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: November 17, 2004
Expiration Date: December 17, 2004
Reference: 200401340
Name: Breard, Daniel and Linda

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT – Daniel and Linda Breard
19482 Southeast 57th Place
Issaquah, Washington 98027
Telephone: (425) 895-3496

LOCATION – In Lake Chelan, near Manson, Chelan County, Washington

WORK – Construct pier (320 square feet with 12 piling) and excavate and backfill holes (with no more than 5 cubic yards of excavated material) for the piling.

PURPOSE – Recreational lake access and boat moorage.

ENDANGERED SPECIES -

The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The bald eagle, (Halieeatus leucocephalus), threatened and the Columbia River bull trout (Salvelinus confluentus), threatened, occur in the proposed project area. A preliminary determination indicates that the activity will not effect the bald eagle and 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). The Corps has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters because EFH does not occur in Lake Chelan. 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 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.

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.

The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. This evaluation will include an alternatives analysis.

ADDITIONAL EVALUATION - The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

COMMENT AND REVIEW PERIOD – Conventional mail or email 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, email comments must originate from the author's email account and must include on the subject line of the email message the permit applicant's name and reference number as shown below. All email comments should be sent to Deborah.J.Knaub@usace.army.mil.

Mailed comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or email 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 email 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:

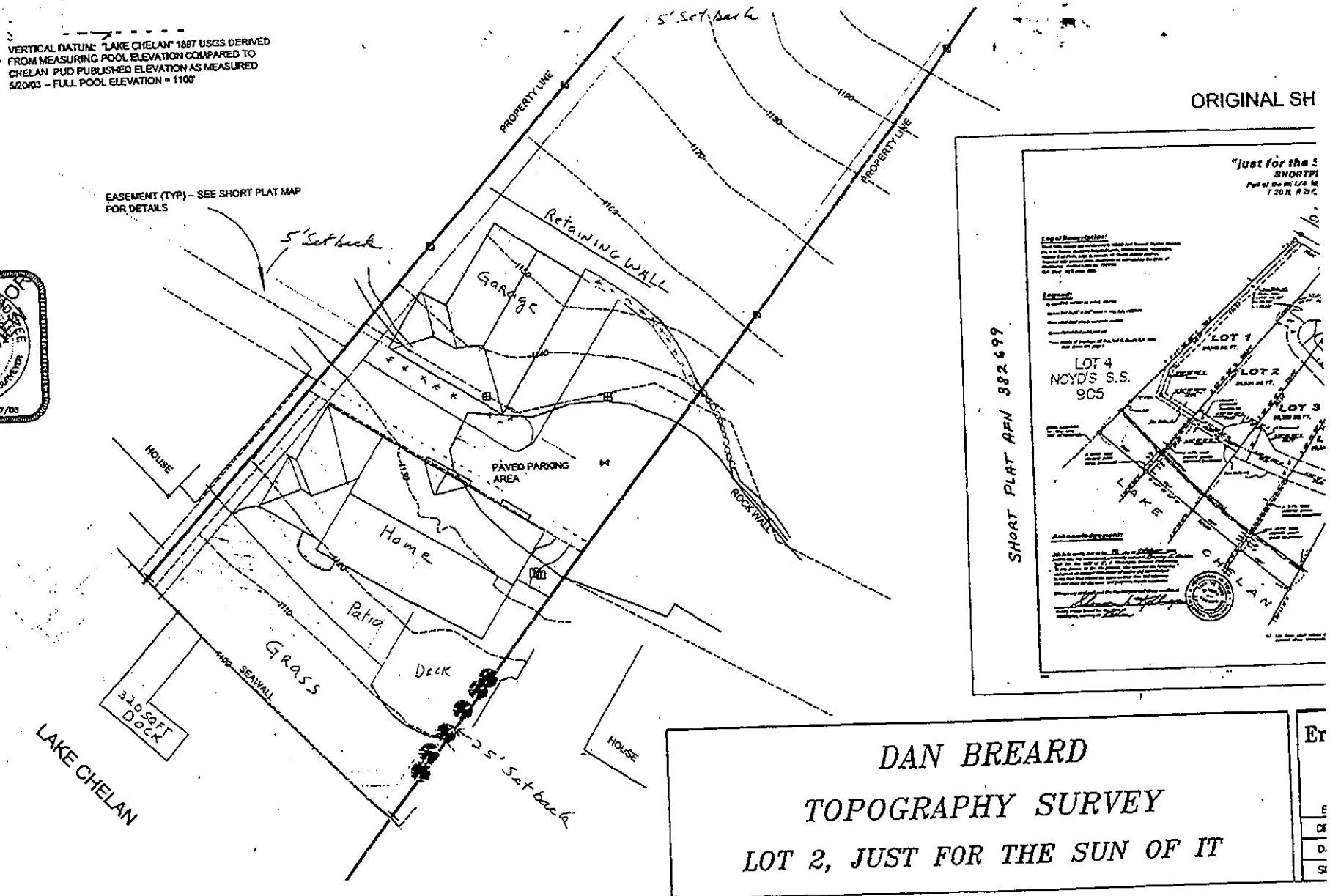
Breard, Daniel and Linda, 200401340

Encl
Drawings (6)

PURPOSE: Recreational lake access and moorage
DATUM: NGVD
ADJACENT PROPERTY OWNERS: 1. Jeremy Jaech
Larry Cross

APPLICANT: Breard, Daniel and Linda
2004001340
LOCATION ADDRESS: 3111 Chelan Blvd, Manson, Wa

PROPOSED: Construct pier, 12 piling with fill
IN: Lake Chelan NEAR: Manson
COUNTY: Chelan STATE: WA
SHEET 1 OF 1 DATE: Nov 10,2004

