



US Army Corps  
of Engineers  
Portland District

# PUBLIC NOTICE

## for Permit Application

**Issue Date:** July 1, 2004

**Expiration Date:** July 30, 2004

**Corps of Engineers Action ID:** 199500080

**30-Day Notice**

**Oregon Department of State Lands Number:** RP-765 RENEWAL

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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 reach this office no later than the above expiration date of this Public Notice to become part of the record and considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers  
CENWP-OP-GE (Ms. Merina Christoffersen)  
1600 Executive Parkway, Suite 210  
Eugene, Oregon 97401-2156

**Applicant:** Beaver State Sand and Gravel, Inc. and Tri-City Ready Mix, Divisions of LTM

**Location:** The project site is a gravel bar (Weigle Bar) on the South Umpqua River near Mile 33. The project is located in Section 11 of Township 29 South, Range 6 West; and in Douglas County, near Dillard, Oregon.

**Project Description:** The applicant is proposing to dredge up to 15,000 cubic yards of gravel annually from the South Umpqua River. Scrapers are used to excavate aggregate from the bar, which is then hauled to a stockpile located on the adjacent, upland property. Bulldozers are then used to shape and contour the bar following excavation.

**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 obtain aggregate materials, including sand, gravel, and rock, for various commercial applications.

**Drawing(s):** Thirteen (13) drawings labeled 199500080

**Additional Information:** Additional information may be obtained from Ms. Merina Christoffersen, Project Manager, U. S. Army Corps of Engineers at (541) 465-6882 or [merina.e.christoffersen@nwp01.usace.army.mil](mailto:merina.e.christoffersen@nwp01.usace.army.mil).

**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.

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 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) will be 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 that 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, 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 that may reasonably 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 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 that 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:** 199500080

**Notice Issued:** July 1, 2004

**Oregon Department of State Lands Number:** RP-765 RENEWAL **Written Comments Due:** July 30, 2004

**WHO IS THE APPLICANT:** Beaver State Sand and Gravel, Inc. and Tri-City Ready Mix, Divisions of LTM

**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 97204-1390.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. 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:**

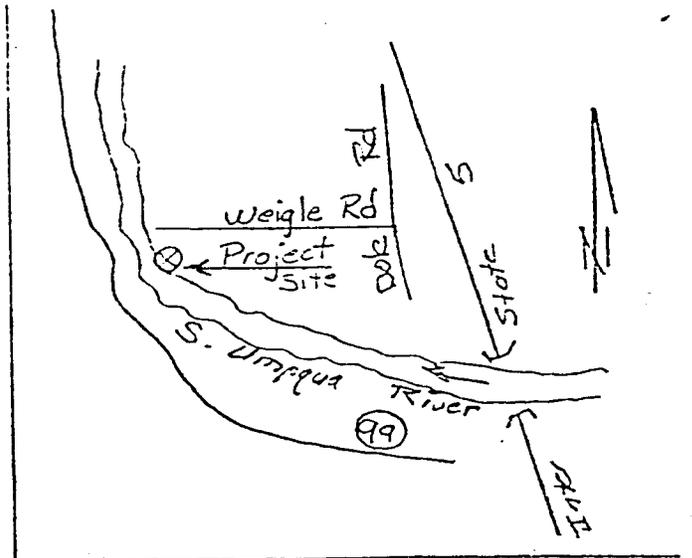
**Public Hearing:** Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. 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:**

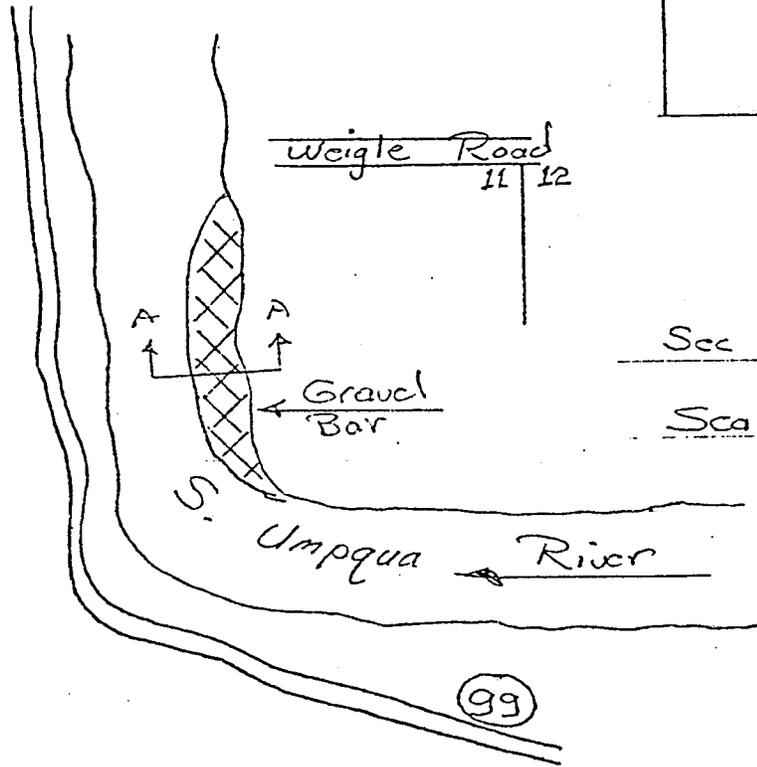
Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on **July 30, 2004**. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. 6th Avenue, Portland, Oregon 97204-1390 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](mailto: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.

