



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: March 11, 2004

Expiration Date: April 12, 2004

Corps of Engineers Action ID: 200000689

Oregon Division of State Lands Number: 30289-RF

30 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
ATTN: CENWP-OP-GP (Ms. Kathryn L. Harris)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Lower Kilchis River Group
4445 Boquist Road
Tillamook, OR 97141

Location: Kilchis River, River Mile 0 to 3.0, from the mouth of Squeedunk Slough to the mouth of Hathaway Slough, in Sections 11 and 12 of Township 1 South, Range 10 West, near Tillamook, Tillamook County, Oregon.

Project Description: The applicant proposes to remove 26,500 cubic yards of gravel and sand from the Lower Kilchis River. Two push up dams would be constructed from the existing channel material at the following locations: 150 feet upstream of Hathaway Slough and 150 feet downstream from Squeedunk Slough. Each dam would require 250 cubic yards of gravel from the river. A pump and pipeline would be used to dewater the project site. Material would be removed using track hoe, dragline, and front end loaders. The removal area would be 3500 feet long, 40 feet wide, and 5.1 feet deep. Excavated slopes would be 3:1. A 15-foot buffer would be maintained between the excavated area and the toe of slope on both river banks. The gravel would be transported via dump trucks to the storage location. Gravel excavated from the river would be used to construct 3,365 feet of the access road. Gravel removed from the site would also be used on local farms for activities such as maintenance of existing farm roads, cattle lanes, and dike repairs.

The applicant also proposes to place large, woody material at four locations on the east side of the Kilchis River in the lower stream section. The woody material would be anchored in place by coil chain to boulders placed in the stream.

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 reduce upstream flood frequency on the Kilchis River and reduce stream bank erosion in Squeedunk Slough.

Drawing(s): Figures 1-22.

Additional Information: Additional information may be obtained from Ms. Kathryn L. Harris, Project Manager, U.S. Army Corps of Engineers at (503) 808-4387.

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.

Permit Construction Window: The Corps is considering an Individual Permit with a 5-year construction window.

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.

Coastal Zone Management Act Certification: A permit for the described work will not be issued until the state has concurred with the applicant's certification that the described activity affecting land or water uses in the Coastal Zone complies with the State Coastal Zone Management Program. Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3) requires the applicant to provide a Certification of Consistency statement. If the state fails to concur or object to the certification statement within six months, state concurrence shall be conclusively presumed. Attached to this Public Notice is a notice of application for Certification of Consistency with the State's Coastal Zone Management Program.

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.

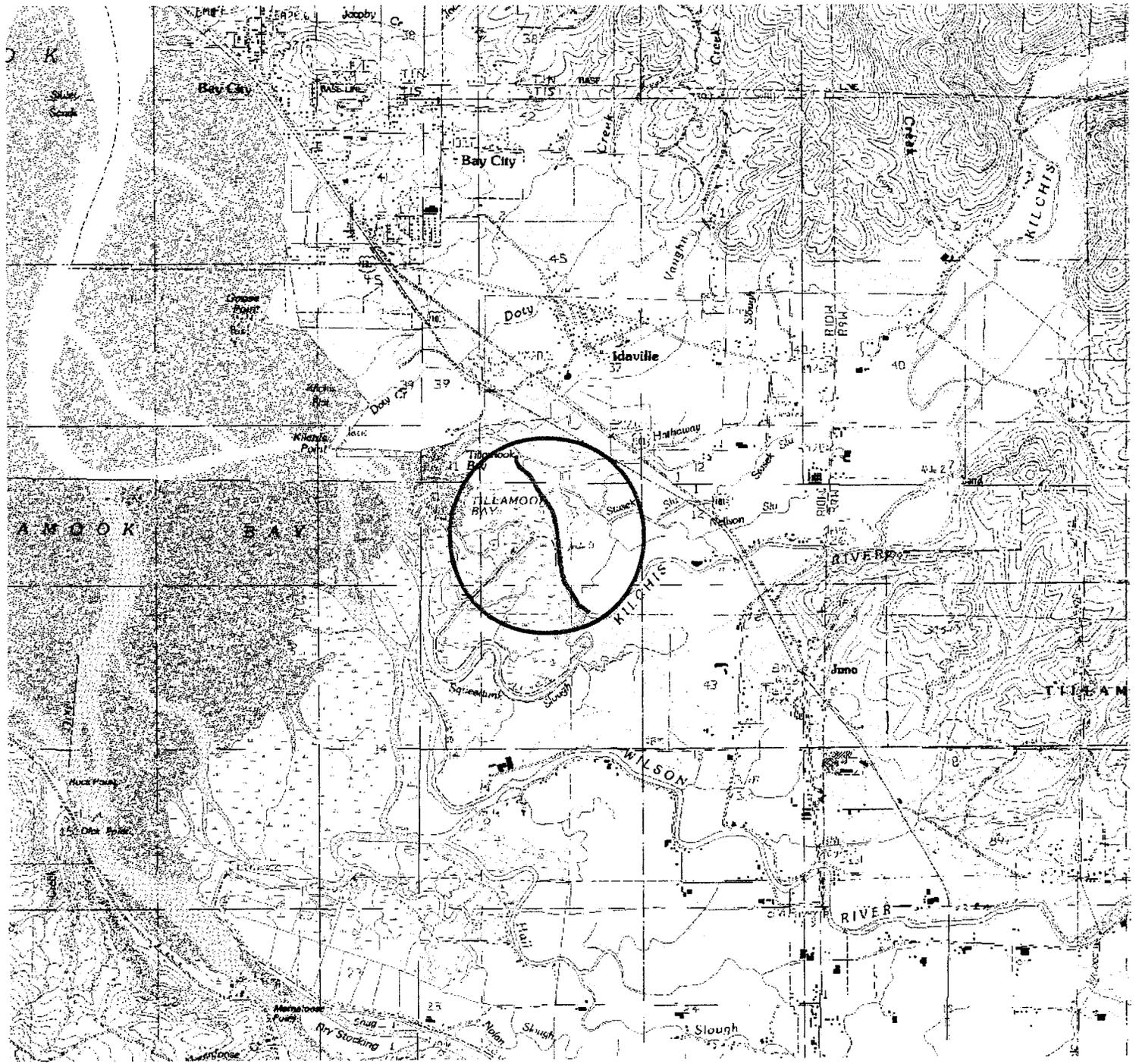
Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

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.

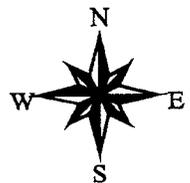
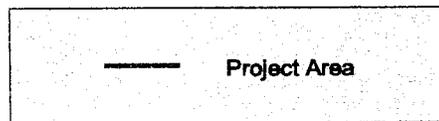
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine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

Project Vicinity Map 1



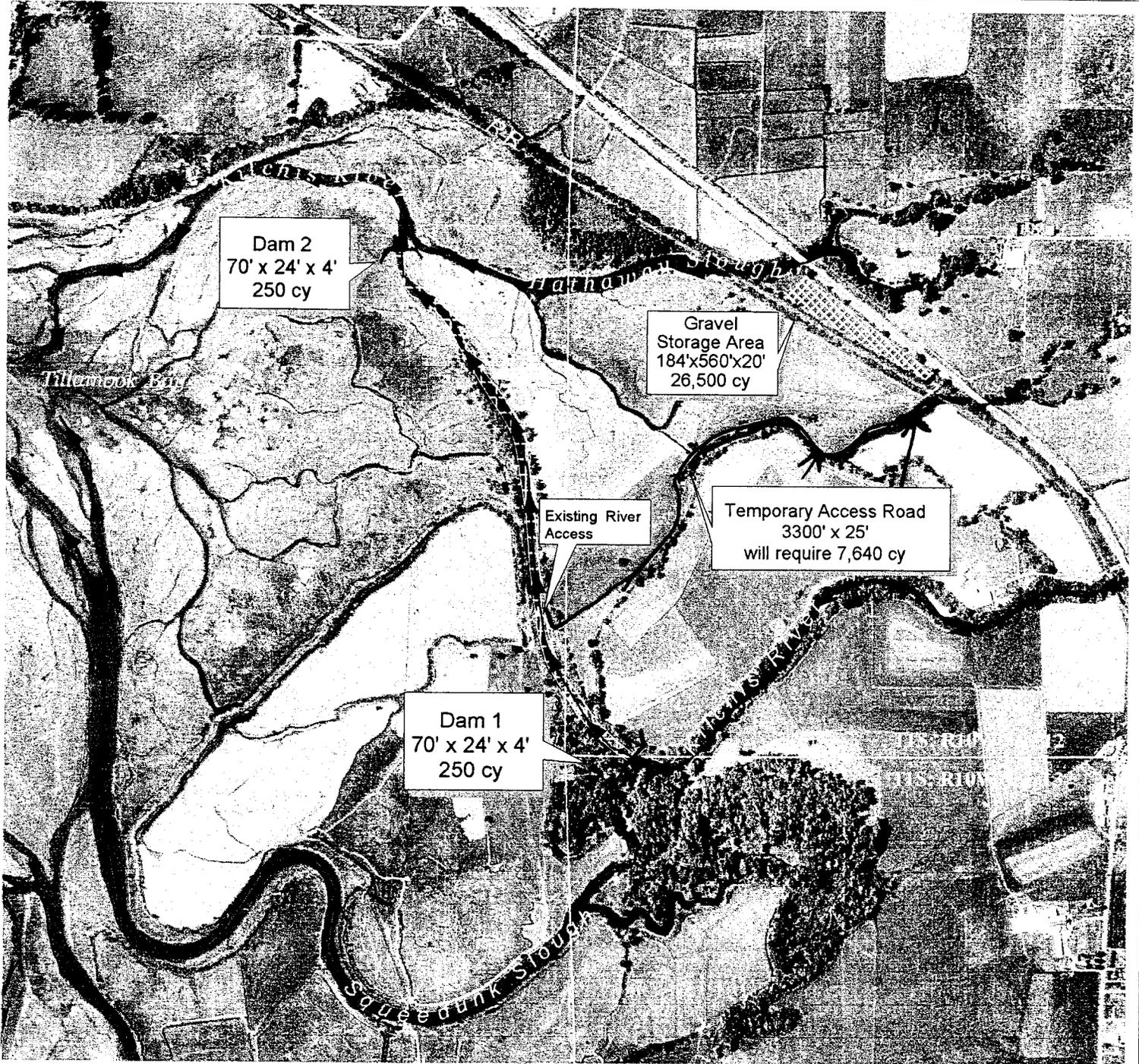
4000 0 4000 8000 Feet



Project Location Map 2

Tillamook County SWCD

Date: 01/12/2004



2000 0 2000 4000 Feet

Legend

- | | | | | | |
|-------------------------------|--|-----------------------|--|--------------|--|
| Project Area Poly | | Temporary Access Road | | Pushup Dam | |
| Gravel Disposal/Storage sites | | Open Water Course | | Access Point | |
| Public Land Survey | | | | | |

