



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE

for Permit Application

Issue Date: May 28, 2004

Expiration Date: June 11, 2004

Corps of Engineers Action ID: 199300848

Oregon Department of State Lands Number: 32336-RF

15-Day Notice

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
CENWP-OP-GE (*Ms. Michele E. Hanson*)
1600 Executive Parkway, Suite 210
Eugene, Oregon 97401-2372

Applicant: Cone Investment, L. P.

Location: The site is north of West 11th Avenue and west of Terry Street in West Eugene, Lane County, Oregon.

Project Description: Greenhill Technology Park (GTP) is a light-industrial business park oriented toward high technology and light manufacturing. The proposed project is to complete construction of Phase 1 of GTP, which was previously authorized under a Department of the Army (DA) permit (199300848). The current application does not represent a change in the scope of work that was previously authorized.

The project would fill 6.93 acres of palustrine, emergent wetland remaining in Phase 1, which includes Lots 1, 2, 3, 6, 11 and 12. These lots have all been partially filled under the previous DA permit. The depth of fill would average between one and two feet. Lot 11 has been purchased for a beverage distributor. Lots 1, 2, 3, 6 and 12 do not currently have buyers, however, the applicant anticipates businesses will locate on these lots in the near future.

Background: A DA permit was issued on November 28, 1995, authorizing the placement of 37 acres of fill material into wetlands for construction of GTP. The DA permit expired on December 31, 2000. Special conditions of the permit required the permittee to provide 39.5 acres of compensatory mitigation, which consisted of restoration and enhancement of a wet prairie and emergent wetland site located approximately 0.25 miles north of the project site. The permittee has completed the mitigation site and is in their fourth year of monitoring. These wetlands were identified in the West Eugene Wetland Plan as developable areas based on low functional values.

Mitigation: If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: To develop a technology park within the Eugene/Springfield Metropolitan area.

Drawings: Eight (8) drawings are attached.

Additional Information: Additional information may be obtained from Ms. Michele E. Hanson, Project Manager, U.S. Army Corps of Engineers at (541) 465-6878, or email michele.e.hanson@usace.army.mil.

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

Section 404 of the Clean Water Act (33 U.S.C. 1344) for the 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 that a public hearing be held to consider this application within the comment period specified in this notice. 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: A cultural resources survey was completed in June 1995. No recorded or eligible historic properties were identified within the permit area. The permit area has been extensively modified by modern development and there is little likelihood the proposed project will affect an eligible historic property or other type of cultural resource.

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.

PUBLIC NOTICE
Oregon Department of Environmental Quality (DEQ)
Water Quality 401 Certification

Corps of Engineers Action ID Number: 199300848

Notice Issued: May 28, 2004

Oregon Department of State Lands Number: 32336-RF **Written Comments Due:** June 11, 2004

WHO IS THE APPLICANT: Cone Investment, L.P.

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. Sixth Avenue, Portland, Oregon 97204-1390.

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 **June 11, 2004**. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390 or faxed to (503) 229-6124. ***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 at 401publiccomments@deq.state.or.us. Otherwise due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

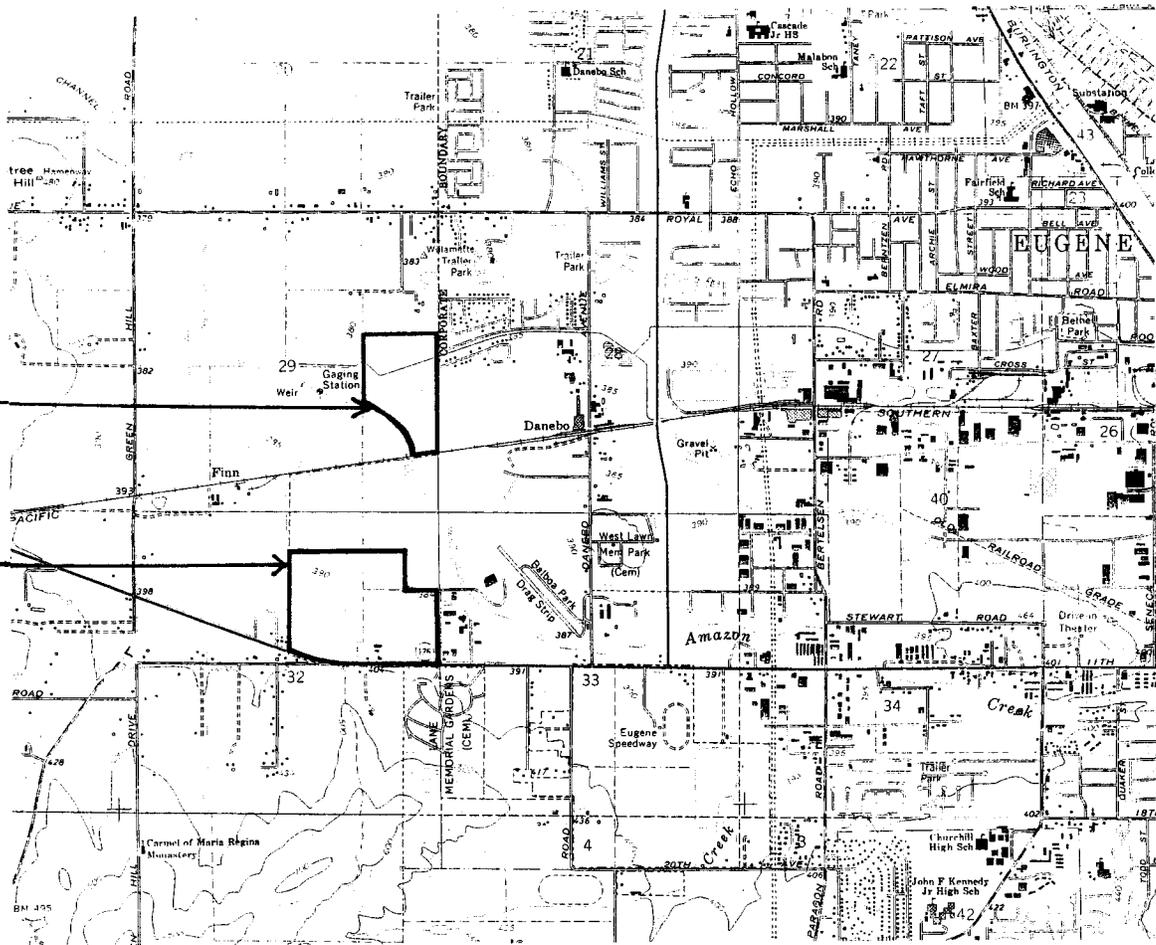
WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. 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.