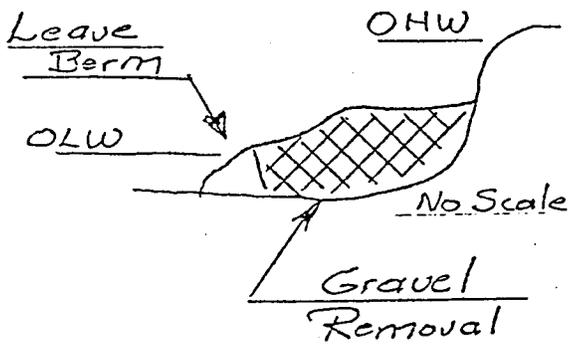


VICINITY MAP



Sec 11, T29S, R6W W/M

Scale - 1" = 400'

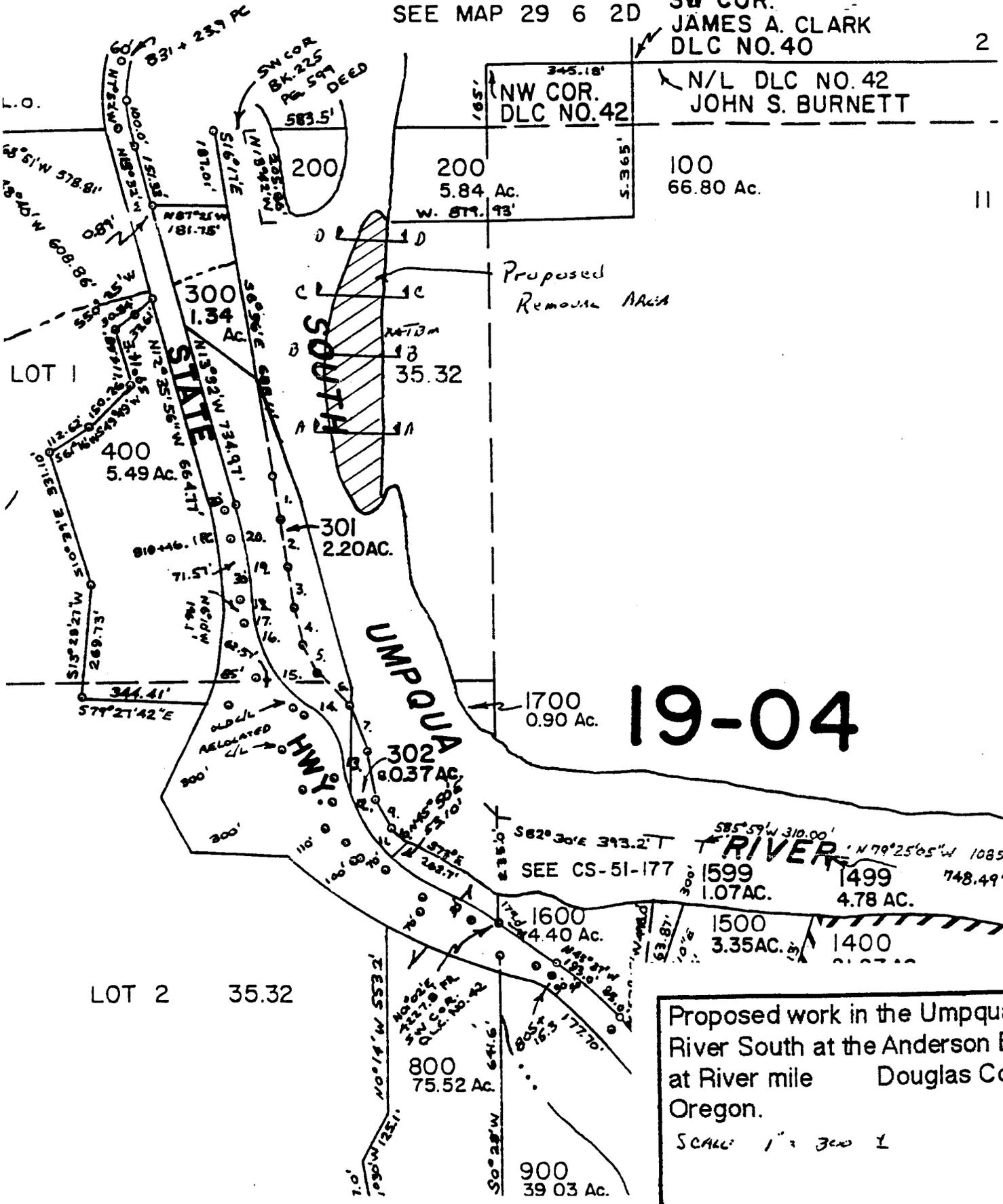


SECTION A-A

GRAVEL REMOVAL

S. Umpqua River River Mi. 33.0  
 Near Dillard  
 Douglas County  
 Beaver State Sand & Gravel  
 Oct 1985

SEE MAP 29 6 2D SW COR. JAMES A. CLARK DLC NO.40



19-04

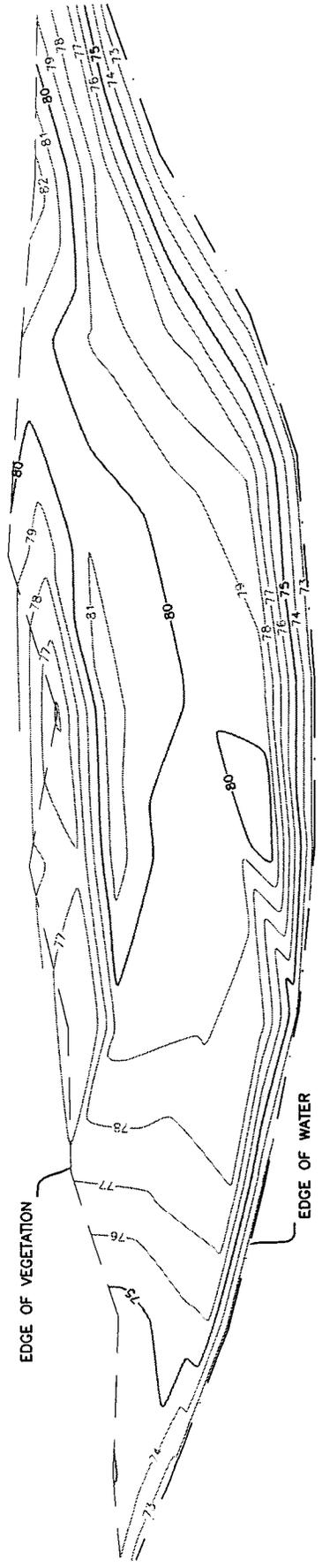
Proposed work in the Umpqua River South at the Anderson Bar at River mile Douglas Co. Oregon.

SCALE: 1" = 300'

Aug. 8, 1992

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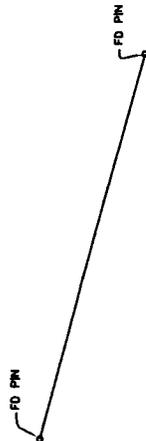
