



US Army Corps  
of Engineers  
Seattle District



WASHINGTON STATE  
DEPARTMENT OF  
ECOLOGY

# 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 (206) 766-6665  
Attn: Jerald Gregory, Project Manager

WA Department of Ecology  
SEA Program  
300 Desmond Drive Southeast  
Olympia, WA 98503-7600  
Telephone (360) 407-6068  
Attn: SEA Program, Federal Permit  
Coordinator

Public Notice Date: October 10, 2008  
Expiration Date: November 9, 2008

Reference No.: NWS-2008-1259-CRC  
Name: Foster, Ron

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

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.

APPLICANT: Mr. Ron Foster  
9420 West Pebble Brook Lane  
Boise, Idaho 83714  
Telephone: (208) 340-3665

AGENT: Grette Associates  
151 South Worthen Street, Suite 101  
Wenatchee, Washington 98801  
ATTN: Mr. Ryan Walker  
Telephone: (509) 663-6300

LOCATION: In Lake Chelan, near Chelan, Chelan County, Washington.

WORK: Construction of an 4.5-foot by 50-foot pier, excavation and fill of up to 15 cubic yards for piling footings, the installation of an aluminum ramp, the installation of an 8-foot by 20-foot float, the installation of an 8-foot by 10-foot swim float, the installation of a ground-based boat lift, and the retention of an existing mooring buoy.

PURPOSE: Private recreational access to Lake Chelan.

ADDITIONAL INFORMATION – Copies of this public notice which have been mailed or otherwise physically distributed, feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and scroll down the alphabetical listing of District elements, and click on "Regulatory" and then "Regulatory – Permits" for the Seattle

District's Regulatory homepage. Select the prominently displayed "Public Notices" heading and a list of recently-issued public notices will appear, in chronological order of the date of issuance. Select and view the listing for this project.

MITIGATION: As part of the original application, the applicant submitted a large woody debris plan consisting of two large woody debris structures to offset impacts to the aquatic environment. These structures will provide approximately 448 square feet of habitat.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the 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. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

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. Due to the project area's position in the landscape (i.e. adjacent to a river), there is the potential for unknown historic properties to occur in the project area. An historic properties investigation will be required during the permit review. 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.

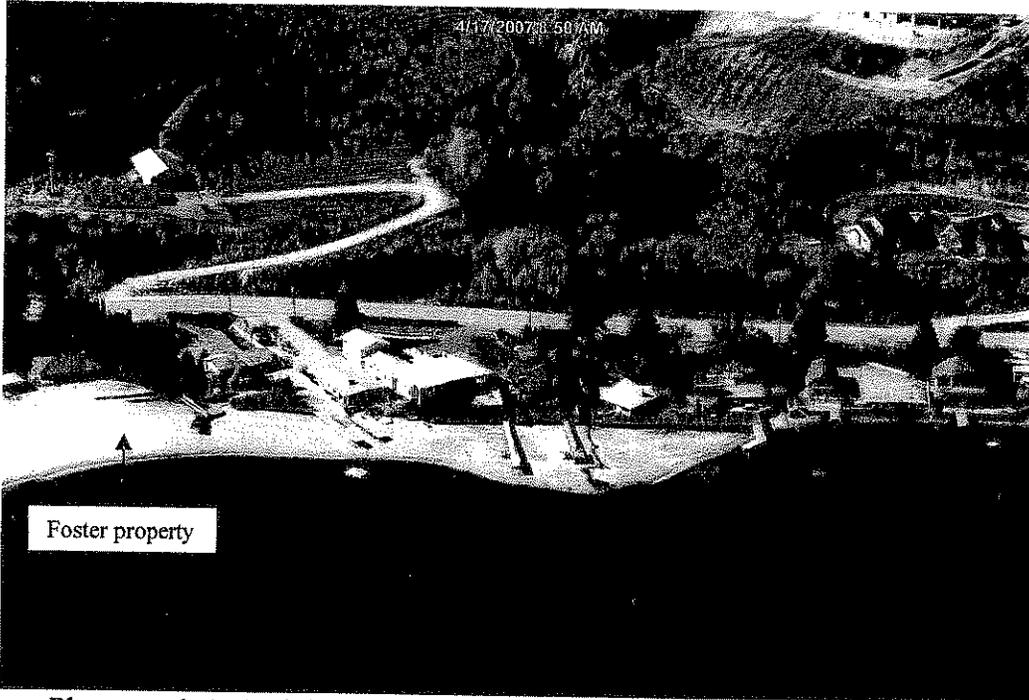
Corps comments: All e-mail comments should be sent to [Jerald.J.Gregory@usace.army.mil](mailto:Jerald.J.Gregory@usace.army.mil). Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Mr. Jerald J. Gregory, Post Office Box 3755, Seattle, Washington, 98124-3755.