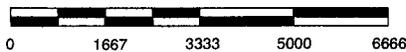


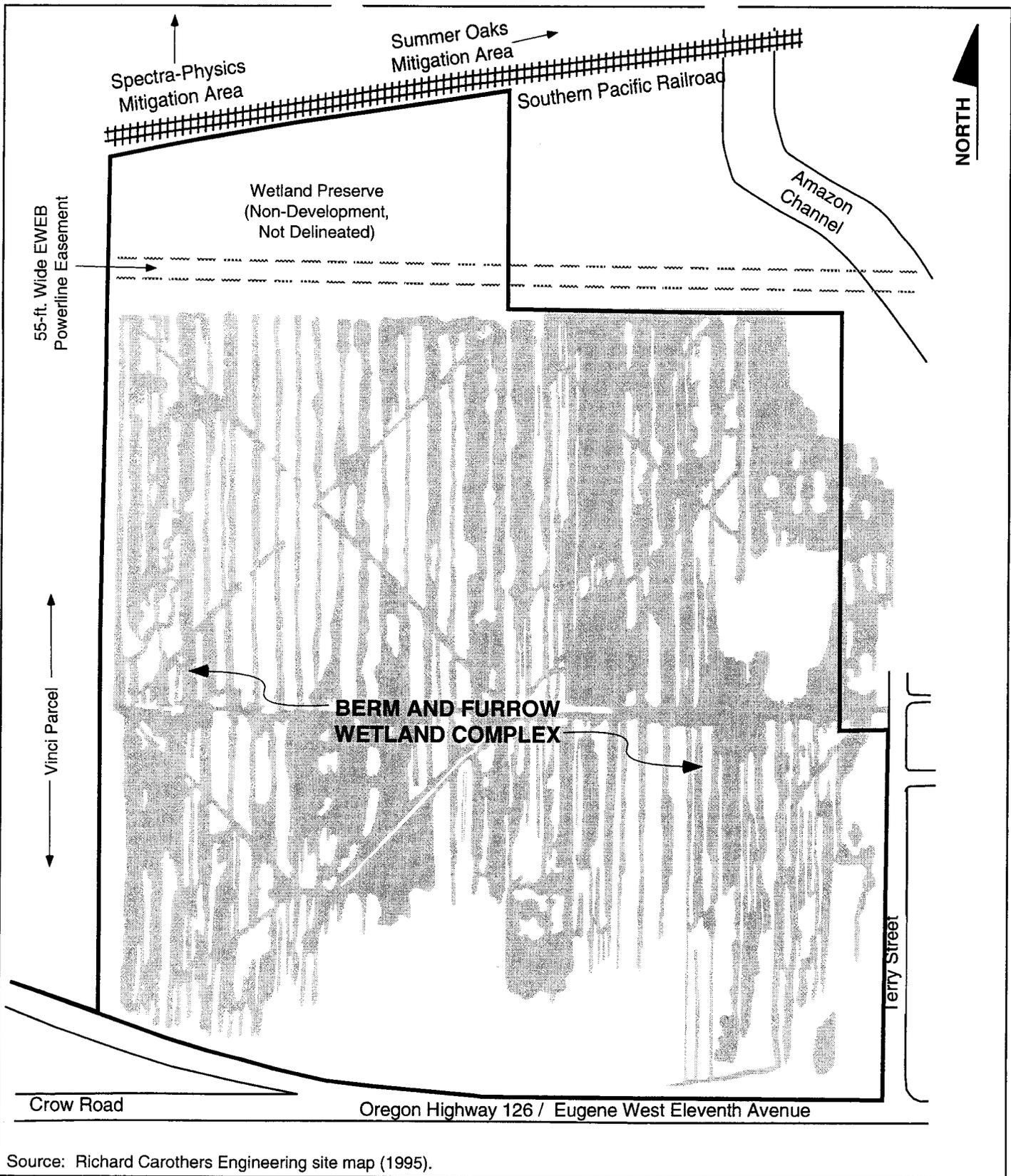
Mitigation Site

Greenhill Technology Park (Phase 1)



Source: U.S.G.S. Eugene West, Ore. quadrangle, 1987.

<p>TERRA SCIENCE, INC. Soil, Water & Wetland Consultants</p>	<p>WETLAND FILL APPLICATION FOR GREENHILL TECHNOLOGY PARK PHASE 1 (LOTS 1 to 12) Eugene, Lane County, Ore.</p> <p>APPROX. SCALE 1 in. = 3333 ft.</p>  <p>April 2004</p>	<p>VICINITY</p>	<p>FIGURE 1</p>
---	---	------------------------	------------------------

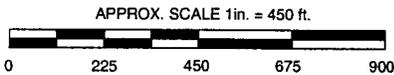


Source: Richard Carothers Engineering site map (1995).

TERRA SCIENCE, INC.
Soil, Water & Wetland Consultants

WETLAND FILL APPLICATION FOR GREENHILL TECHNOLOGY PARK PHASE 1 (LOTS 1 to 12) Eugene, Lane County, Oreg.