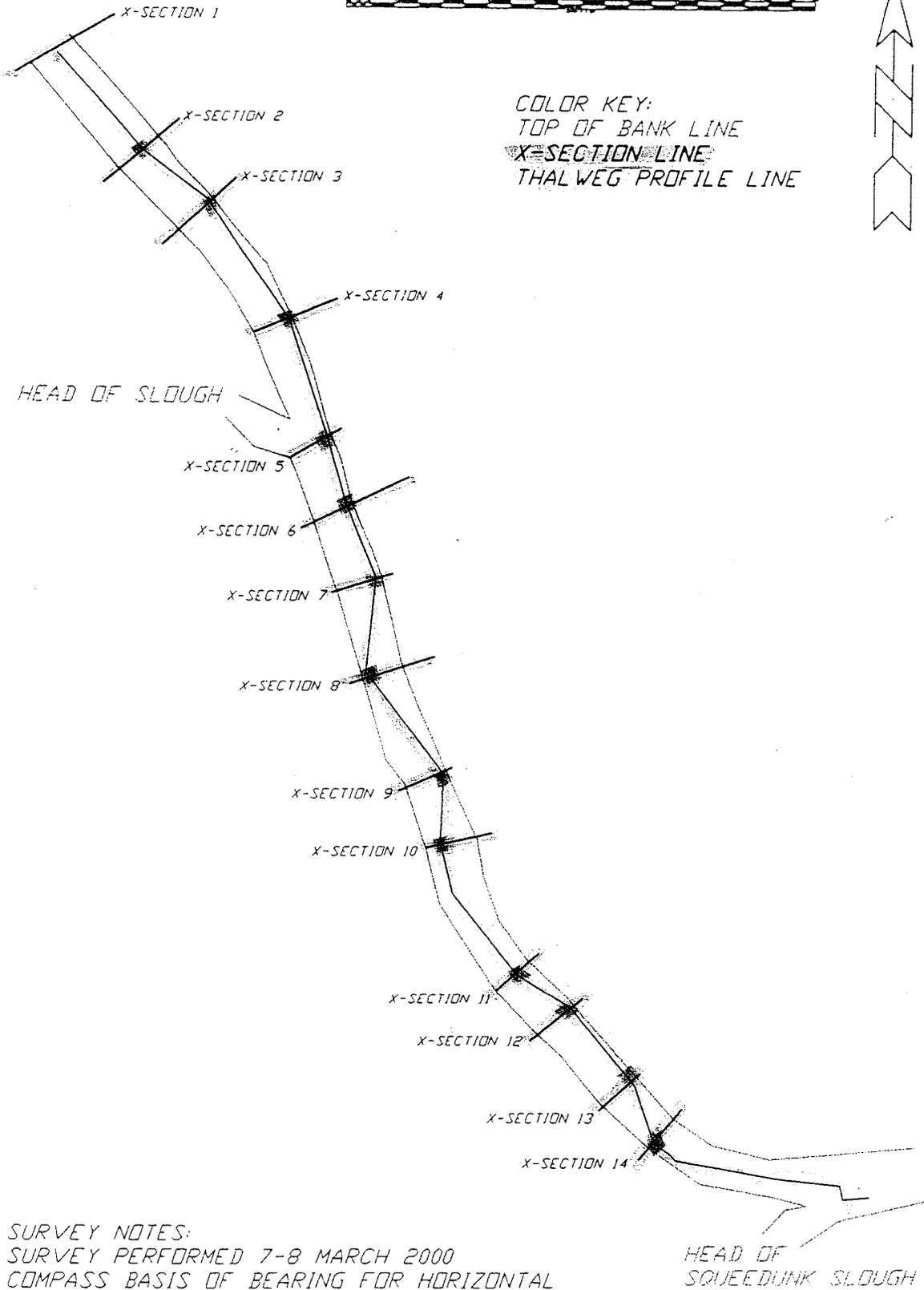


2000 00 689

Figure 2



COLOR KEY:
TOP OF BANK LINE
~~X-SECTION LINE~~
THALWEG PROFILE LINE



SURVEY NOTES:
SURVEY PERFORMED 7-8 MARCH 2000
COMPASS BASIS OF BEARING FOR HORIZONTAL
ELEVATIONS REFERENCED TO OSHD BENCHMARK Q455
LOCATED ON HIGHWAY 101 BRIDGE OVER KILCHIS R.
BENCHMARK Q455 ELEVATION = 23.10 (1929 NGVD)
ALL ELEVATIONS ADJUSTED TO MLLW (TIDAL) DATUM
LOCAL ADJUSTMENT OF +2.92 FEET USED (BAY CITY)
EXPECTED (VERTICAL) ACCURACY = 1.5 FEET

2000 00689
Figure 3

Lower Kilchis River Gravel Removal Volume Estimates

Total Length of Gravel Removal = 3740 feet

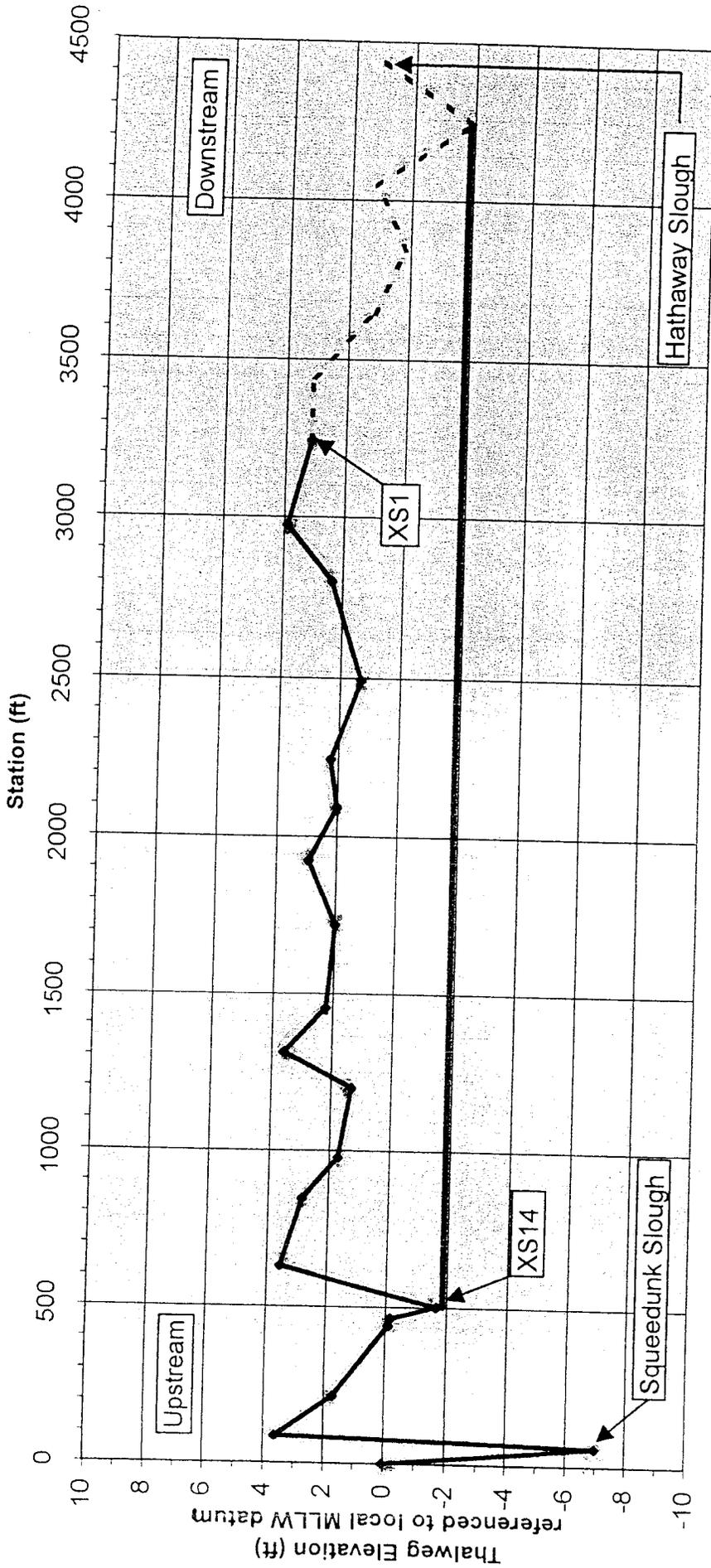
Average Maximum Cut Depth at Station = 3.7 feet

X-Section	Station	Incremental Distance (ft)	Cut Area (sq ft)	Incremental Volume (cu yd)	Cummulative Volume (cu yd)
14	502		105		
		129		925	925
13	631		282		
		214		2152	3076
12	845		261		
		134		1166	4243
11	979		209		
		331		2844	7087
10	1310		255		
		144		1259	8346
9	1454		217		
		269		2027	10373
8	1723		190		
		201		1452	11825
7	1924		200		
		168		1254	13078
6	2092		203		
		151		1183	14261
5	2243		220		
		251		1924	16186
4	2494		194		
		308		2424	18610
3	2802		231		
		173		1567	20176
2	2975		258		
		271		2223	22399
1	3246		185		
		200		1426	23825
-----	3446		200		
		200		1119	24944
-----	3646		102		
		200		607	25551
-----	3846		62		
		200		607	26159
-----	4046		102		
		200		378	26537
-----	4246		0		

Total Estimated Volume of Gravel Removal = 26,500 cu. yds.

(based on 25 foot base width of excavated channel
and 3:1 on all constructed slopes)

Lower Kilchis River Thalweg Profile



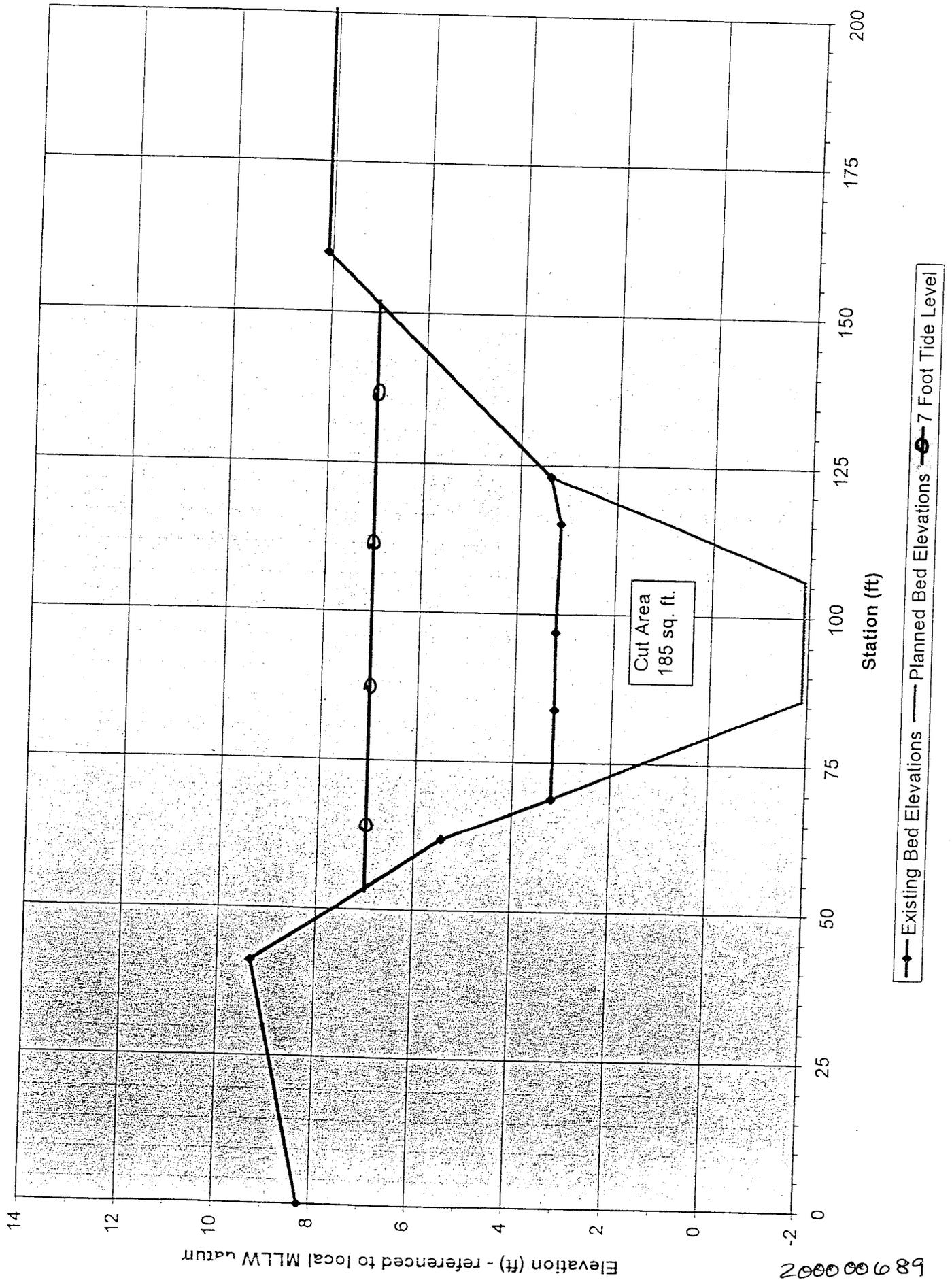
- Existing Thalweg Profile
- - - Estimated Thalweg Profile
- Planned Thalweg Profile