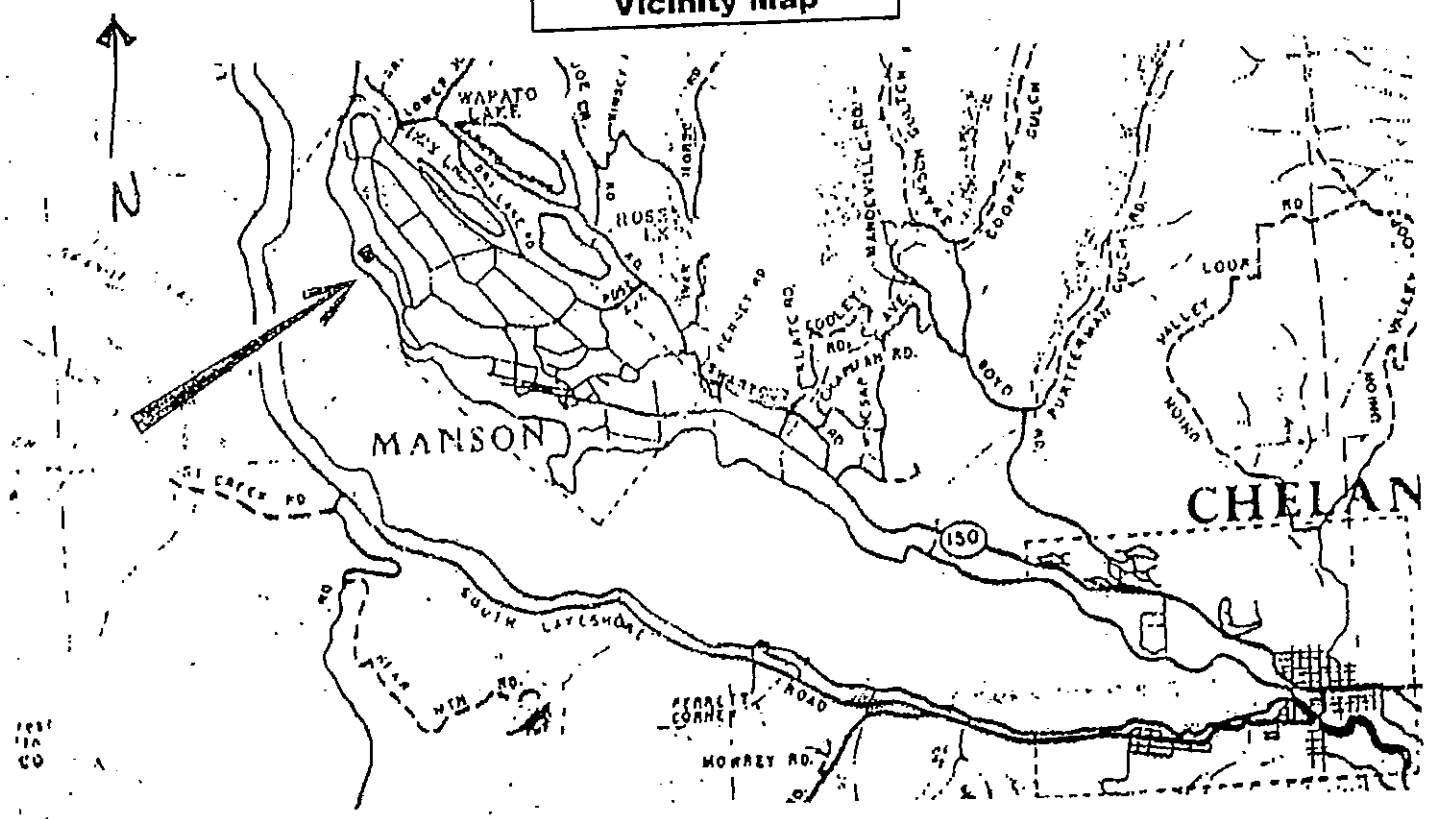


DAN BREARD
TOPOGRAPHY SURVEY
LOT 2, JUST FOR THE SUN OF IT

BUILDING PERMIT VICINITY MAP

Drive through Manson on Manson Blvd. heading uplake. Continue past Manson Growers Packing House turn right onto Lakeshore Drive. Turn left onto Chelan