



US Army Corps  
of Engineers  
Seattle District



WASHINGTON STATE  
DEPARTMENT OF  
E C O L O G Y

# 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) 764-5527  
ATTN: Ms. Jenae Churchill,  
Project Manager

### WA Department of Ecology

SEA Program  
Post Office Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6076  
ATTN: SEA Program,  
Federal Permit Coordinator

**Public Notice Date: June 25, 2020**

**Expiration Date: July 25, 2020**

**Reference No.: NWS-2020-255**

**Name: Thomas, Dalton**

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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 U.S. as described below and shown on the enclosed revised drawings dated May 19, 2020.

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. Dalton Thomas  
Post Office Box 549  
Wenatchee, Washington 98802  
Telephone: (509) 670-7308

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

**LOCATION:** The proposed project is located in Lake Chelan at Chelan, Chelan County, Washington.

**WORK:** The proposed project is to construct a 438-square foot pier-ramp-float extension and relocate the existing 125 square foot boatlift.

**PURPOSE:** The purpose of the project is to provide additional private recreational water access and watercraft moorage.

### **DREDGED MATERIAL MANAGEMENT PROGRAM (DMMP):**

**Dredged Material Testing:** This project has been evaluated according to the guidelines specified by DMMP, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in

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Washington State. Under DMMP guidelines, very small dredging projects in generally uncontaminated areas provide little reason to believe that unacceptable adverse effects are possible, and are, therefore, exempt from testing. Given the very small dredging volume for pile footing installation and no known sediment/soil concerns in the project area, no testing by the DMMP is required. The DMMP agencies approved the dredged material for unconfined open-water disposal in Lake Chelan.

ADDITIONAL INFORMATION: The new addition to the existing 434-square foot (sq. ft.) pier would consist of a 6-ft. by 32-ft. solid composite decked pier extension, 4-ft. by 25-ft. grated aluminum ramp and an 8-ft. by 20-ft. grated float. The new pier section would be secured by six, 6-inch diameter steel piles and the float section would be secured by two, 12-inch diameter steel piles. Each pile would be driven into the sediment using a barge mounted pneumatic pile driver; in the event the substrate is not suitable for pile driving each pair of the 6-inch piles would be anchored by a 2-ft. by 2-ft. by 6.5-ft. poured in place concrete footing and both of the 12-inch piles would be anchored by a 2-ft. by 4-ft. by 4-ft. concrete footing. Up to 5 cubic yards of substrate would be excavated for the concrete footings using a land based excavator; all of the previously excavated sediment would be used as back fill over the concrete footings.

The completed pier-ramp-float would extend approximately 124 ft. water ward of the ordinary high water mark (OHWM) to a water depth of approximately 11 ft. The existing 10-ft. by 12.5-ft. open framed boat lift would be relocated along the new pier addition using hand tools, approximately 95 ft. water ward of the OHWM to a water depth of approximately 9 ft. All work would be done in the dry when the lake is drawn down.

As onsite mitigation for the new overwater coverage, the applicant proposes to install 438 sq. ft. of shoreline plants. The plants would include three water birch (*Betula occidentalis*), eleven Woods' rose (*Rosa woodsii*) and 16 red osier dogwood (*Cornus stolonifera*).

The location of the OHWM shown on the project drawings has not yet been verified by the U.S. Army Corps of Engineers (Corps). If the Corps determines the boundaries as shown on the drawings are substantially inaccurate, a new public notice may be published.

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 the 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. A preliminary determination indicates that the activity will not affect endangered or threatened species, or their critical habitat. Consultation under Section 7 of the ESA is not required.

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 U.S. Army Corps of Engineers (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 Corps has reviewed the latest published version of the National Register of Historic Places, Washington Information System for Architectural and Archaeological Records Data and other sources of information. No historic properties determined eligible for or listed on the National Register of Historic Places are known to exist within the permit area. The Corps invites responses to this public notice from Native American Tribes or Tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will

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evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

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.

SOURCE OF FILL MATERIAL: The source of the fill material would be excavated lakebed substrate (rock and cobble) and concrete from Chelan Concrete, Inc. The concrete would be poured-in-place, pumped from the uplands and allowed to cure in the dry.

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.

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 authorizing the work would not be contrary to the public interest. 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 commenter'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.