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, 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, 98503-7600, or e-mail to [ecyfedpermit@ecy.wa.gov](mailto:ecyfedpermit@ecy.wa.gov)

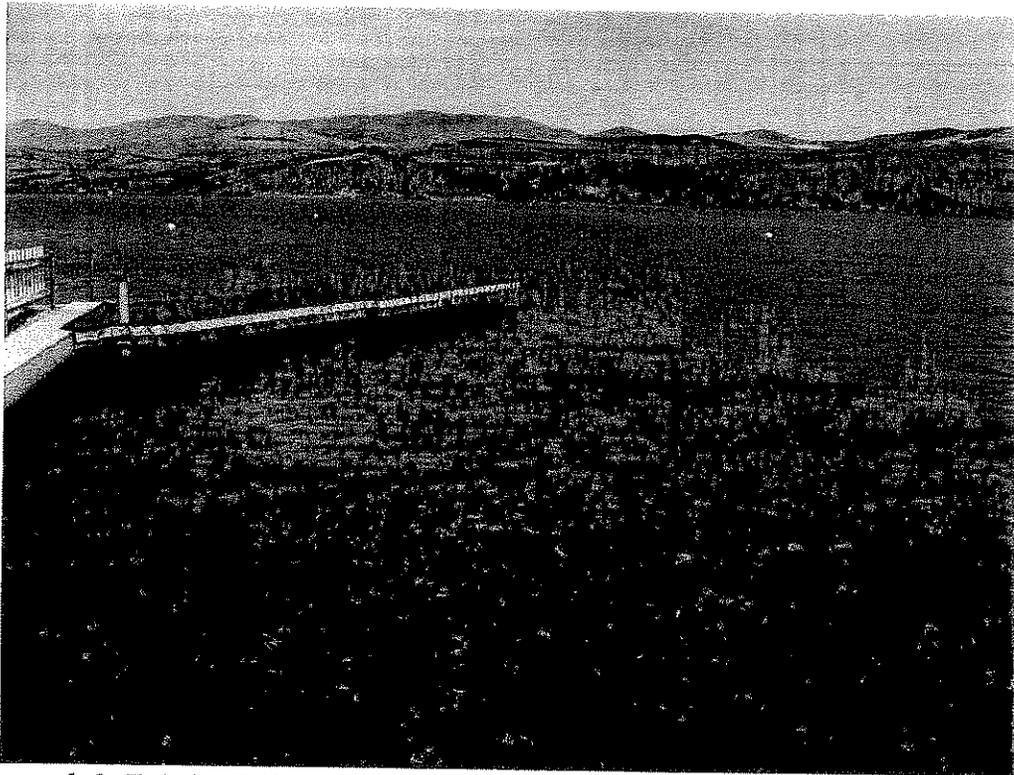
To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Foster, Ron, NWS-2008-1259-CRC

Encl: Figures (9)





Photograph 1: Aerial photo depicting shallowness of the Foster shoreline.



