



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: July 20, 2004

Expiration Date: August 19, 2004

Corps of Engineers Action ID: 200400447

Oregon Division of State Lands Number: 32630-FP

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. Mark A. Everett)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Boones Crossing, LLC
14845 SW Murray School DR
Beaverton Oregon 97007

Location: Wetland adjacent to an unnamed tributary of Mill Creek in Section 18, Township 5 South, Range 1 West, in Woodburn, Marion County, Oregon.

Project Description: The applicant proposes to construct a 134-lot single-family residential subdivision (Boones Crossing) on a 27.23 acre site with associated roads, sidewalks, stormwater facilities, and open space. Total fill within Waters of the U.S. would be approximately 2,500 cubic yards with an area of approximately 0.84 acre. 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 construct a residential subdivision to meet increased housing demand in the Woodburn vicinity.

Drawings: Seven (7) sheets identified as: Wetland Fill Application for the Boones Crossing Subdivision, Phases 1, 2, & 3, Woodburn, Marion County, Oregon

Additional Information: Additional information may be obtained from Mr. Mark A. Everett, Project Manager, U.S. Army Corps of Engineers at (503) 808-4388.

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

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.

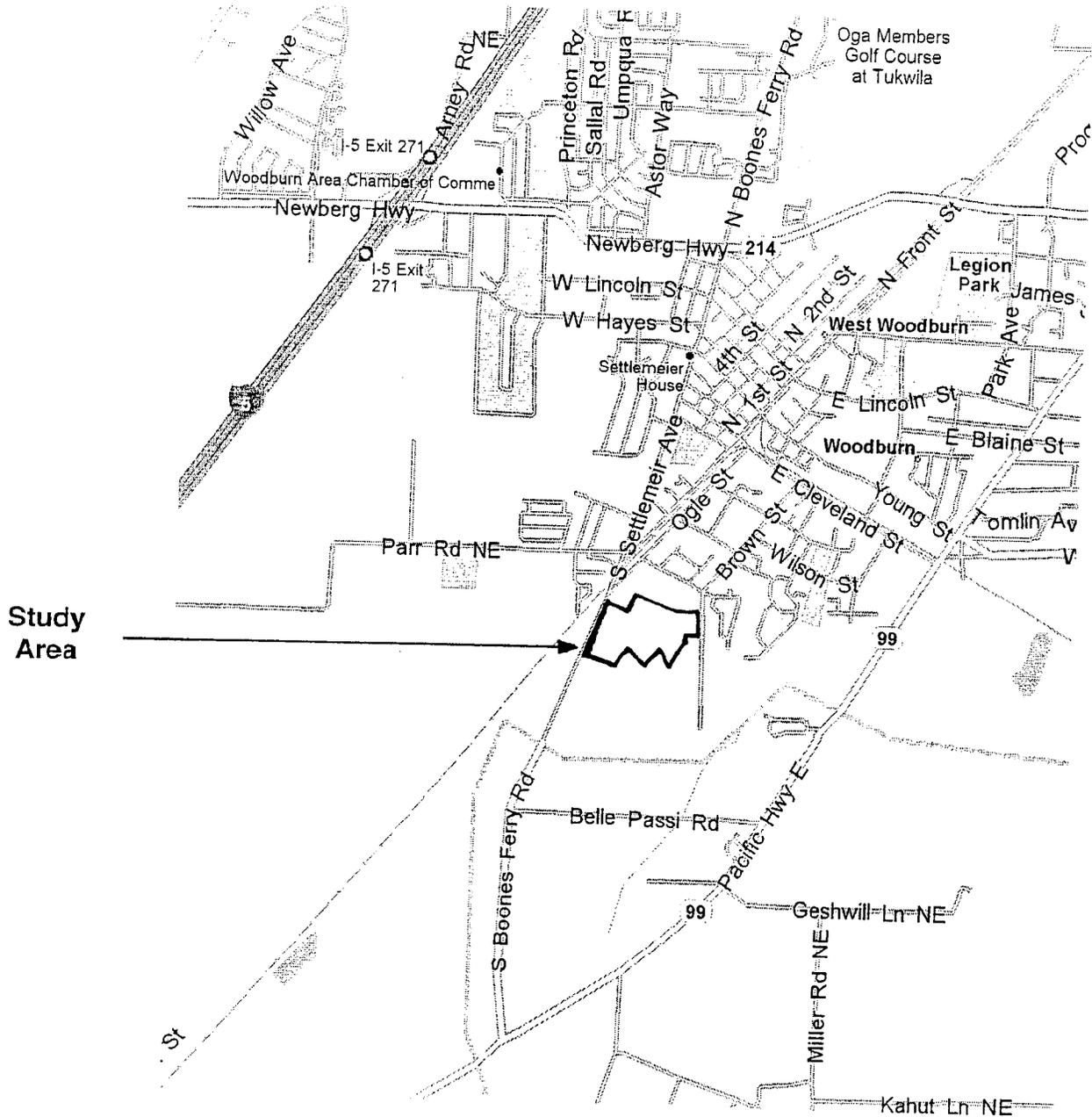
Endangered Species: Preliminary determinations indicate that the described activity will not affect endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

