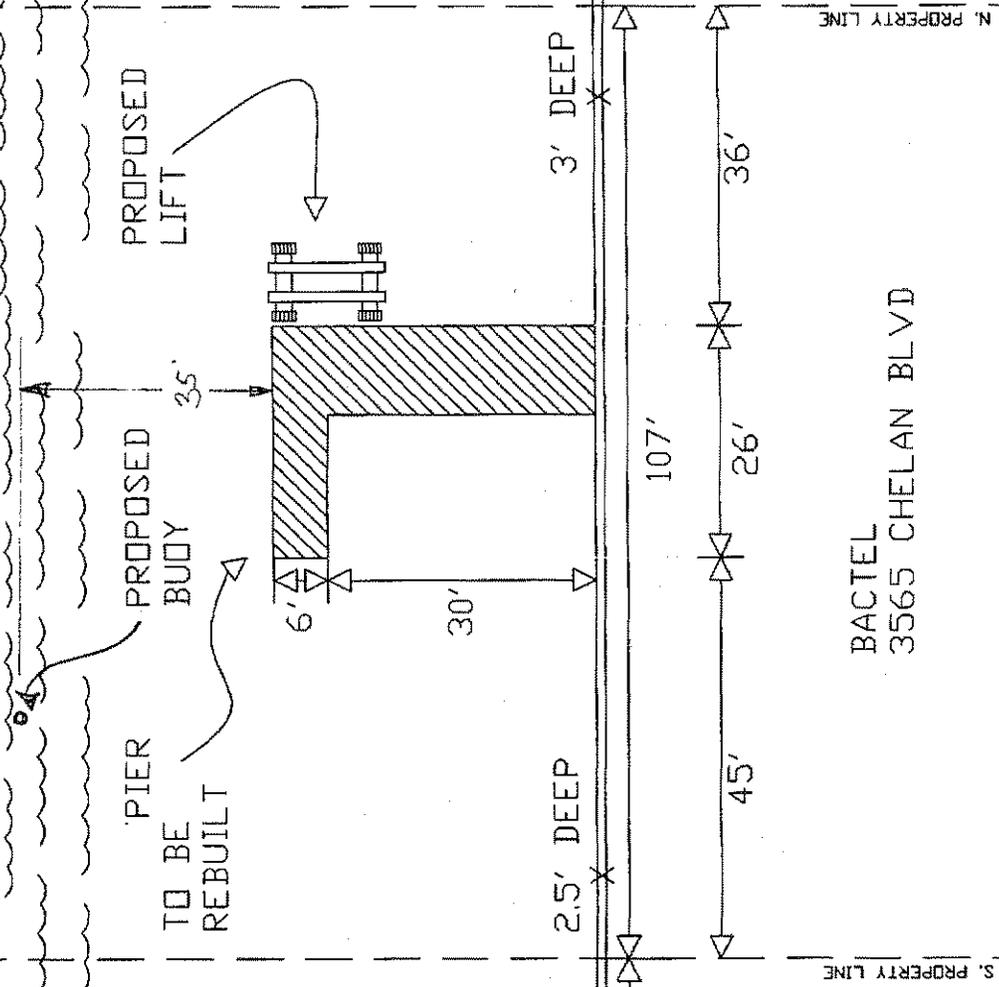
SEAWALL ENDS

PARKER
3555 CHELAN BLVD

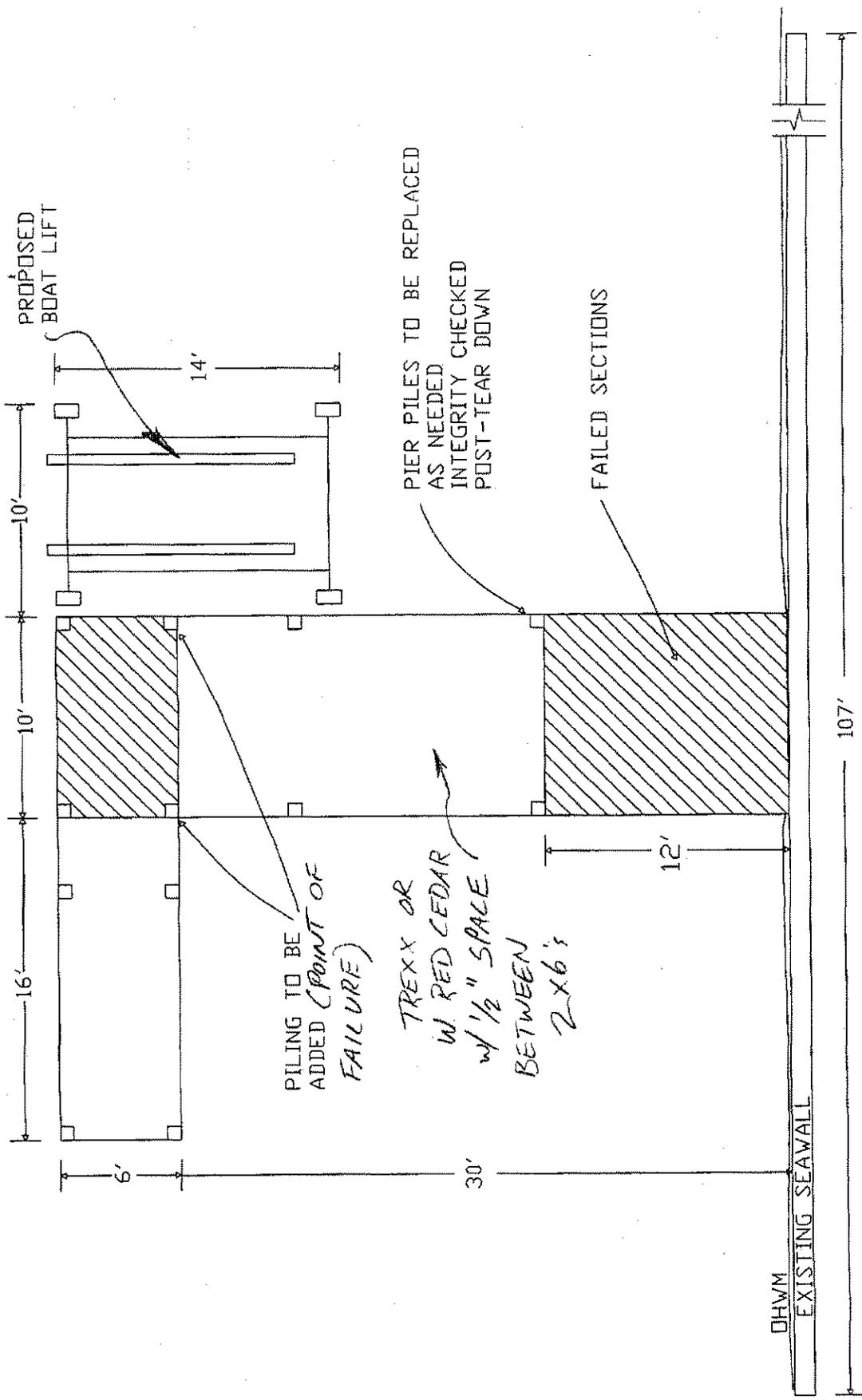
BACTEL
3565 CHELAN BLVD

UNDEVELOPED
PROPERTY

PLAN VIEW



| | | |
|---|--------------------------------------|-----------------------------------|
| REFERENCE # N/MS2006579 C.R.C. | APPLICANT: DOUG BACHTEL | PROJECT: REBUILD PIER, LIFT, BUDY |
| PROPERTY ADDRESS: 3565 CHELAN BLVD, MANSON, WA, 98831 | WATERBODY: LAKE CHELAN | DATUM: NGVD |
| PROXIMITY TO: MANSON 3 MI TO SOUTH | TOWNSHIP: 28N RANGE: 21E SECTION: 28 | COUNTY: CHELAN DATE: 03/02/06 |
| ADJACENT PROPERTY OWNERS: PARKER | SCALE: 1/4" = 20' | PURPOSE: MOORAGE |



SITE PLAN

| | | |
|---|--------------------------------------|---|
| REFERENCE # <i>W/32004597-LAC</i> | APPLICANT: DOUG BACTEL | PROJECT: REBUILD PEIR, LIFT, BUDY, MITIGATION |
| PROPERTY ADDRESS: 3565 CHELAN BLVD. MANSON W.A. 98831 | WATERBODY: LAKE CHELAN | DATUM: NGVD |
| PROXIMITY TO: MANSON 3 MI. | TOWNSHIP: 28N RANGE: 21E SECTION: 28 | COUNTY: CHELAN DATE: 3/03/06 |
| ADJACENT PROPERTY OWNERS: PARKER | SCALE: 1 IN = 7.3 FT | PURPOSE: MOORAGE |
| | | SHEET: 3 OF 5 |