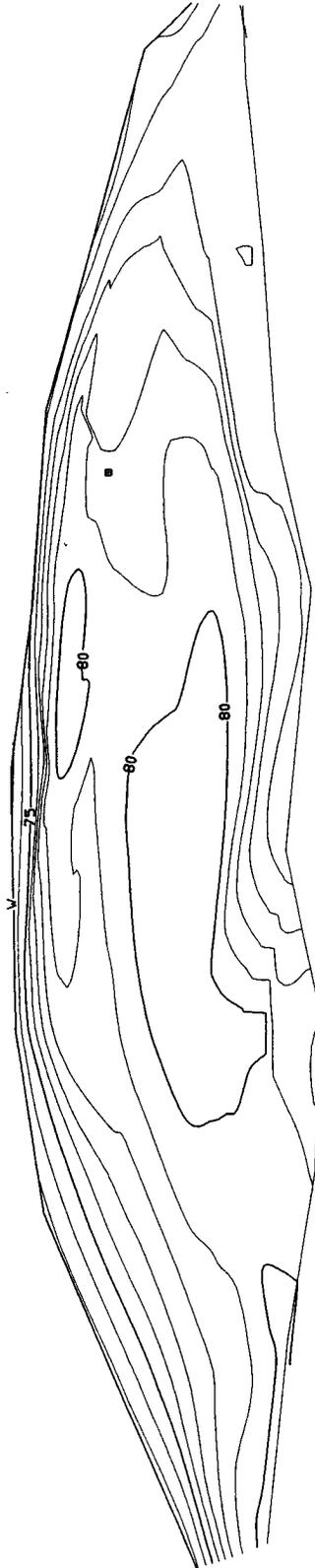
**VOLUME RESULTS**

ORIGINAL SURFACE MODEL:	JULY 7, 2002
FINAL SURFACE MODEL:	JULY 30, 2003
RAW CUT VOLUME:	458 CU. YD.
RAW FILL VOLUME:	1,435 CU. YD.
NET VOLUME (CHANGE):	977 CU. YD.

**TOPOGRAPHIC SURVEY - WEISLE GRAVEL BAR**  
 LYING IN THE SE 1/4 OF SEC. 2 AND NE 1/4 OF SEC. 11, T 29 S, R 8 W, WILLAMETTE METROPOLITAN DISTRICT, WASHINGTON COUNTY, OREGON  
 SURVEYED FOR: [Signature] PROJECT NO. 0303000000  
 P.O. BOX 1427 ASTORIA, OR 97103  
 DATE: JULY 2003 JOB NO: 03-01-20 72 PAGE: 1 OF 1  
 SCALE: 1"=100'