Cultural Resources: The Corps solicits your substantive comments regarding any potential cultural resources, which may occur within the project area. This notice has been provided to the State Historic Preservation Office, American Indian Tribes, and other interested parties.

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.



Source: Microsoft Streets & Trips, 2001.

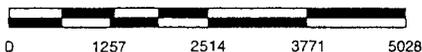
TERRA SCIENCE, INC.
Soil, Water & Wetland Consultants

WETLAND FILL APPLICATION FOR THE
BOONES CROSSING SUBDIVISION,
PHASES 1, 2, & 3, (TAX LOTS 1100 & 1400)
Woodburn, Marion County, Oregon

VICINITY MAP

FIGURE 1

SCALE: 1 INCH = 2514 FEET (Approx.)



JUNE 2004

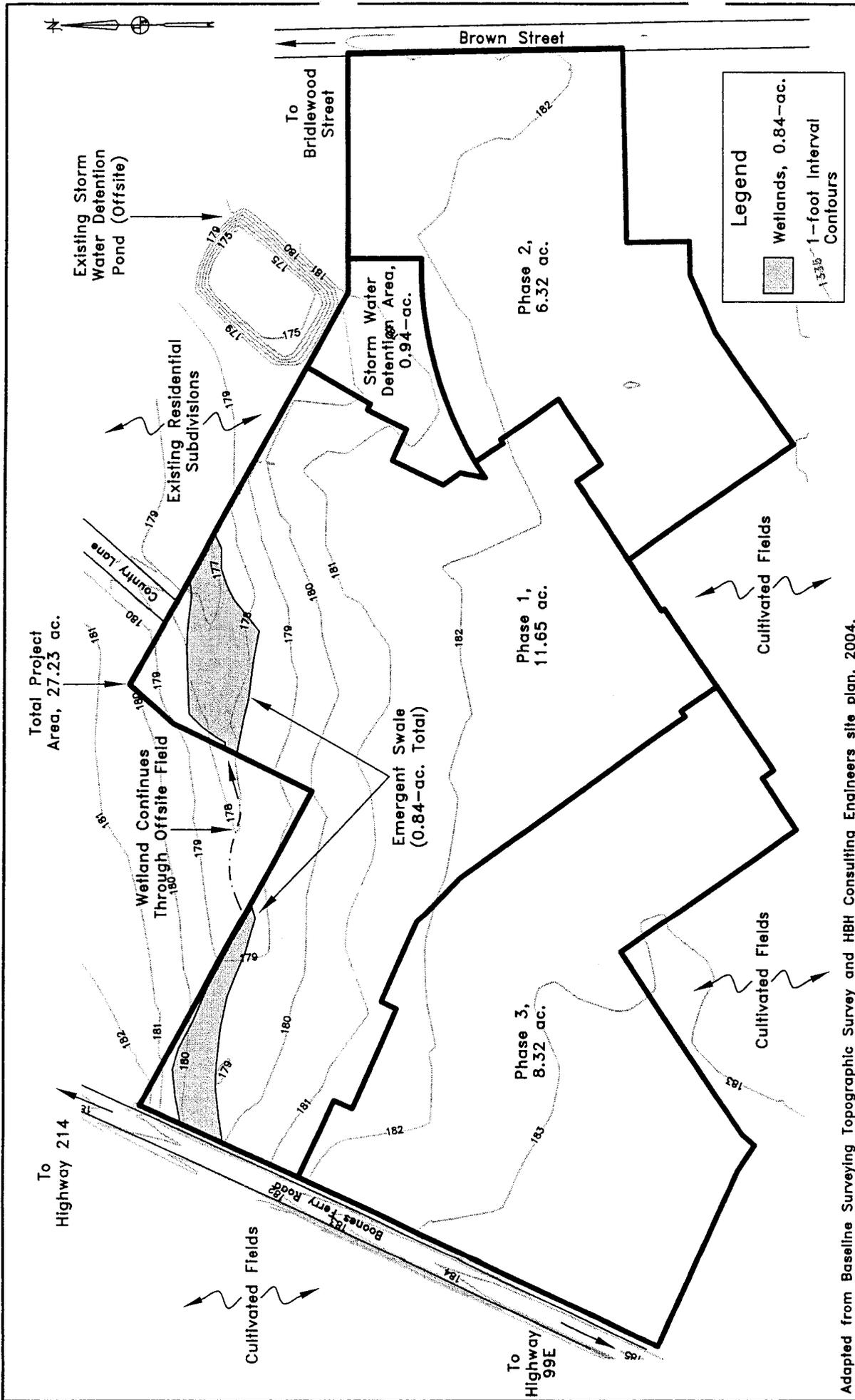


FIGURE 2

**EXISTING CONDITIONS,
SITE TOPOGRAPHY, &
WETLAND ACRES**

**WETLAND FILL APPLICATION FOR THE
BOONES CROSSING SUBDIVISION, PHASES 1, 2, & 3
(TAX LOTS 1100 & 1400)
Woodburn, Marion County, Oregon**

Adapted from Baseline Surveying Topographic Survey and HBH Consulting Engineers site plan, 2004.