PROPOSED BOAT
LIFT ALUMINUM,
STAINLESS
STEEL & NYLON

TREX OR WESTER RED CEDAR
DECKING W/ 1/2" SPACING

ALL STRUCTURAL MEMBERS
CHECKED FOR INTEGRITY AND
RE-INSTALLED IF POSSIBLE

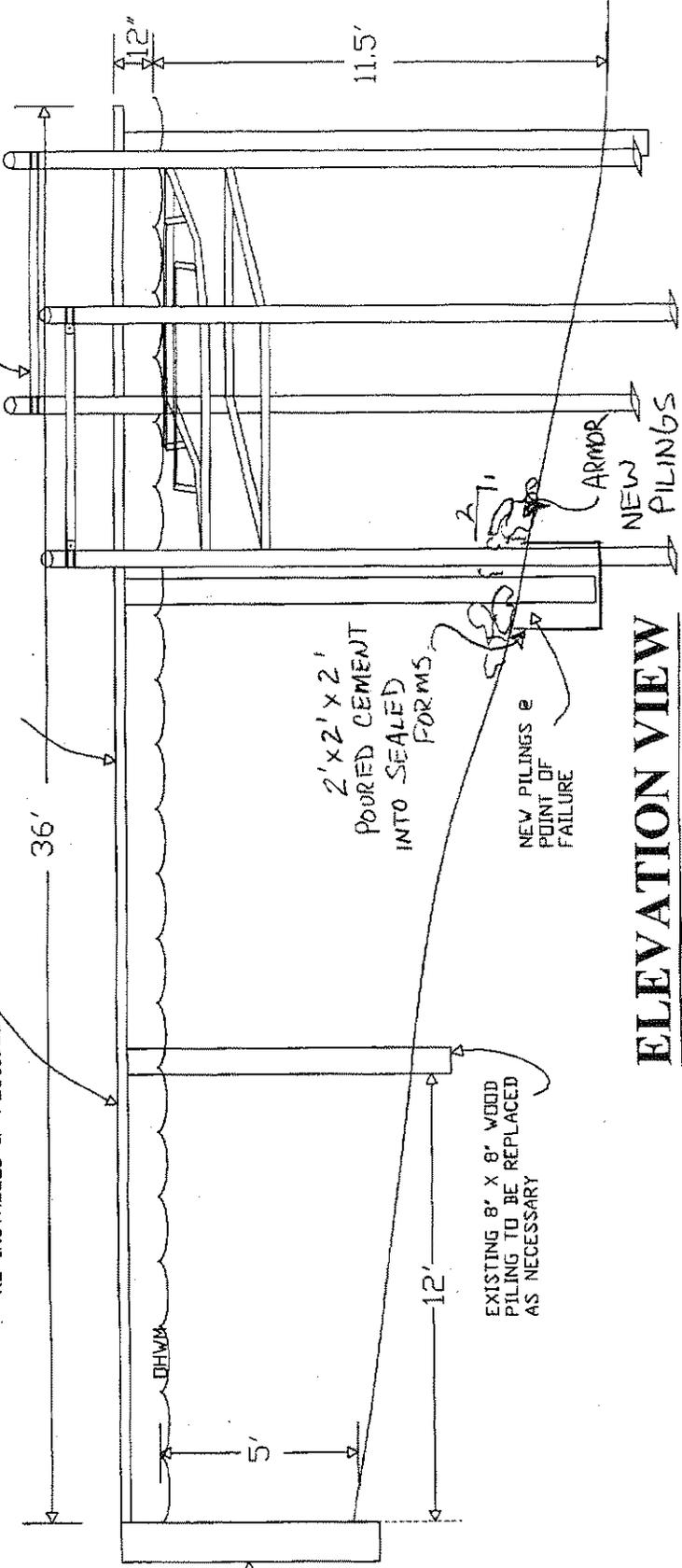
2'x2'x2'
POURED CEMENT
INTO SEALED
FORMS