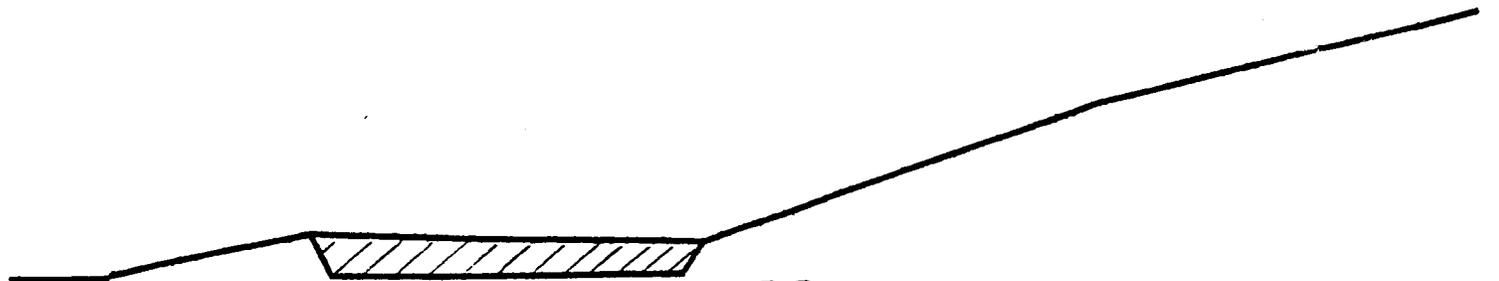
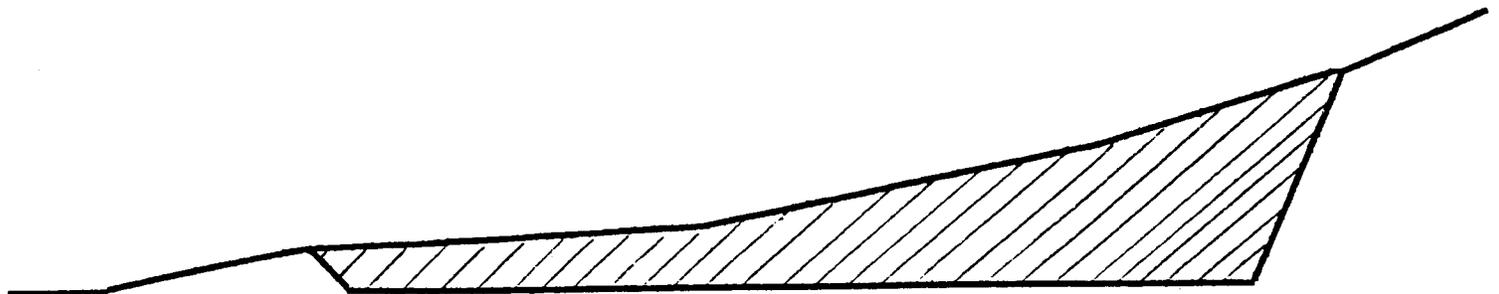
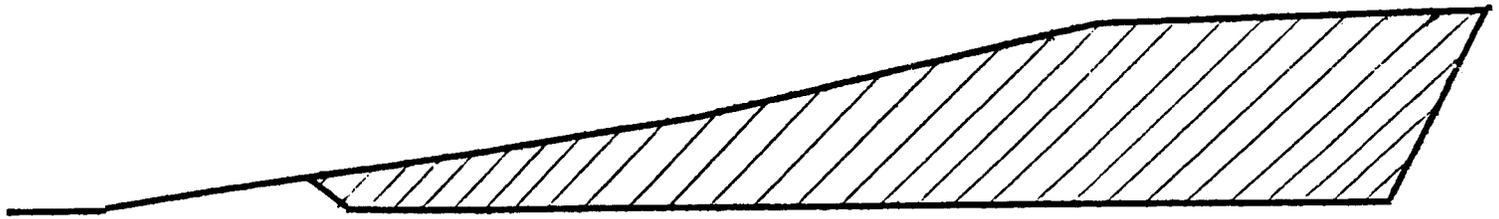
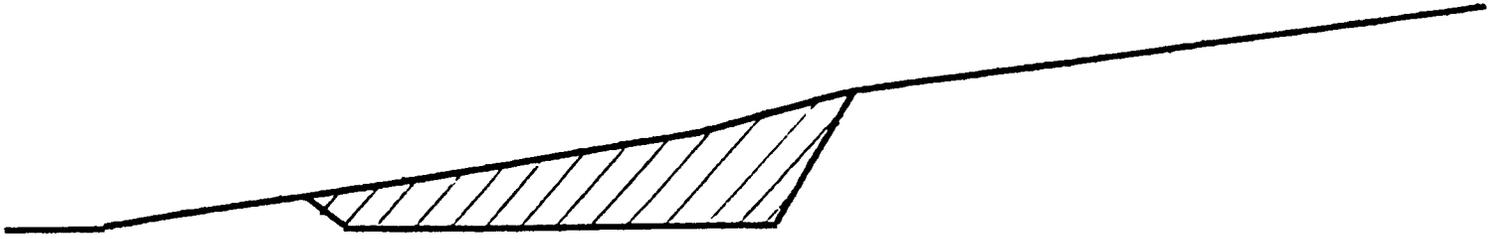


TOPOGRAPHIC SURVEY-WESGLE DOUGLAS COUNTY, OREGON	
SURVEYED FOR PROGRESSIVE PAVING CO., INC., 127 W. MAIN, OREGON 97119	SURVEYED BY <b>i.e.</b> ILLIUMINATED ENGINEERING 111 S.E. WILSON ST. PORTLAND, OREGON 97202 PHONE (503) 337-1118 FAX (503) 337-1118
DATE: 11/19/87	SHEET NO. 05 OF 05
SCALE: 1" = 40'	PAGE 1 OF 1