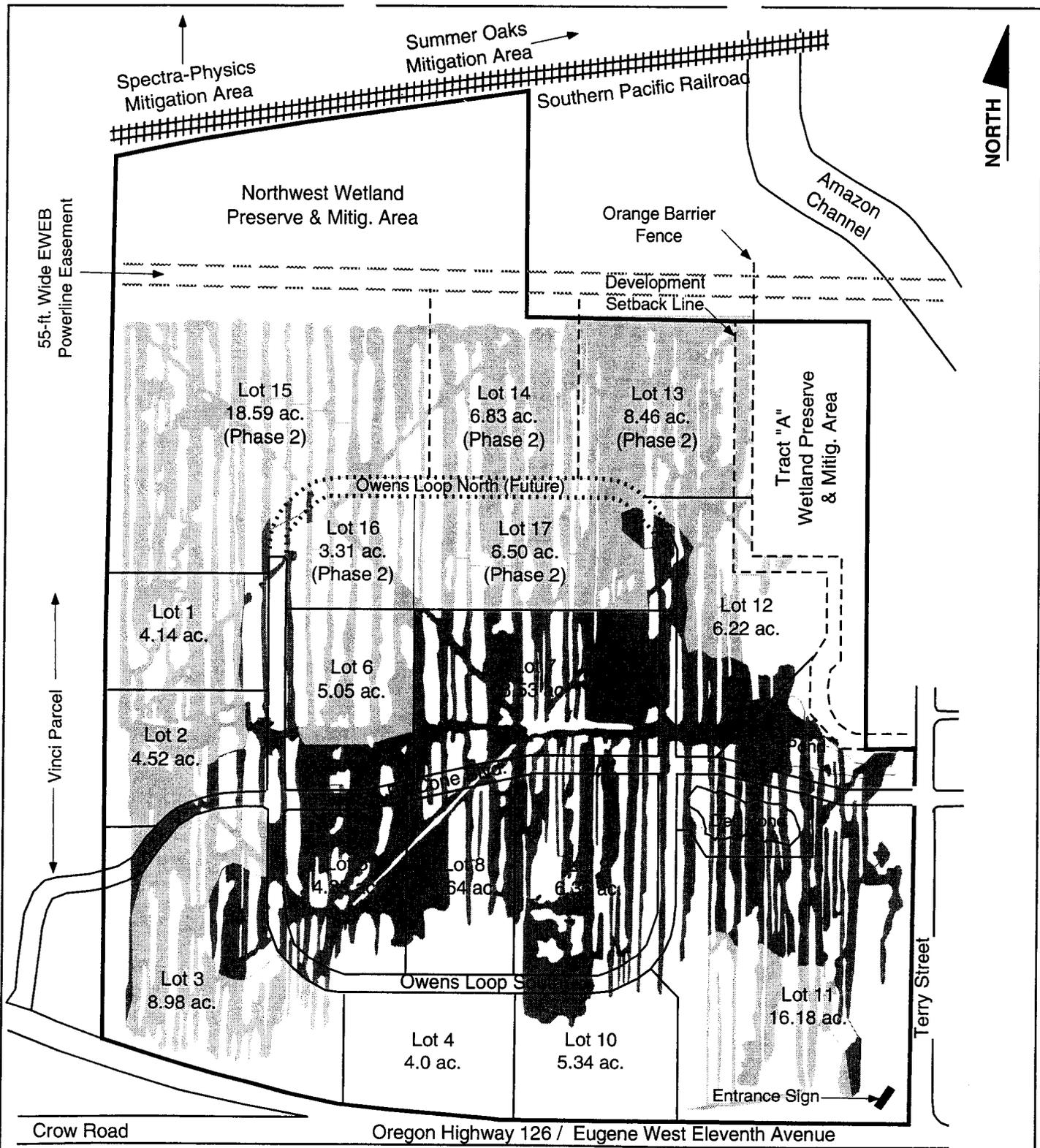
April 2004



Emergent wetland (pasture grasses); 37 ac. based upon Corps of Engineers mapping by Brian Lightcap.

PRE-DEVELOPMENT WETLAND BOUNDARY

FIGURE 2



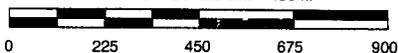
Source: Branch Engineering site plan (1997) & WAC Corp. Aerial Photograph (May, 1998).