Blvd. turn right at first right. House is second from the last on left side. Between 2 pink stucco homes and a two story brown home with green roof and detached garage.

Vicinity Map



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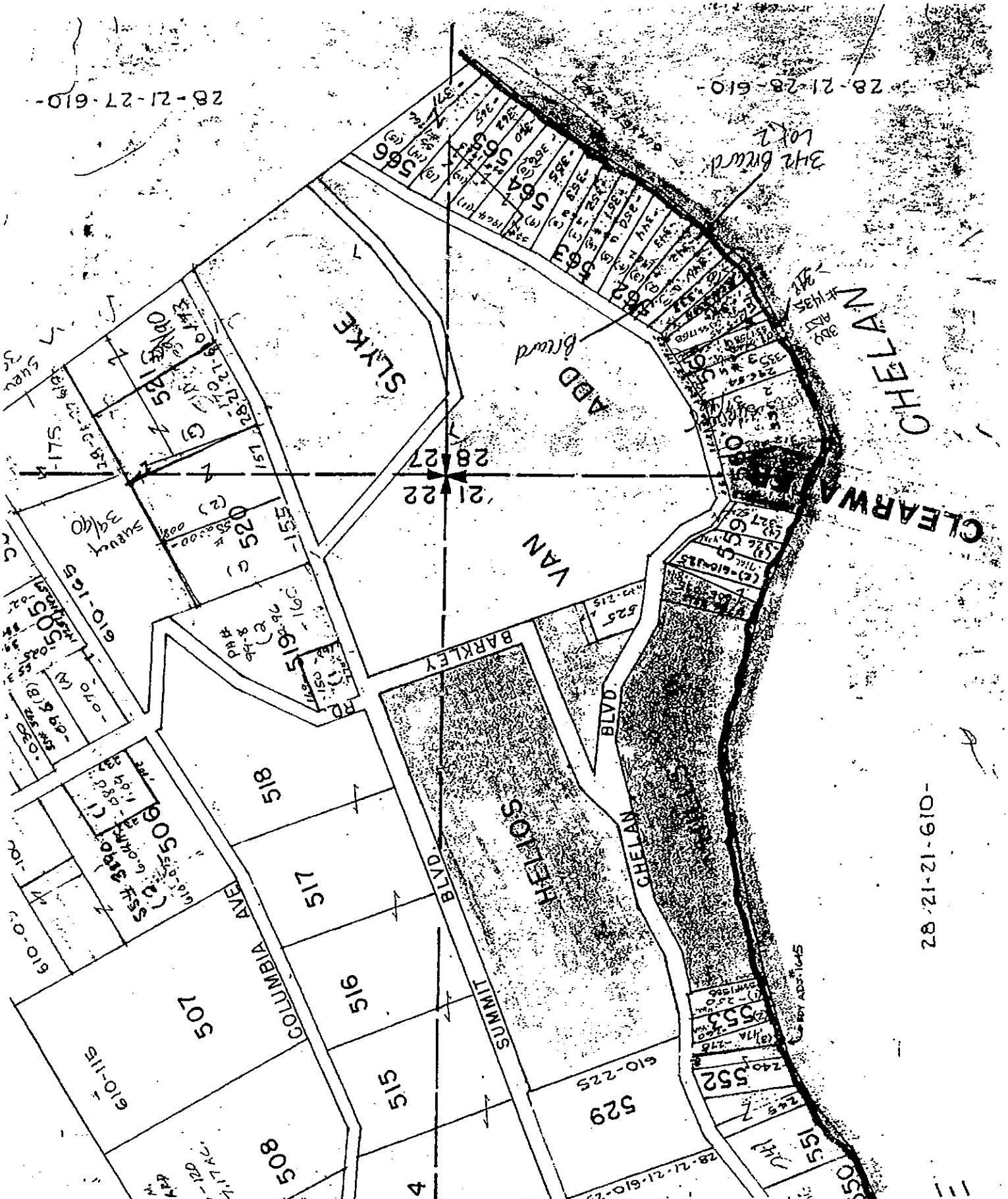