Anderson Bar  
Cross Sections

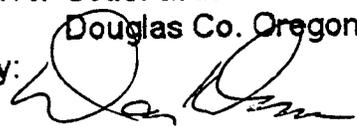
Exhibit C



Scale:  
Horiz.: 1"=25'  
Vert: 1"=10'

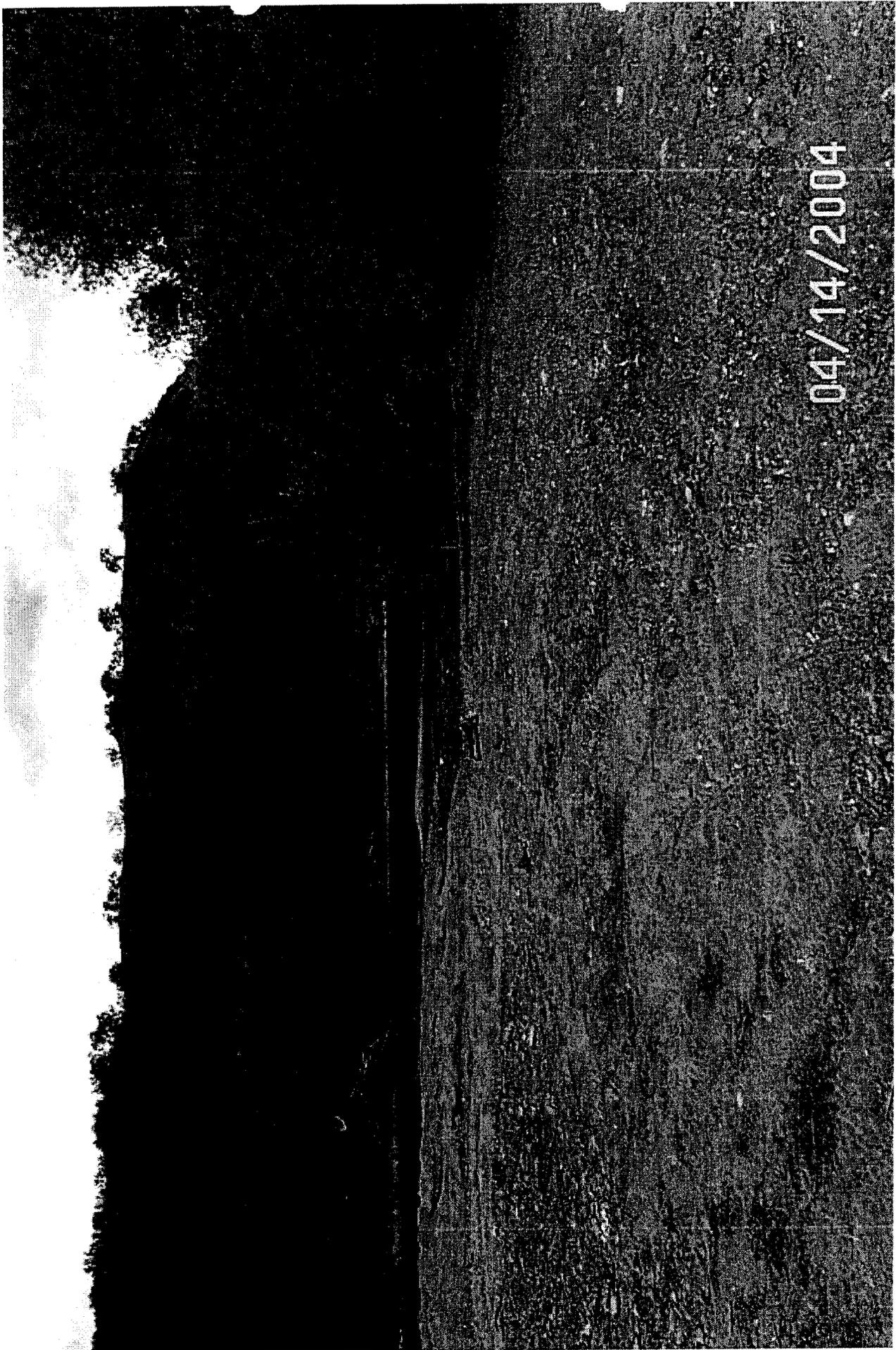
Removal  
Area



Proposed work in the Umpqua  
River-South at the Anderson Bar  
Douglas Co. Oregon  
By:   
Date: Aug. 8, 1992