TERRA SCIENCE, INC.
Soil, Water & Wetland Consultants

**WETLAND FILL APPLICATION FOR
GREENHILL TECHNOLOGY PARK
PHASE 1 (LOTS 1 to 12)
Eugene, Lane County, Oreg.**

April 2004

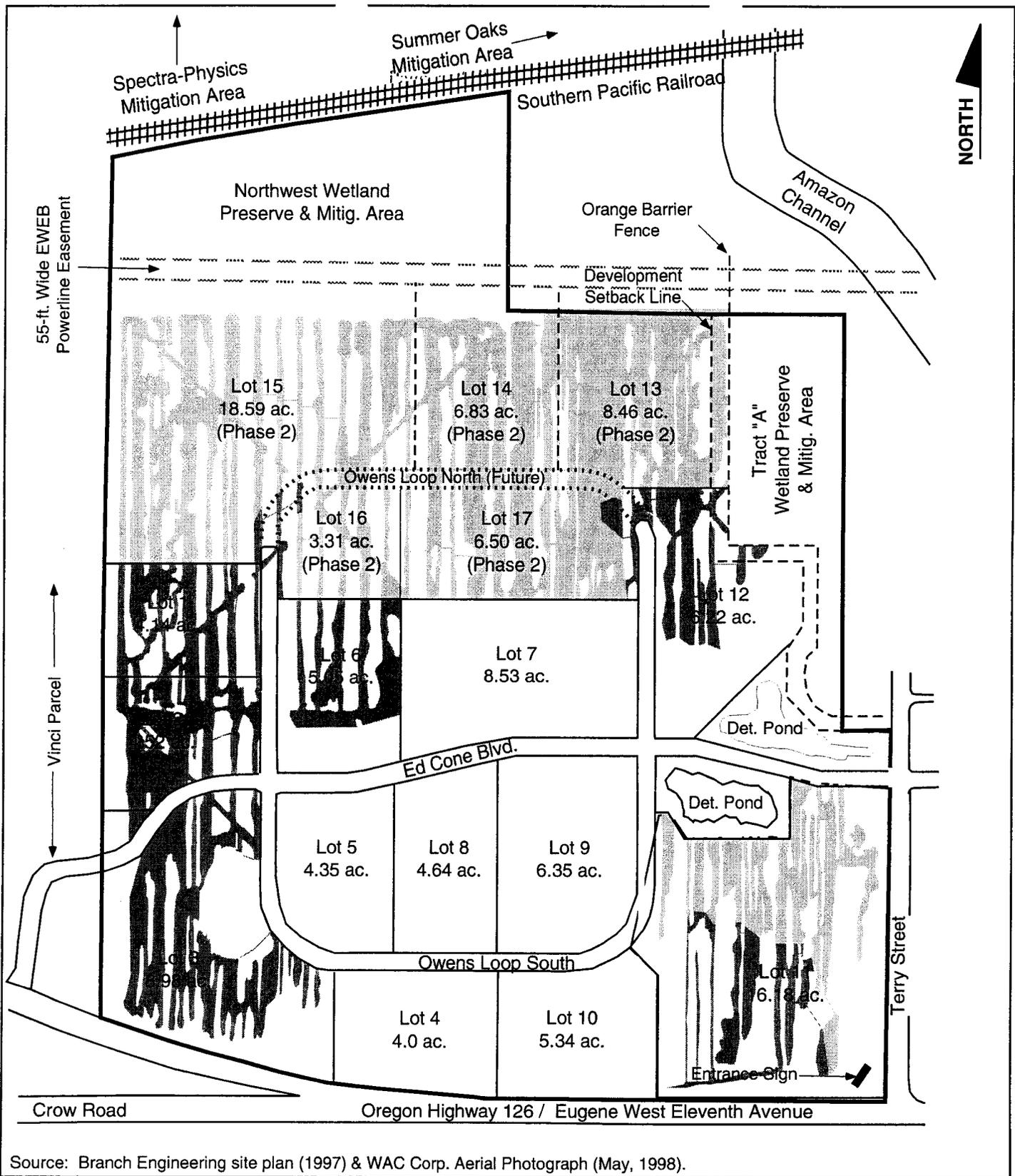
APPROX. SCALE 1 in. = 450 ft.



