



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: April 9, 2004

Expiration Date: May 10, 2004

Corps of Engineers Action ID: 200400215

Oregon Division of State Lands Number: 32048-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. Tina J. Teed)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Morse Brothers, Inc.
32260 Hwy 34
Tangent, Oregon 97389

Location: River mile 82 of the Columbia River, 63180 Highway 30, SW Quarter, Section 16, Township 5 North, Range 1 West, Columbia County, Oregon.

Project Description: A water supply pipe 1-2 feet in diameter and approximately 513 feet in length will be placed approximately 5 feet below land surface and enter into the Columbia River through the riverbank. To embed the water supply pipe in the riverbank, a ditch approximately 2 feet wide and 5 feet deep will be excavated from the riverbank with a track hoe. After the water supply pipe is installed, approximately 29 cubic yards of backfill material will be used to return the riverbank to preconstruction grade. The water intake pipe will be fitted with a fish screen that meets criteria set by the Oregon Department of Fish and Wildlife for screen material, screen area, and water-intake velocity.

The proposed water supply pipe project will result in the withdrawal of a maximum of 5,000 gallons per minute. The Oregon Water Resources Department approved a limited use license (application 771) for the period of May 1, 2004 through October 1, 2008 with conditions (issued March 16, 2004).

Wastewater from the aggregate washing facility will be contained in wash water settling ponds measuring 2 acres in size with a depth of approximately 10 feet. The wash water settling ponds

will allow for the storage of 29,000 cubic yards of sludge with 1 foot of freeboard. The Oregon Department of Environmental Quality has issued a Water Pollution Control Facilities General Permit (Permit No. 1000) with conditions that include annual removal of sludge and disposal in the Morse Bros. Reichhold mining extraction area west of Highway 30.

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 provide a water supply for use in the Morse Bros. Aggregate Processing Facility. The water will be used to control dust along the interior roadways within the aggregate processing site, to control dust during aggregate processing, and to wash aggregate.

Drawings: Six drawings labeled: COE # 200400215.

Additional Information: Additional information may be obtained from Ms. Tina J. Teed, Project Manager, U.S. Army Corps of Engineers at (503) 808-4384.

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.

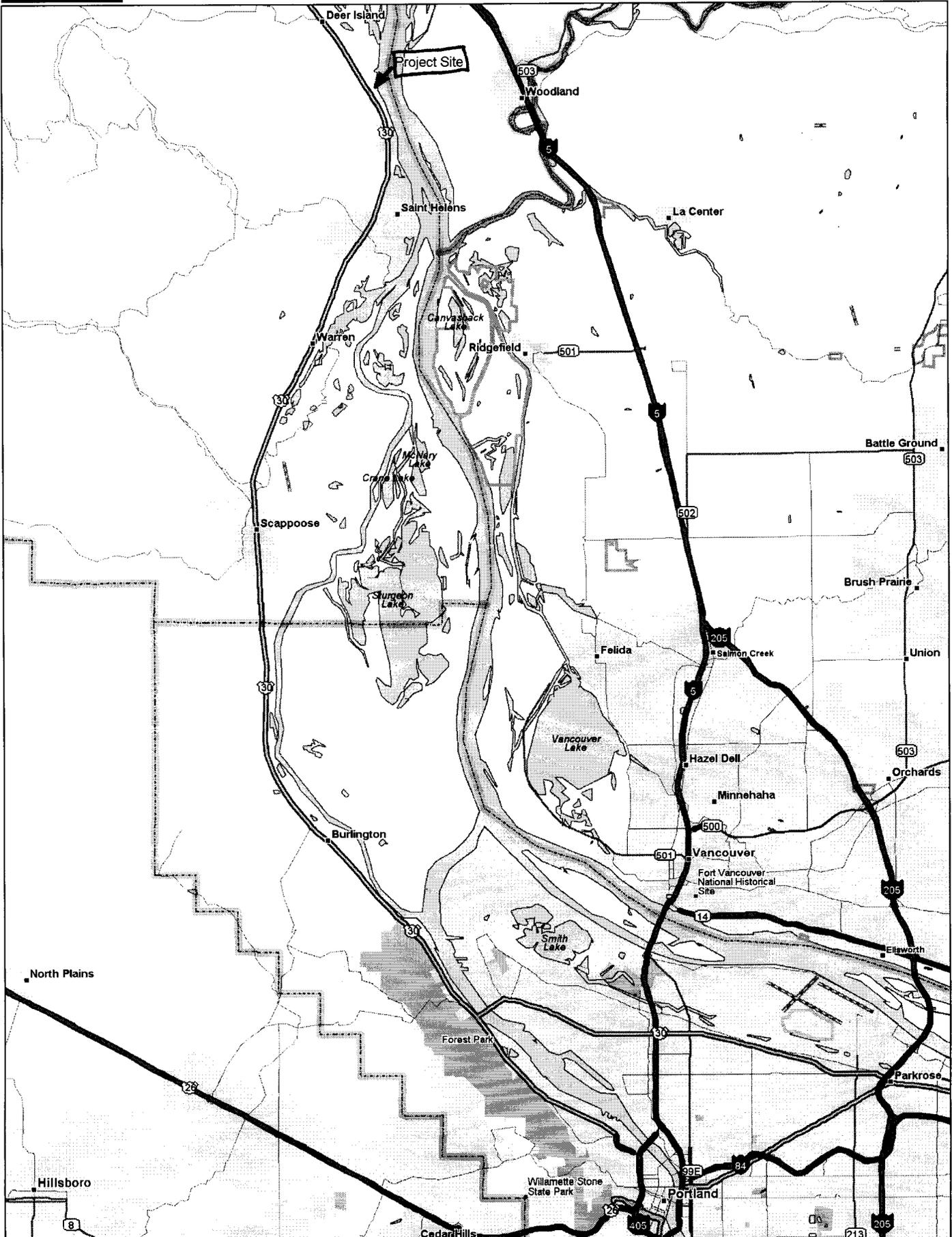
Endangered Species: Preliminary determinations indicate that the proposed activity may affect an endangered or threatened species or its critical habitat. Consultation under Section 7 of the Endangered Species Act of 1973 (87 Stat. 844) will be initiated. A permit for the proposed activity will not be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