Bed elevations based on cross-section survey 6-8 March 2000 and field measurements on 16 June 2000

Station	Cross Section Number	Present Thalweg Elevation	Planned Thalweg Elevation	Cut Depth
502	14	-1.7	-1.9	0.2
631	13	3.6	-1.9	5.4
845	12	2.9	-1.9	4.7
979	11	1.7	-1.9	3.6
1198	--	1.3	-1.9	3.2
1310	10	3.6	-1.9	5.5
1454	9	2.2	-1.9	4.1
1723	8	2.0	-1.9	3.9
1924	7	2.9	-1.9	4.8
2092	6	2.0	-1.9	3.9
2243	5	2.3	-1.9	4.1
2494	4	1.3	-1.9	3.2
2802	3	2.4	-1.9	4.2
2975	2	3.9	-1.9	5.8
3246	1	3.1	-1.9	5.0
3446	--	3.1	-1.9	5.0
3646	--	1.1	-1.9	3.0
3846	--	0.1	-1.9	2.0
4046	--	1.1	-1.9	3.0
4246	--	-1.9	-1.9	0.0

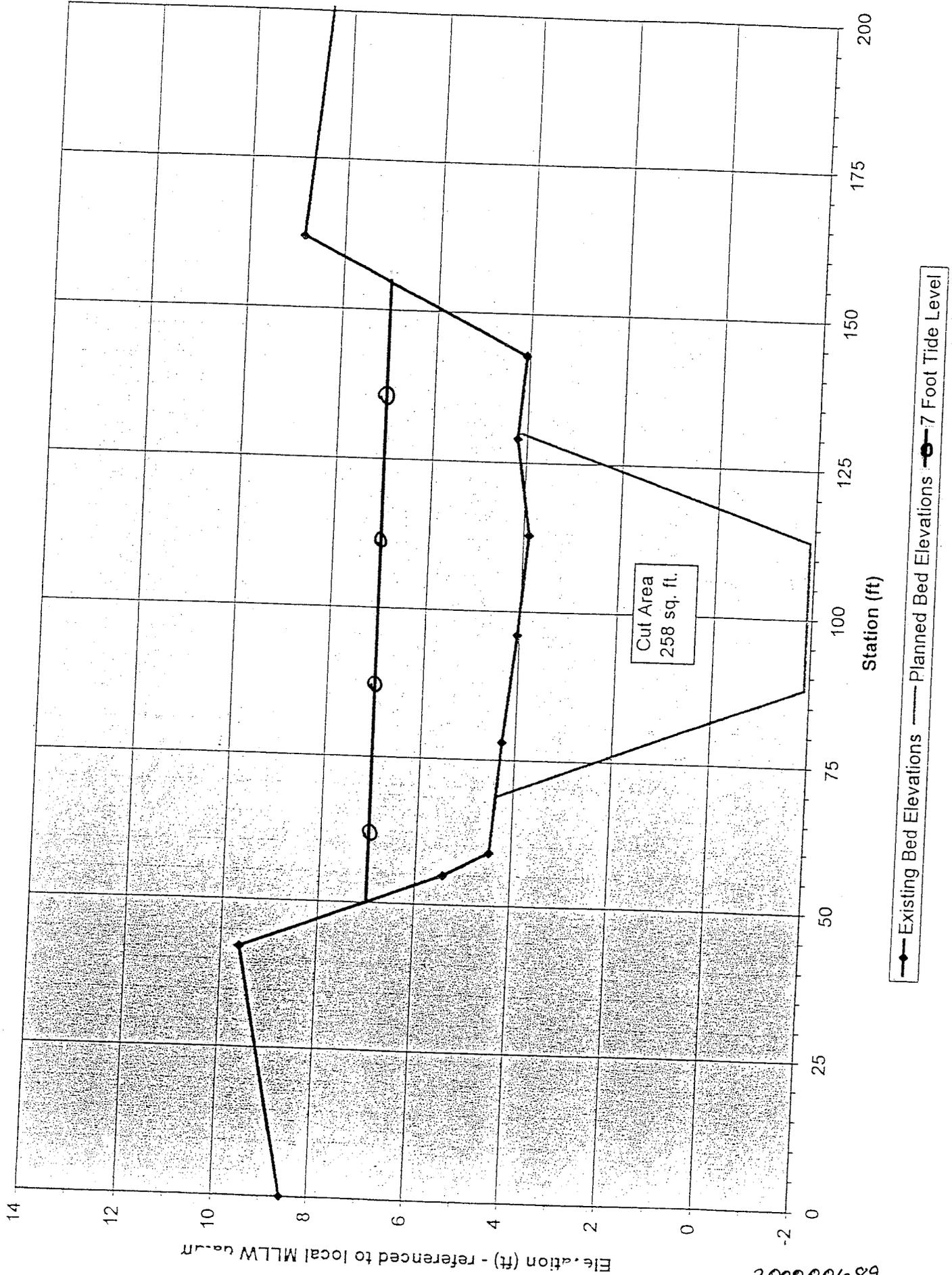
200000689
Figure 5

Lower Kilchis River X - Section 1



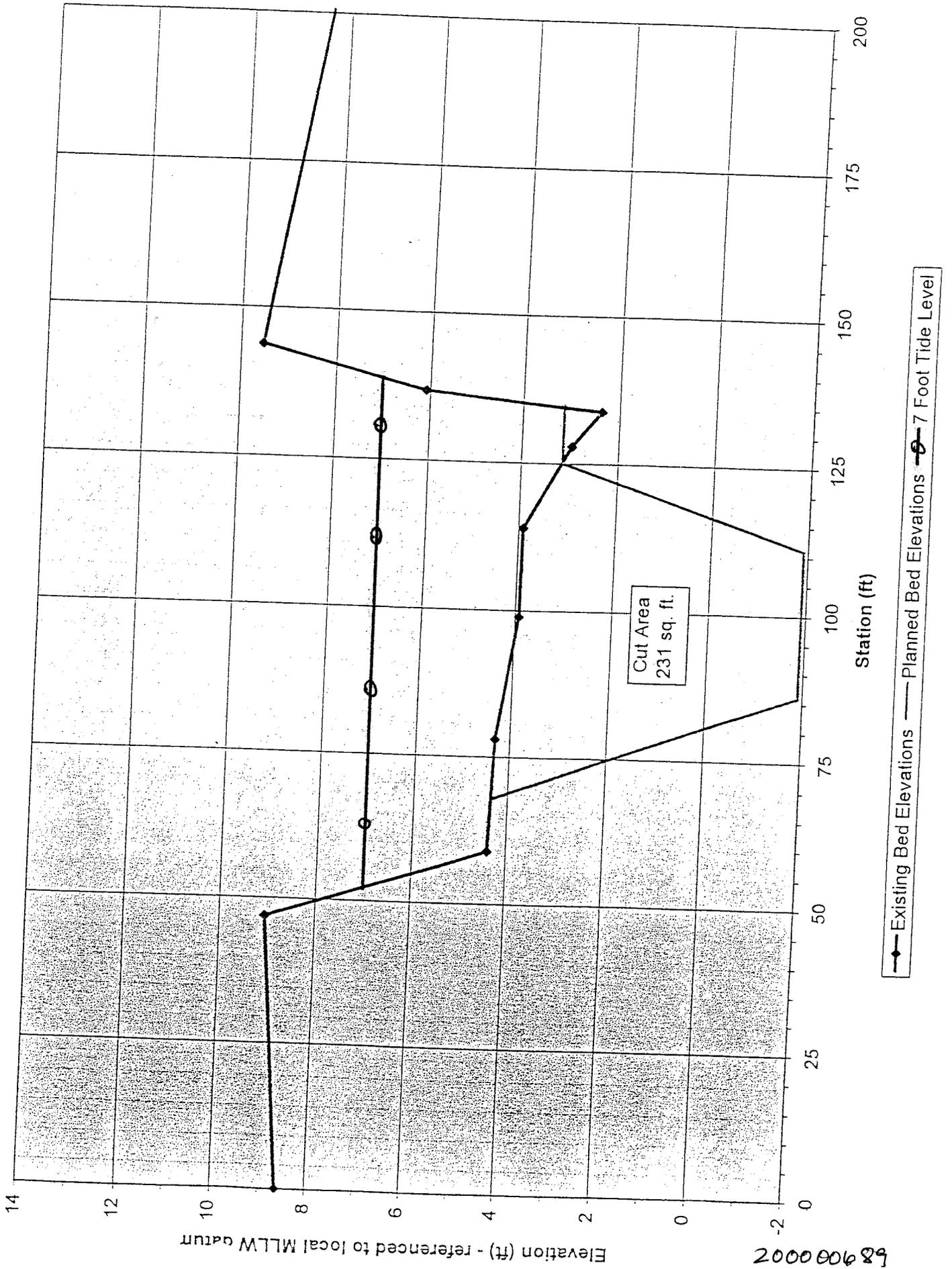
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Figure 6

