US Army Corps of Engineers
Portland District

PUBLIC NOTICE
for PERMIT APPLICATION

Issue Date: April 3, 2003
Expiration Date: May 5, 2003
Corps of Engineers Action ID: 200200969
30 Day Notice Oregon Division of State Lands Number: 25647-FP

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GP (Ms. Karla G Ellis)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Oregon Department of Fish & Wildlife
82119 Fish Hatchery Lane
Enterprise, Oregon 97828

Location: Unnamed spring, which is a tributary to Spring Creek, 82119 Fish Hatchery Lane, Section 3, Township 2 South, Range 44 East, Enterprise, Wallowa County, Oregon.

Project Description: The applicant proposes to impact 0.012 acre of waters of the United States to install a gravel bedded plastic perforated collection pipe in an existing spring water collection facility.

The project would involve excavating approximately 125 cubic yards of material within the existing spring-fed drainage ditch to allow for pipe and fill placement. All excavated material would be moved to an upland location, away from the project site.

An approximately 360-foot-long, 12-inch diameter perforated plastic water collection pipe would be installed within the existing open spring water collection system, and would be covered with 120 cubic yards of gravel fill, which would then be covered by 360 cubic yards of larger diameter rock.

Purpose: To reduce the pathogen risk of whirling disease transmission to Imnaha Steelhead and Grand Ronde Spring Chinook.

Drawings: Figure 1, Site Location
Figure 2, Existing Condition
Figure 3, and 4 Site Development Plans
Figure 5, 6, 7, Cross-Sectional Diagrams

Additional Information: Additional information may be obtained from Ms. Karla G Ellis, Project Manager, U.S. Army Corps of Engineers at (503) 808-4377.

Authority: This permit will be issued or denied under the following:

Section 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

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.

Endangered Species: Preliminary determinations indicate that the described activity will not affect endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity 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, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. 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 proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met, where applicable, and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority, previously indicated, may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