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3 6

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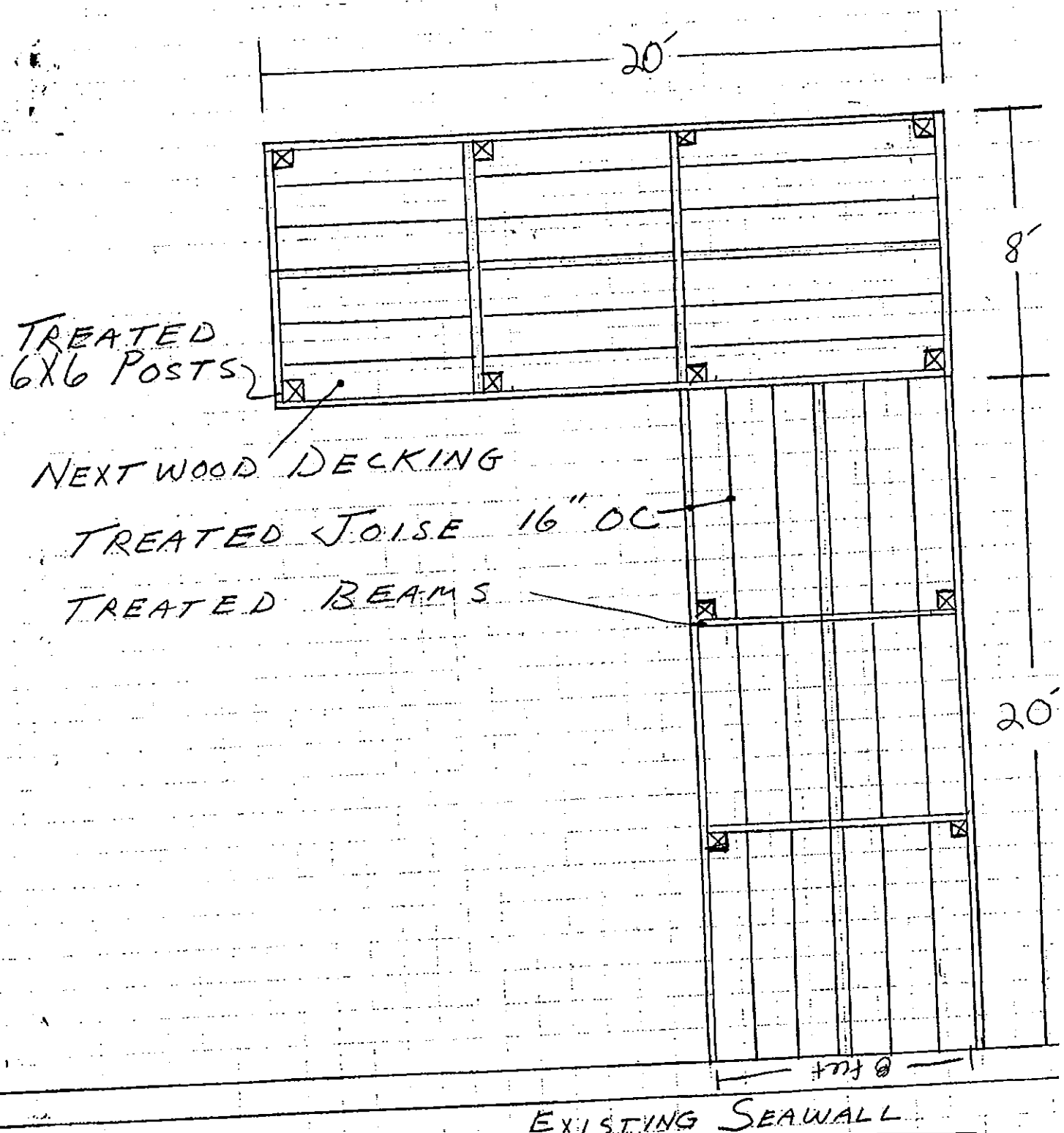
SHEET 4 OF 5 DATE: Nov 10,2004