Lower Kilchis River X - Section 2



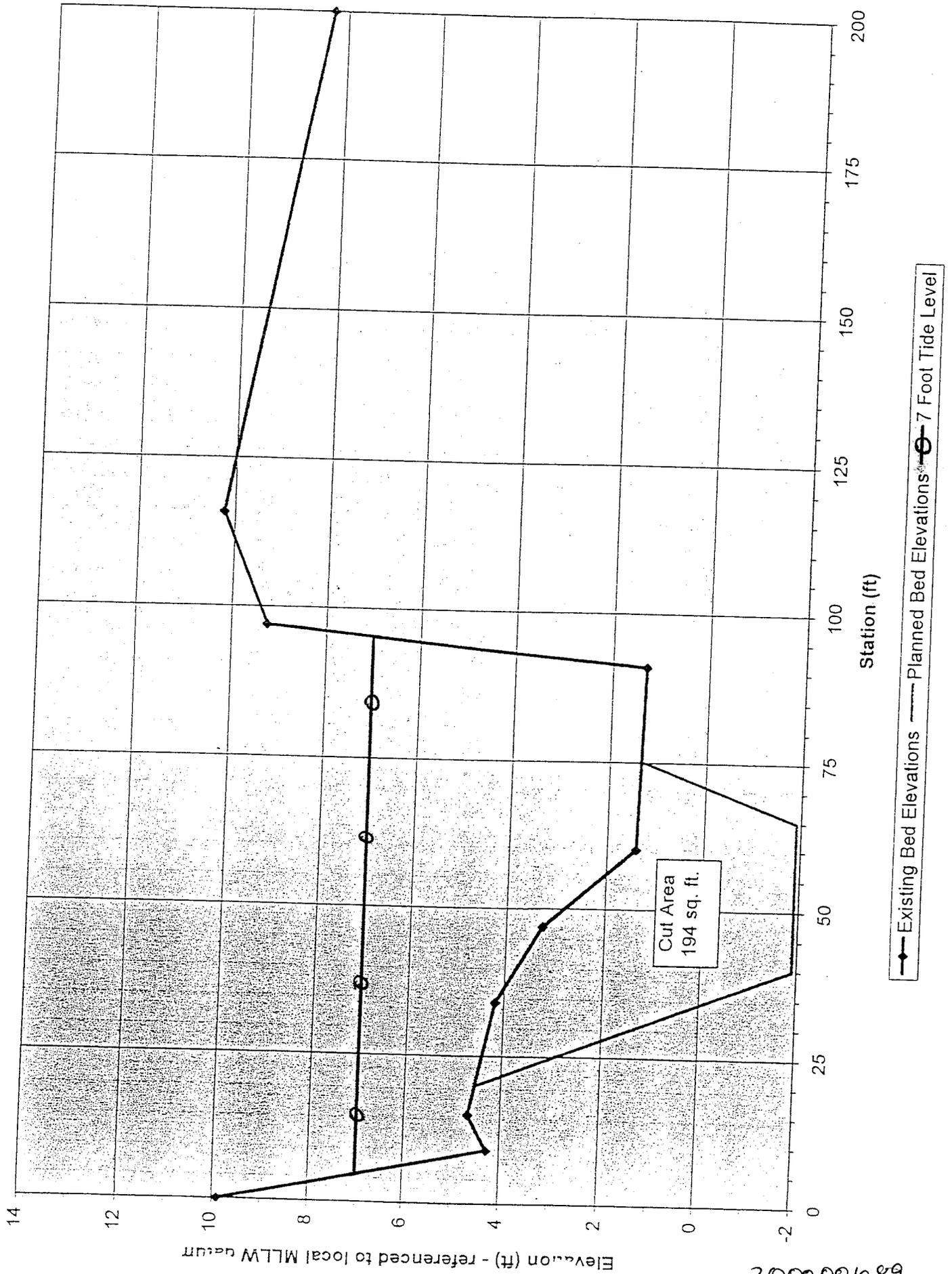
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Figure 7

Lower Kilchis River X - Section 3



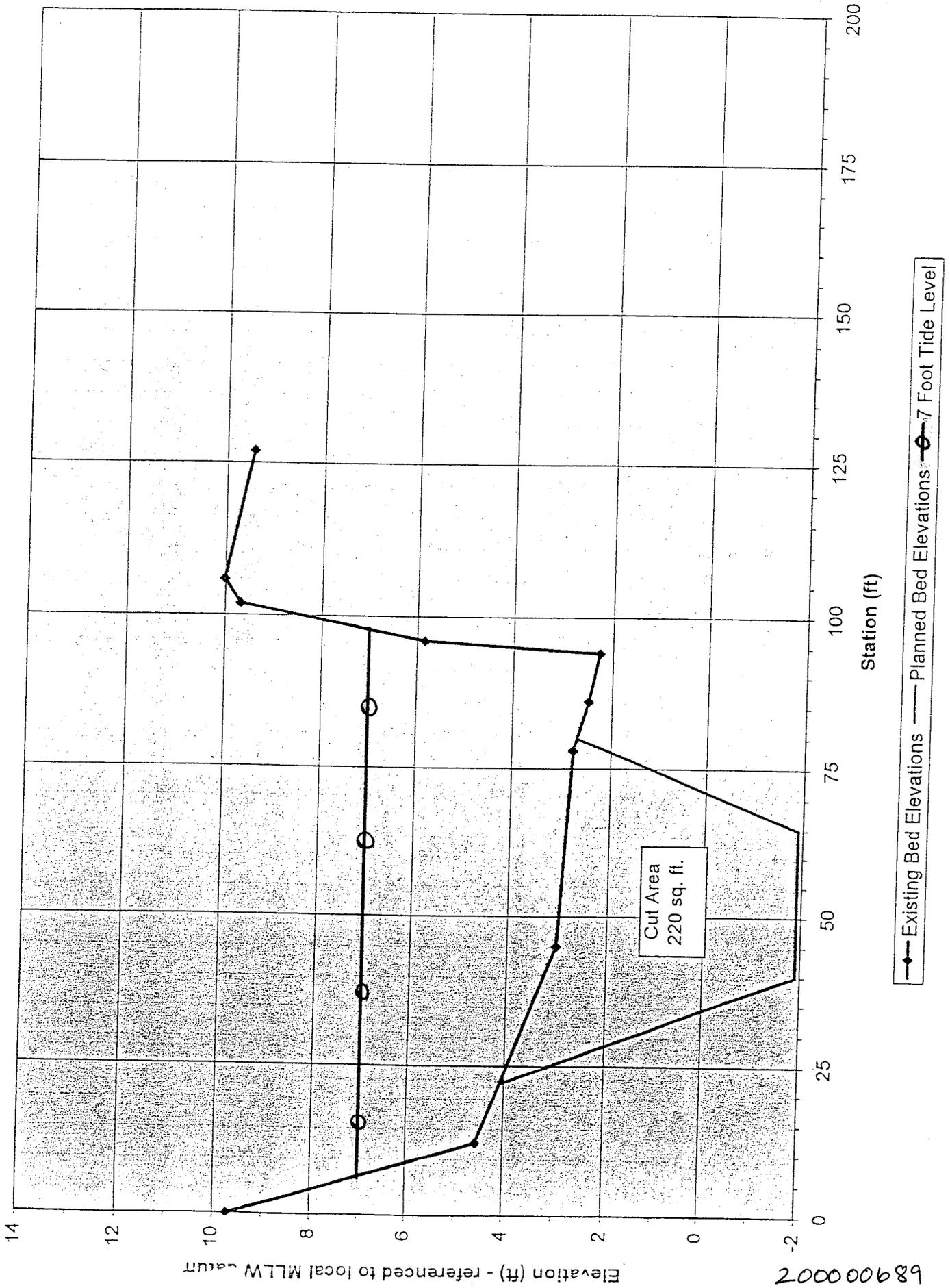
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Figure 8