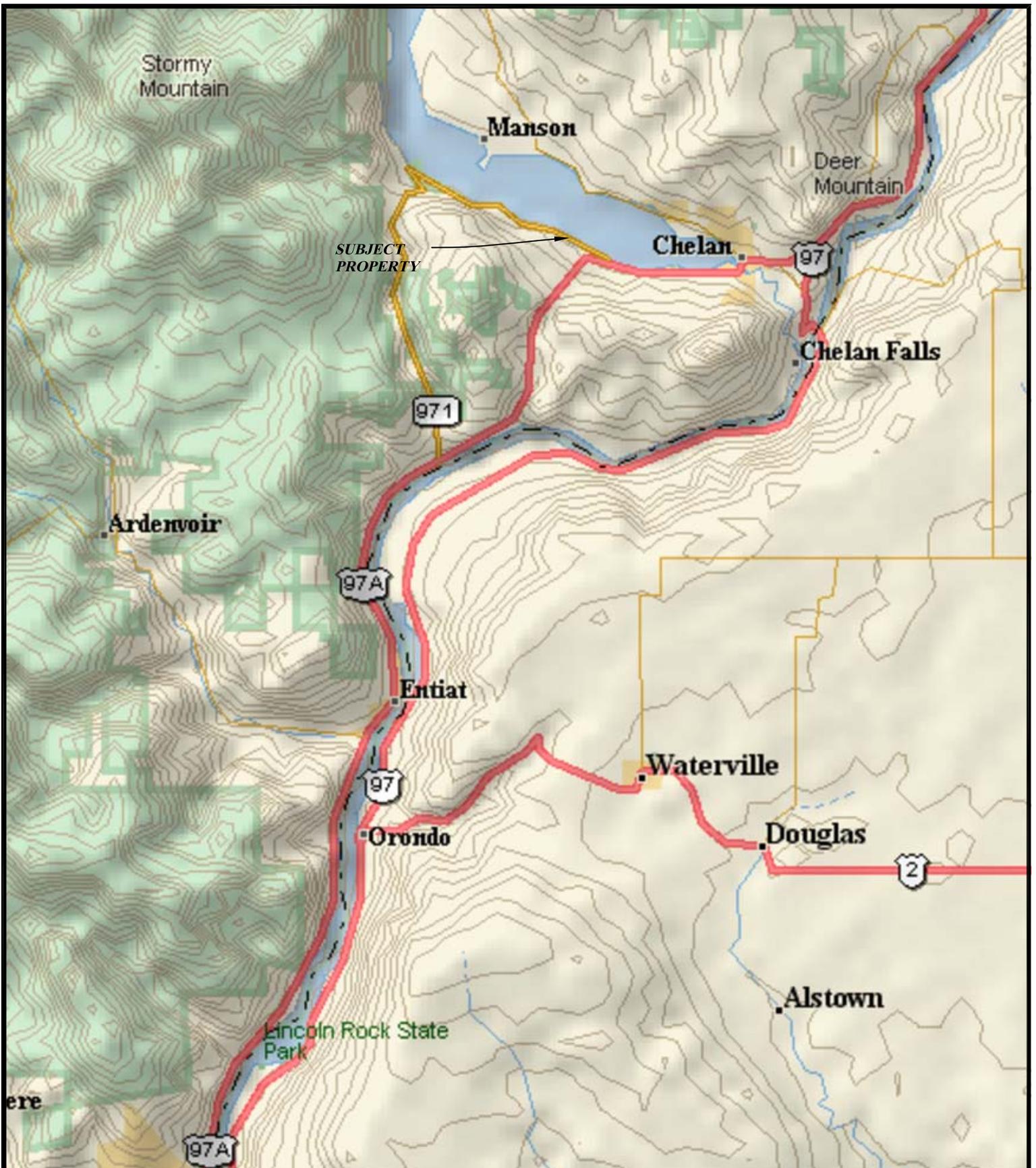
**NWS-2020-255; Thomas, Dalton**

CORPS COMMENTS: All e-mail comments should be sent to [jenae.churchill@usace.army.mil](mailto:jenae.churchill@usace.army.mil). Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Jenae Churchill, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

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: Washington State Department of Ecology, Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to [ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@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: Thomas, Dalton; NWS-2020-255

Encl: Figures (7)



PURPOSE: CONSTRUCTION OF A DOCK ADDITION & RELOCATION OF AN EXISTING BOATLIFT

ADJACENT PROPERTY OWNERS:

- ① SCEA GREGORY  
192 FIR DR NW  
GIG HARBOR, WA 98335
- ② FOSTER FAMILY LEGACY LLLP  
9420 W. PEBBLE BROOKE LANE  
BOISE, ID 83714

VICINITY MAP



N 47.8434; W -120.0999

THOMAS PROPERTY  
IN: LAKE CHELAN  
AT: 664 SOUTH LAKESHORE ROAD  
CHELAN, WA 98816

COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: DALTON THOMAS

Rev. 5/19/2020  
SHEET NO. 1 OF 7 DATE: 2/20/2020

APPROXIMATE 1079'

**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 1079'.  
THE AREA BELOW THE ORDINARY HIGH WATER LINE IS SUBJECT TO A FLOWAGE EASEMENT BENEFITING THE LAKE CHELAN HYDROELECTRIC PROJECT.

LAKE CHELAN

EXISTING DOCK AND BOATLIFT

EXISTING DOCK AND BOATLIFT

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

OHWM/1,100'

SANDY BEACH

SANDY BEACH

PATIO

HOUSE

HOUSE

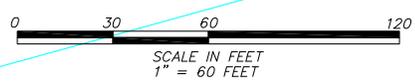
TBM ELEV: 1118.7' SET REBAR & PLASTIC CAP LS#31450

EAST EDGE OF WATERLINE EASEMENT 7.00'