Terra Science, Inc.
Soil, Water, & Wetland Consultants



June 2004

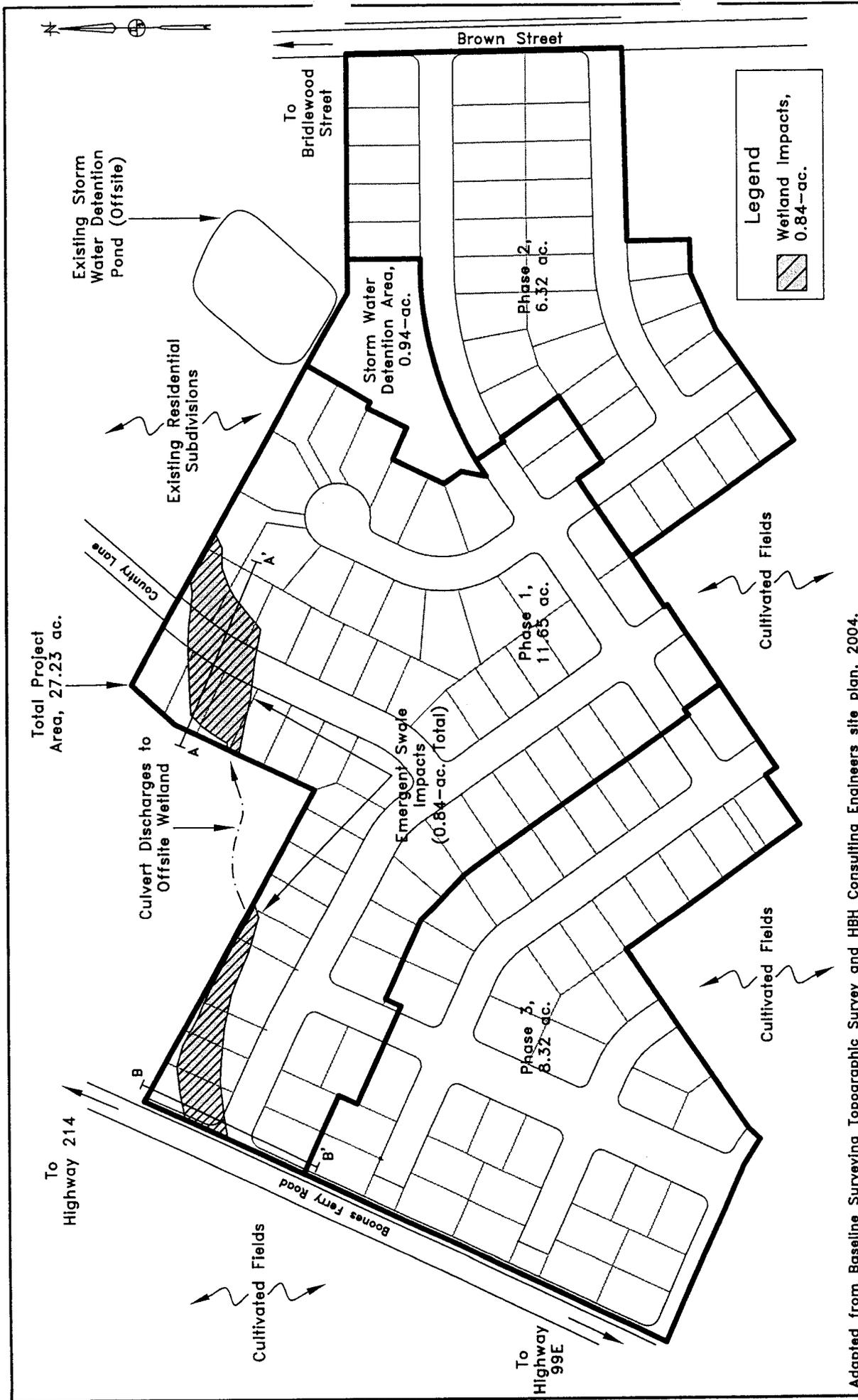


FIGURE 3

PROPOSED DEVELOPMENT &
WETLAND IMPACTS

WETLAND FILL APPLICATION FOR THE
BOONES CROSSING SUBDIVISION, PHASES 1, 2, & 3
(TAX LOTS 1100 & 1400)

Woodburn, Marion County, Oregon

WETLAND IMPACT
CROSS-SECTIONS
(SEE FIGURES 4A & 4B)



Adapted from Baseline Surveying Topographic Survey and HBH Consulting Engineers site plan, 2004.

Terra Science, Inc.
Soil, Water, & Wetland Consultants



June 2004

WETLAND IMPACT CROSS-SECTION A-A'