EXISTING 8' X 8' WOOD
PILING TO BE REPLACED
AS NECESSARY

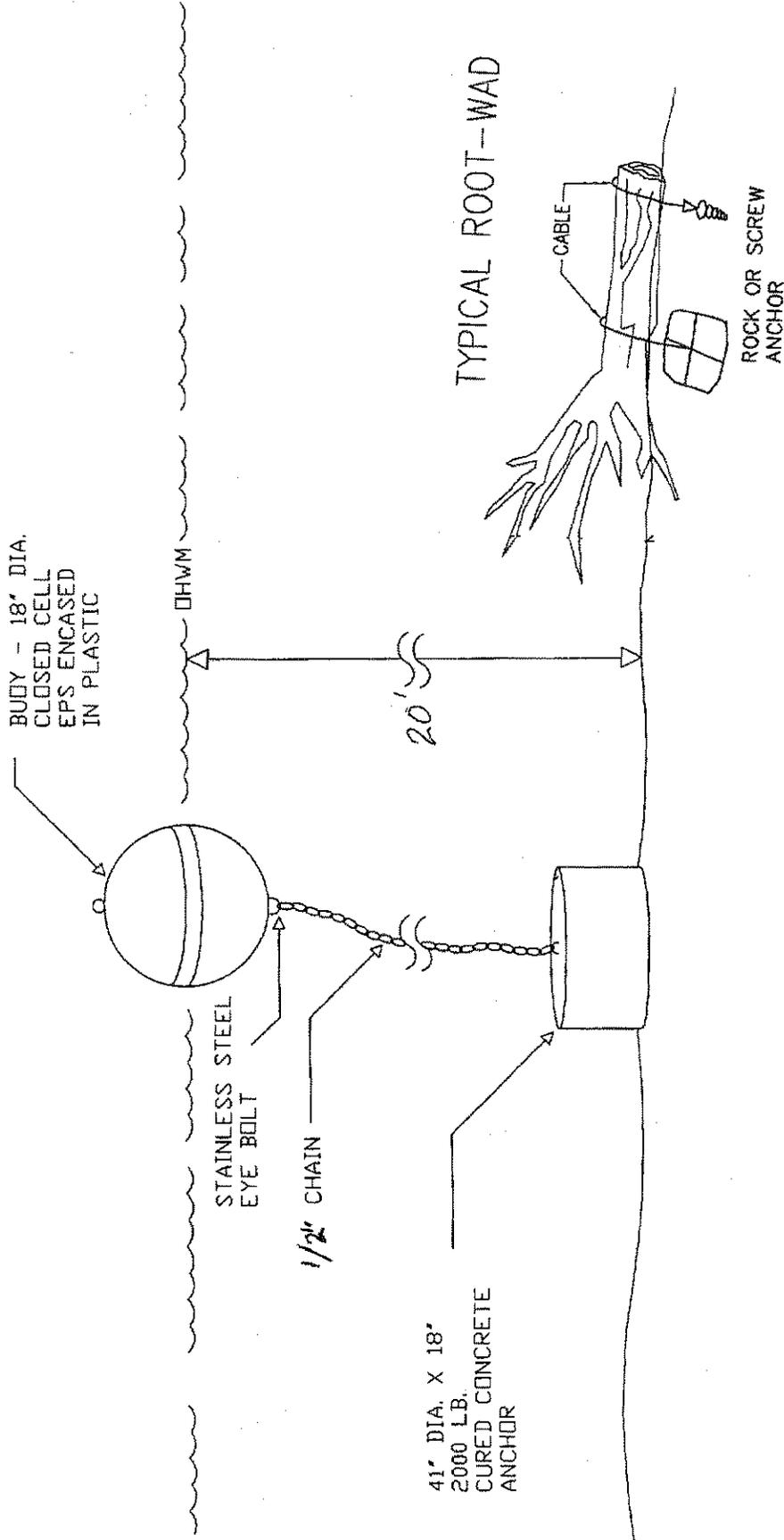
NEW PILING e
POINT OF
FAILURE

ARMOR
NEW
PILINGS

ELEVATION VIEW



| | | |
|---|------------------------|---|
| REFERENCE # NWS2006597CAC | APPLICANT: DOUG BACTEL | PROJECT: REBUILD PEIR, LIFT, BODY, MITIGATION |
| PROPERTY ADDRESS: 3565 CHELAN BLVD, MANSON W.A. 98831 | WATERBODY: LAKE CHELAN | DATUM: NGVD |
| PROXIMITY TO: MANSON 3 MI. | TOWNSHIP: 28N | RANGE: 21E |
| ADJACENT PROPERTY OWNERS: PARKER | SCALE: 1 IN = 4.35 FT | PURPOSE: MOORAGE |
| | SECTION: 28 | COUNTY: CHELAN |
| | DATE: 3/03/06 | |
| | | SHEET: 4 OF 5 |



BUOY ELEVATION VIEW

| | | |
|---|--------------------------------------|-----------------------------------|
| REFERENCE # : <i>MMS 2006597AC</i> | APPLICANT: DOUG BACTEL | PROJECT: REBUILD PIER, LIFT, BUOY |
| PROPERTY ADDRESS: 3565 CHELAN BLVD. MANSON, WA. 98831 | WATERBODY: LAKE CHELAN | DATUM: NGVD |
| PROXIMITY TO: MANSON 3 MI TO SOUTH | TOWNSHIP: 28N RANGE: 21E SECTION: 28 | COUNTY: CHELAN DATE: 03/02/06 |
| ADJACENT PROPERTY OWNERS: PARKER | SCALE: NTS | PURPOSE: MOORAGE |
| | | SHEET: 5 OF 5 |