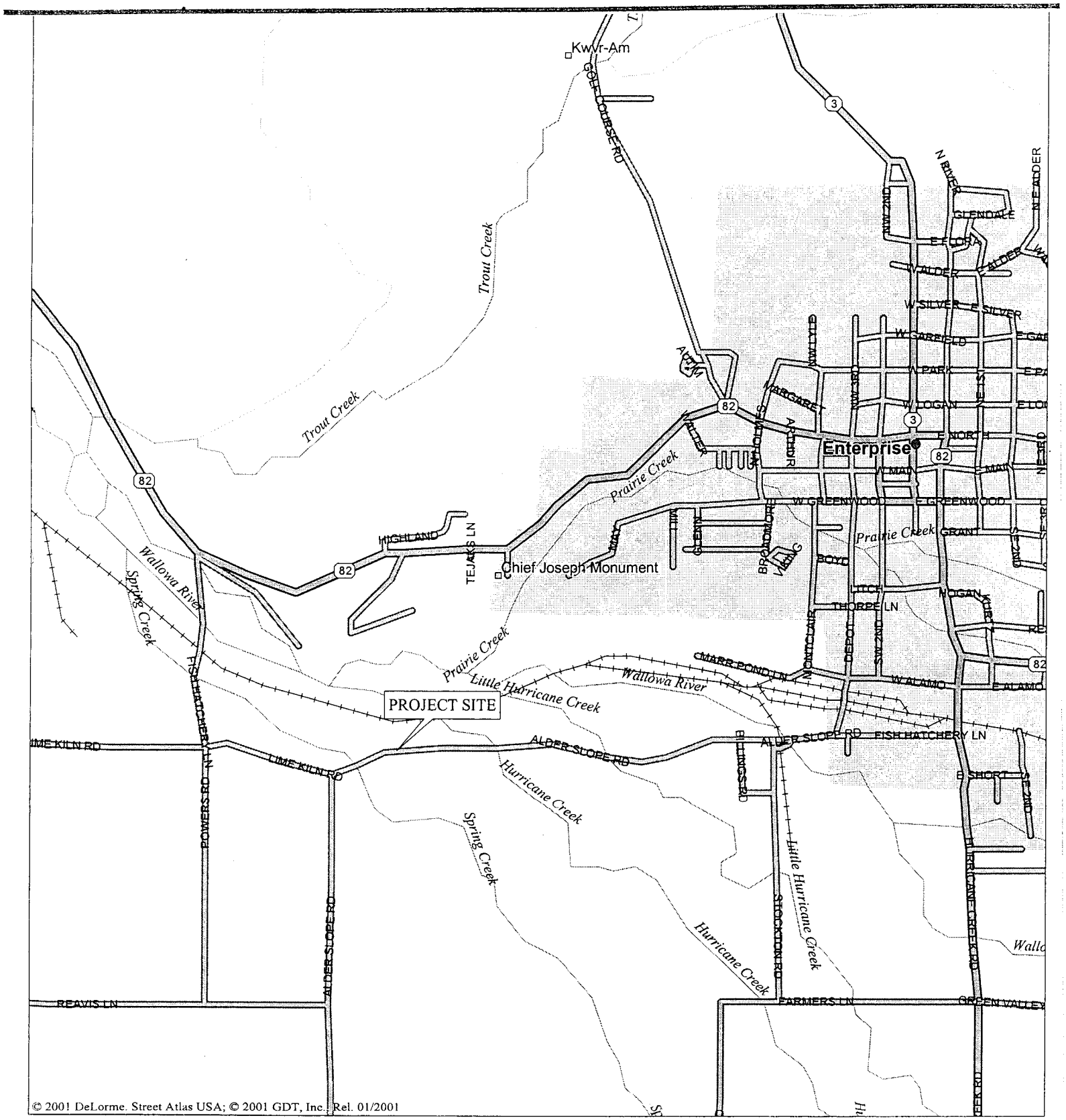

Kwvr-Am
GOLF COURSE RD
Trout Creek
Trout Creek
Enterprise
Prairie Creek
Prairie Creek
Prairie Creek
Chief Joseph Monument
HIGHLAND
TEJAKS LN
Wallowa River
Wallowa River
Spring Creek
Spring Creek
Little Hurricane Creek
Little Hurricane Creek
Hurricane Creek
Hurricane Creek
PROJECT SITE
LIME KILN RD
LIME KILN RD
ALDER SLOPE RD
ALDER SLOPE RD
FISH HATCHERY LN
FISH HATCHERY LN
POWERS RD
ALDER SLOPE RD
REAVIS LN
FARMERS LN
GREEN VALLEY
STOCKTON RD
BILLINGS RD
MARR POND LN
W ALAMO
E ALAMO
THORPE LN
BOYD
GRANT
W GREENWOOD
E GREENWOOD
W MAIN
E MAIN
E NORTH
W LOGAN
W PARK
W GARFIELD
W SILVER
E SILVER
W ALDER
E ALDER
E FLORA
GLENDALE
N RIVER
N E ALDER
MARGARET
ARTHUR
BROADMORE
MONTCLAIR
DEPOT
SW 2ND
NW 2ND
NE 1ST
NE 3RD
SE 2ND
SE 3RD
3
82
© 2001 DeLorme. Street Atlas USA; © 2001 GDT, Inc. Rel. 01/2001