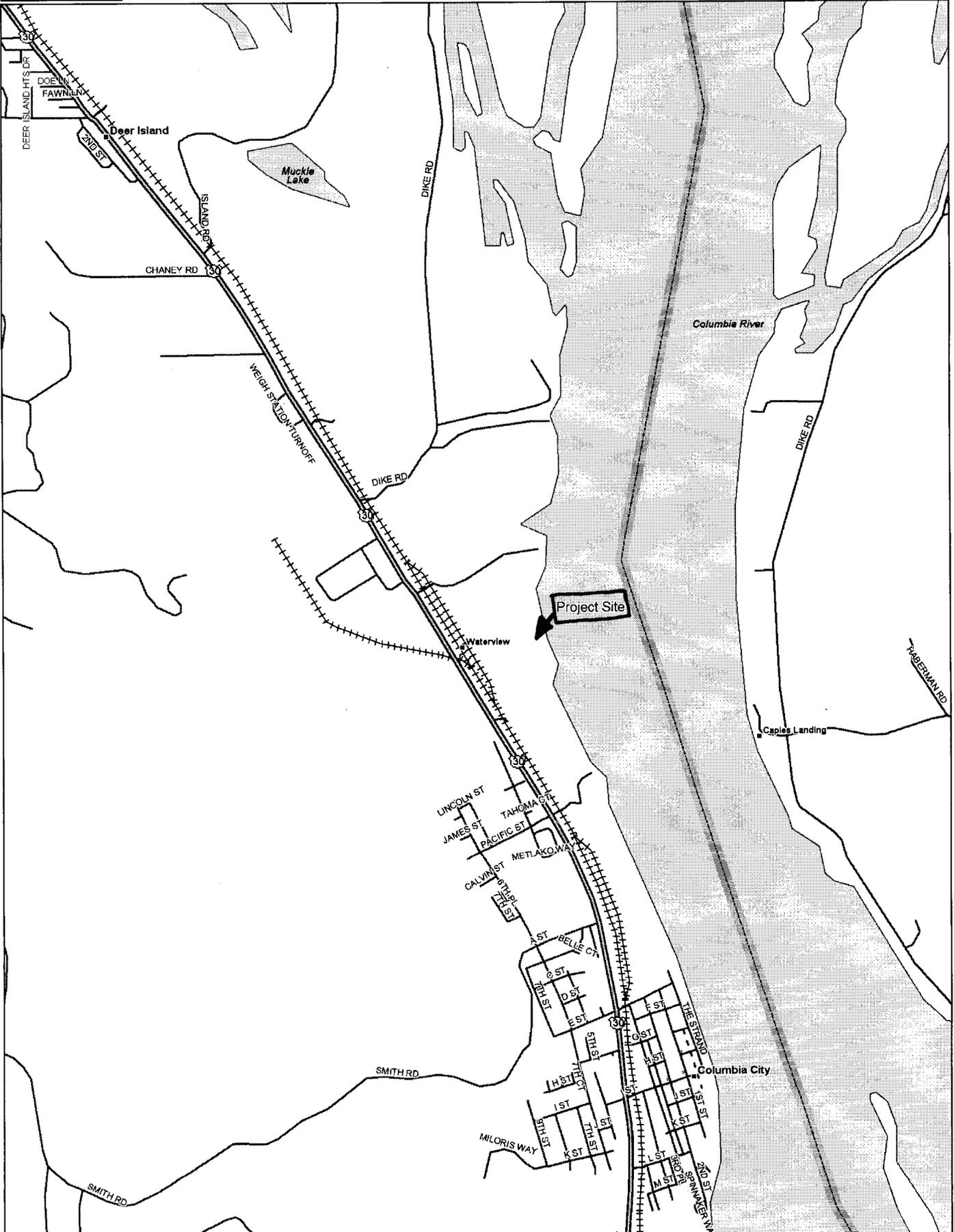
Cultural Resources: The described activity is not located on property registered or eligible for registration in the latest published version of the National Register of Historic Places. This notice has been provided to the State Historic Preservation Office.

