



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: September 11, 2008

Expiration Date: October 14, 2008

Corps of Engineers Action ID: NWP-2005-321

Revised 30-Day Notice

Oregon Department of State Lands Number: N/A

REVISION 1

Interested parties are hereby notified that the U.S. Army Corps of Engineers is evaluating an application 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 (Mr. Dominic Yballe)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: City of Lake Oswego

Location: The project is located on the Willamette River, Mile 20.4. The site is in Section 23, Township 7 North, Range 2 West, Lake Oswego, Clackamas County, Oregon

Project Description: Approximately 410 feet of an existing 6-foot by 851-foot wooden commercial dock structure will be removed north of a recently constructed viewing platform. Dock demolition involves removal of four pile-dolphins including 32 steel pilings and wooden decking. An 8-foot wide by 293-foot long concrete transient dock with 12 steel pilings will be installed. The dock will be built with prefabricated concrete float sections, constructed such that no solid deck surface will exceed six feet in width. The sections will be linked with one foot wide grated opening to maximize light transmission into the water. The dock will be secured by steel pilings measuring 24-inch diameter or smaller.

A new 6.33-foot by 10-foot concrete abutment, installed approximately two feet above the ordinary high water mark, 4-foot by 80-foot aluminum gangway, and 13-foot by 20-foot concrete landing float will provide pedestrian and wheelchair access to the dock. The dock will be positioned a minimum of 50 feet from the navigation channel and with a minimum water depth of 20 feet below ordinary low water levels of the Willamette River. Piling installation will be completed by vibratory hammer.

Purpose: The purpose of the proposed discharge is to construct a docking facility for recreational vessels. The dock is designed specifically to accommodate non-trailerable boats to access commercial and recreational opportunities in the City of Lake Oswego.

Drawing(s): There are three (3) drawings enclosed (Enclosure).

Additional Information: Additional information may be obtained from Mr. Dominic Yballe, U.S. Army Corps of Engineers at (503) 808-4392.

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

Section 10, Rivers and Harbors Act 1899 (33 U.S.C. 403), for work in or affecting navigable waters of the United States.

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. The District Engineer will make a final determination on whether a hearing will be held, or not.

Endangered Species: Preliminary determinations indicate the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) has been initiated. A permit for the proposed activity will not be issued until the consultation process is completed.

Cultural Resources: An initial evaluation of the proposed project area indicates 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. Extreme caution will be exercised during ground breaking activities to minimize the potential for impacts to undiscovered archaeological, cultural, or historic resources.

If any previously unknown historic or archeological remains are discovered while accomplishing the activity, the permittee will immediately notify this office of the findings. The Corps of Engineers will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the *National Register of Historic Places*.