FIGURE 1

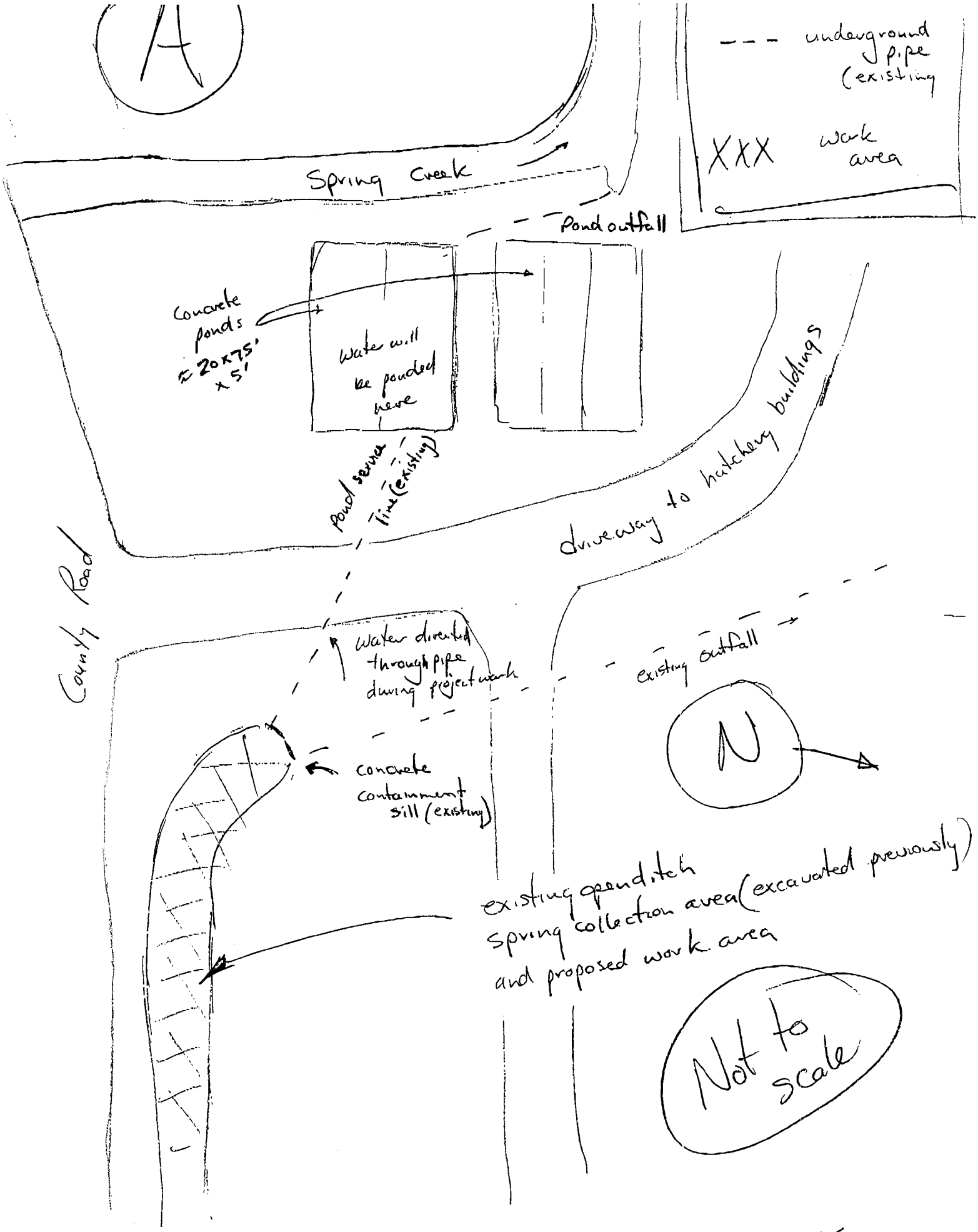

A
underground pipe (existing
XXX work area
Spring Creek
Pond outfall
Concrete ponds ≈ 20x75' x 5'
water will be ponded here
pond serve line (existing)
driveway to hatchery buildings
County Road
water diverted through pipe during project work
existing outfall
N
concrete containment sill (existing)
existing open ditch spring collection area (excavated previously) and proposed work area
Not to scale