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.

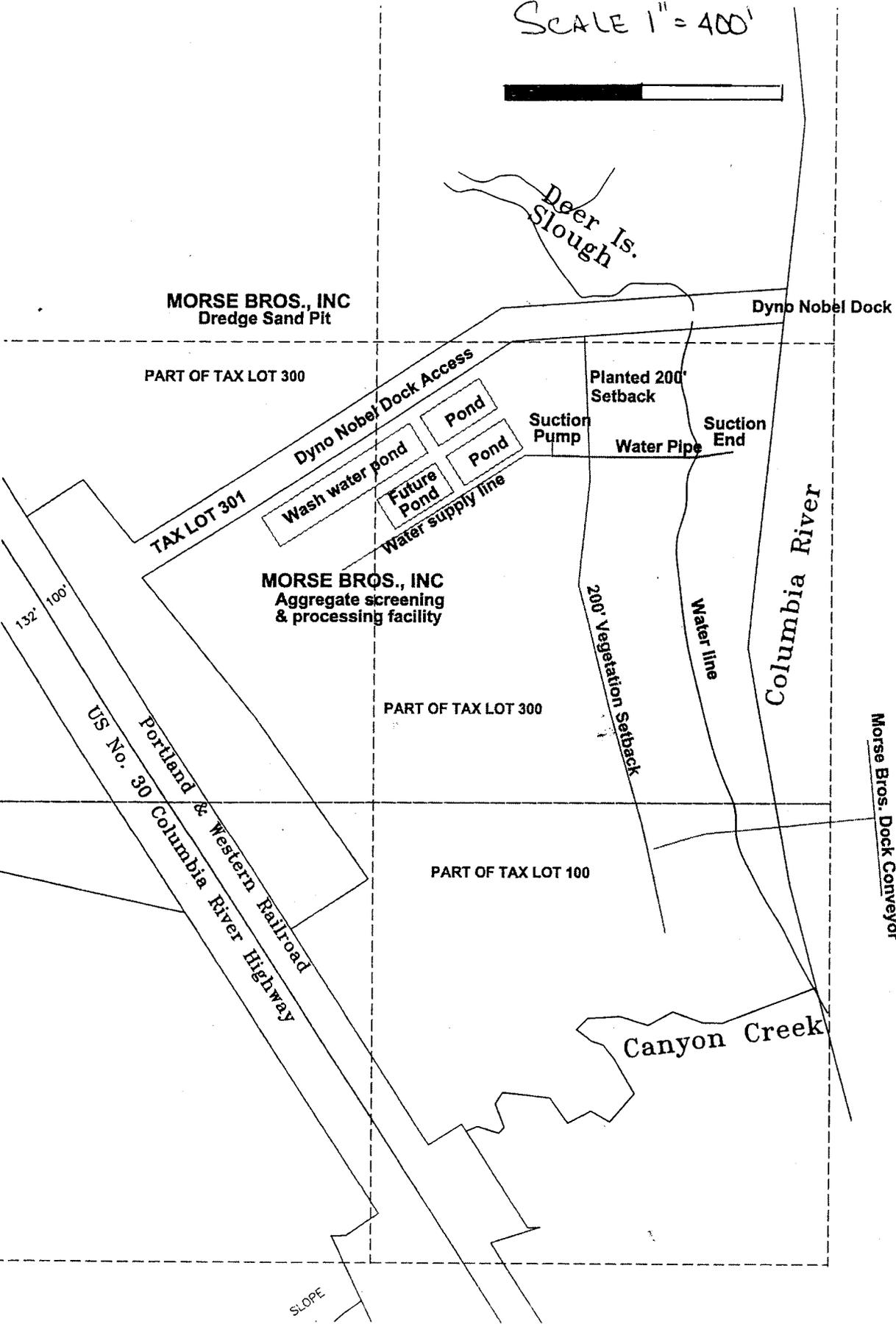
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine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