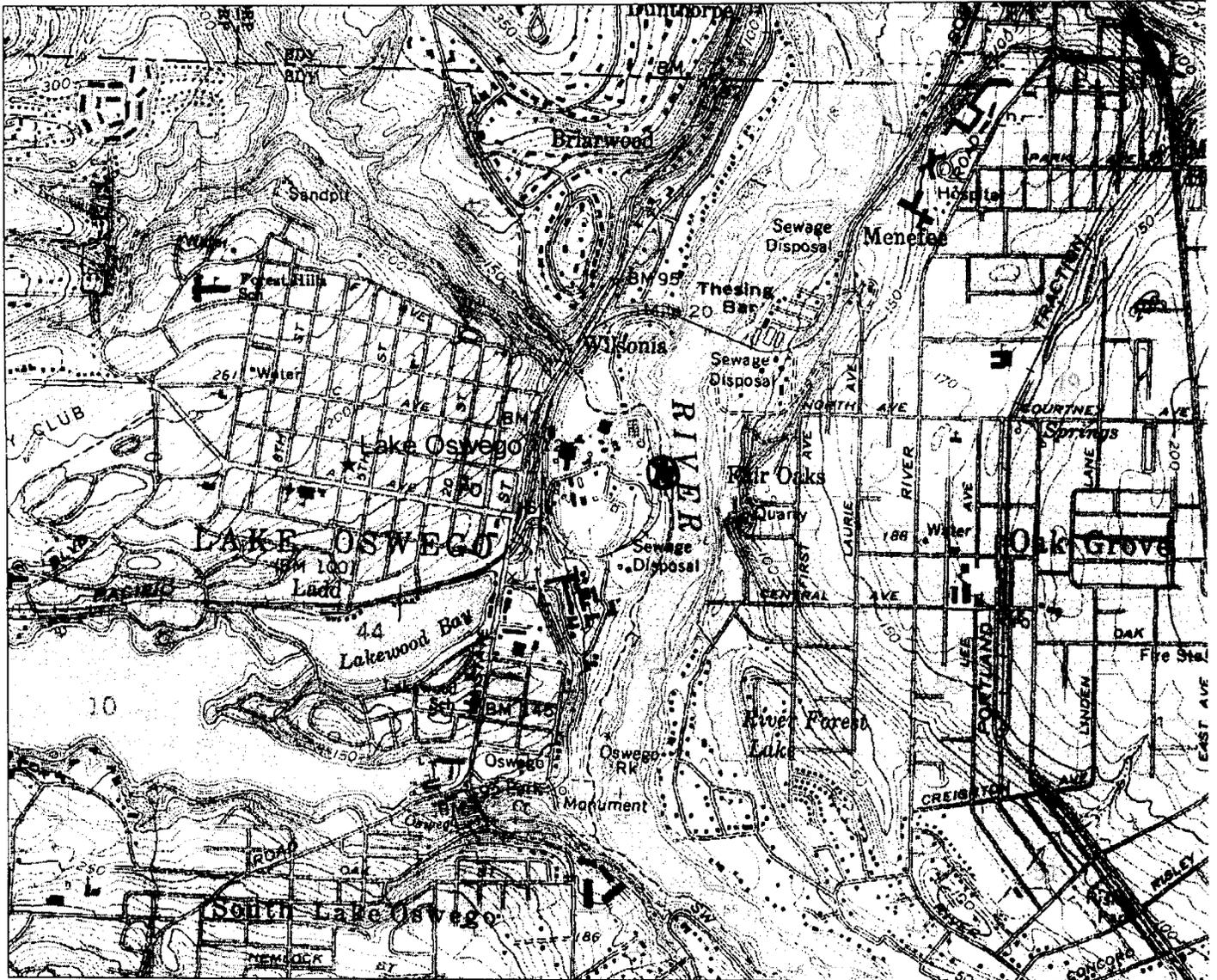
This notice has been provided to the State Historic Preservation Office, interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential affects.

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.