FIGURE 2

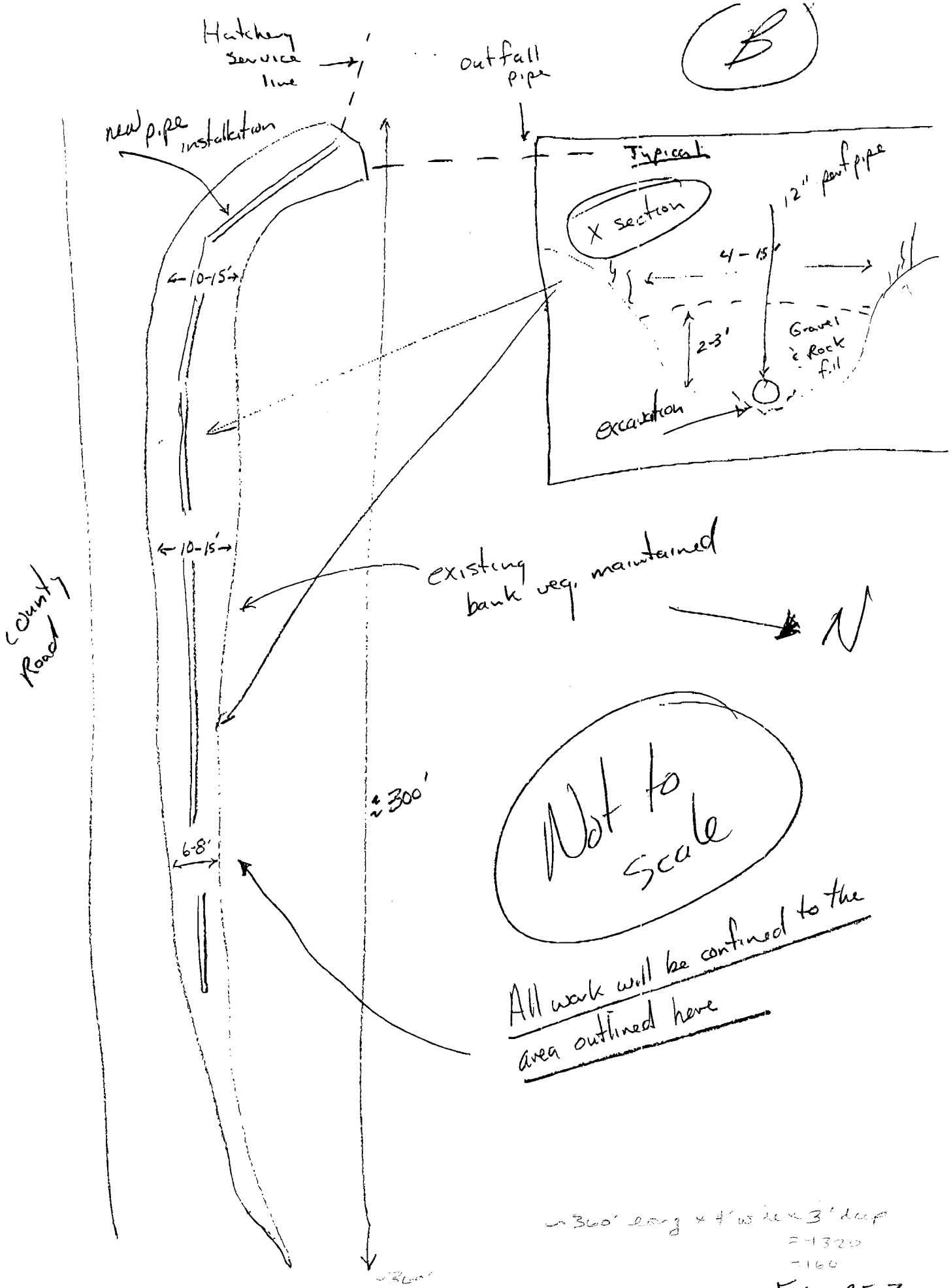

B
Hatchery Service line
outfall pipe
new pipe installation
Typical
X section
12" perf pipe
4-15'
2-3'
Gravel & Rock fill
excavation
10-15'
10-15'
existing bank veg. maintained
County Road
N
~300'
6-8'
Not to Scale
All work will be confined to the area outlined here
~360' long x 4' wide x 3' deep
=4320
=160

FIGURE 3

MWH
MONTGOMERY WATSON HARZA

By CBC Date 5/7/2002 Client BPA - NEOH LOOKINGGLASS Sheet 1 of 1
Chkd By Description WILD. PARK TO WALLOWA HATCHERY Job No.