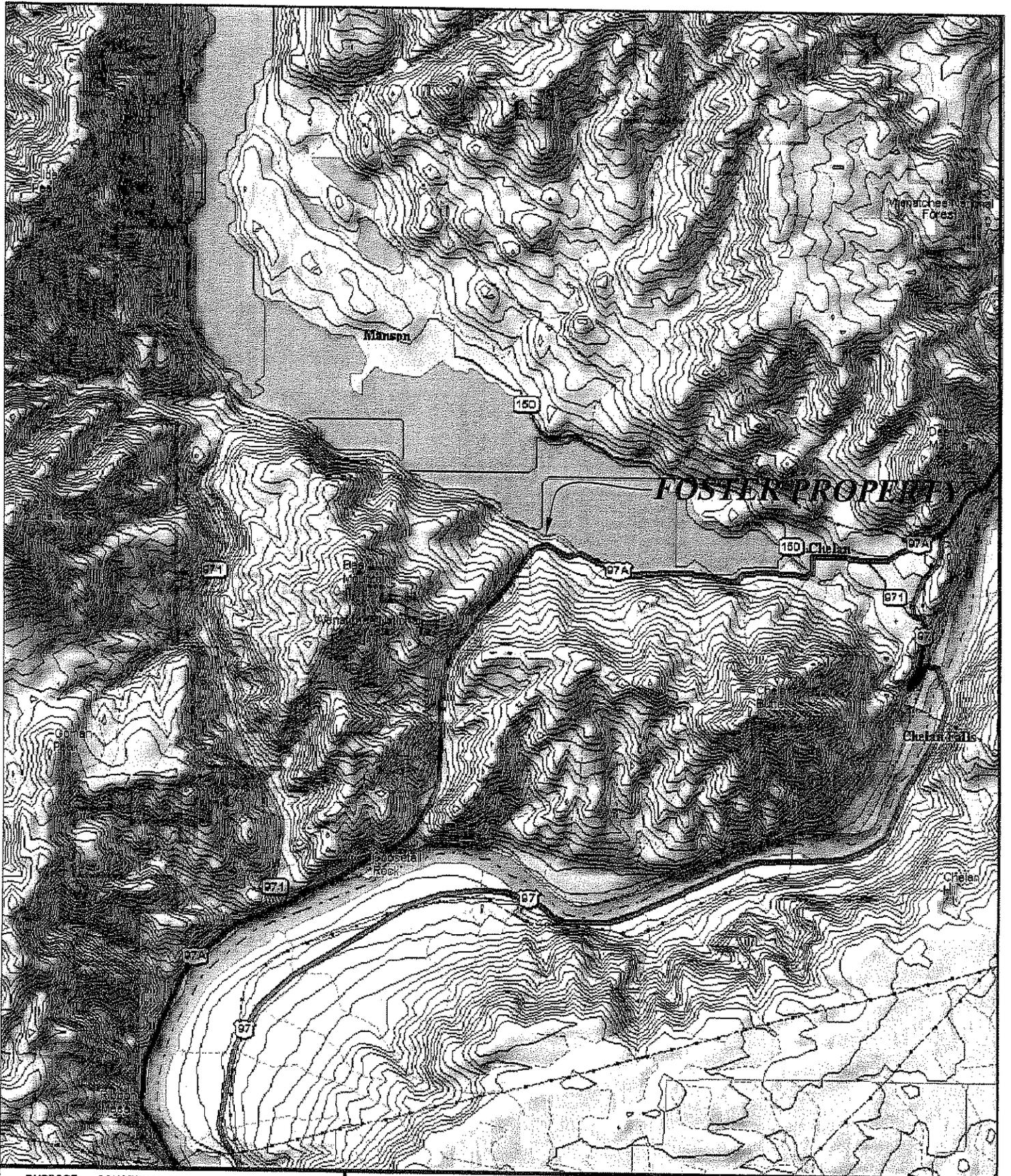
Photograph 2: Existing 240 sq ft pier to be removed and the location of the proposed pier.



Photograph 3: Shoreline of subject property taken from concrete shore abutment.



Photograph 4: Downlake view from proposed pier location.