MORSE BROS., INC.
WATERVIEW WATER SUPPLY PIPE
SCALE 1" = 400'

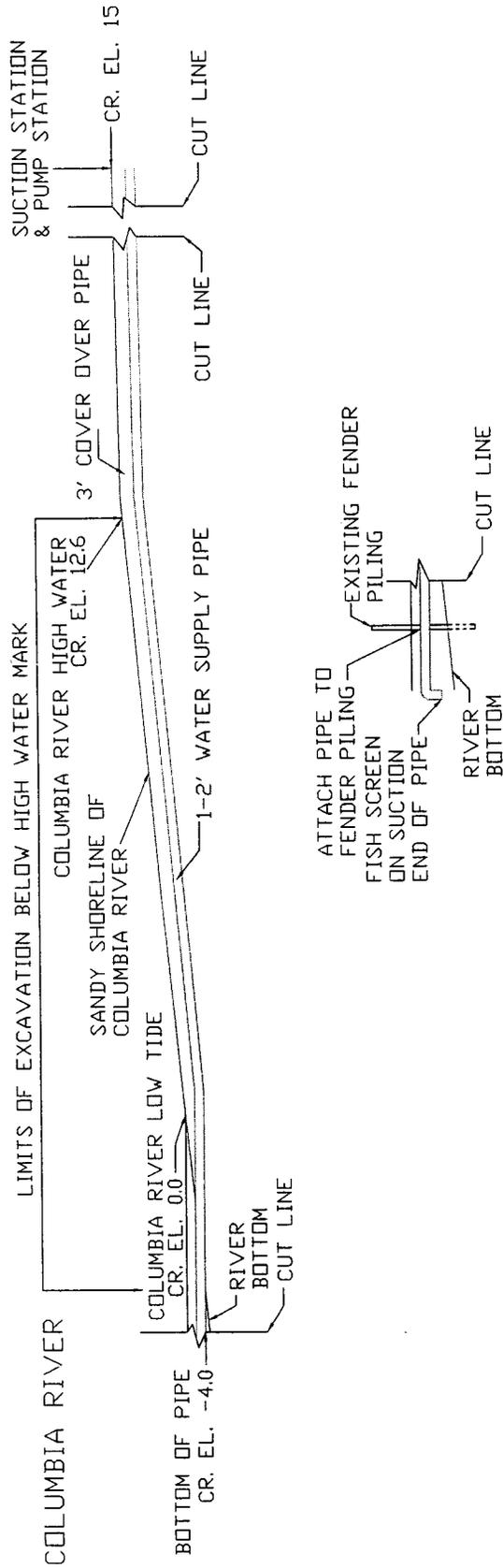


MORSE BROS., INC. WATERVIEW WATER SUPPLY PIPE

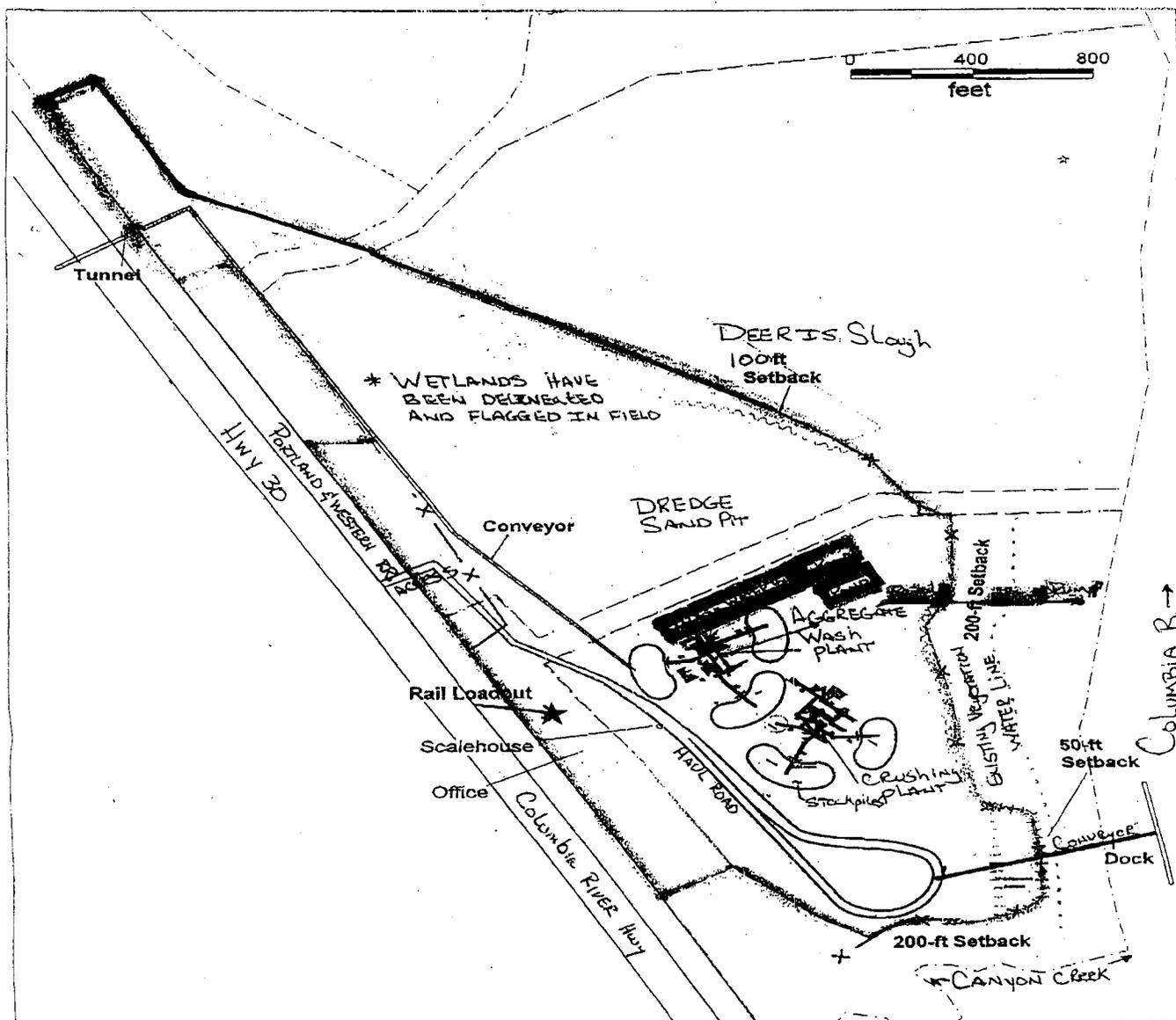
CROSS SECTION OF EXCAVATION

SCALE 1" = 30'

PROCESSING FACILITY>>>



SUCTION END OF PIPE



Barge Loadout Conveyor and Dock

Ordinary High Water Bank

Maximum Extent of Disturbed Area

River Setback Buffer at Dock Conveyor

Security Fence
with X's

Delineated Wetlands

Ownership Parcels
Region

PROCESS WATER:

- 1) AGGREGATE WASH PLANT
"WATER RECYCLED" @ MINE SITE ON WEST SIDE.
* SOLIDS DISPOSED @
- 2) DUST CONTROL FOR CRUSHING PLANT, WATER SPRAY BARS.
- 3) DUST CONTROL ON all HAUL ROADS WITH WATER TRUCK OR OTHER MITIGATION MEASURES