DEVELOPMENT LOTS & FILL STATUS

- Unfilled Wetland, 21.31 ac.
- Infrastructure & Lot Fill (incl. new road extension), 16.84 ac. wetland

FIGURE 3



Source: Branch Engineering site plan (1997) & WAC Corp. Aerial Photograph (May, 1998).

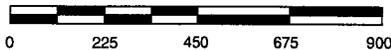
TERRA SCIENCE, INC.
Soil, Water & Wetland Consultants

WETLAND FILL APPLICATION FOR GREENHILL TECHNOLOGY PARK PHASE 1 (LOTS 1 TO 12)
Eugene, Lane County, Oreg.

PROPOSED DEVELOPMENT

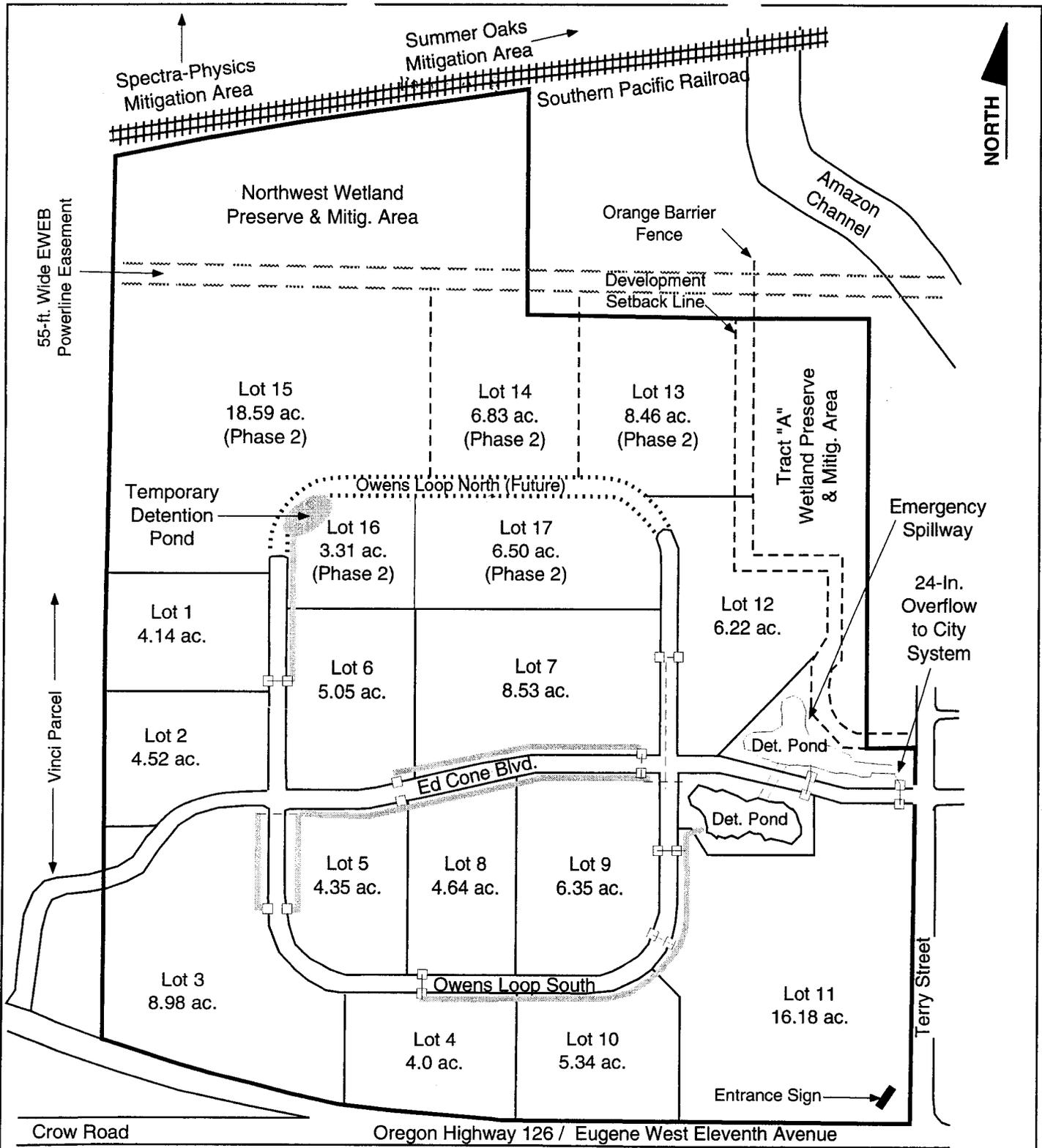
-  Unfilled Wetland, 12.84 ac.
-  Proposed fill for Lots 1 to 12, 6.93 ac. wetland

APPROX. SCALE 1in. = 450 ft.