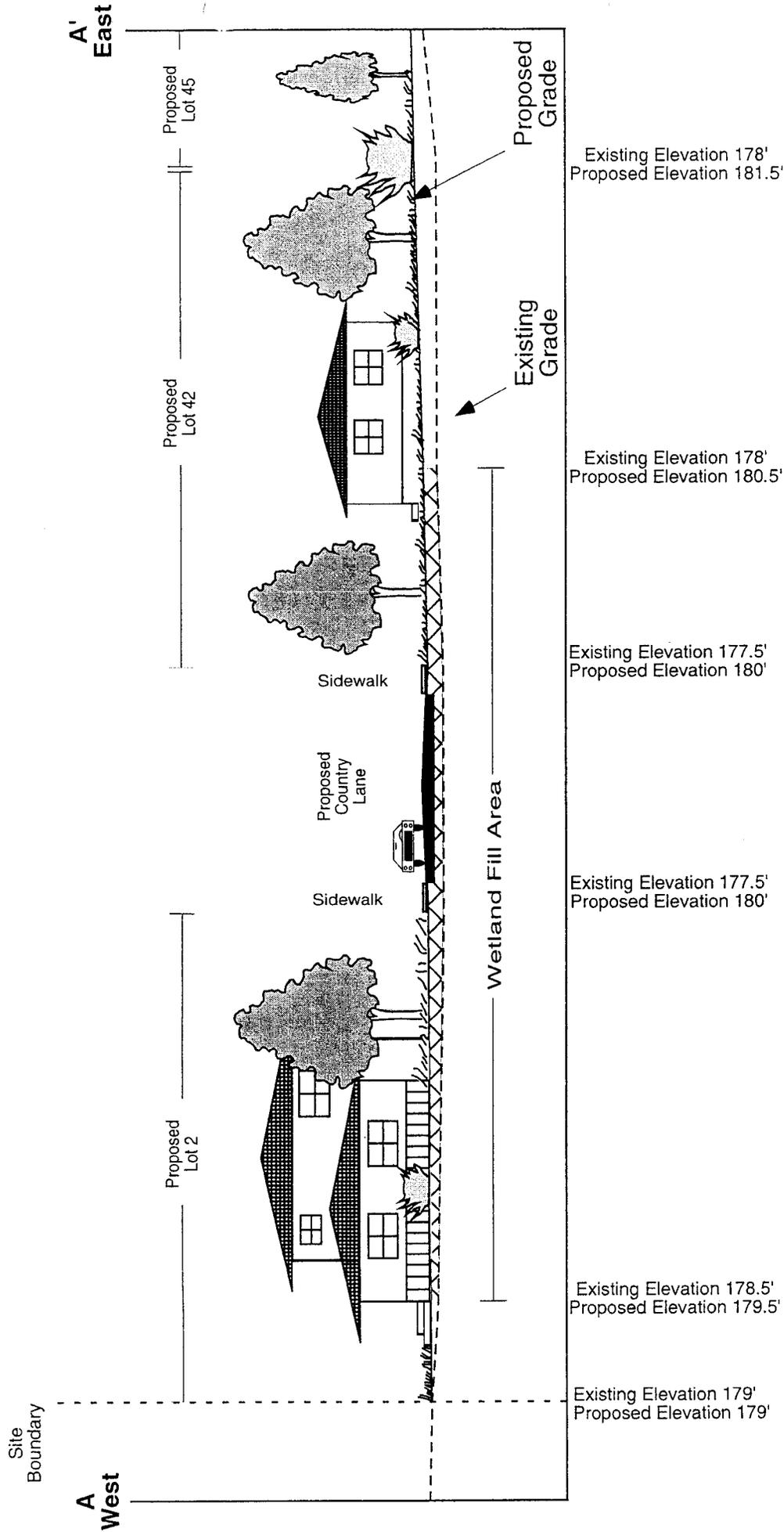


FIGURE 4A

WETLAND IMPACT
CROSS-SECTION A-A'

Note: Vertical Scale
Exaggerated.

WETLAND FILL APPLICATION FOR
THE BOONES CROSSING SUBDIVISION,
PHASES 1, 2, & 3 (TAX LOTS 1100 & 1400)
WOODBURN, MARION COUNTY, OREGON

June 2004

TERRA SCIENCE, INC.
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SCALE: 1 INCH = 30 FEET Horizontal
1 INCH = 10 FEET Vertical



WETLAND IMPACT CROSS-SECTION B-B'