PURPOSE: CONSTRUCTION OF A SINGLE-USE PIER  
BOATLIFT AND SWIMFLOAT

**ADJACENT PROPERTY OWNERS:**

- ① CHELAN HOUSE LLC  
616 BELLAIR AVE  
ABERDEEN, WA 98520
- ② FOSTER TRUST  
8420 W. PEBBLE BROOK LN  
BOISE, ID 83714

**VICINITY MAP**

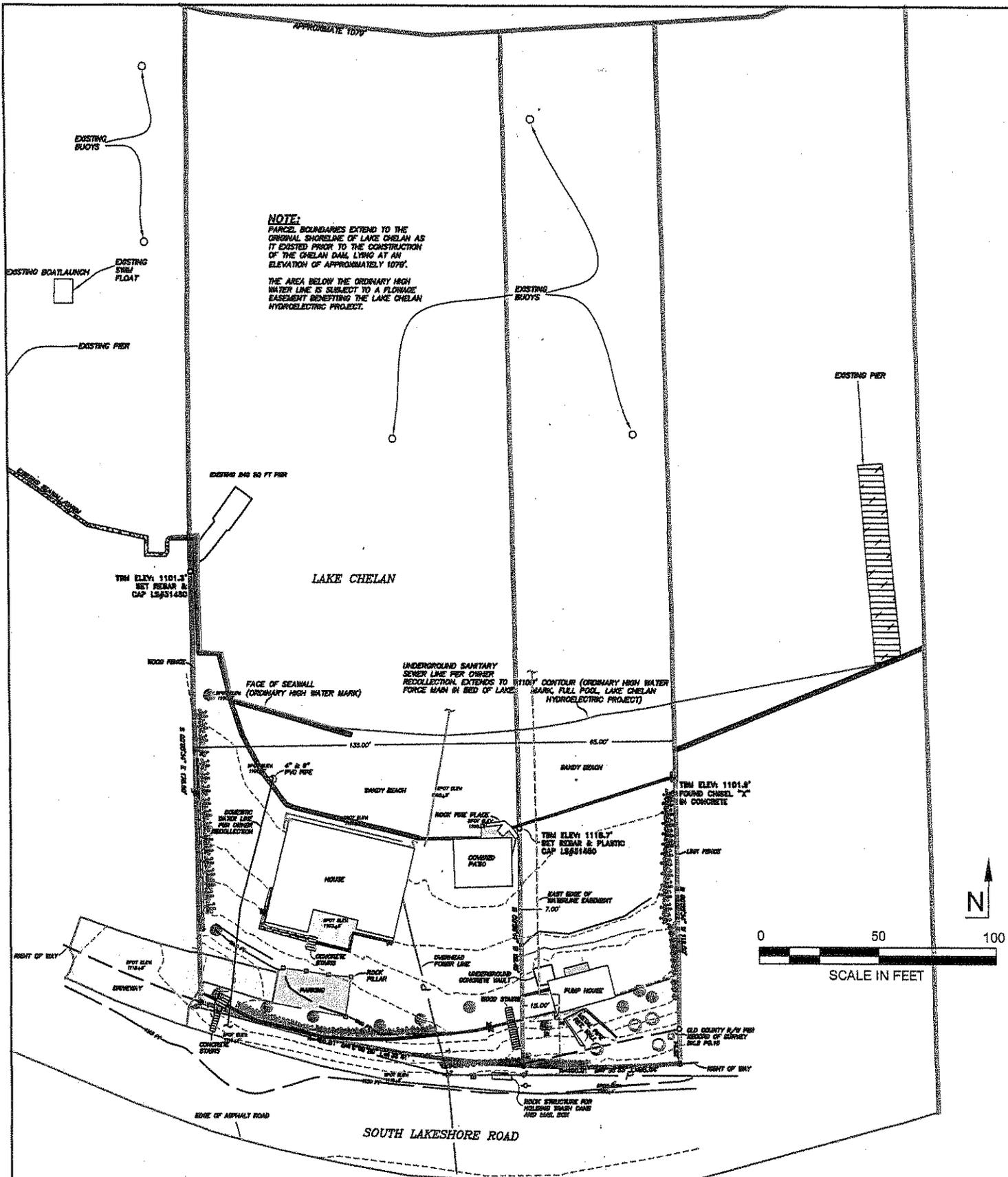


NWS-2008-1259-CAC

FOSTER PIER  
IN: LAKE CHELAN  
690 S. LAKESHORE RD.  
CHELAN, WA 98816

COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: RON FOSTER

SHEET NO. 1 OF 7 DATE: 8/08



**NOTE:**  
 PARCEL BOUNDARIES EXTEND TO THE ORIGINAL SHORELINE OF LAKE CHELAN AS IT EXISTED PRIOR TO THE CONSTRUCTION OF THE CHELAN DAM, LINGO AT AN ELEVATION OF APPROXIMATELY 1070'.  
 THE AREA BELOW THE ORDINARY HIGH WATER LINE IS SUBJECT TO A FLOODING EASEMENT BENEFITTING THE LAKE CHELAN HYDROELECTRIC PROJECT.

PURPOSE: CONSTRUCTION OF A SINGLE-USE PIER AND BOATLIFT

**ADJACENT PROPERTY OWNERS:**

① DALTON B. THOMAS  
 P.O. BOX 549  
 WENATCHEE, WA 98807-0549

② FOSTER TRUST  
 8420 W. PEBBLE BROOK LN  
 BOISE, ID 83714

**EXISTING CONDITIONS**



NCOS-2008-1259-CAC

FOSTER PIER  
 IN: LAKE CHELAN  
 690 S. LAKESHORE RD.  
 CHELAN, WA 98816

COUNTY OF: CHELAN  
 STATE: WA  
 APPLICATION BY: RON FOSTER

SHEET NO. 2 OF 7 DATE: 8/08

APPROXIMATE 1078'



PROPOSED LWD  
PLACEMENT

EXISTING  
BUOYS



**NOTE:**

PARCEL BOUNDARIES EXTEND TO THE ORIGINAL  
SHORELINE OF LAKE CHELAN AS IT EXISTED PRIOR TO  
THE CONSTRUCTION OF THE CHELAN DAM, LYING AT  
AN ELEVATION OF APPROXIMATELY 1078'.

THE AREA BELOW THE ORDINARY HIGH WATER LINE IS  
SUBJECT TO A FLOWAGE EASEMENT BENEFITTING THE  
LAKE CHELAN HYDROELECTRIC PROJECT.

EXISTING BOATLAUNCH



EXISTING  
SWIM  
FLOAT

EXISTING PIER

EXISTING  
BUOYS

PROPOSED  
SWIM  
FLOAT

PROPOSED  
435 SQ FT  
PIER AND  
FLOAT

PROPOSED  
BOATLIFT

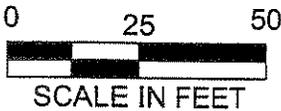
LAKE CHELAN

TBM ELEV: 1101.3'  
SET REBAR &  
CAP L5#31450

WOOD FENCE

FACE OF SEAWALL  
(ORDINARY HIGH WATER MARK)

1100' CONTOUR (ORDINARY HIGH WATER  
MARK, FULL POOL, LAKE CHELAN  
HYDROELECTRIC PROJECT)