April 2004

FIGURE 4A



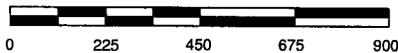
Source: Branch Engineering site plan (1997) & WAC Corp. Aerial Photograph (May, 1998).

TERRA SCIENCE, INC.
Soil, Water & Wetland Consultants

WETLAND FILL APPLICATION FOR GREENHILL TECHNOLOGY PARK PHASE 1 (LOTS 1 to 12)
Eugene, Lane County, Oreg.

April 2004

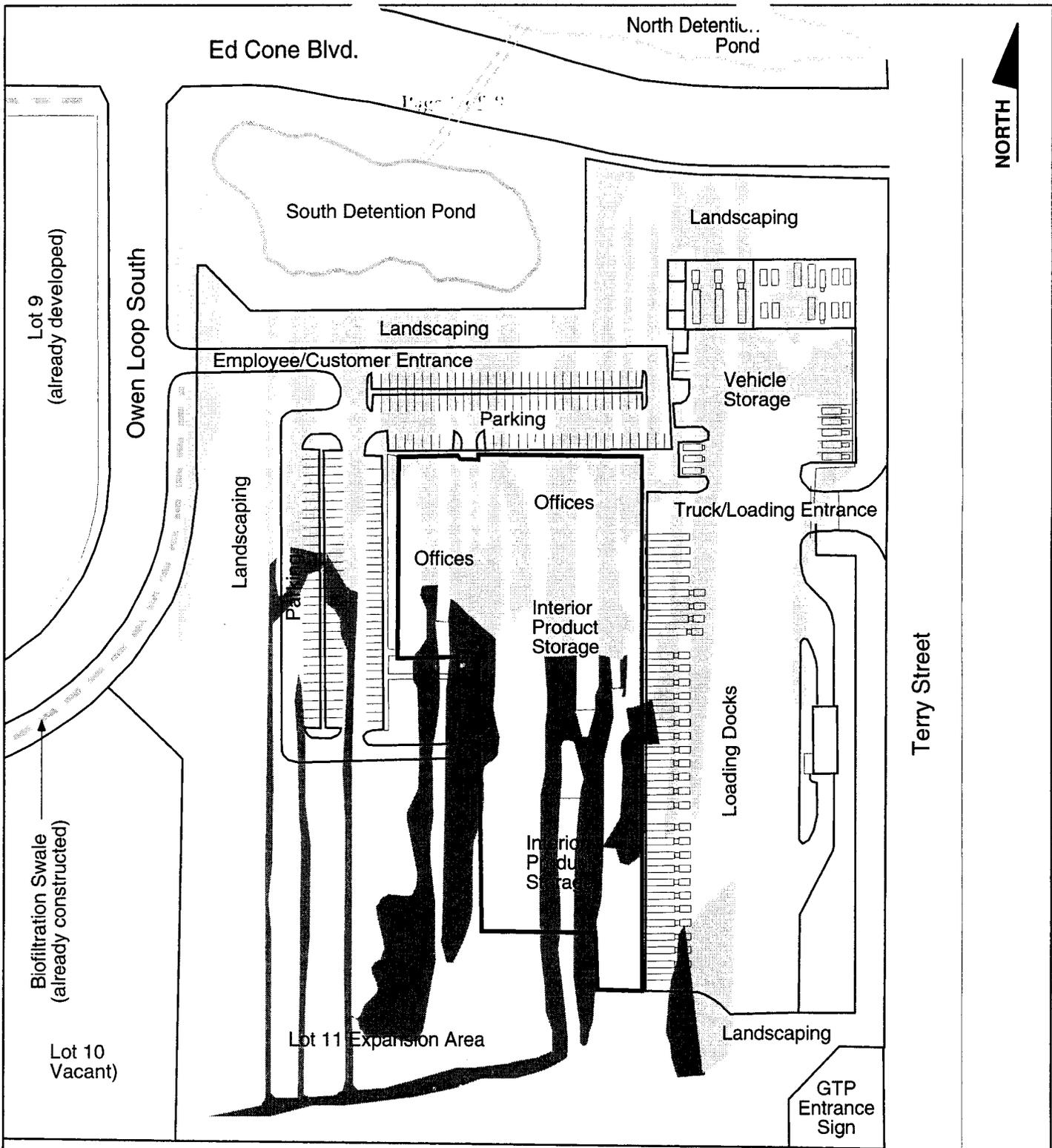
APPROX. SCALE 1in. = 450 ft.