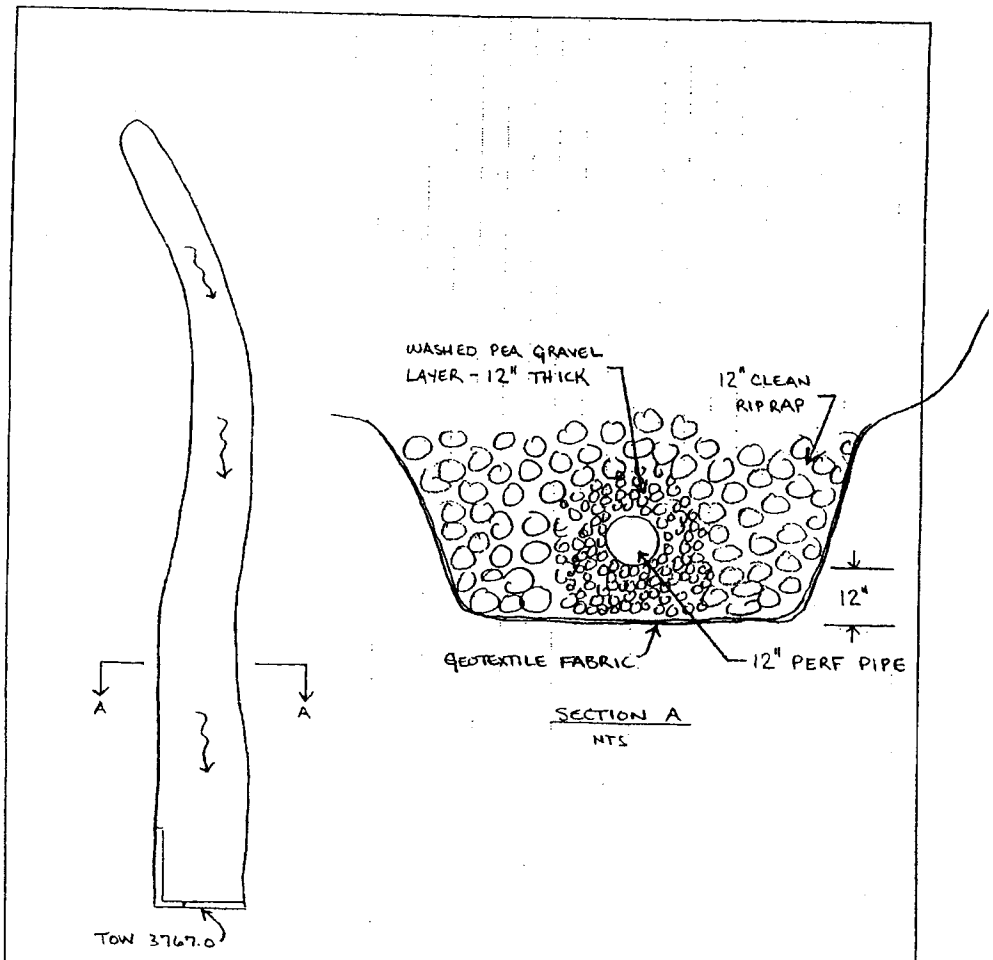
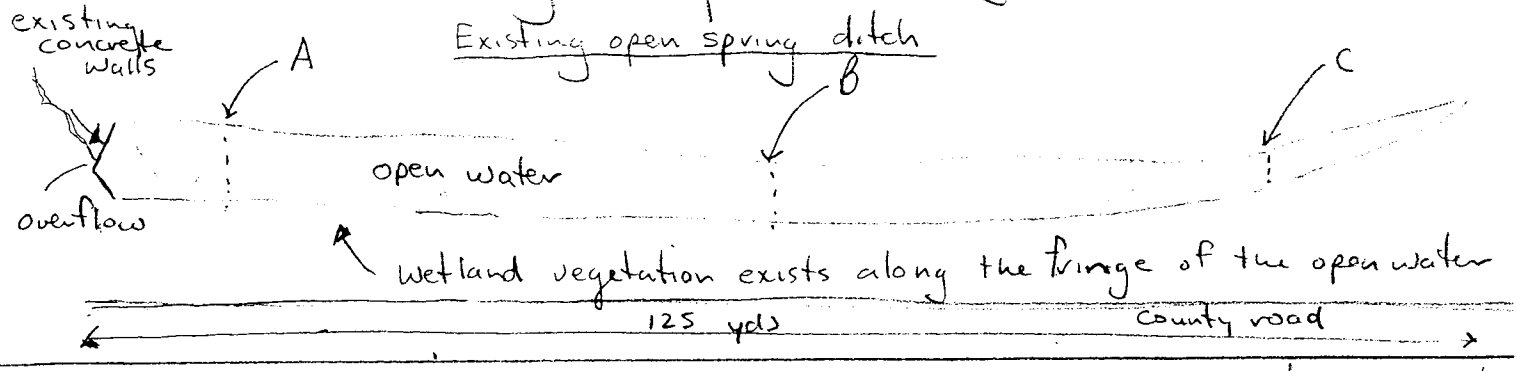
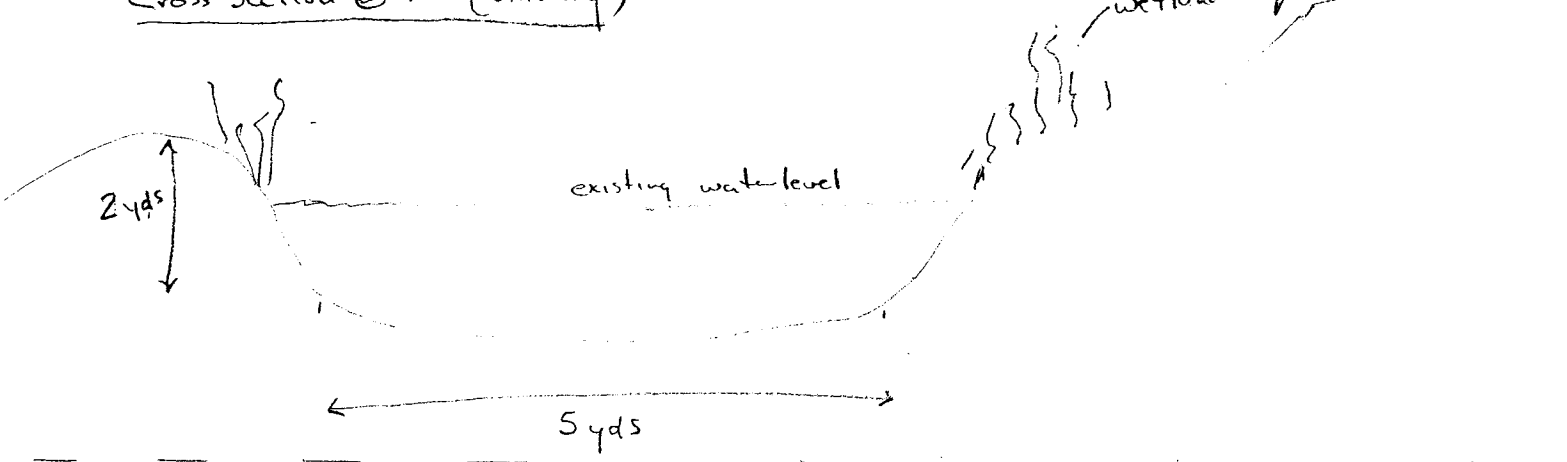