Lower Kilchis River X - Section 4



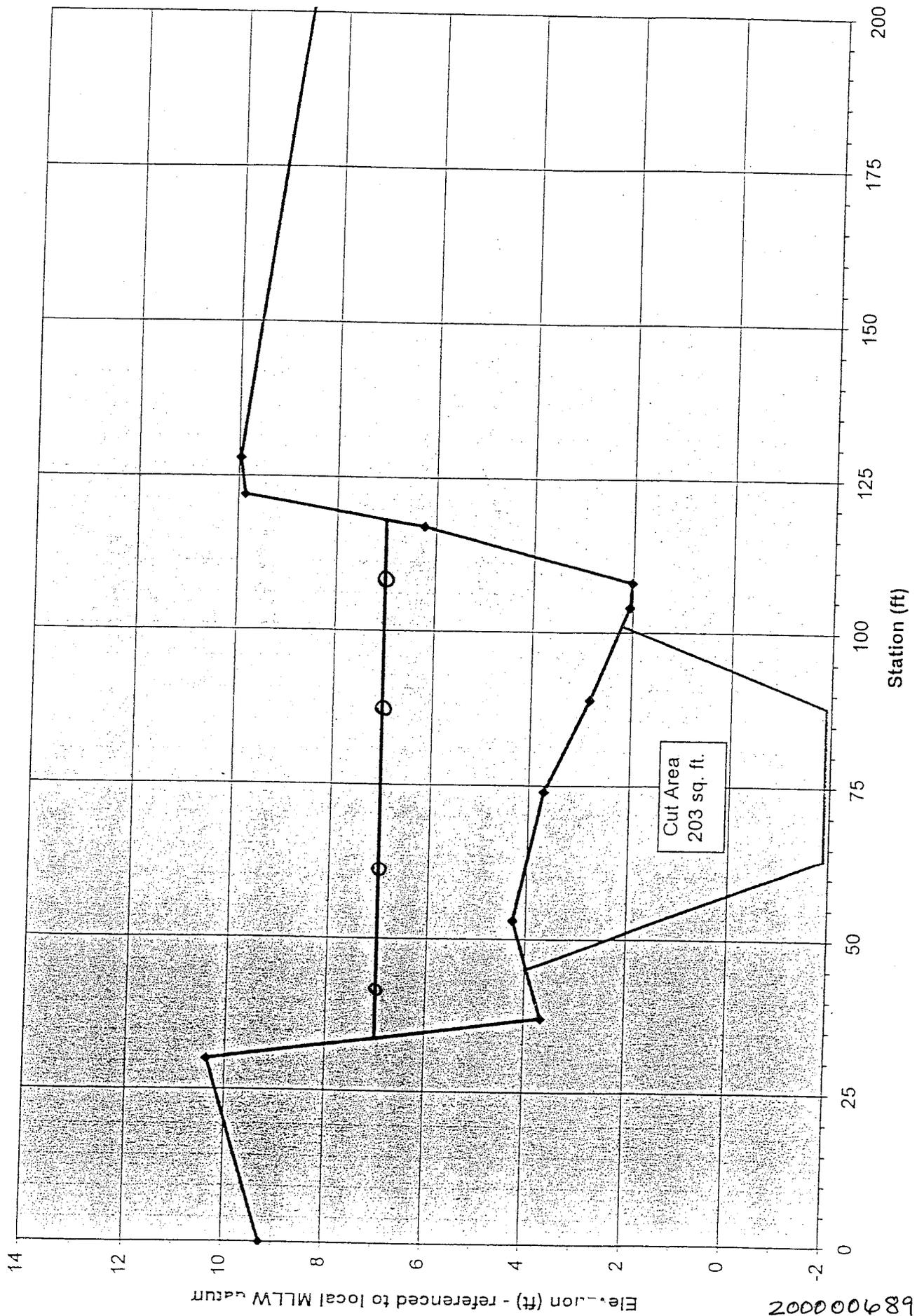
20000089
Figure 9

Lower Kilchis River X - Section 5



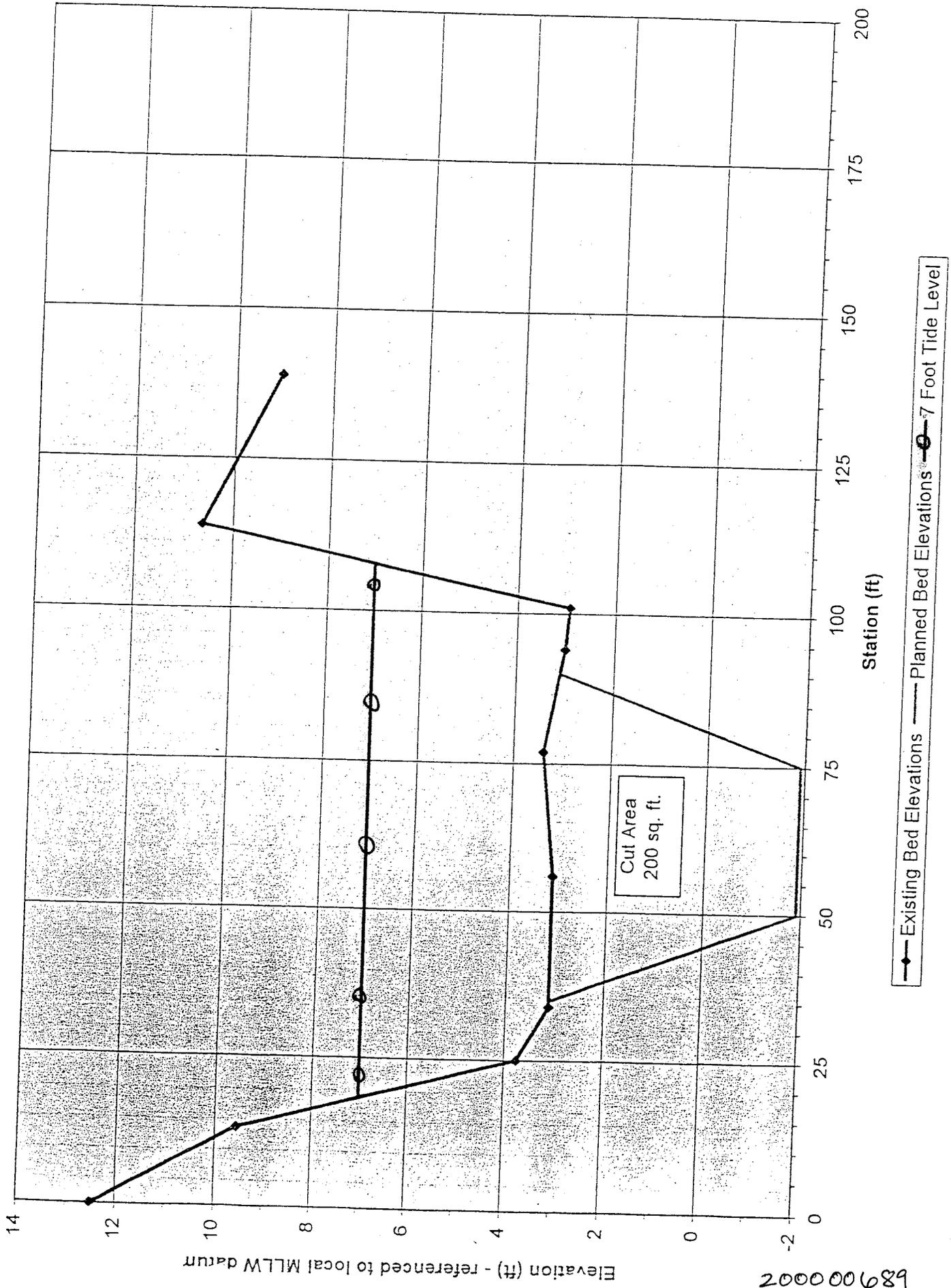
200000689
Figure 10

Lower Kilchis River X - Section 6



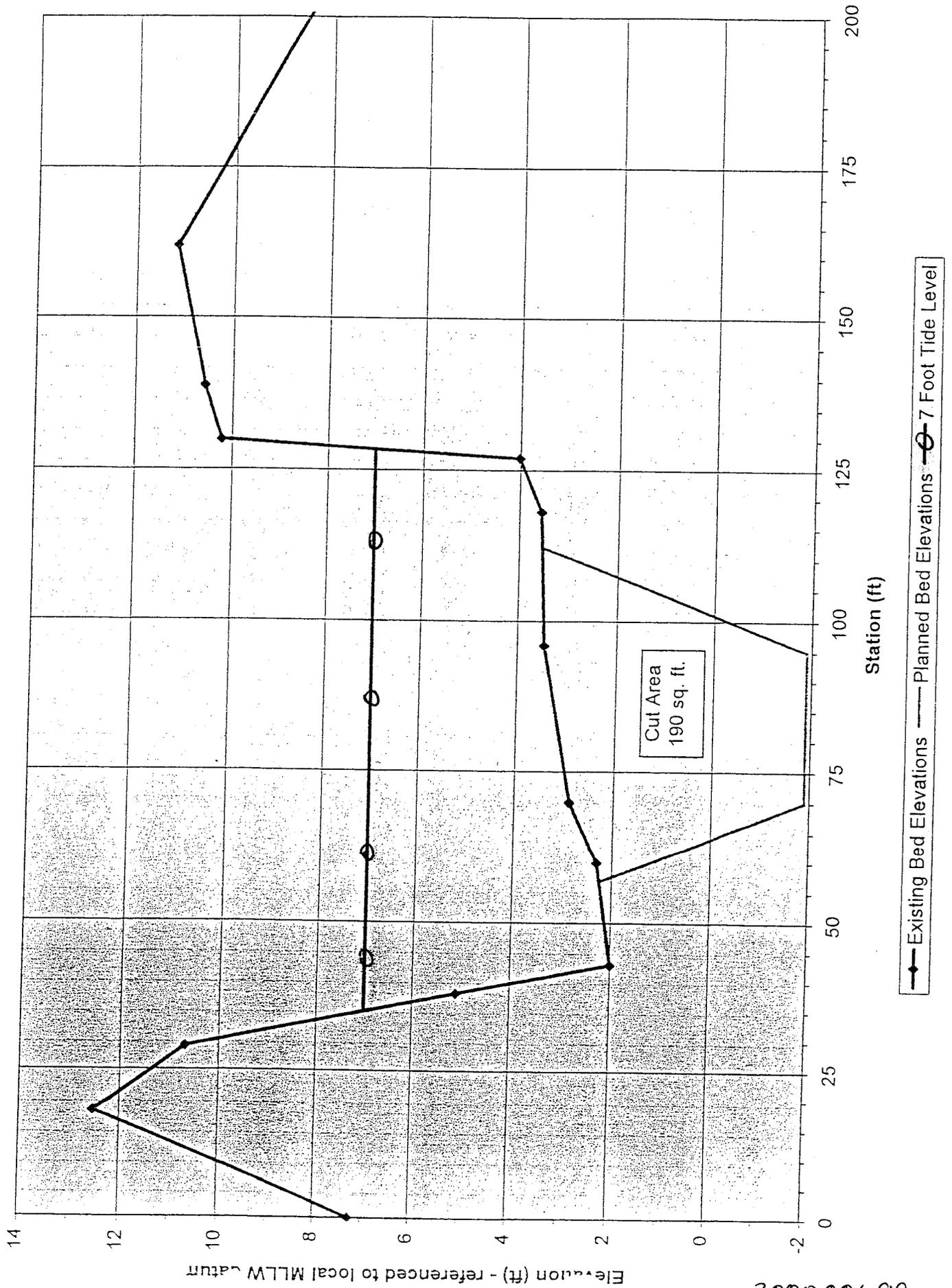
2009000002
Figure 11

Lower Kilchis River X - Section 7



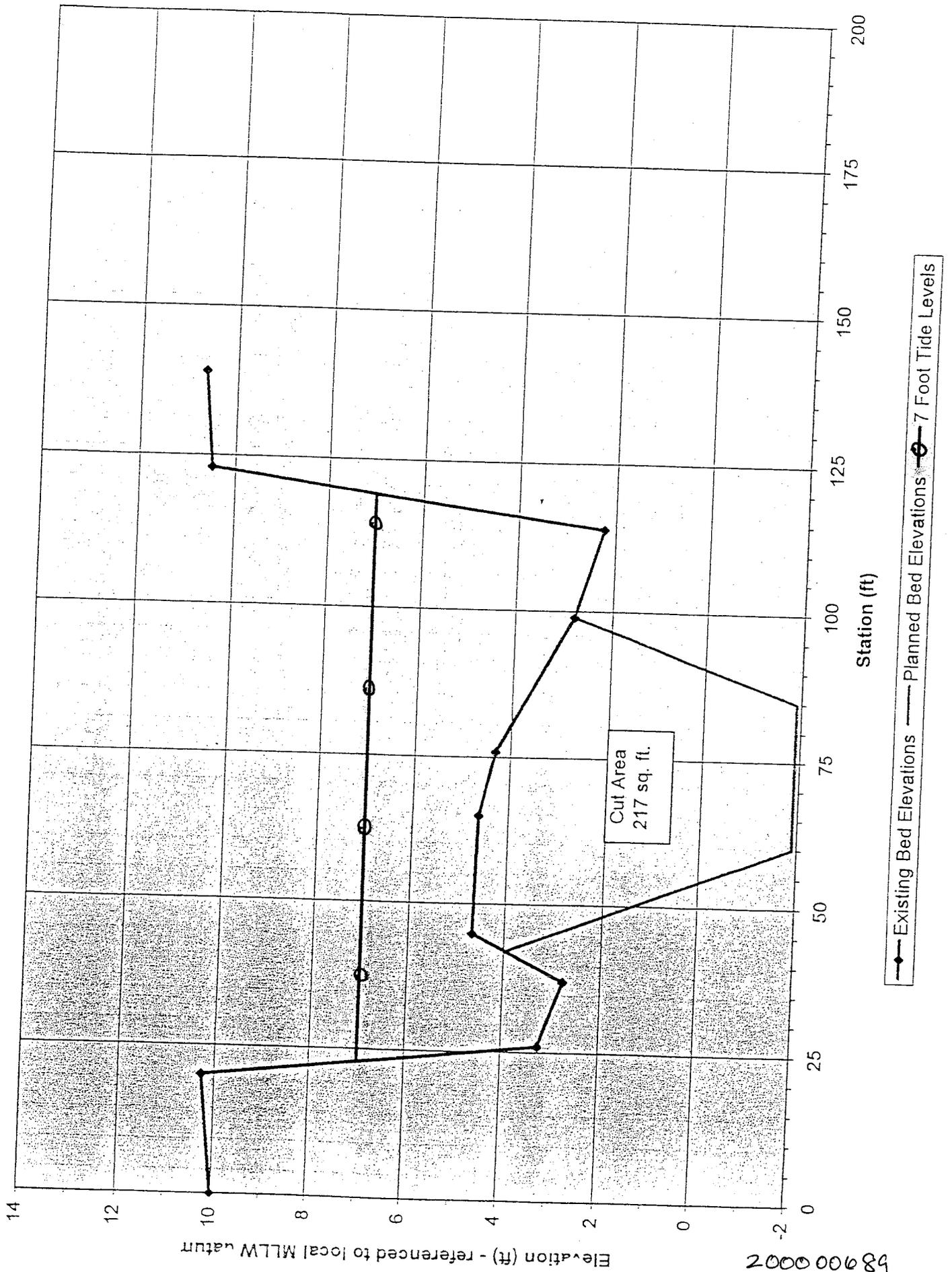
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Figure 12