STORM WATER TREATMENT

- Catch Basins
- Culvert / Pipe
- Biofiltration Swale

FIGURE 4B



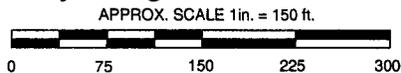
West Eleventh Avenue

Source: Western Beverage / Anheuser Busch site plan (2004)

TERRA SCIENCE, INC.
Soil, Water & Wetland Consultants

**WETLAND FILL APPLICATION FOR
GREENHILL TECHNOLOGY PARK
PHASE 1 (LOTS 1 to 12)
Eugene, Lane County, Oreg.**

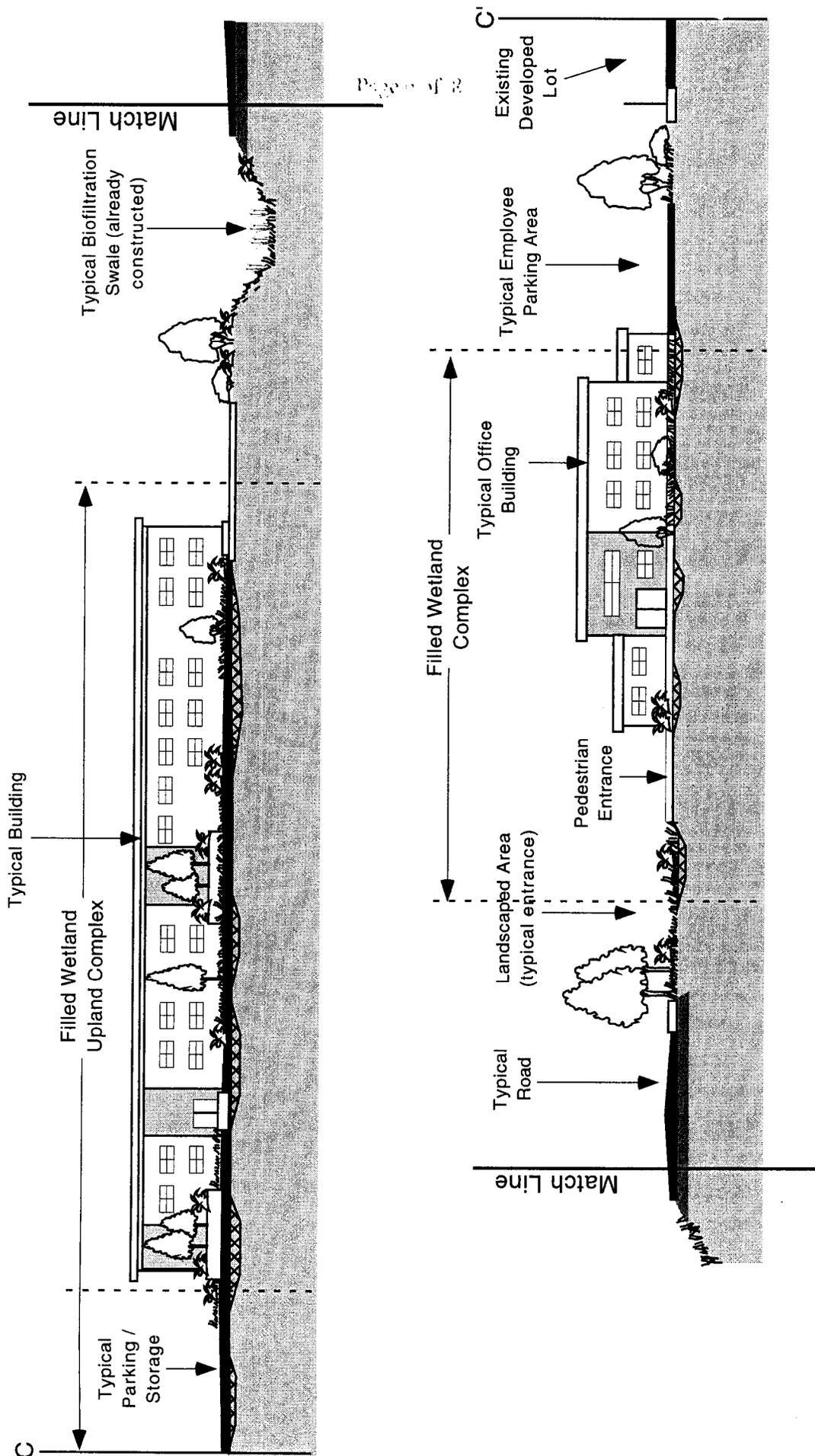
April 2004



- Previously filled for Lot 11,
1.78 ac. wetland
- Proposed fill for Lots 11,
1.06 ac. wetland

**LOT SITE PLAN AND
WETLAND IMPACT**

FIGURE 5



TERRA SCIENCE, INC.
Soil, Water & Wetland Consultants

WETLAND FILL APPLICATION FOR GREENHILL TECHNOLOGY PARK PHASE 1 (LOTS 1 to 12)
Eugene, Lane County, Oreg.