FIGURE 4

Wallowa Fish H. Spring Protection Project



Cross Section @ A (existing)



Cross section @ A, proposed

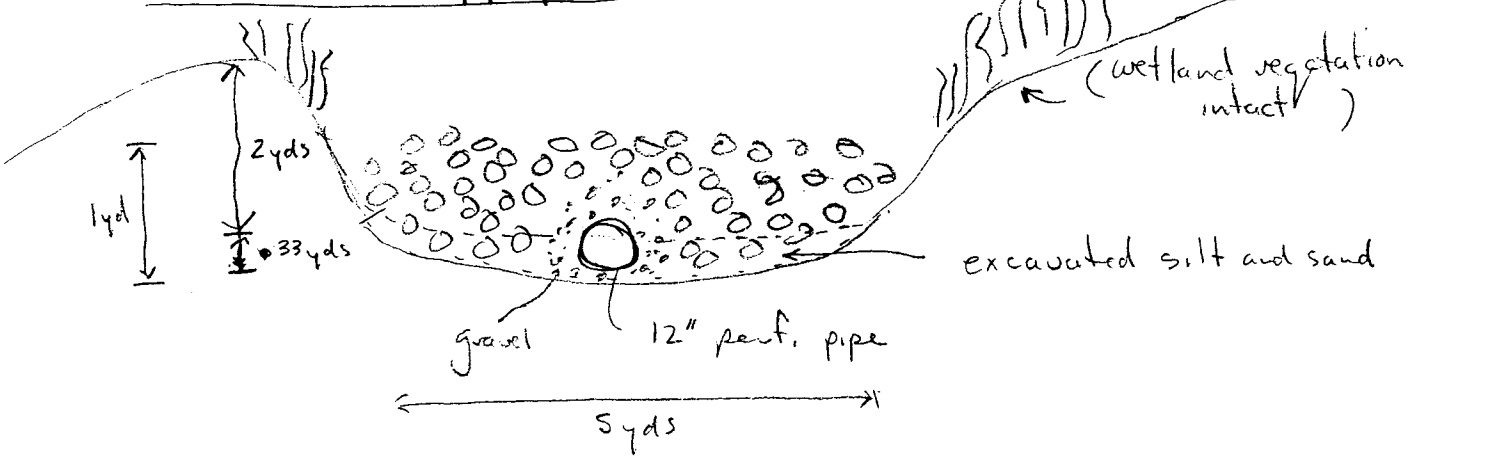
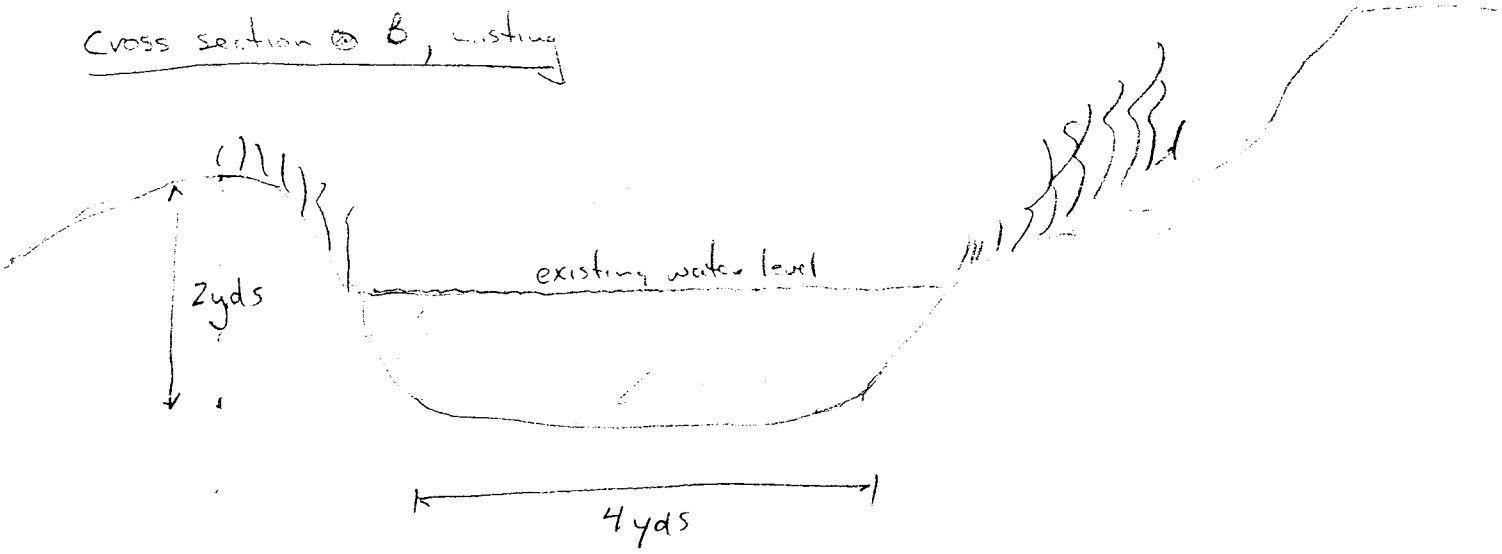


