



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: April 23, 2004

Expiration Date: May 24, 2004

Corps of Engineers Action ID: 200400171

Oregon Division of State Lands Number: 31944

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 (Mr. Jack Ferrise)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Loren J. Smith Farms
30361 Loren Lane
Corvallis, Oregon 97333

Location: In the Middle Channel of the Willamette River at River Mile 140, within Section 6, Township 13 South, Range 4 West, Benton County, Oregon

Project Description: The project involves annually excavating 300 cubic yards of material (gravel) from 350 feet long by 4 feet wide by 2 feet deep area, below the ordinary high water line, of the upstream end of the Middle Channel of the Willamette River. The material will be removed by means of a clamshell type excavator and placed in an upland area and used for annual road maintenance.

Purpose: To maintain summer flows in the Middle Channel to improve fish habitat, including migratory juvenile salmonids, and provide water to the applicant's down stream irrigation pumps.

Drawings: Two drawings labeled COE File No. 200400171

Additional Information: Additional information may be obtained from Mr. Jack Ferrise, Project Manager, U.S. Army Corps of Engineers at (503) 808-4391.

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.

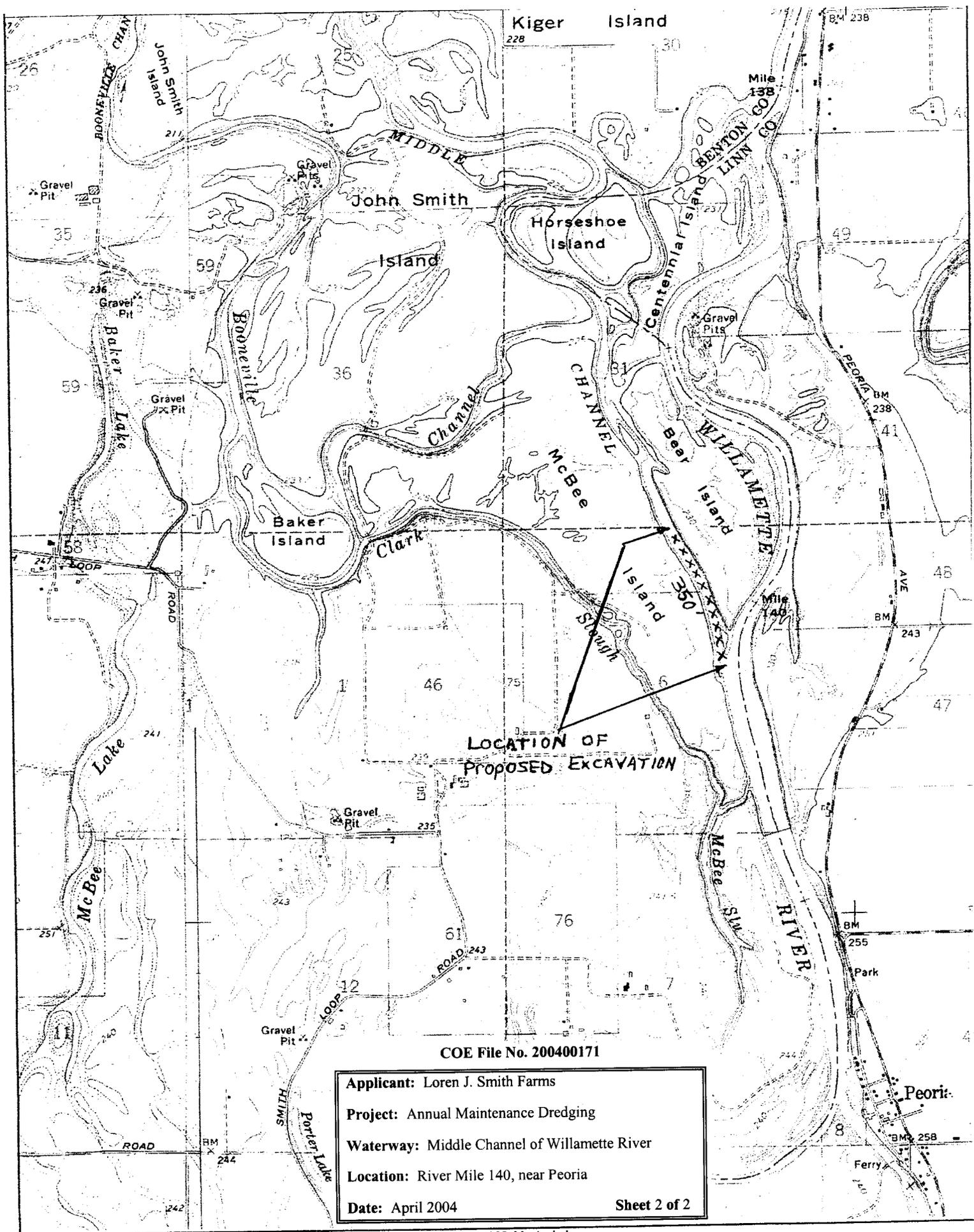
Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be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