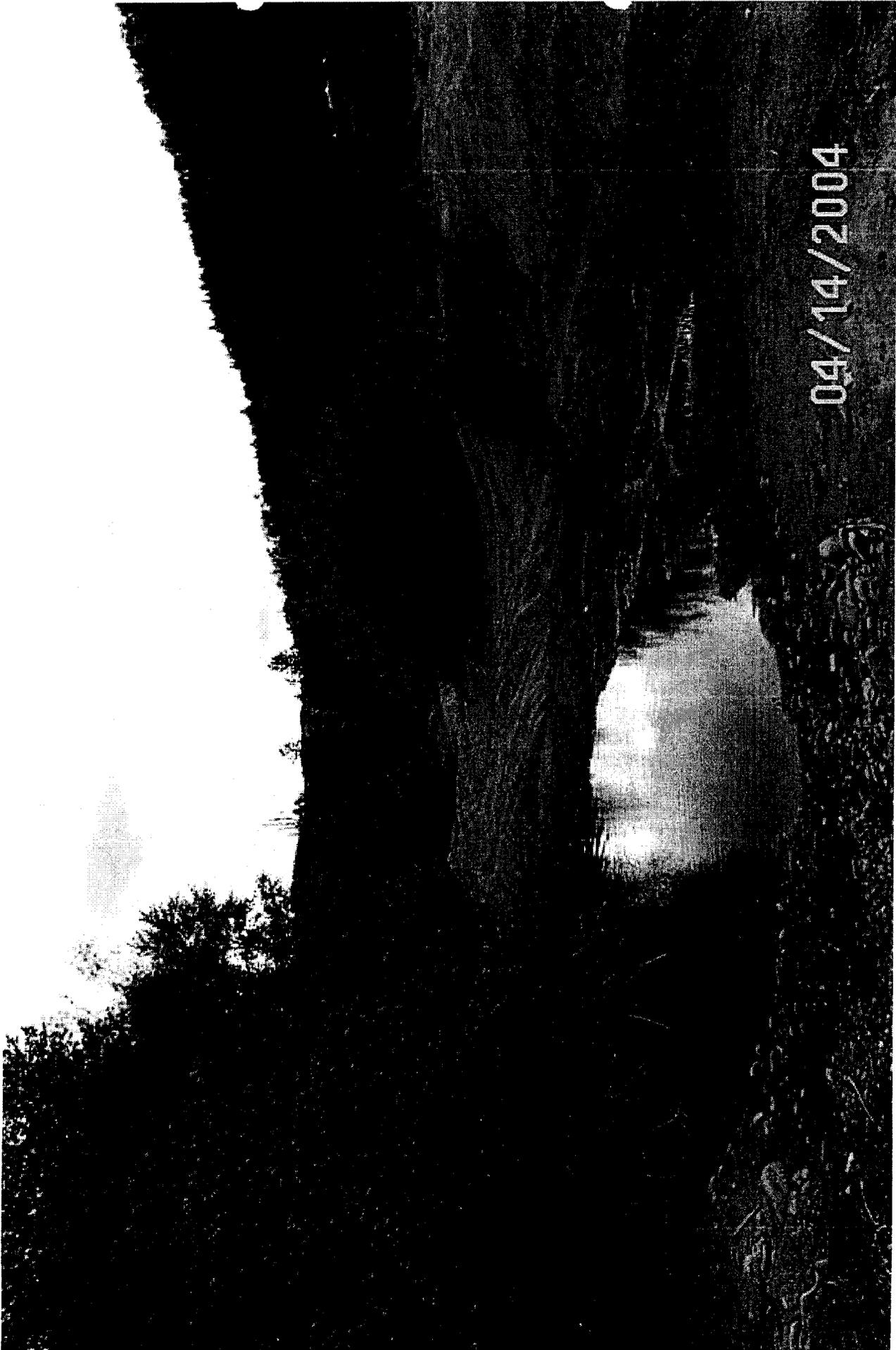
04/14/2004

WEIGLEBAR SUMPQUA RM 33.0 ACCESS ROAD AT APPROXIMATE CENTER OF BAR  
199500080 BEAVER STATE



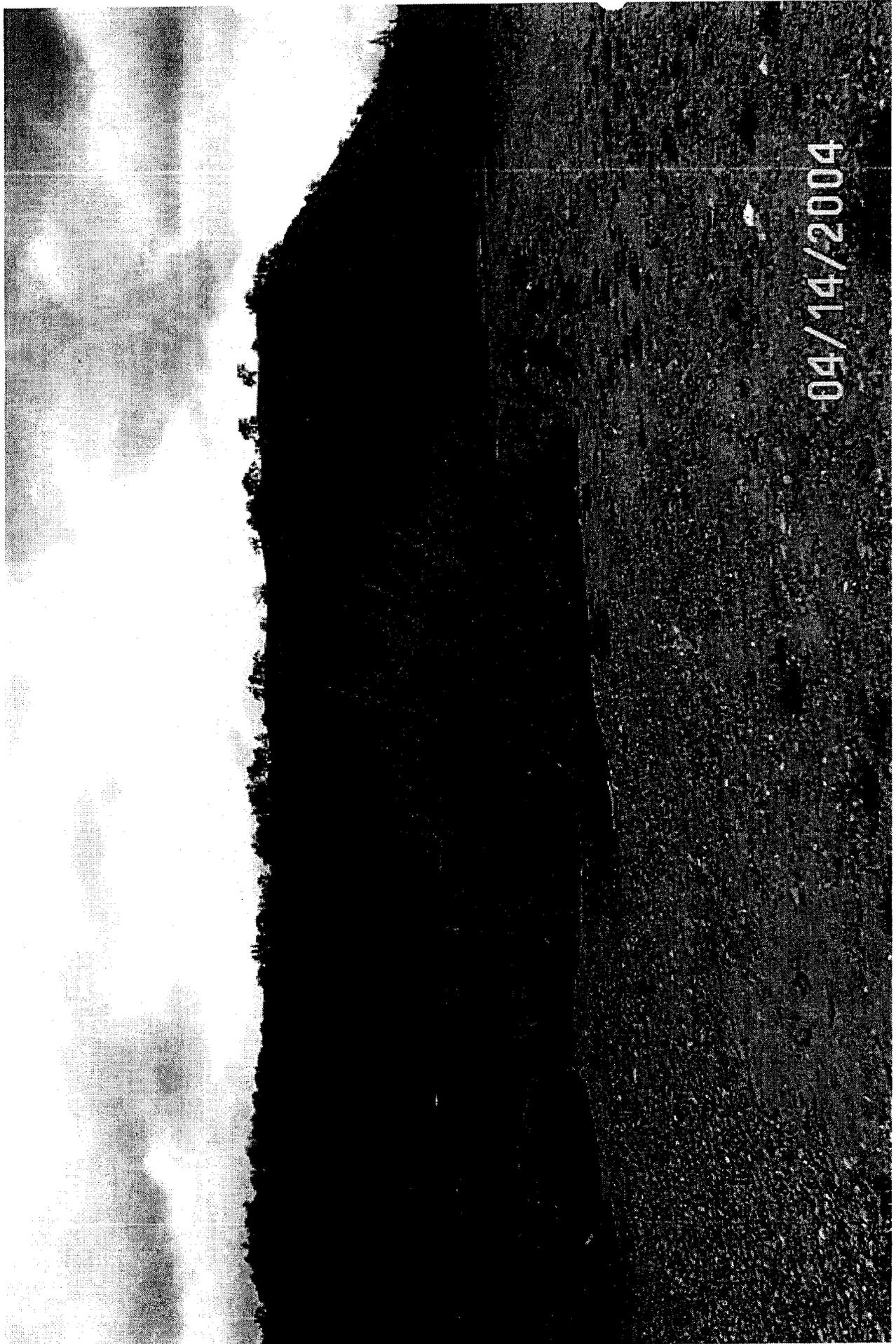
04/14/2004

WEIGLE BAR S. UMPQUA RM 33.0 LOOKING DOWNRIVER FROM ACCESS POINT  
1995 00080 BEAVER STATE