UNDERGROUND CONCRETE VAULT

OLD COUNTY R/W PER RECORDS OF SURVEY BK.2 PG.16

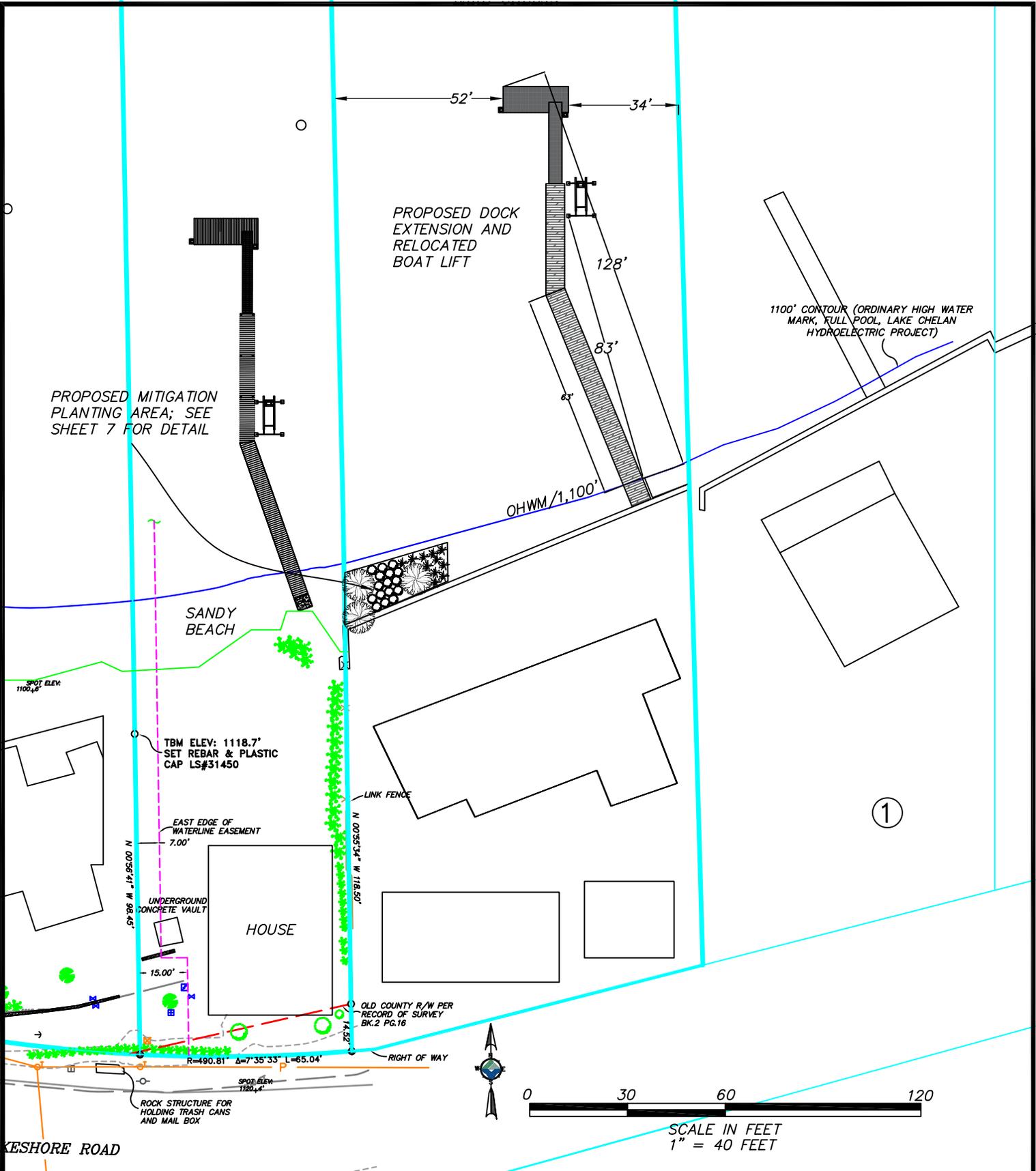
SOUTH LAKESHORE ROAD



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EXISTING CONDITIONS  
NWS-2020-255  
 **Grette Associates** LLC  
ENVIRONMENTAL CONSULTANTS  
N 47.8434; W -120.0999

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AT: 664 SOUTH LAKESHORE ROAD  
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COUNTY OF: CHELAN  
STATE: WA  
APPLICATION BY: DALTON THOMAS  
Rev. 5/19/2020  
SHEET NO. 2 OF 7 DATE: 2/20/2020



PURPOSE: CONSTRUCTION OF A DOCK ADDITION & RELOCATION OF AN EXISTING BOATLIFT.

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PROPOSED CONDITIONS

NWS-2020-255

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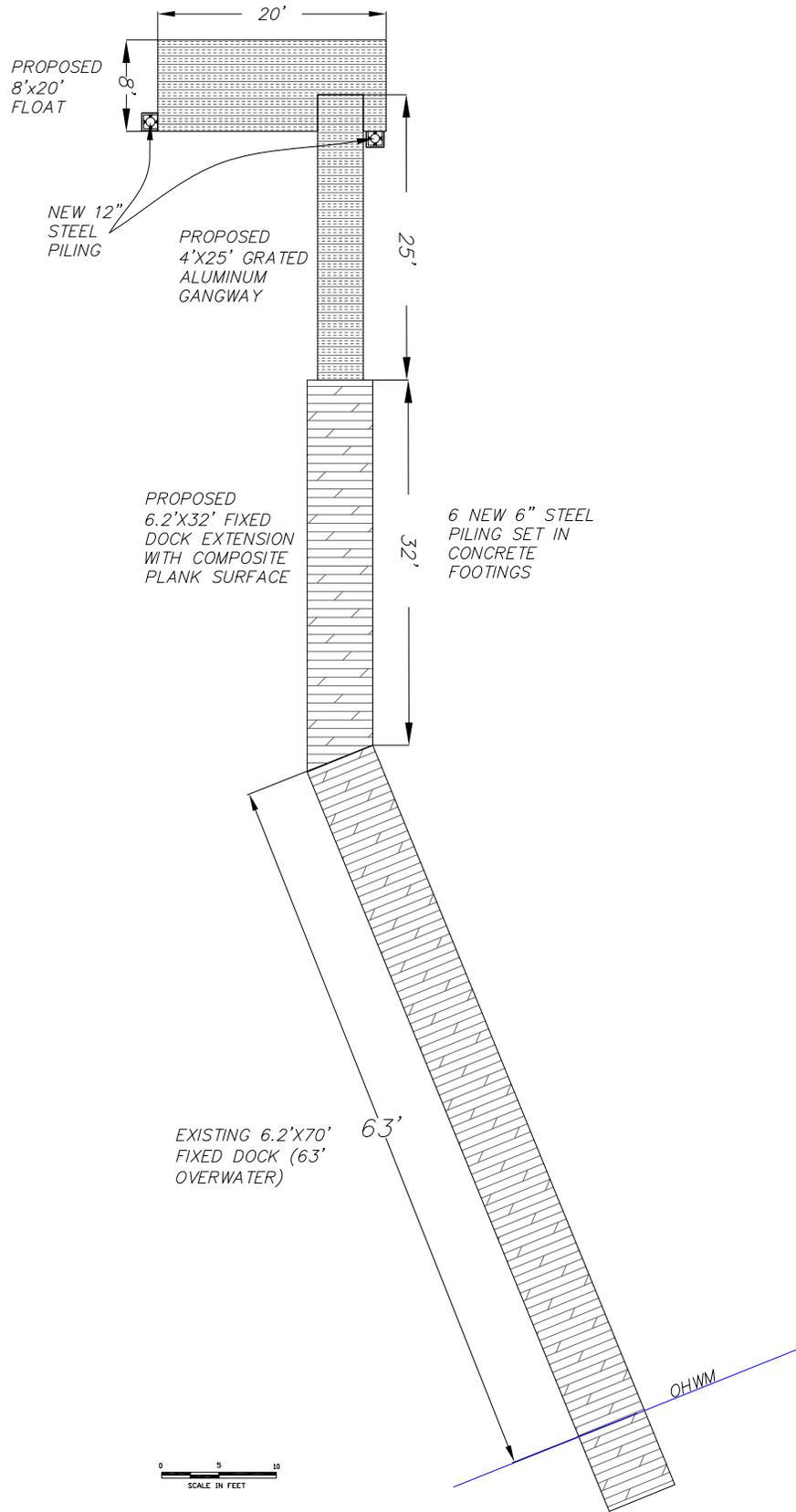
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SHEET NO. 3 OF 7 DATE: 2/20/2020