Lower Kilchis River X - Section 8



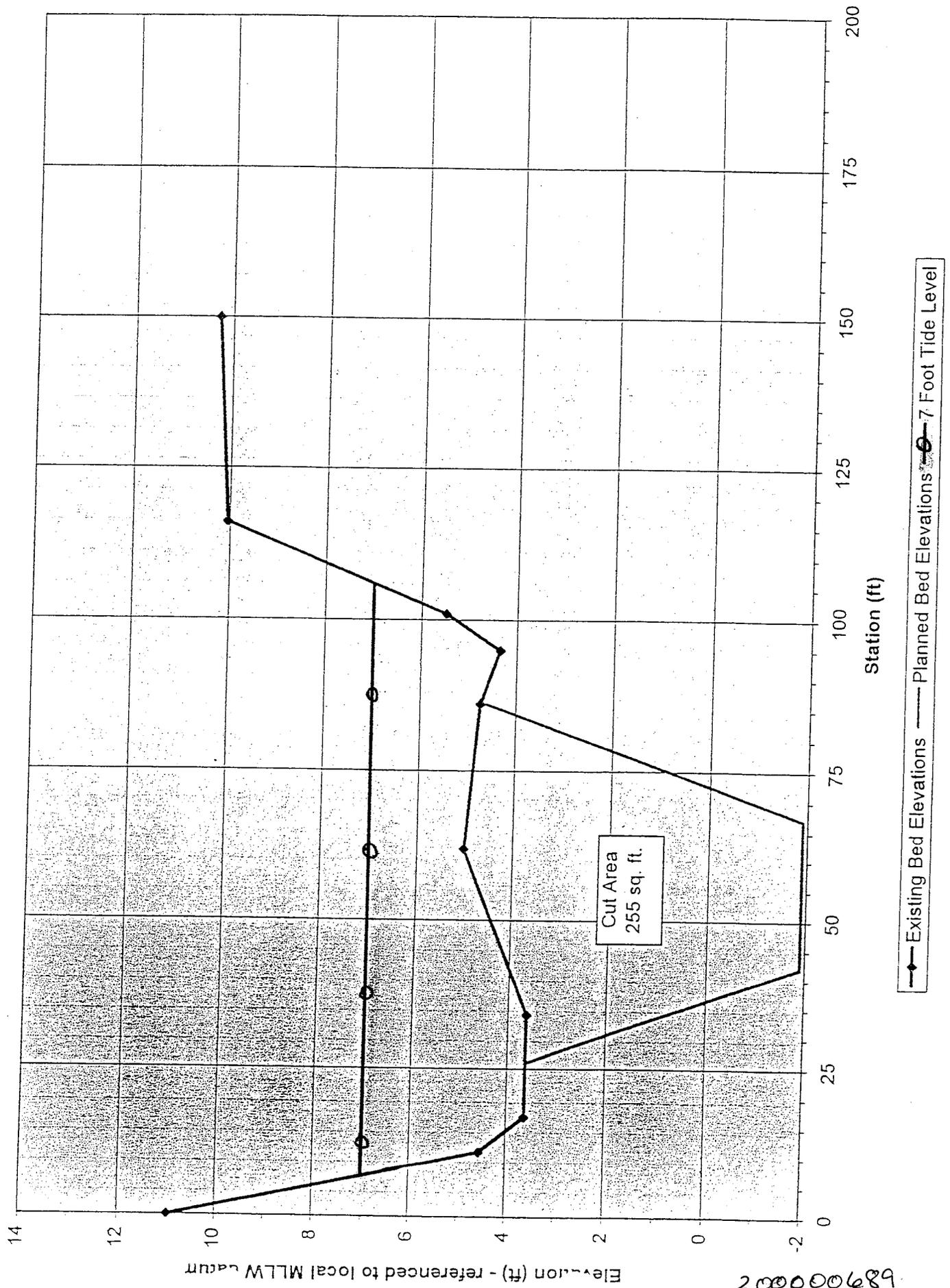
200000689
Figure 13

Lower Kilchis River X - Section 9



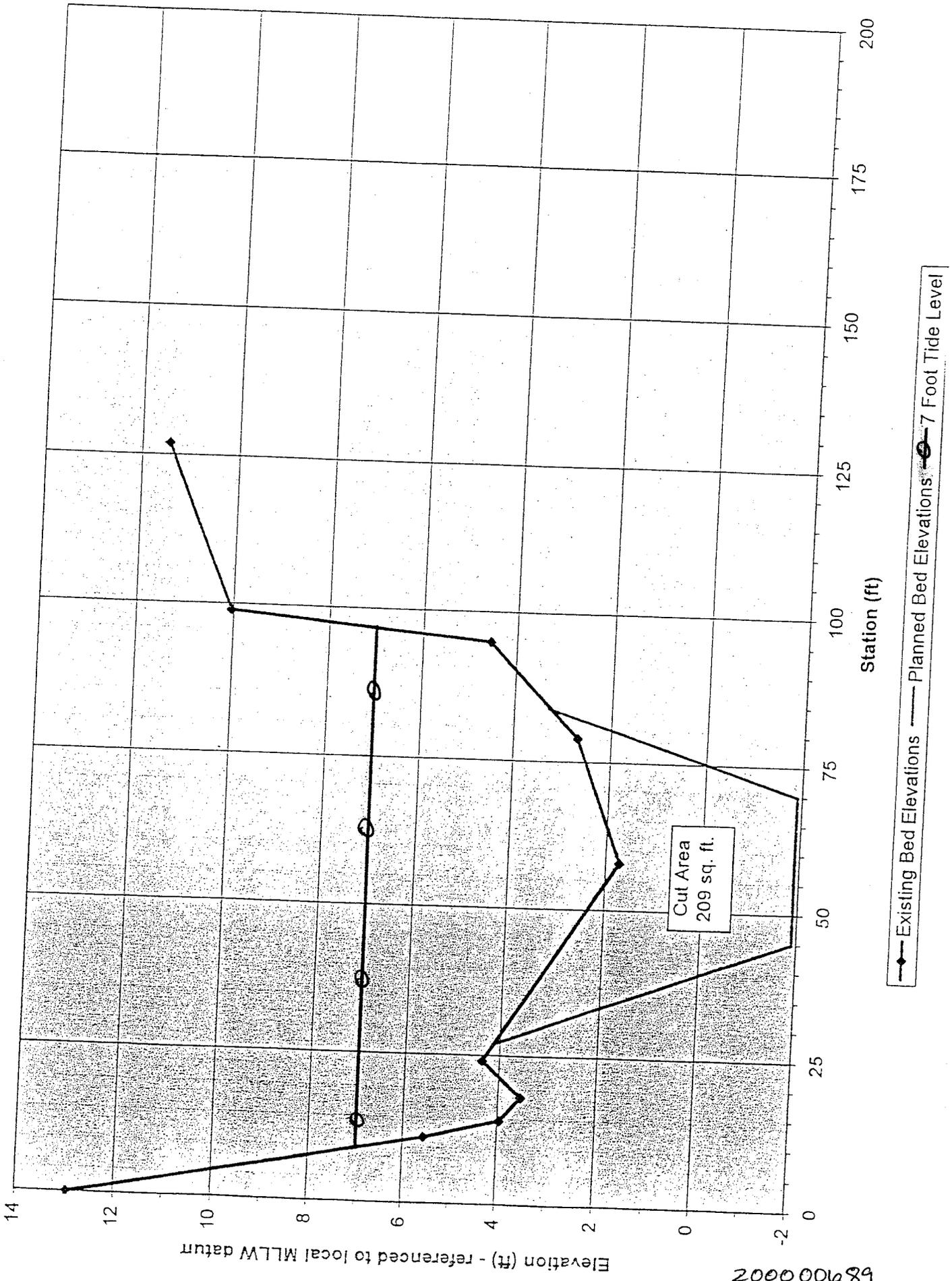
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Figure 14

Lower Kilchis River X - Section 10



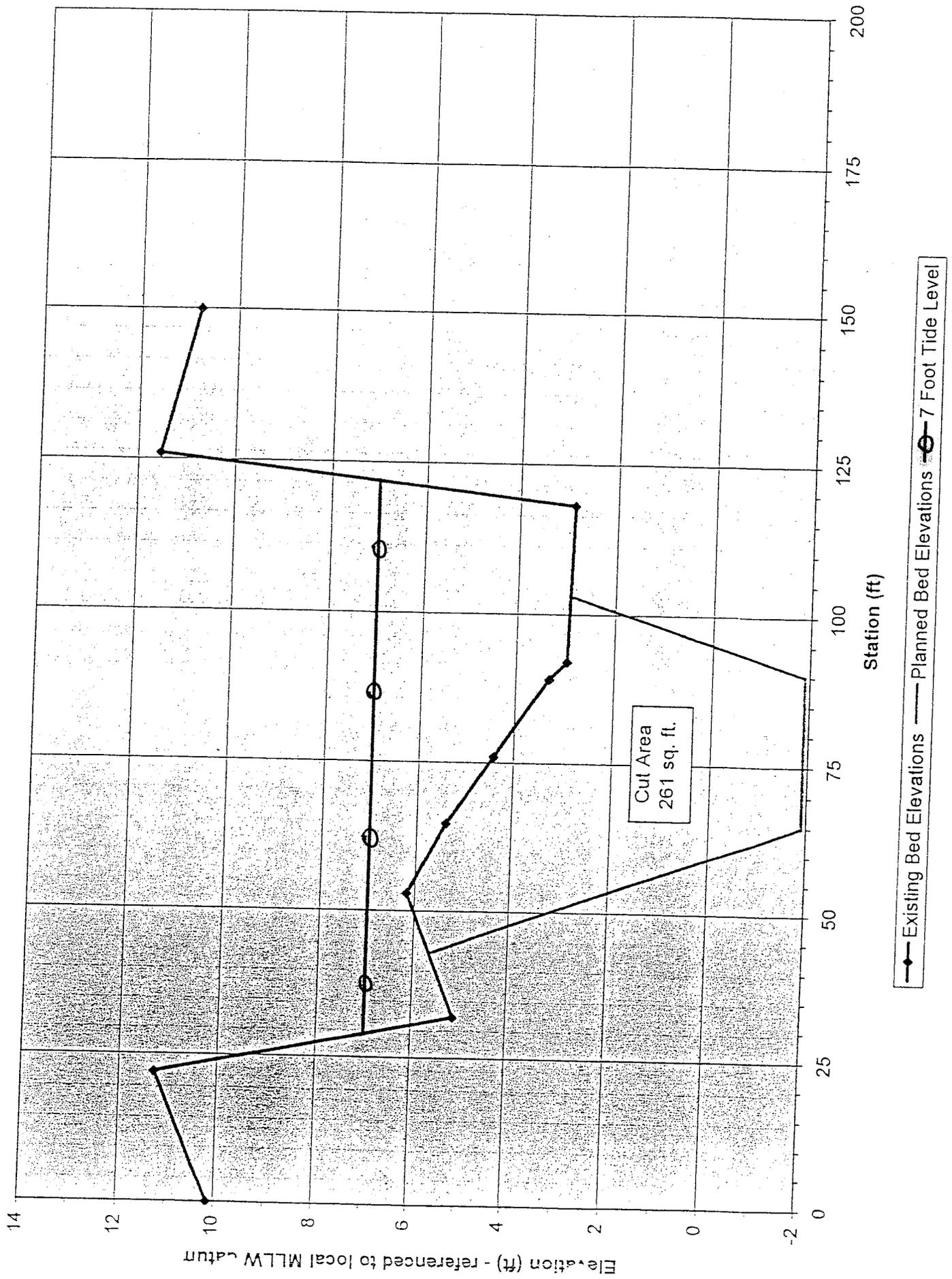
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 Figure 15