FIGURE 5

Cross section @ B, existing



Cross section @ B, proposed

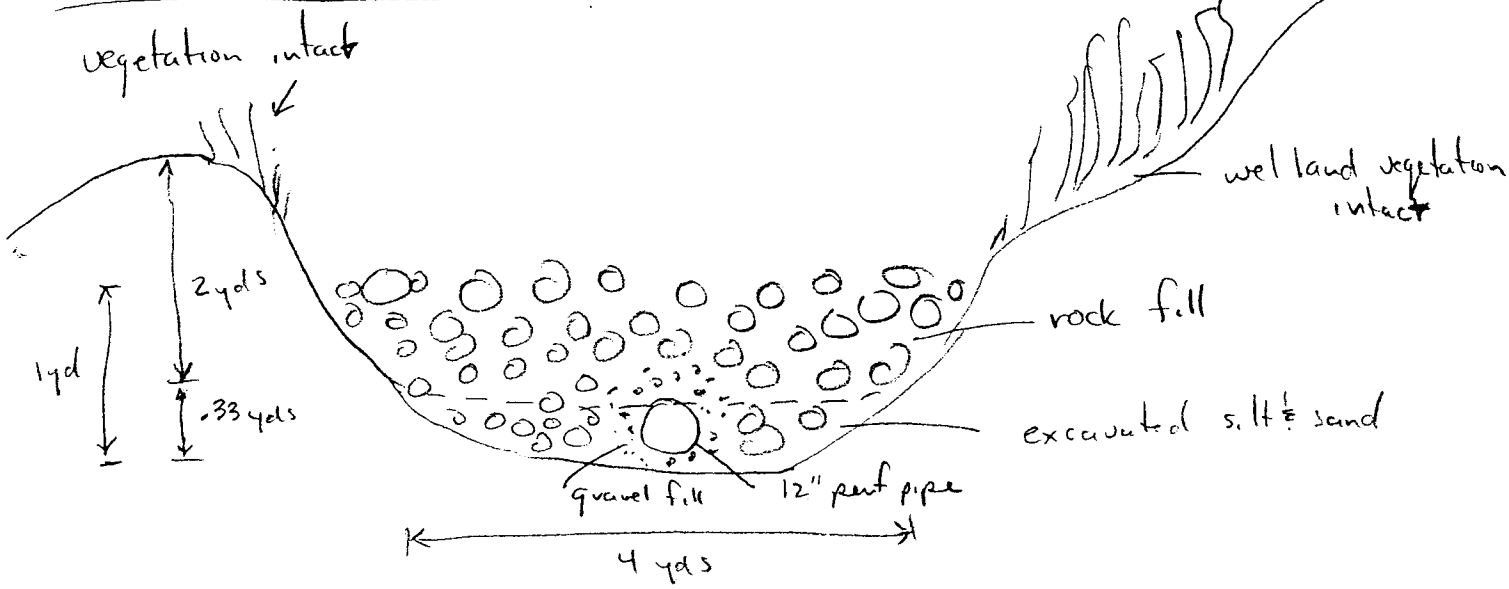
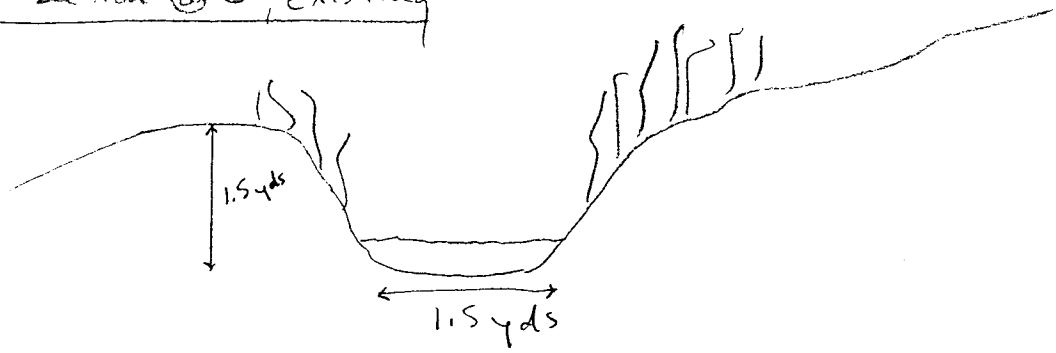