PURPOSE: CONSTRUCTION OF A DOCK ADDITION & RELOCATION OF AN EXISTING BOATLIFT.

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DOCK PLAN

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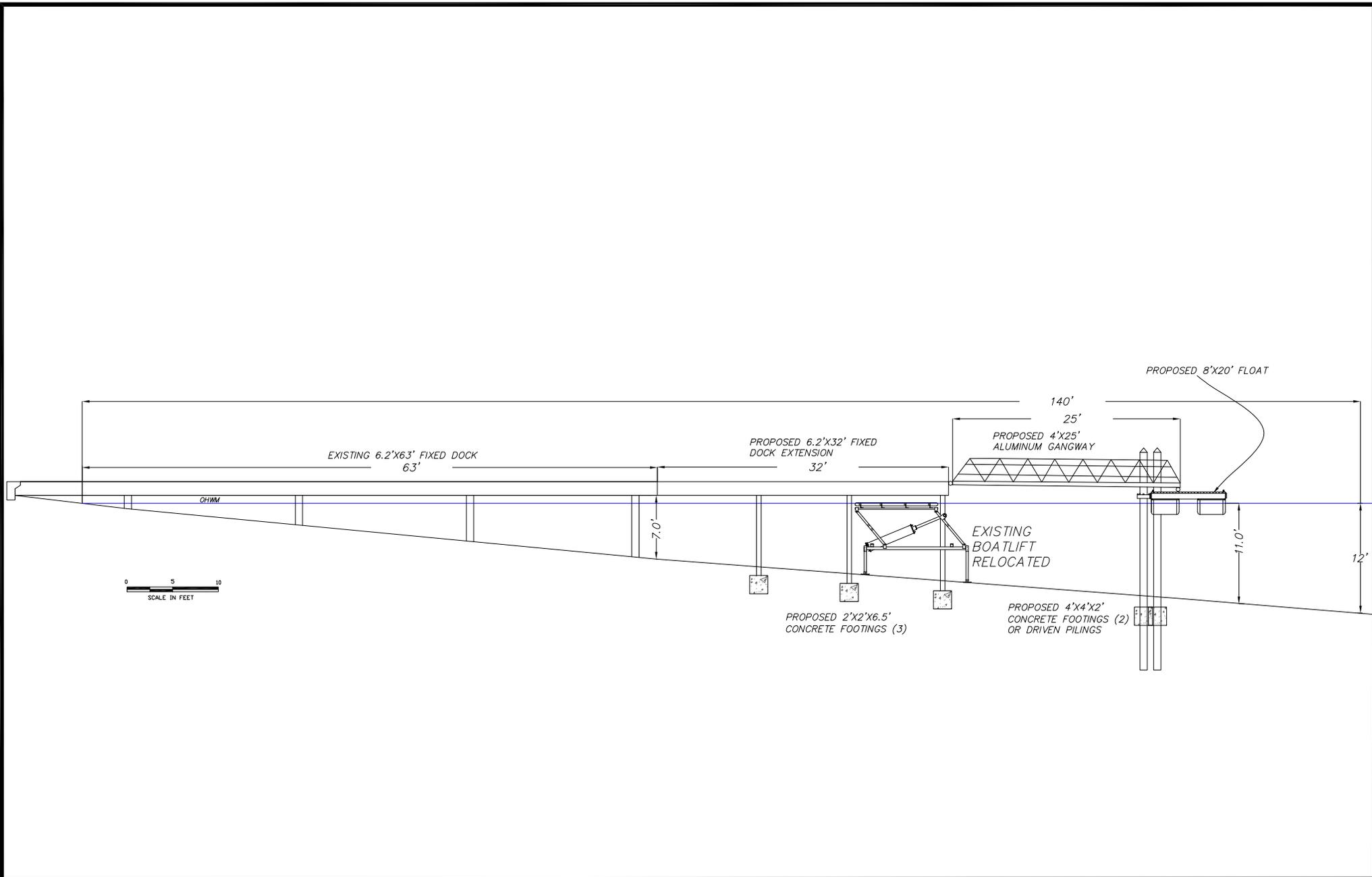
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CROSS SECTION

