



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch

Post Office Box 3755

Seattle, Washington 98124-3755

Telephone (206) 764-3495

ATTN: Debbie Knaub, Project Manager

Public Notice Date: May 13, 2004

Expiration Date: June 13, 2004

Reference: 200301406

Name: Topaz Cove Homeowner's
Association

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 of March 3, 1899. U.S. Army Corps of Engineers permit regulations (33 CFR 320-330) dated November 13, 1986, allow District Engineers to make a determination of whether the activity is not contrary to the public interest.

APPLICANT - Topaz Cove Homeowners' Association
Mr. Jim Wright
44 Wright Lane
Orondo, Washington 98843
Telephone: (509) 784-1231

AGENT - Mr. Todd Jackson
2458 Highland Place
East Wenatchee, Washington 98802
Telephone: (509) 679-9297

LOCATION - In Lake Chelan, at Manson, Chelan County, Washington

WORK - Retain 2 buoys placed without permit during the summer of 2003 and add an additional buoy. There are currently five buoys at this location, including the 2 buoys placed during the summer of 2003. There will be a total of 6 buoys if the proposal is permitted at the Topaz Cove development.

Notes - Swing of boat may be greater than shown in applicant's drawings due to lowering of lake.
Lot lines do not extend out into Lake Chelan as shown on applicant's drawing.
Docks and mooring buoys are present at adjacent properties but are not shown on applicant's drawings.

PURPOSE - To provide recreational boat moorage.

ENDANGERED SPECIES -

The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The Columbia River bull trout (*Salvelinus confluentus*), threatened in the state of Washington, may occur in the proposed project area.

A preliminary determination indicates that the activity may affect, but is not likely to adversely affect the bull trout. Informal consultation under Section 7 of the ESA will be initiated with the U.S. Fish and Wildlife Service.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). There is no EFH in the project area.

The Corps has determined that the proposed action will not adversely affect designated EFH for federally-managed fisheries in Washington waters. No further EFH consultation is necessary.

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. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property.

The District Engineer invites responses to this public notice from Federal, Native American Nations or tribal governments, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the 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 - The decision whether to issue a permit will be based on an evaluation of the probable impact, 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 U.S. Army Corps of Engineers (Corps) 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. 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.

This proposal is the subject of a Shorelines Substantial Development Permit, being processed by Chelan County.

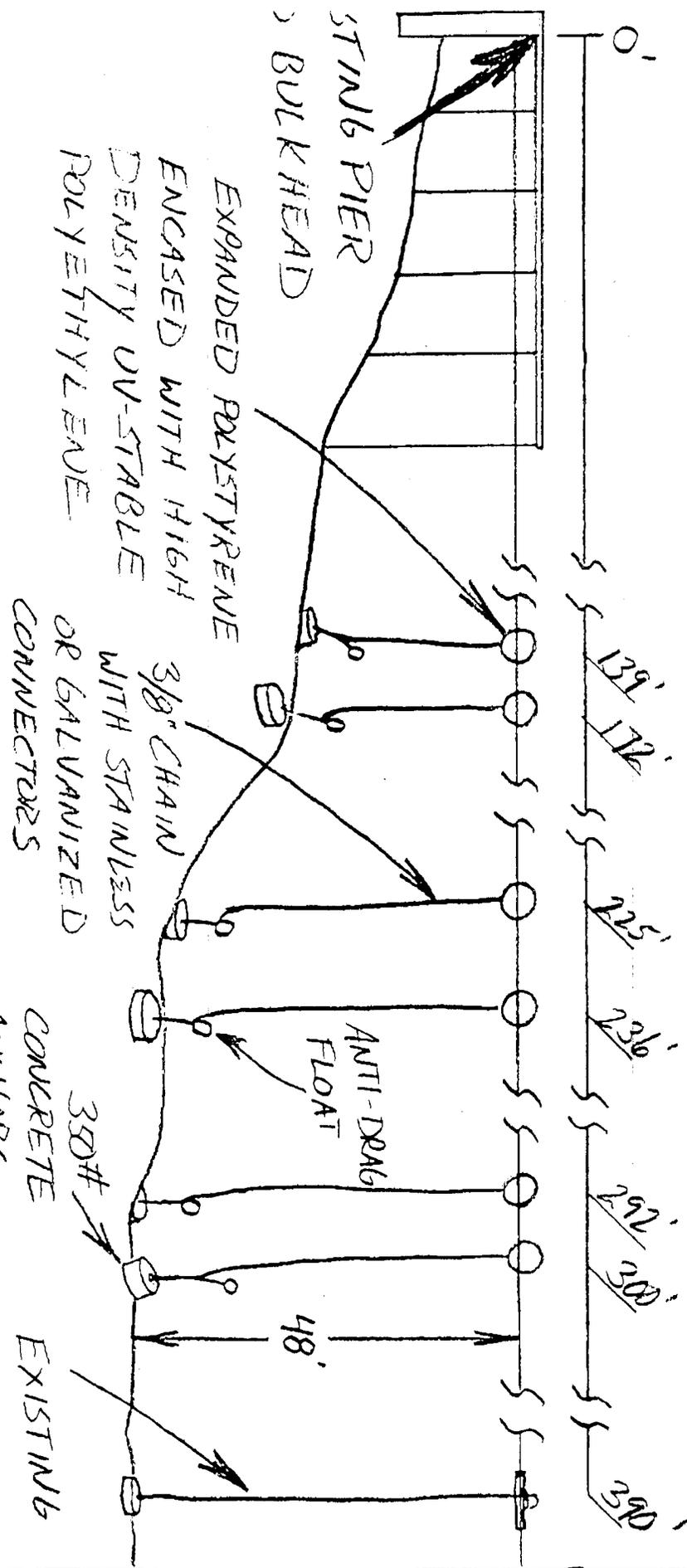
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COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order 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. 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, ATTN: Regulatory Branch, P.O. Box 3755, Seattle, Washington 98124. Both 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. Please include the following name and reference number:

Topaz Cove 200301406

Encl
Drawings (3)

PROJECT ELEVATION VIEW



Project #	20030406	Applicant	Topaz Cove Homeowners Association	Project	Buoys install, 1 additional buoy
Address	Manson Blvd, Manson	Waterbody	Lake Chelan	Scale	1" = 20'
				Sheet	3 of 3
				Date	12/03