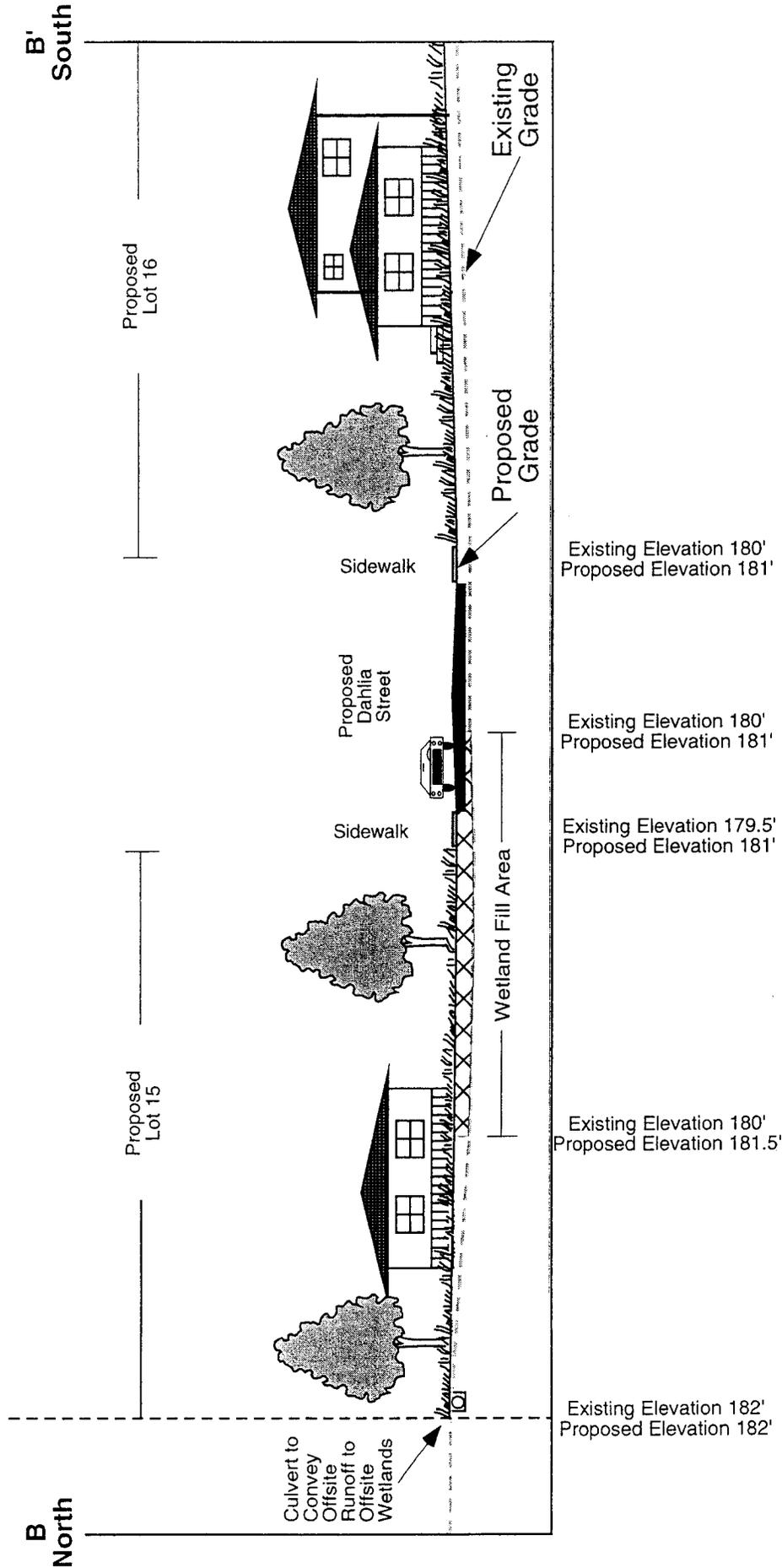


FIGURE 4B

WETLAND IMPACT
CROSS-SECTION B-B'

WETLAND FILL APPLICATION FOR
THE BOONES CROSSING SUBDIVISION,
PHASES 1, 2, & 3 (TAX LOTS 1100 & 1400)
WOODBURN, MARION COUNTY, OREGON

Note: Vertical Scale
Exaggerated.

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SCALE: 1 INCH = 30 FEET Horizontal
1 INCH = 10 FEET Vertical