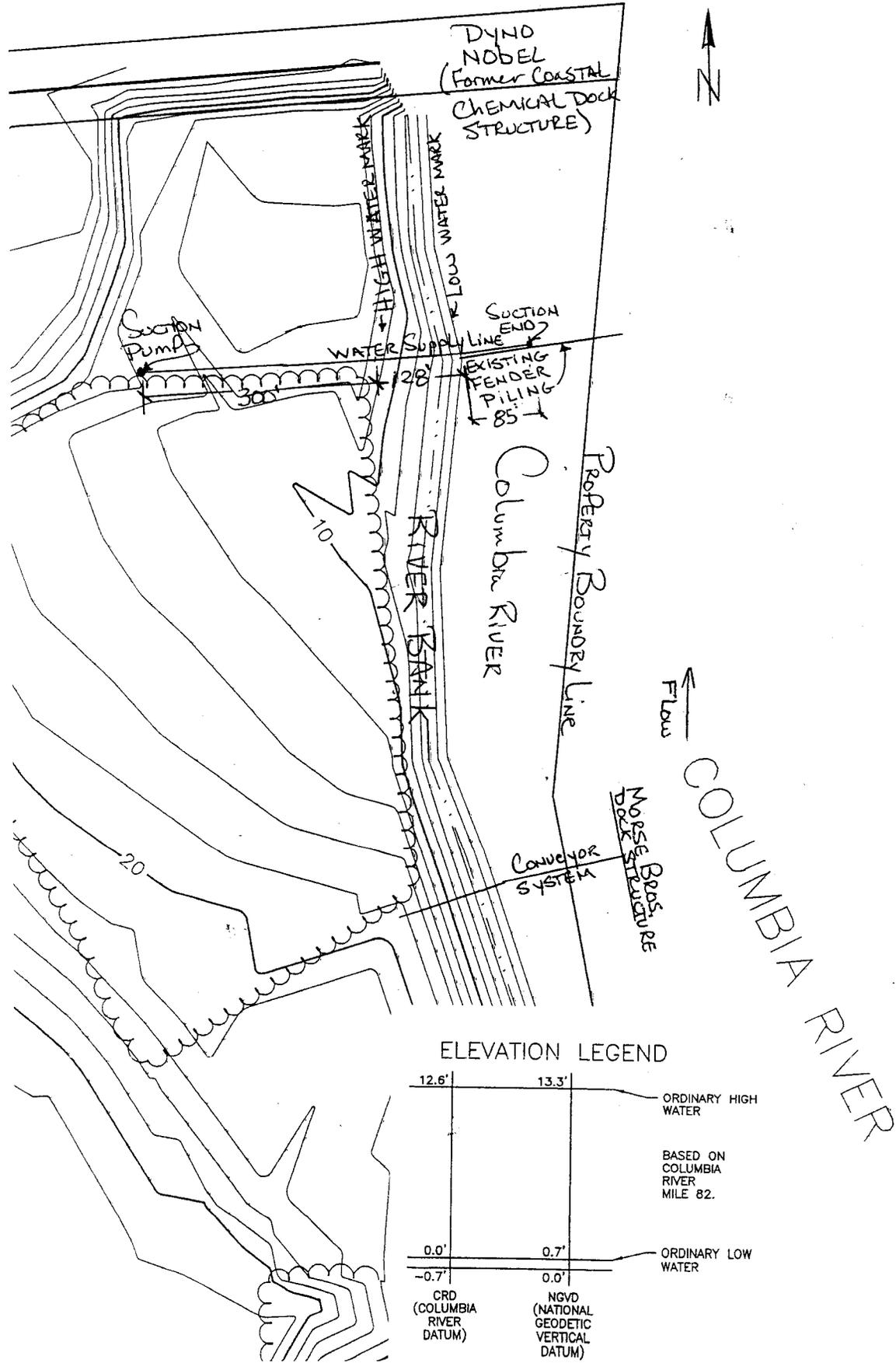
Figure 5b. Operating Plan without Aerial Photograph

Morse Bros., Inc.
Waterview Site

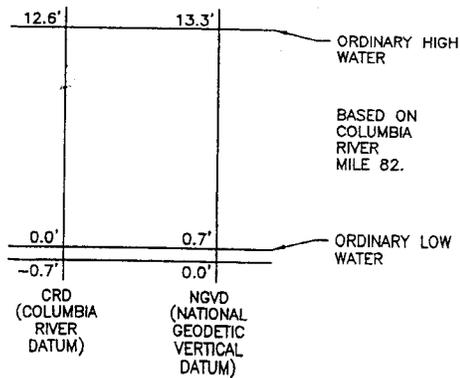
Operating Permit
Application

November 2002

MORSE BROS., INC.
 WATER VIEW WATER SUPPLY PIPE
 SCALE: 1" = 150'



ELEVATION LEGEND



Oregon Department of Environmental Quality

Water Quality 401 Certification

Corps of Engineers Action ID Number: 200400215
Oregon Division of State Lands Number: 32048-RF

Notice Issued: April 9, 2004
Written Comments Due: May 10, 2004

WHO IS THE APPLICANT: Morse Brothers, Inc.

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.