SPOT ELEV: 1100.0'  
4" & 6"  
PVC PIPE

SANDY BEACH

SANDY BEACH

TBM ELEV:  
FOUND CHIS

PURPOSE: CONSTRUCTION OF A SINGLE-USE PIER  
BOATLIFT AND SWIMFLOAT

**ADJACENT PROPERTY OWNERS:**

- ① CHELAN HOUSE LLC  
515 BEL AIR AVENUE  
ABERDEEN, WA 98520
- ② FOSTER TRUST  
8420 W PEBBLE BROOK LN  
BOISE, ID 83714

# SITE PLAN



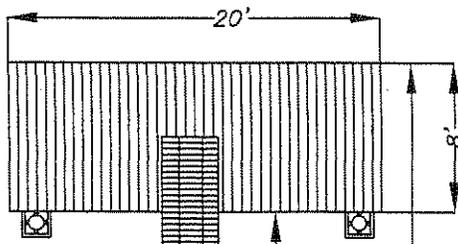
NWS-2008-1259-CAC

FOSTER PIER  
IN: LAKE CHELAN  
690 S. LAKESHORE RD.  
CHELAN, WA 98816

COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: RON FOSTER

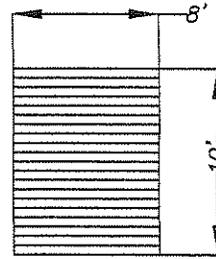
SHEET NO. 3 OF 7

8/08



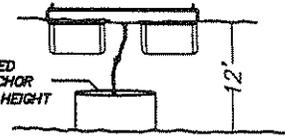
8 X 20 FLOAT

3 X 25 GRATED ALUMINUM GANGWAY



8X10 SWIM FLOAT 1/2 IN SPACE BETWEEN PLANKS

2,000 LB CURED CONCRETE ANCHOR  
4' DIAM. X 2' HEIGHT



4 1/2 X 50 FIXED PILE  
PIER 1/2 IN SPACE BETWEEN PLANKS

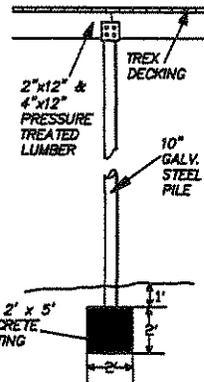
4.50'

2"x12" & 4"x12" PRESSURE TREATED LUMBER

OHWM/EXISTING SEAWALL

80'

50'



SCALE IN FEET

PURPOSE: CONSTRUCTION OF A SINGLE-USE PIER BOATLIFT AND SWIMFLOAT

ADJACENT PROPERTY OWNERS:

- ① CHELAN HOUSE LLC  
616 BEL AIRE AVE  
ABERDEEN, WA 98520
- ② FOSTER TRUST  
8420 W. PEBBLE BROOK LN  
BOISE, ID 83714