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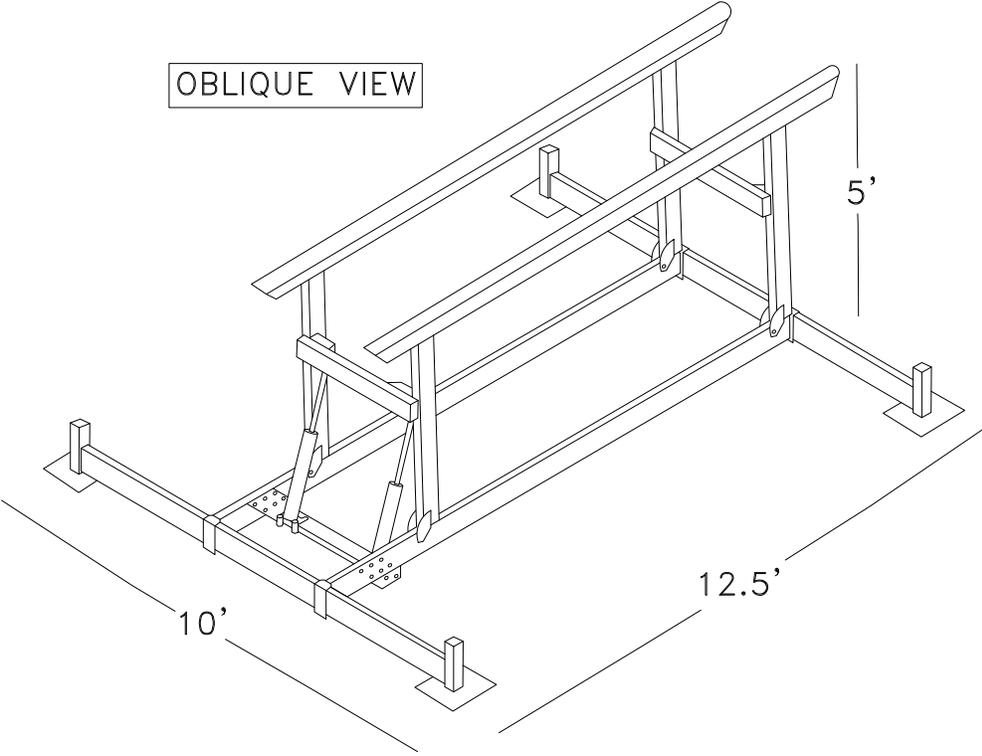


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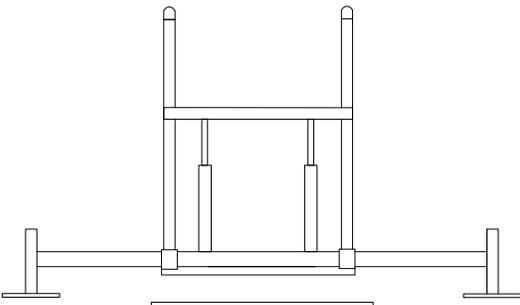
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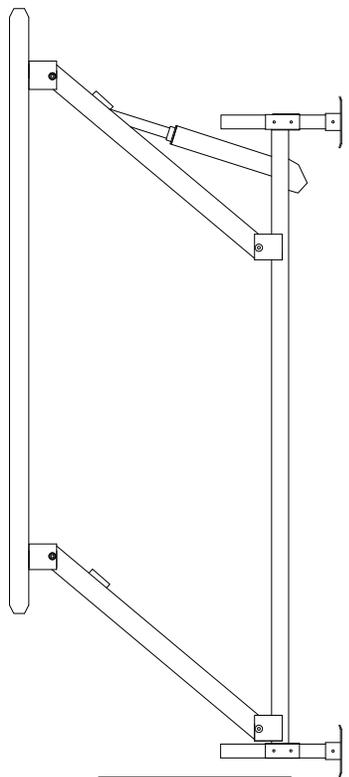
OBLIQUE VIEW