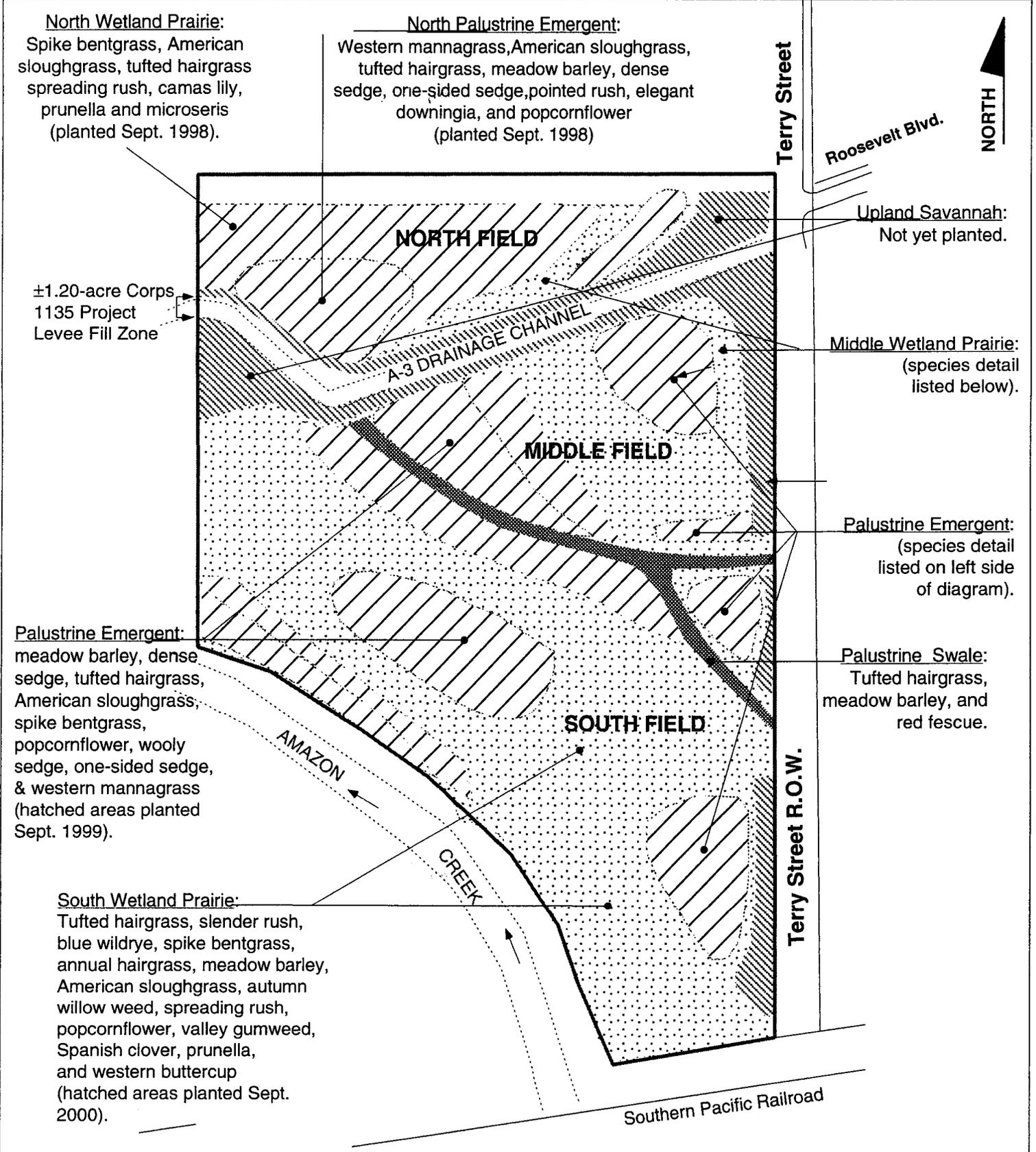
TYPICAL WETLAND IMPACT CROSS-SECTION A-A'



NO SCALE

April 2004

FIGURE 6



Source: Adapted from Skinner & Assoc. Partition map and May 1998 aerial photograph.

<p>TERRA SCIENCE, INC. Soil, Water & Wetland Consultants</p>	<p>WETLAND FILL APPLICATION FOR GREENHILL TECHNOLOGY PARK PHASE 1 (LOTS 1 to 12) Eugene, Lane County, Oreg.</p>	<p>MITIGATION PROGRESS AND WET PRAIRIE SEEDING AREAS</p>	<p>FIGURE 8</p>
<p>OE # 199102004 April 2004</p>	<p>Page 8 of 8</p>	<p>SCALE: 1 INCH = 275 FEET (approximate)</p>	