## PIER AND FLOAT PLAN

 **Grette Associates** LLC  
ENVIRONMENTAL CONSULTANTS

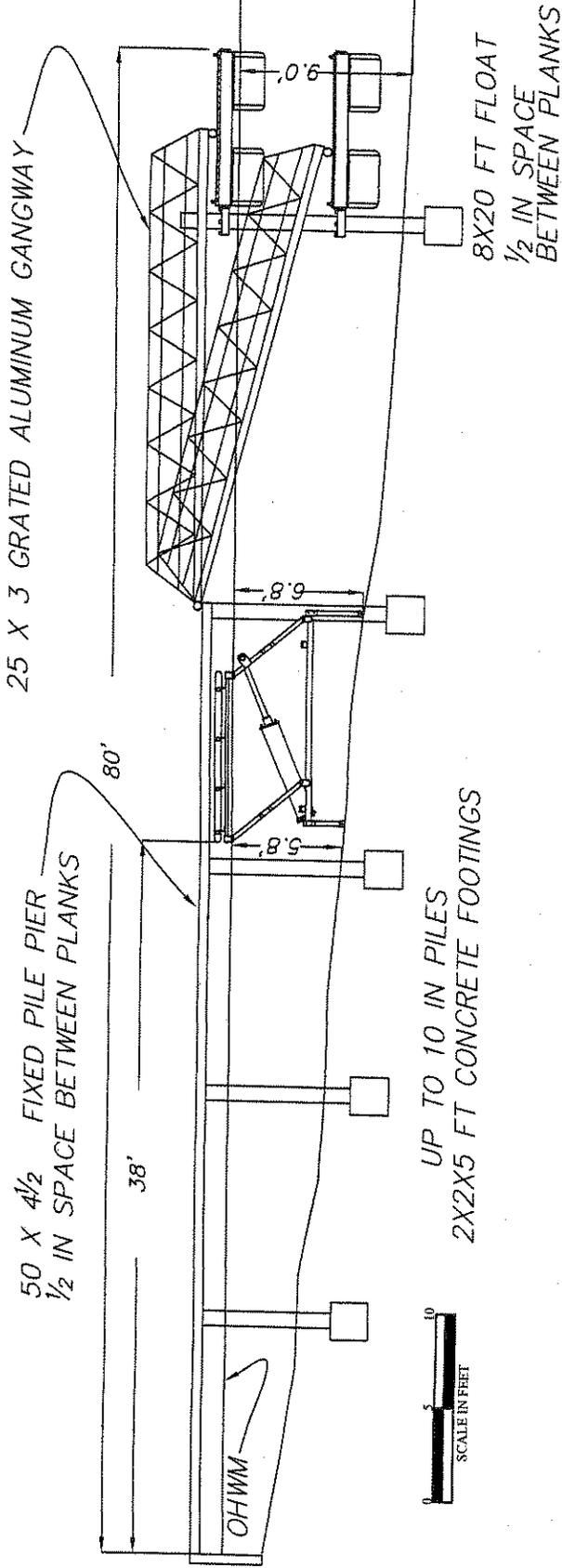
NWS-2008-1259-CNC

FOSTER PIER  
IN: LAKE CHELAN  
690 S. LAKESHORE RD.  
CHELAN, WA 98816

COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: RON FOSTER

SHEET NO. 4 OF 7

8/5/08



PURPOSE: CONSTRUCTION OF A SINGLE-USE PIER  