June 2004

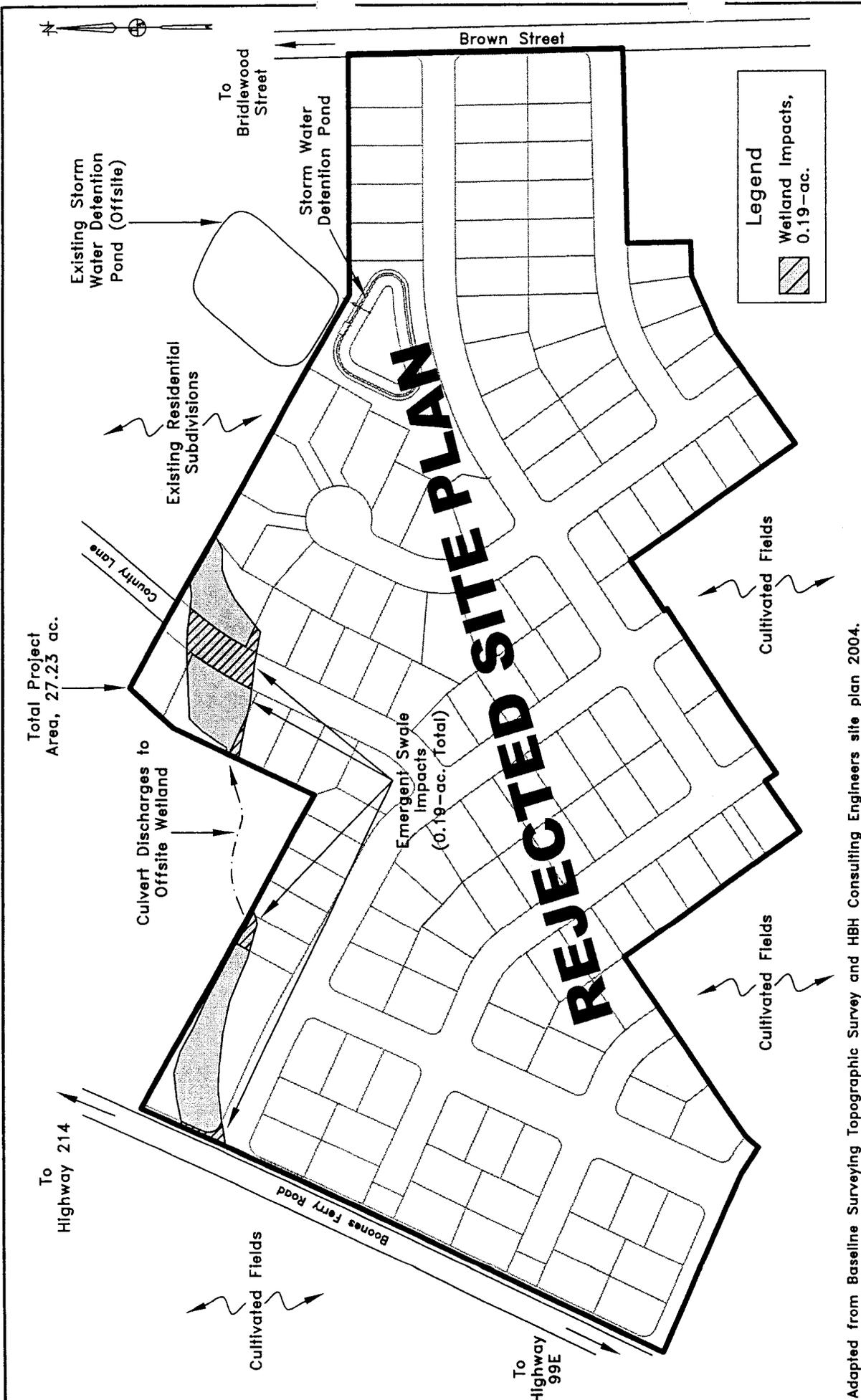


FIGURE 5

WETLAND AVOIDANCE & MINIMIZATION, REJECTED SITE PLAN

Legend

Wetland Impacts, 0.19-ac.

Total Project Area, 27.23 ac.

Existing Storm Water Detention Pond (Offsite)

Existing Residential Subdivisions

To Bridlewood Street

Storm Water Detention Pond

Emergent Swale Impacts (0.19-ac. Total)

Legend

Wetland Impacts, 0.19-ac.

Cultivated Fields

Cultivated Fields

To Highway 214

Culvert Discharges to Offsite Wetland

Cultivated Fields

To Highway 99E

Boones Ferry Road

REJECTED SITE PLAN

Adapted from Baseline Surveying Topographic Survey and HBH Consulting Engineers site plan 2004.

WETLAND FILL APPLICATION FOR THE

BOONES CROSSING SUBDIVISION, PHASES 1, 2, & 3

(TAX LOTS 1100 & 1400)

Woodburn, Marion County, Oregon

Terra Science, Inc.