COE File No. 200400171

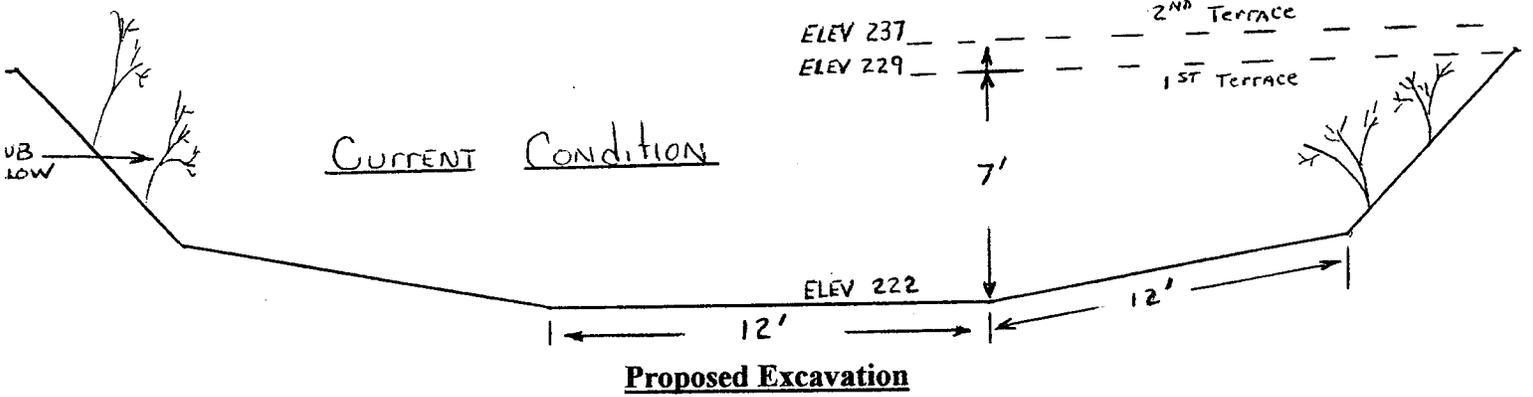
Applicant: Loren J. Smith Farms
Project: Annual Maintenance Dredging
Waterway: Middle Channel of Willamette River
Location: River Mile 140, near Peoria
Date: April 2004

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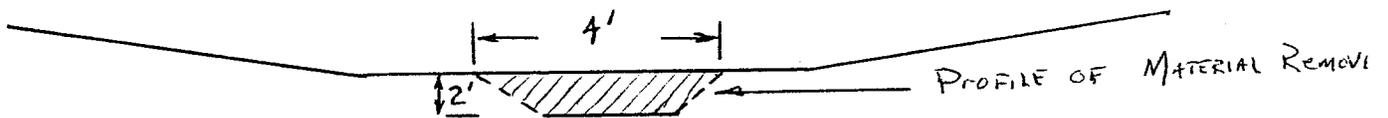
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Channel Metrics

Ordinary High Water - 229'
Ordinary Low Water - 222'



CROSSSECTION



TOP VIEW