BOATLIFT AND SWIMFLOAT

ADJACENT PROPERTY OWNERS:

- ① CHELAN HOUSE LLC  
616 BEL AIR AVE  
ABERDEEN, WA 98520
- ② FOSTER TRUST  
9420 W. PEBBLE BROOK LN  
BOISE, ID 83714

CROSS SECTION

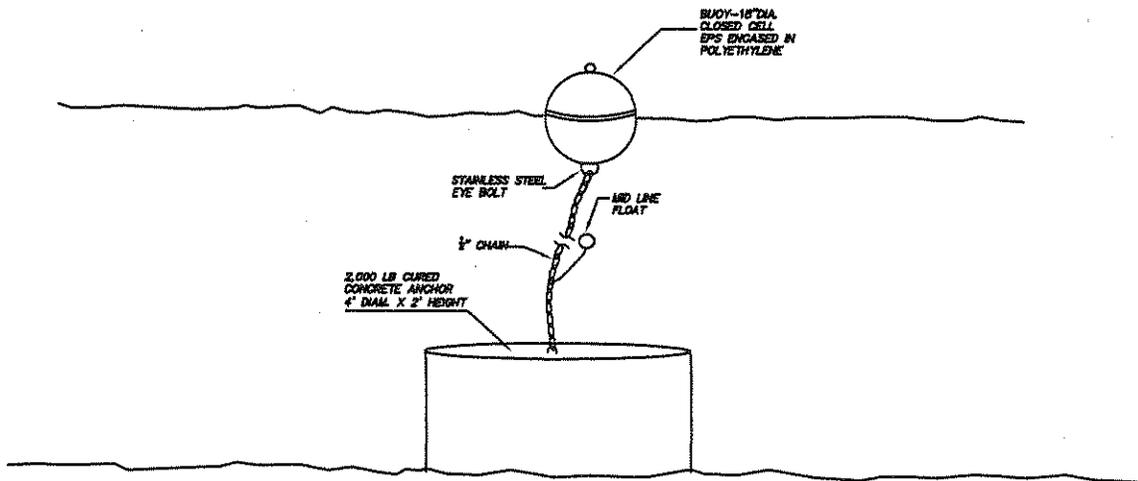
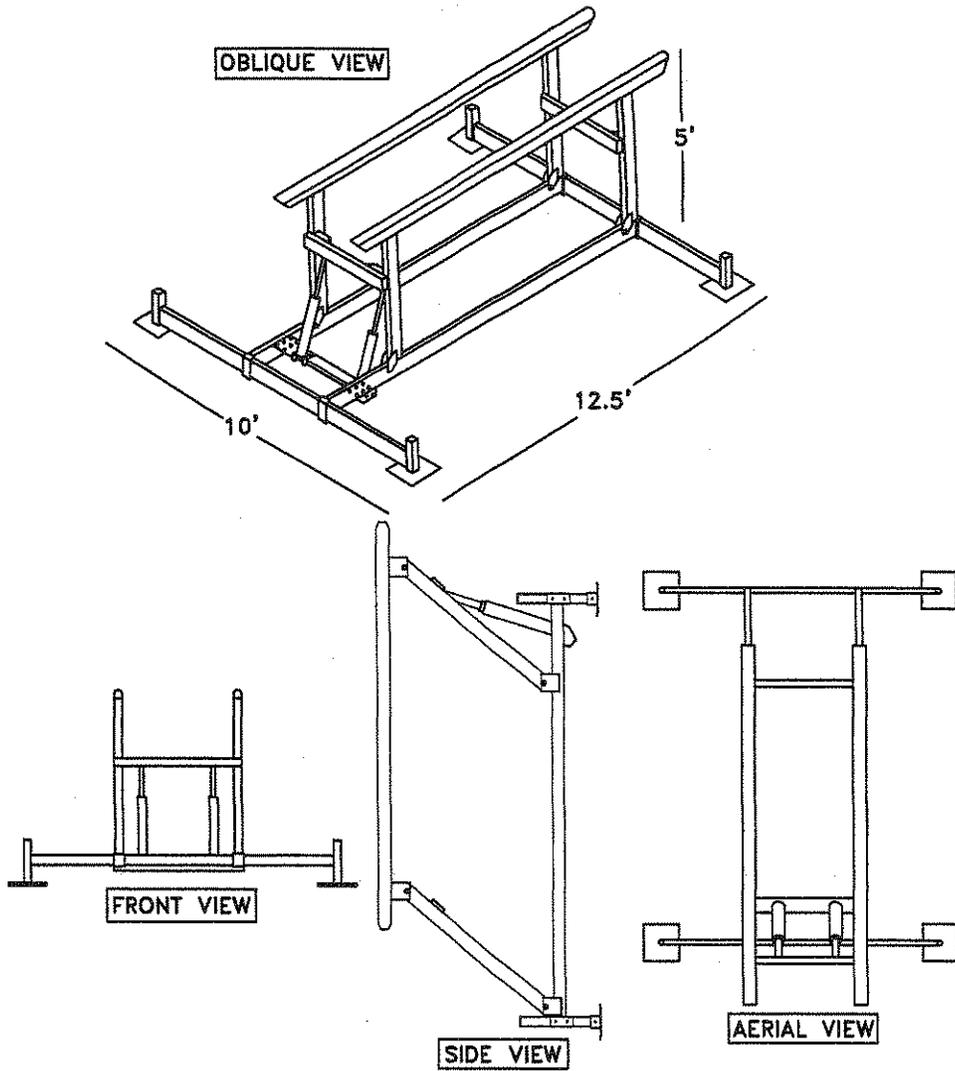
Grette Associates<sup>INC</sup>  
ENVIRONMENTAL CONSULTANTS