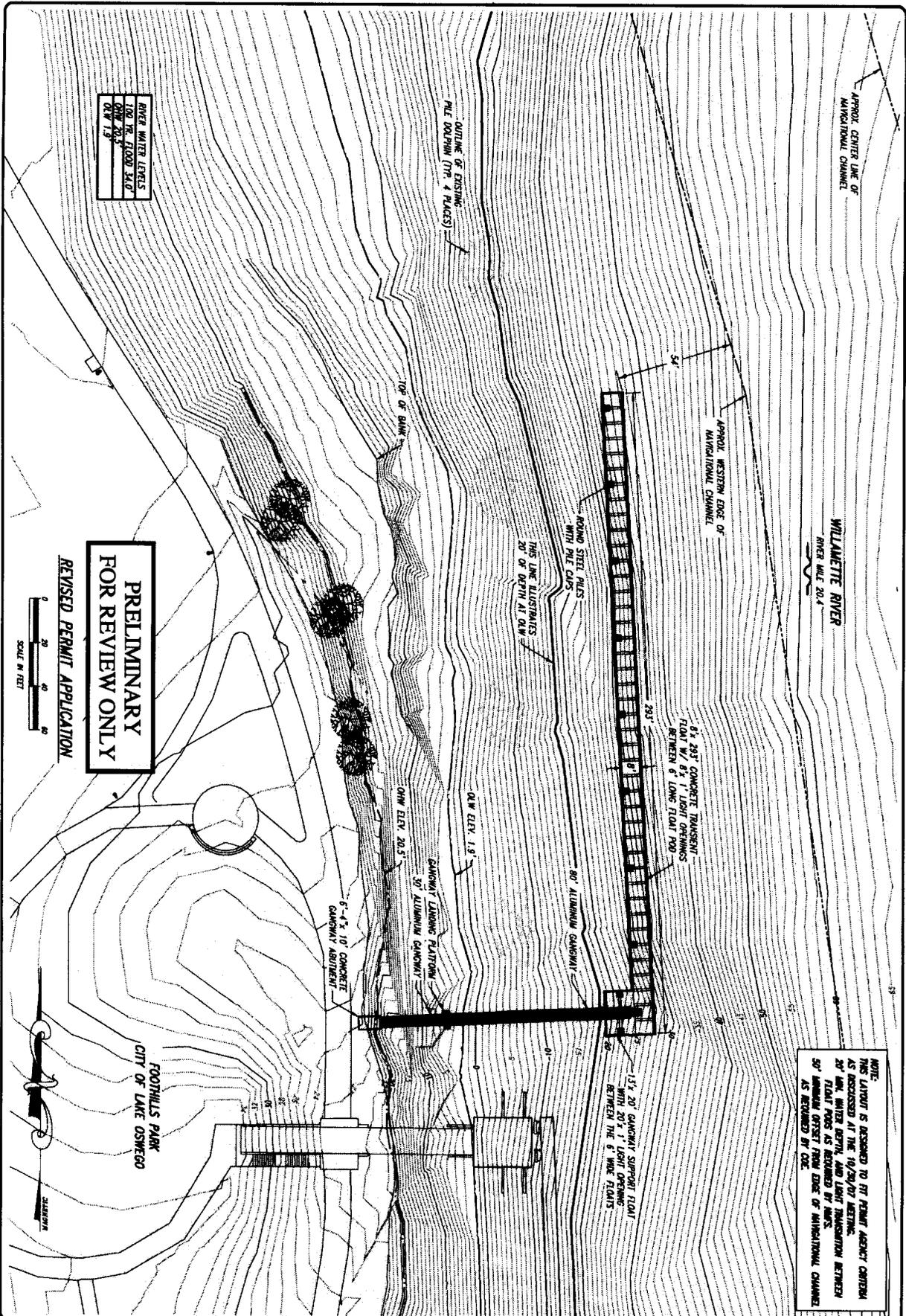
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine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

NWP-2005-321-1 City of Lake Oswego Tie-up Facility



0 0.4 0.8 1.2 Miles



100	10
200	20
300	30
400	40
500	50
600	60
700	70
800	80
900	90
1000	100

**PRELIMINARY
FOR REVIEW ONLY**

REVISED PERMIT APPLICATION



NOTE:
THIS LAYOUT IS DESIGNED TO BE REVIEWED BY THE PERMITTING AGENCY. CONTACT THE PERMITTING AGENCY AT THE 10/25/07 ADDRESS:
30' ALUMINUM GANWAY AND 13' x 20' GANGWAY SUPPORT FLOAT
WITH 20' x 1' LIGHT OPENINGS BETWEEN THE 6' WIDE FLOATS
AS REQUIRED BY OCE.

3
10/15/07
3
10/15/07

REVISED PERMIT APPLICATION
AT FOOHILLS PARK, WILLAMETTE RIVER MILE 20.4
FOR THE CITY OF LAKE OSWEGO

OREGON STATE MARINE BOARD



ENGINEER

APPROVED FACILITY MANAGER

FINAL CHECK BY: OSMB

DESIGNED BY: OSMB

DRAWN BY: OSMB

DATE: 04/06/07

DATE	REVISION	BY

FILE PATH
FILE NAME