FIGURE 6

Cross section @ C, existing



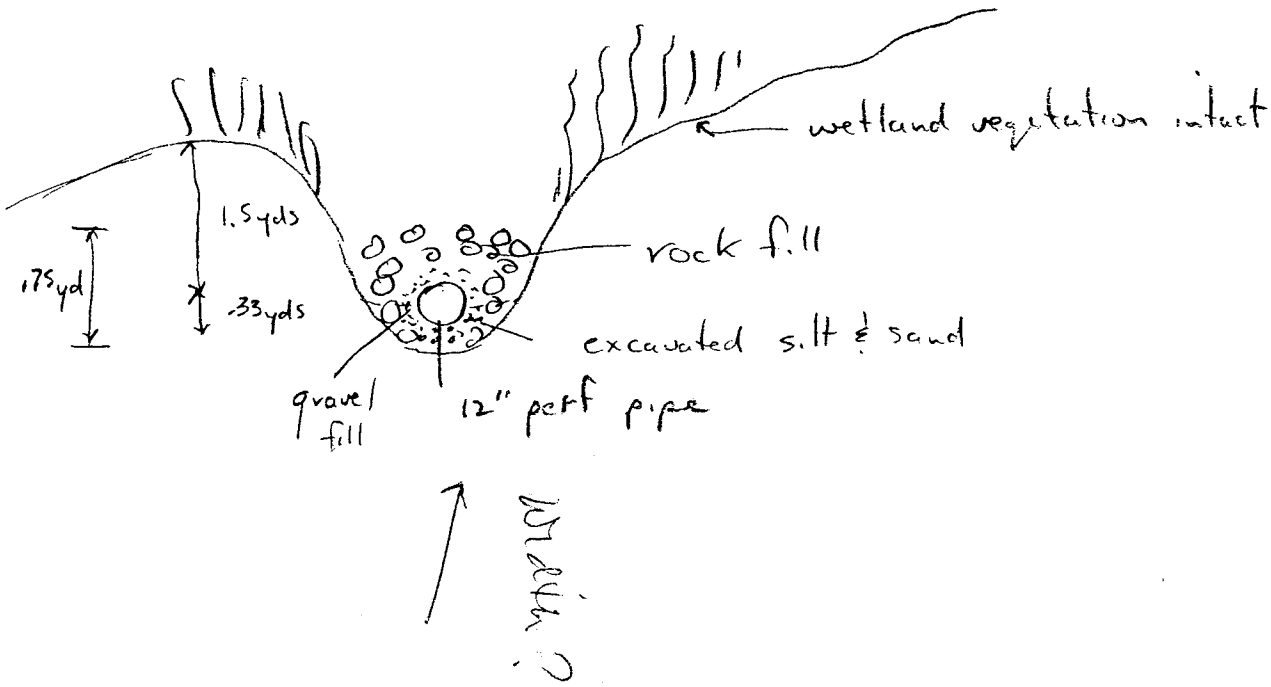


FIGURE 7

PUBLIC NOTICE
Oregon Department of Environmental Quality
Water Quality 401 Certification

Corps of Engineers Action ID Number: 200200969
Oregon Division of State Lands Number:

Notice Issued: April 3, 2003
Written Comments Due: May 5, 2003

WHO IS THE APPLICANT: Oregon Department of Fish & Wildlife

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project
NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project
WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. 6th Avenue, Portland, Oregon 97204

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:
Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

Written comments:
Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on (full date). Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format. Otherwise, due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise, if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.