Soil, Water, & Wetland Consultants

SCALE: 1 INCH=200 FEET



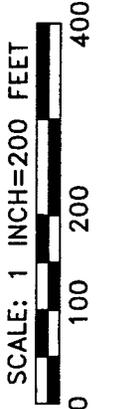
June 2004

FIGURE 6

**PROPOSED STORM WATER
MANAGEMENT PLAN**

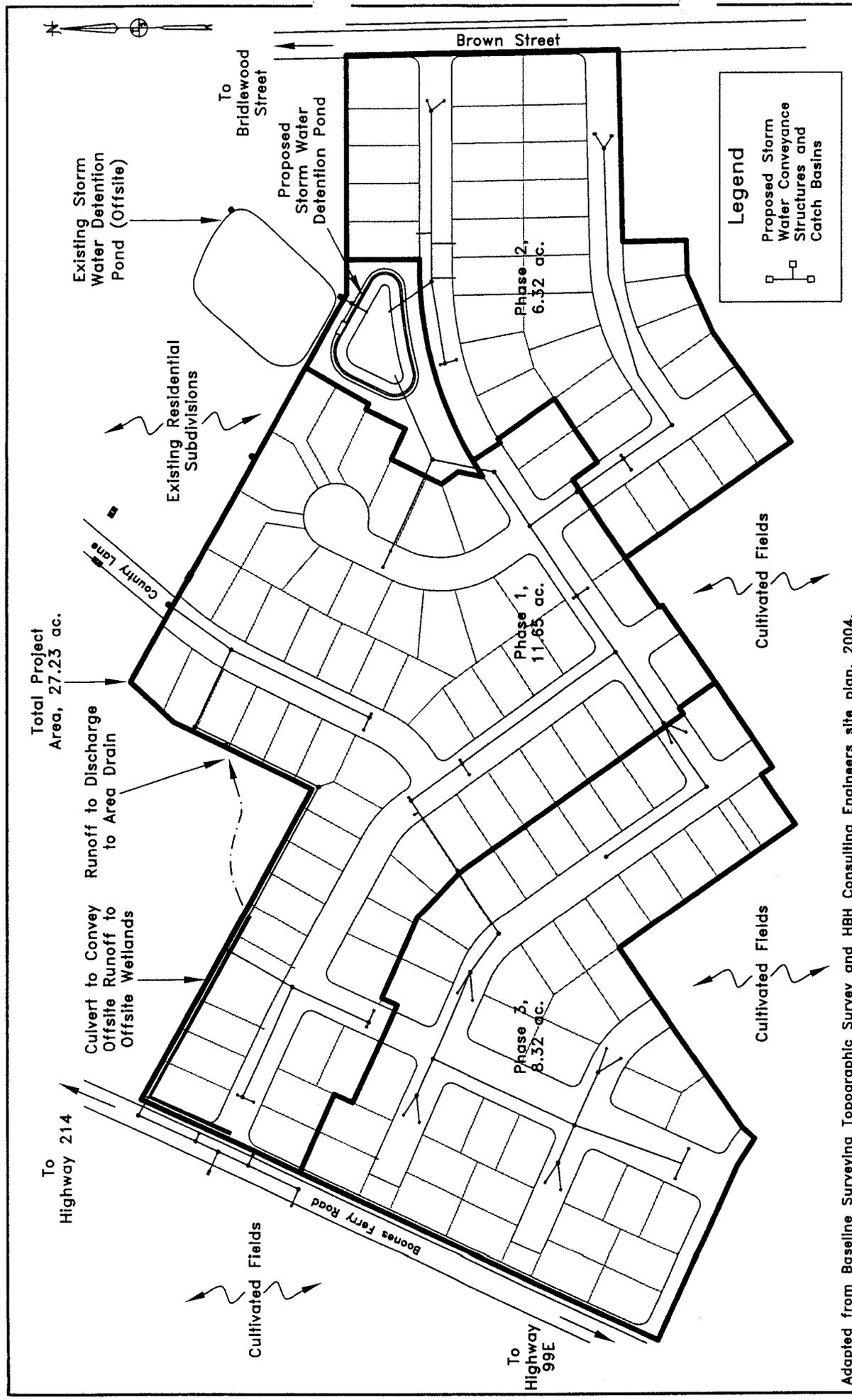
**WETLAND FILL APPLICATION FOR THE
BOONES CROSSING SUBDIVISION, PHASES 1, 2, & 3
(TAX LOTS 1100 & 1400)
Woodburn, Marion County, Oregon**

Terra Science, Inc.
Soil, Water, & Wetland Consultants



June 2004

Adapted from Baseline Surveying Topographic Survey and HBH Consulting Engineers site plan, 2004.



Total Project Area, 27.23 ac.

Runoff to Discharge to Area Drain

Culvert to Convey Offsite Runoff to Offsite Wetlands

To Highway 214

Existing Storm Water Detention Pond (Offsite)

Existing Residential Subdivisions

Cultivated Fields

To Bridlewood Street

Proposed Storm Water Detention Pond

Brown Street

To Highway 99E

Phase 1, 11.65 ac.

Phase 2, 8.52 ac.

Phase 3, 6.52 ac.

Cultivated Fields

Cultivated Fields

Legend

Proposed Storm Water Conveyance Structures and Catch Basins

PUBLIC NOTICE
Oregon Department of Environmental Quality
Water Quality 401 Certification

Corps of Engineers Action ID Number: 200400447
Oregon Division of State Lands Number: 32630-FP

Notice Issued: July 16, 2004
Written Comments Due: August 16, 2004

WHO IS THE APPLICANT: Boones Crossing, LLC

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 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 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.