Lower Kilchis River X - Section 11



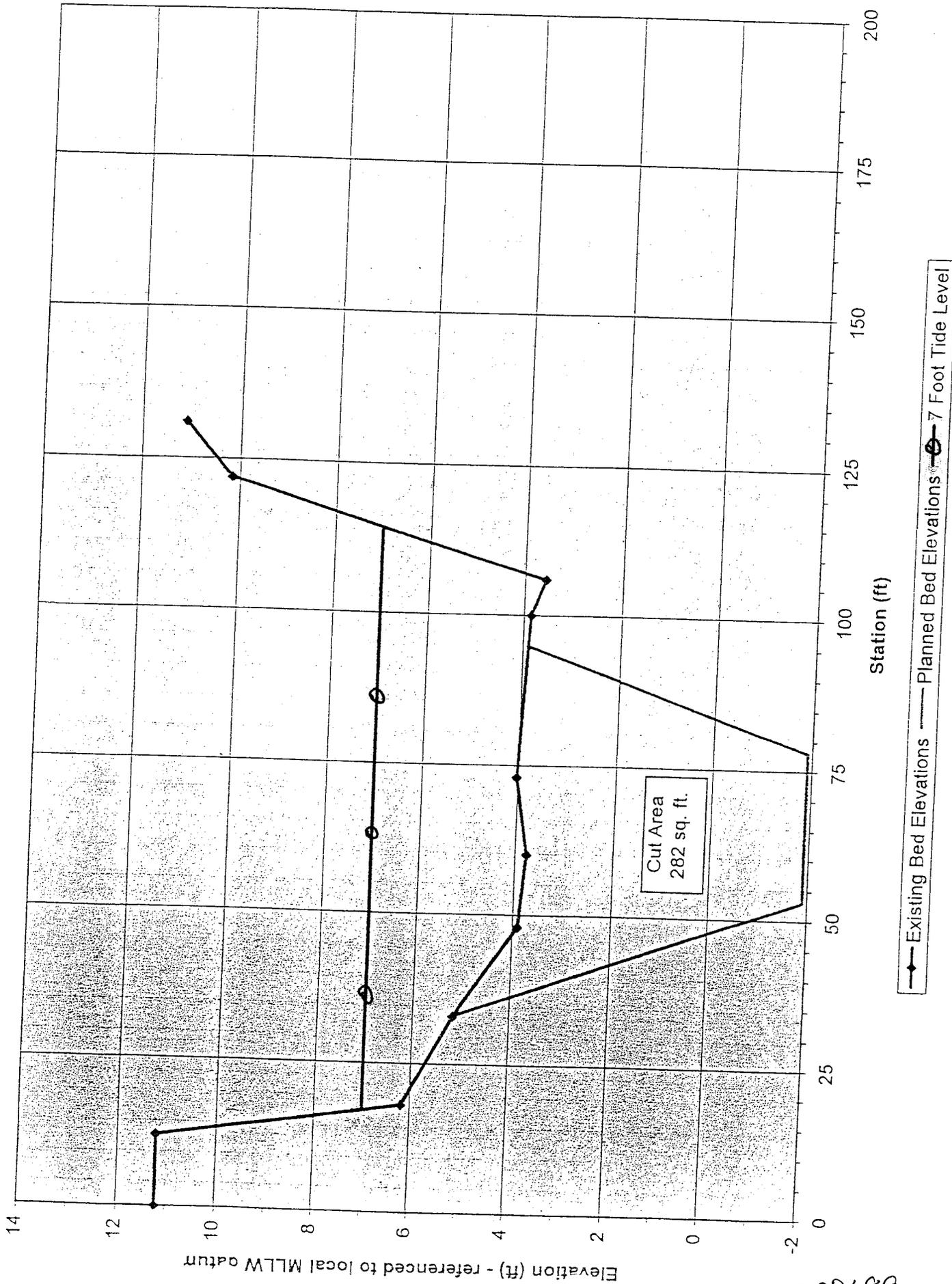
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Figure 16

Lower Kilchis River X - Section 12



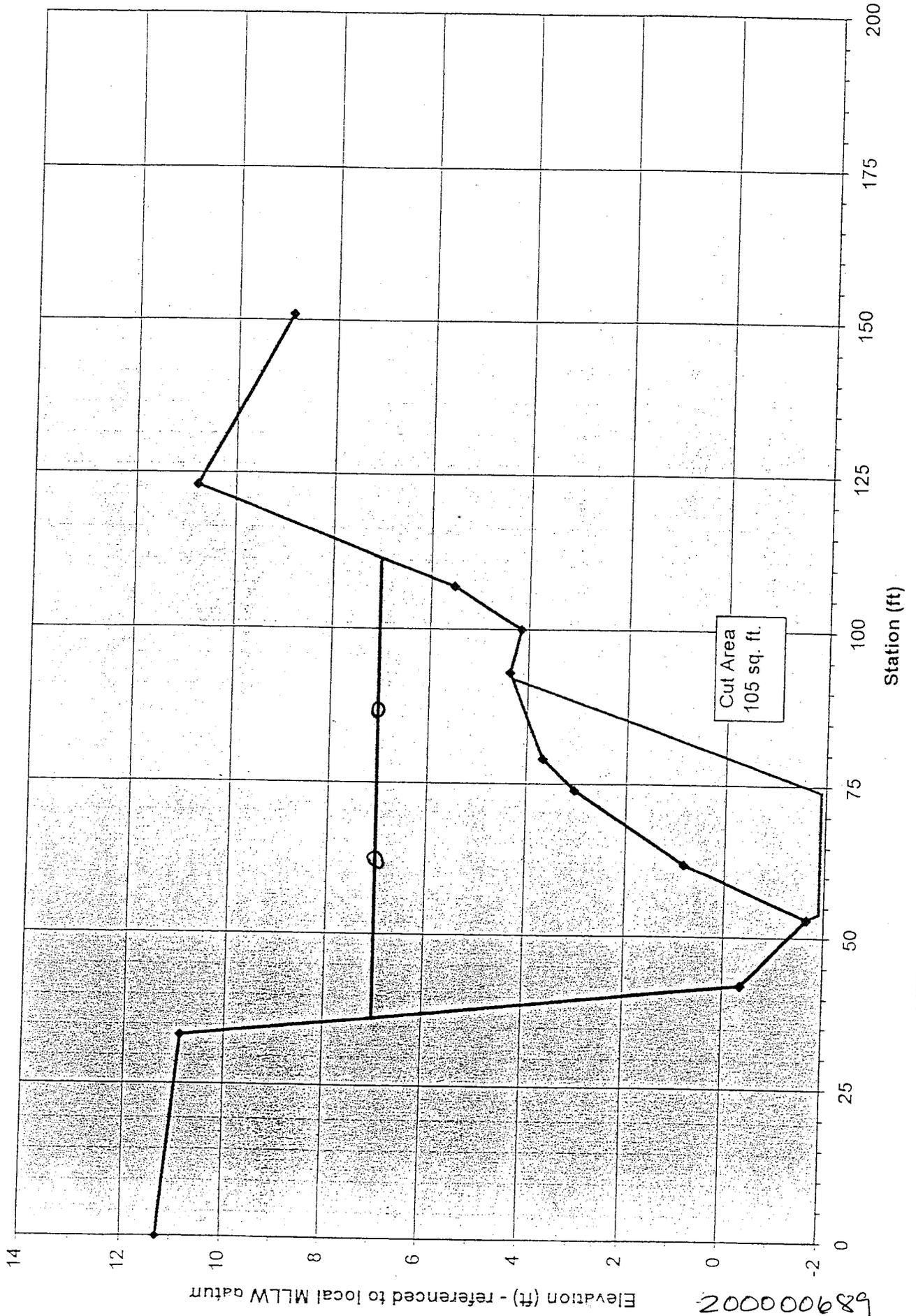
200000689
Figure 17

Lower Kilchis River X - Section 13



20000089
Figure 18

Lower Kilchis River X - Section 14

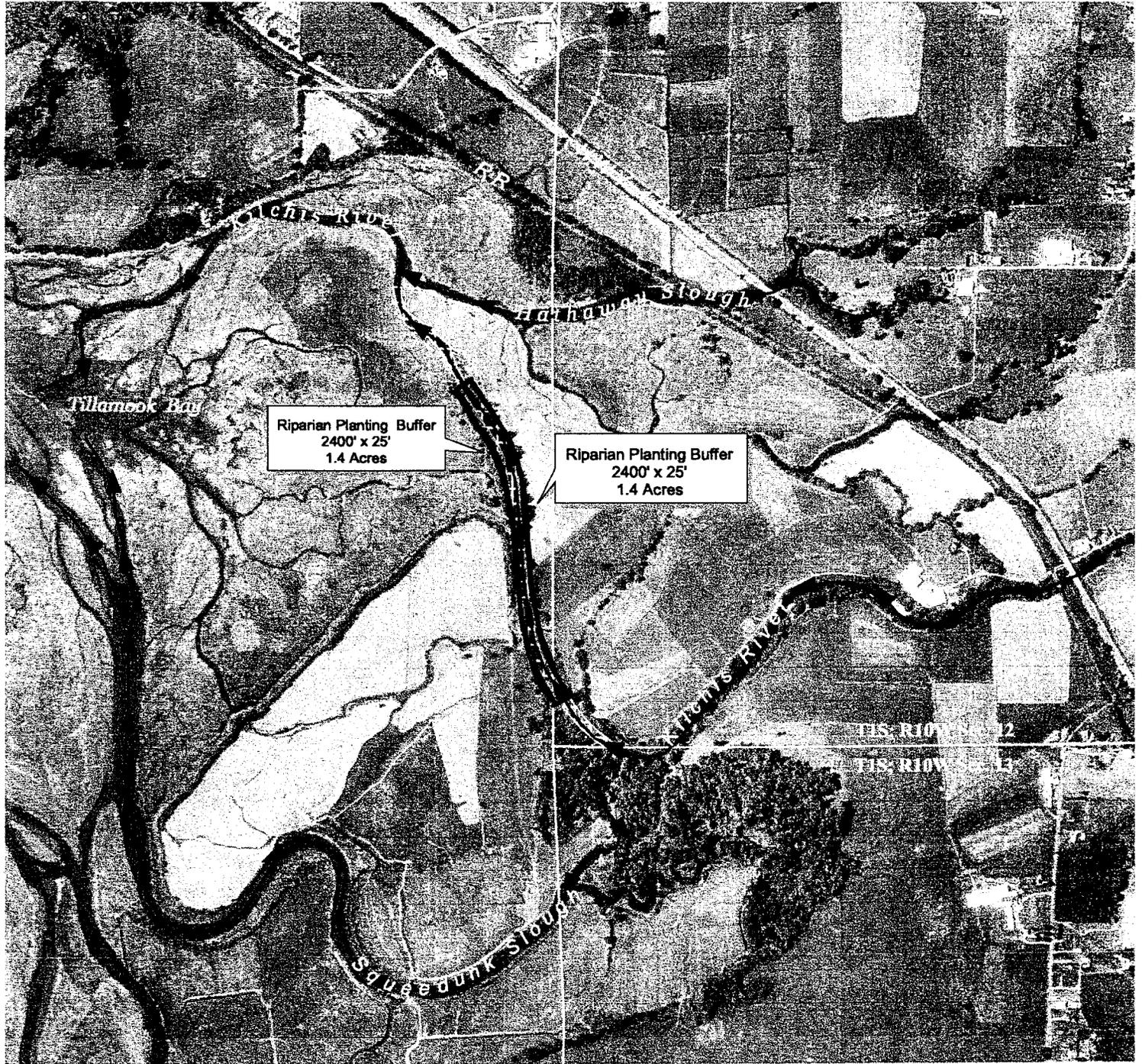


20000000
Figure 19

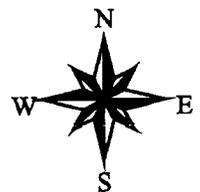
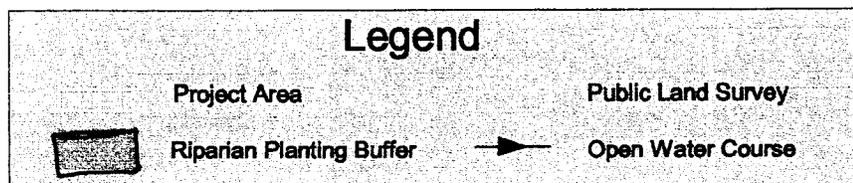
Existing Bed Elevations — Planned Bed Elevations — 7 Foot Tide Level