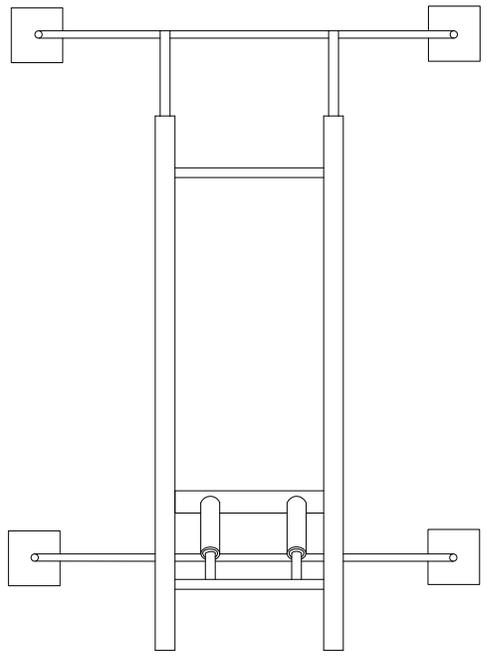
FRONT VIEW



SIDE VIEW



AERIAL VIEW



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BOATLIFT

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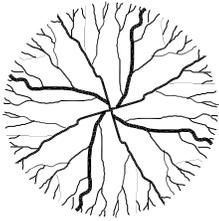
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SHEET NO. 6 OF 7 DATE: 2/20/2020

PROPOSED 438 SQ FT MITIGATION PLANTING AREA

TREES (SPACING 10 FT ON CENTER)



WATER BIRCH (*BETULA OCCIDENTALIS*)

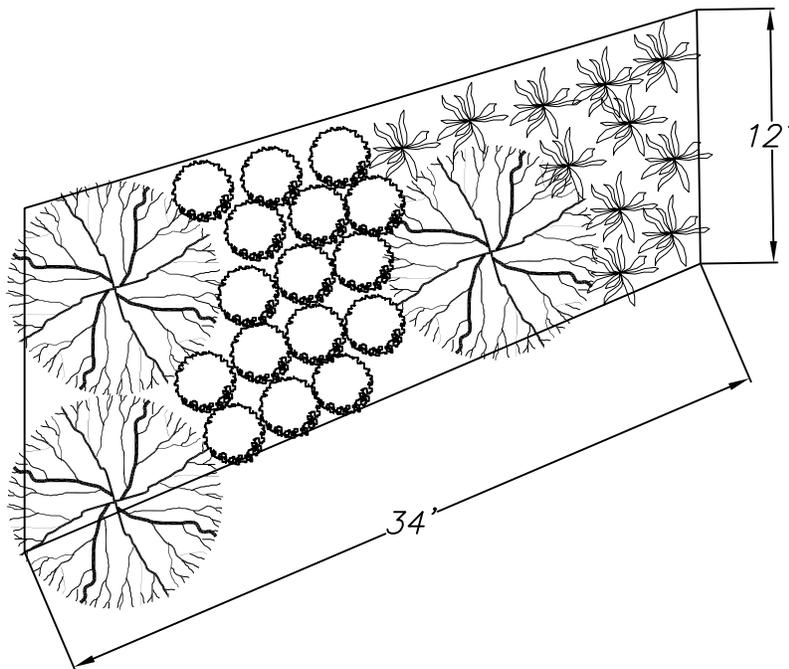
SHRUBS (SPACING 3 FT ON CENTER)



WOODS' ROSE (*ROSA WOODSII*)



REDOSIER DOGWOOD (*CORNUS STOLONIFERA*)



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MITIGATION

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SHEET NO. 7 OF 7 DATE: 2/20/2020