NWS-2008-(259)-CNC

FOSTER PIER  
IN: LAKE CHELAN  
690 S. LAKESHORE RD.  
CHELAN, WA 98816

COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: RON FOSTER

SHEET NO. 5 OF 7 DATE: 8/5/08



PURPOSE: CONSTRUCTION OF A SINGLE-USE PIER BOATLIFT AND SWIMFLOAT

**ADJACENT PROPERTY OWNERS:**

- ① CHELAN HOUSE LLC  
616 BEL AIR AVE  
ABERDEEN, WA 98520
- ② FOSTER TRUST  
9420 W. PEBBLE BROOK LN  
BOISE, ID 83714

**BOATLIFT/BUOY DETAILS**



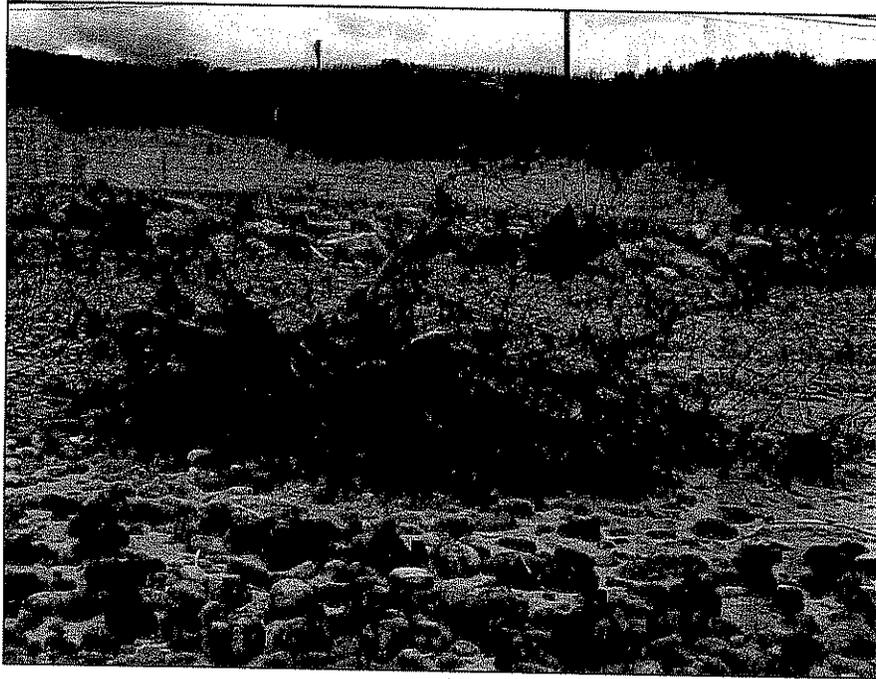
NWS-2008-1259-CNC

FOSTER PIER  
IN: LAKE CHELAN  
690 S. LAKESHORE RD.  
CHELAN, WA 98818

COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: RON FOSTER

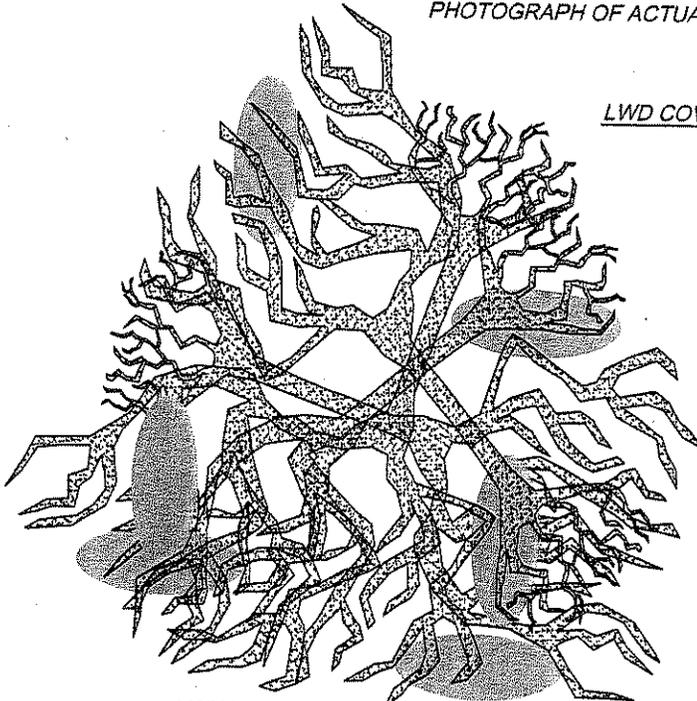
SHEET NO. 6 OF 7

8/08

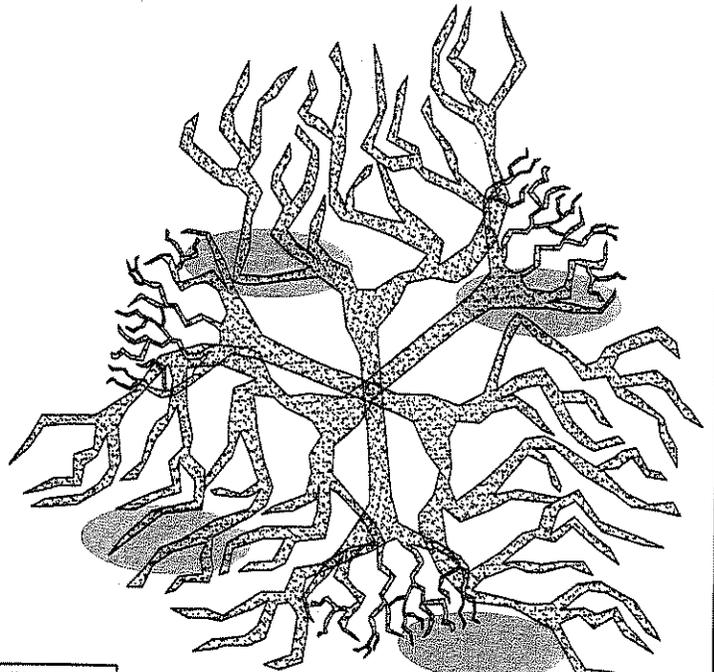


PHOTOGRAPH OF ACTUAL LWD IN LAKE CHELAN

LWD COVER STRUCTURE



4 WHOLE MATURE FRUIT  
TREES WITH LIMBS AND  
ROOTWADS ATTACHED



3 WHOLE MATURE FRUIT  
TREES WITH LIMBS AND  
ROOTWADS ATTACHED

TREES CABLED TOGETHER  
AND ANCHORED WITH LARGE  
ROCK OR SCREW ANCHORS

PURPOSE: CONSTRUCTION OF A SINGLE-USE PIER  
BOATLIFT AND SWIMFLOAT

ADJACENT PROPERTY OWNERS:

- ① CHELAN HOUSE LLC  
818 BEL AIRE AVE.  
ABERDEEN, WA 98520
- ② FOSTER TRUST  
8420 W. PEBBLE BROOK LN  
BOISE, ID 83714

MITIGATION



NWS 2009-1259-CNC

FOSTER PIER  
IN: LAKE CHELAN  
690 S. LAKESHORE RD.  
CHELAN, WA 98816

COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: RON FOSTER

SHEET NO. 7 OF 7

8/08