Riparian Planting Buffer Location Map 3

Tillamook County SWCD
Date: 01/13/2004



1000 0 1000 2000 3000 Feet

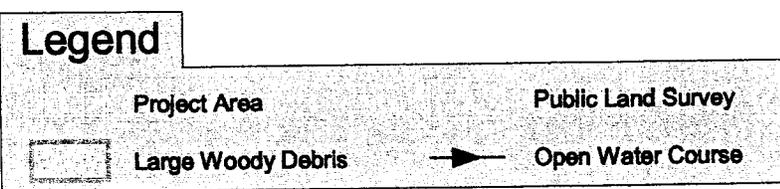
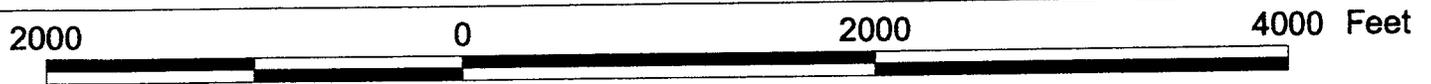
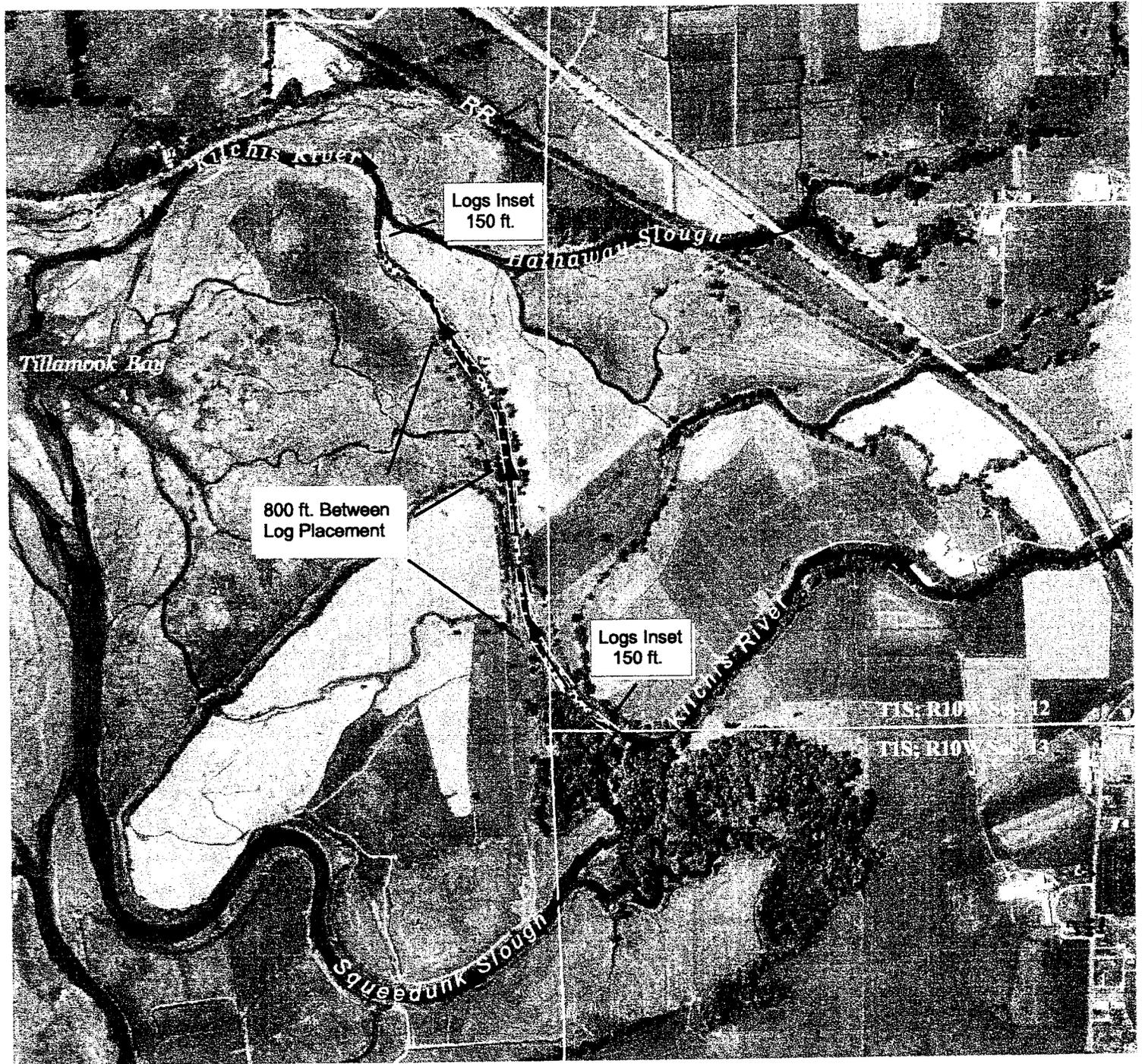


200000689
Figure 20

Woody Debris Placement Location Map 4

Tillamook County SWCD

Date: 01/20/2004

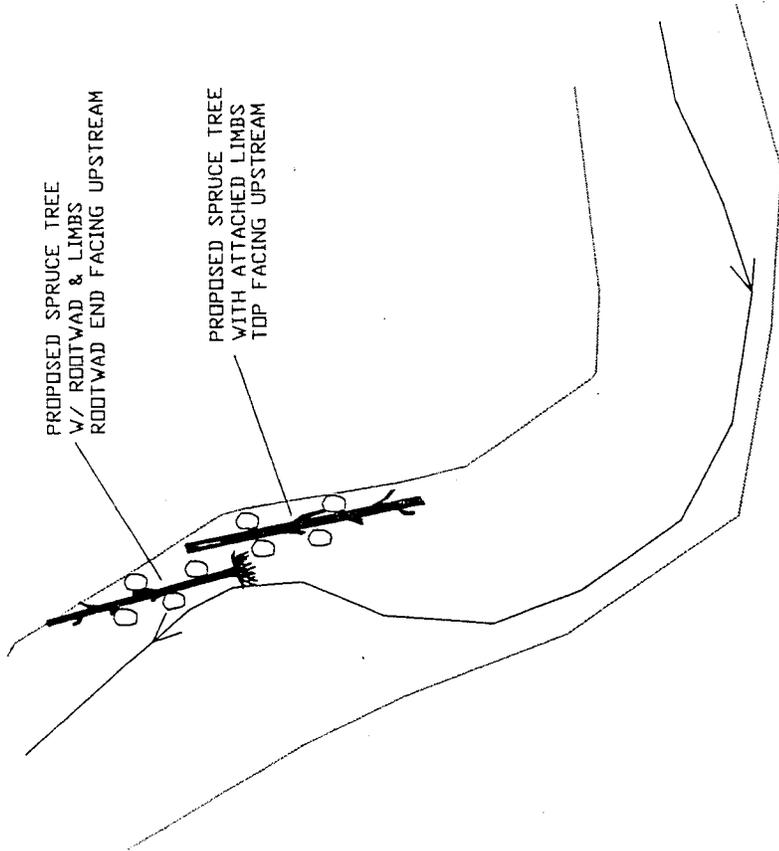


200000689
Figure 21

DRAFT ONLY

KILCHIS RIVER LWD PLACEMENT

- NOTES:
- 1) TREES WILL BE LIMBY SPRUCE, MIN. DBH=20", MIN. HEIGHT TO 6' TOP=50 FT. LIMBS TO BE LEFT INTACT AS POSSIBLE DURING TRANSPORT. DOWNSTREAM MOST TREE WILL HAVE ROOTWAD LEFT ATTACHED.
 - 2) TOTAL WEIGHT OF THE BOULDERS TO ANCHOR EACH TREE WILL BE DETERMINED PER TECHNIQUE DESCRIBED IN NRCS TECH NOTE 25. BOULDERS WILL BE PREDRILLED AT PIT PRIOR TO TRANSPORT TO THE RIVER.
 - 3) GALVANIZED $\frac{3}{8}$ " GRADE 30 PROOF COIL CHAIN WILL BE USED TO ATTACH BOULDERS TO TREES. TWO STAINLESS $\frac{3}{8}$ " FORGED CONNECTING LINKS WILL ATTACH CHAIN TO ITSELF AFTER LOOPING THROUGH BOULDERS. DOUBLE WRAP CHAIN AROUND TREE, ATTACH WITH 2 CONNECTING LINKS, AND SPIKE TO TREE WITH U-SHAPED CABLE SPIKES.
- NO MORE THAN 3 FT OF SLACK ON CHAIN BETWEEN TREE AND EACH BOULDER.



Oregon Department of Environmental Quality

Water Quality 401 Certification

Corps of Engineers Action ID Number: 200000689
Oregon Division of State Lands Number: 30289-RF

Notice Issued: March 11, 2004
Written Comments Due: April 12, 2004

WHO IS THE APPLICANT: Lower Kilchis River Group

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 at (503) 229-5845.

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 to melville.tom@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 Office of Communications and Outreach at (503) 229-5317 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.

PUBLIC NOTICE

OREGON COASTAL MANAGEMENT PROGRAM

CONSISTENCY CERTIFICATION

Date: March 11, 2004

Corps of Engineers Action ID Number: 200000689
Oregon Division of State Lands Number: 30289-RF

Notification

For projects subject to coastal zone review, notice is hereby given that the project is being reviewed by the Department of Land Conservation and Development (DLCD) as provided in Section 307(c) of the Coastal Zone Management Act. The applicant believes that the activities described in the attached materials would comply with and be conducted in a manner consistent with the Oregon Coastal Management Program. Project information can be made available for inspection at DLCD's Salem office.

DLCD is hereby soliciting public comments on the proposed project's consistency with the Oregon Coastal Management Program. Written comments may be submitted to DLCD, 635 Capital St. NE, Suite 200, Salem, OR 97301-2540, attention consistency review specialist. Any comments must be received by DLCD on or before the comment deadline listed in the federal notice. For further information, you may call DLCD at (503) 373-0050, ext. 250.

REVIEW CRITERIA

Comments should address consistency with the applicable elements of the Oregon Coastal Management Program. These elements include:

- Acknowledged Local Comprehensive Plans & Implementing Ordinances
- Statewide Planning Goals
- Applicable State Authorities (e.g. Removal-Fill Law and Oregon Water Quality Standards)

INCONSISTENT?

If you believe this project is inconsistent with the Oregon Coastal Management Program, your comments to DLCD should explain why you believe the project is inconsistent and should identify the Oregon Coastal Management Program element(s) in question. You should also describe how the project could be modified, if possible, to make it consistent with the Oregon Coastal Management Program.