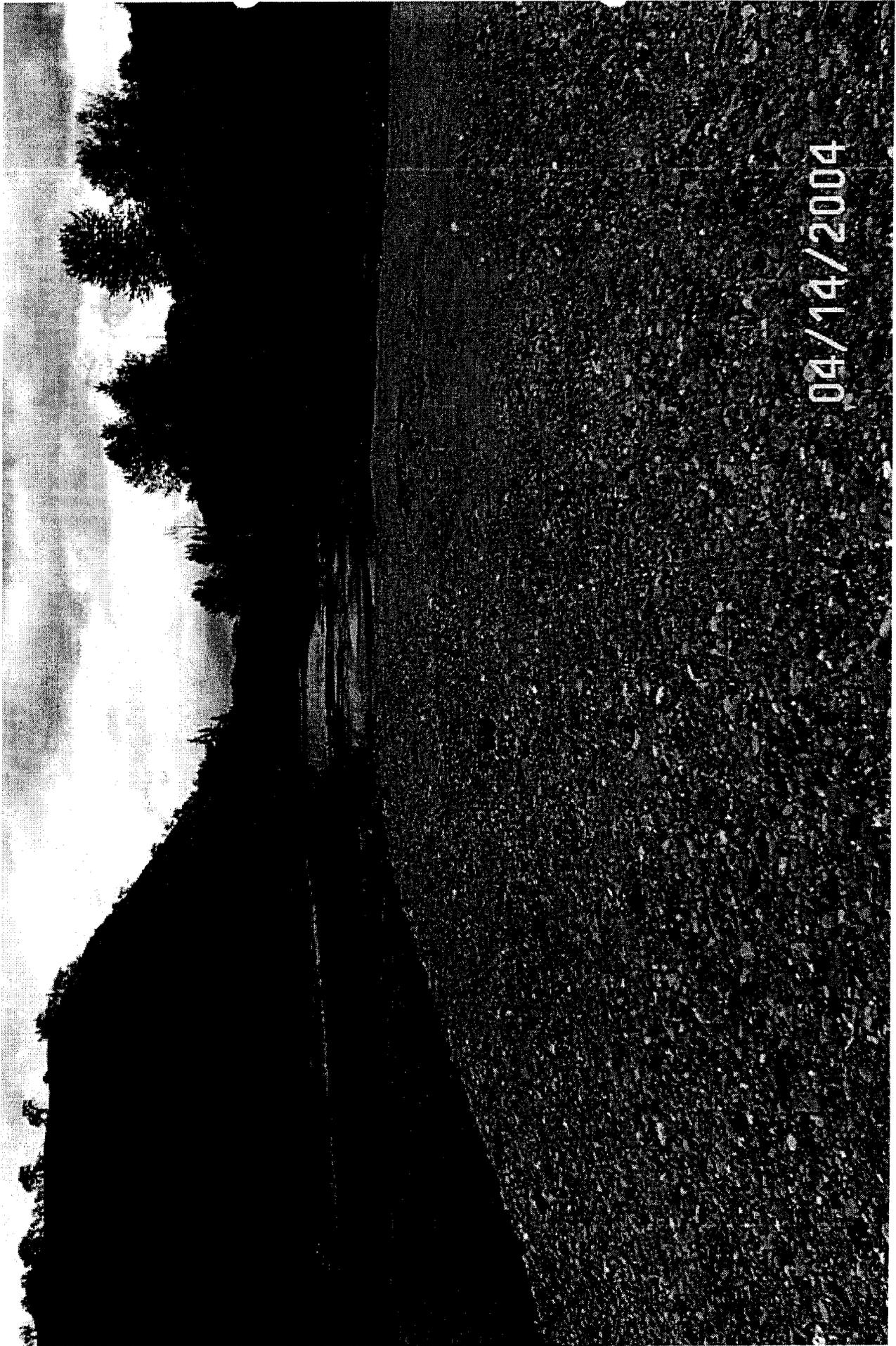
04/14/2004

WEIGLE BAR S. UMPQUA RM 33.0 LOOKING UPRIVER FROM ACCESS POINT  
199500080 BEAVER STATE



04/14/2004

WEIGLE BAR SUMPQUA RM 33.0 LOOKING DOWN RIVER  
194500080 BEAVER STATE



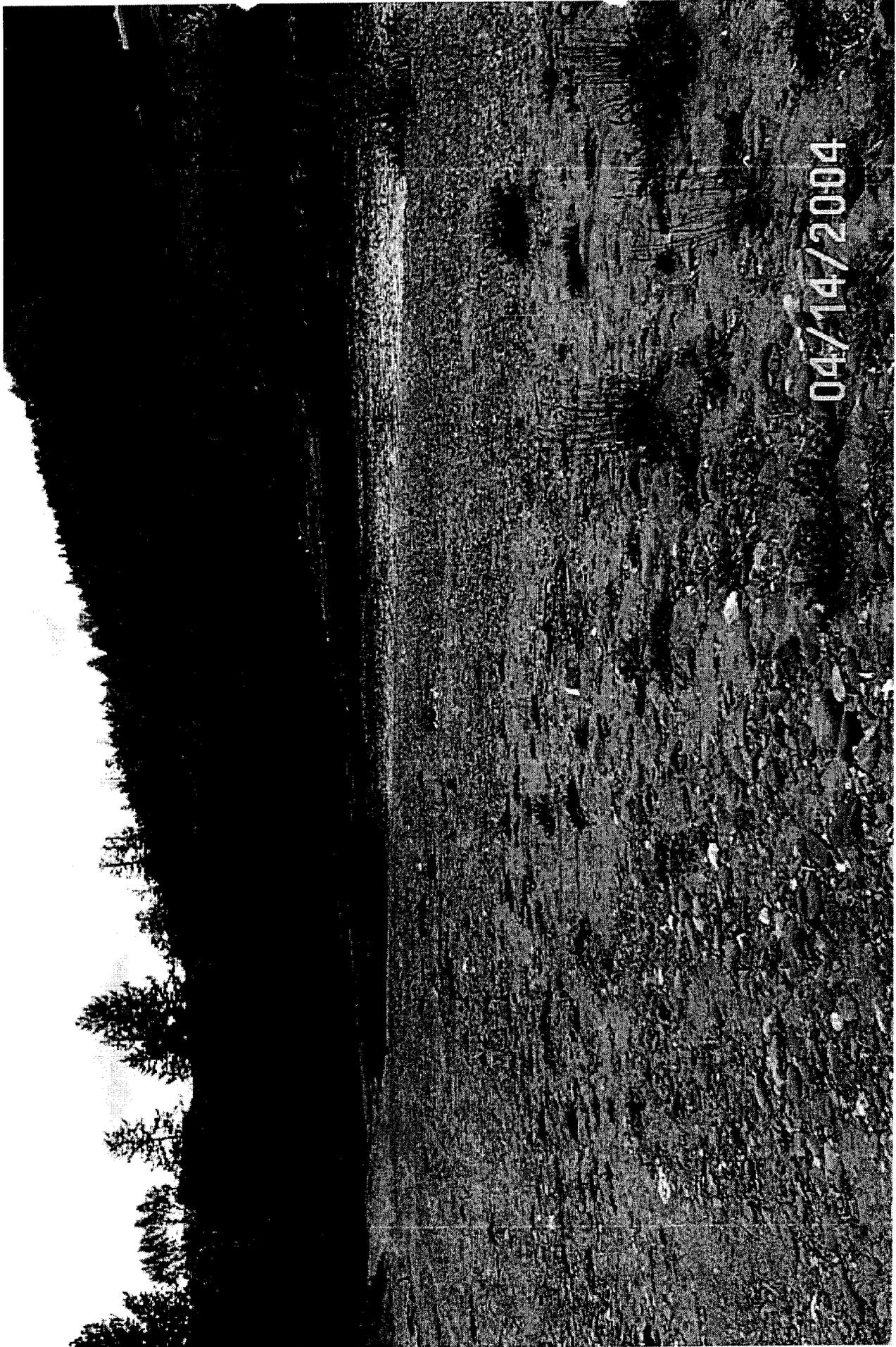
04/14/2004

WEIGLE BAR S. UMPQUA RIM 33.0' LOOKING DOWN RIVER  
1495000 80 BEAVER STATE



04/14/2004

WEGLE BAR S. UMPQUA RM 33.0 LOOKING UP RIVER FROM APPROXIMATE CENTER  
1995 00080 BEAVER STATE



04/14/2004

WEIGLE BAR, S. UMPQUA RIVER 33.0 LOOKING UPRIVER "HEAD OF BAR"  
199500080 BEAVER STATE