Larry Cross

FRAMING PLAN

1/4 = 1'



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CROSS SECTION

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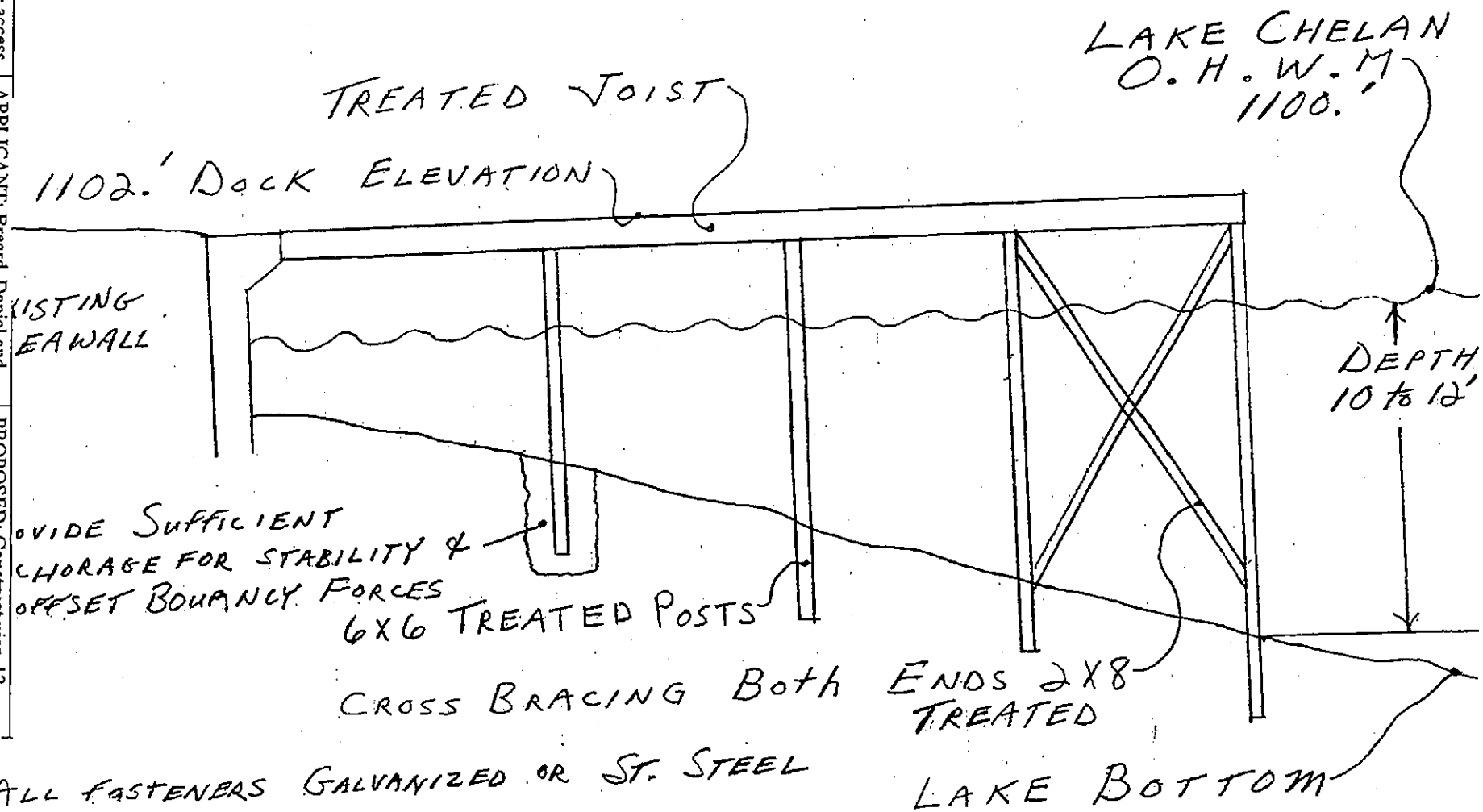

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification

Date: November 17, 2004

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200401340 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600