



**US Army Corps
of Engineers**
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: August 13, 2004

Expiration Date: September 2, 2004

Corps of Engineers Action ID: 200400455

Oregon Division of State Lands Number: 32691

20-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. Susan M. Sturges)
P.O. Box 2946
Portland, Oregon 97208-2946

Applicant: Oregon Department of Transportation (ODOT)
3012 Island Avenue
La Grande, Oregon 97850

Location: Ephemeral tributary to Rock Creek, adjacent to and northwest of Oregon Highway 19 between Mile Post 16.4 to 16.7, near Olex, Section 3, Township 1 South, Range 21 East, Gilliam County, Oregon

Project Description: ODOT proposes to place fill in approximately 720 linear feet of ephemeral drainage (0.05 acre of waters of the U.S.) to create a new roadbed and to dispose of excavated materials for the realignment of sharp curves on Highway 19. To compensate for impacts to 720 linear feet of ephemeral drainage, ODOT proposes to replace the drainage approximately 50 feet west of the existing alignment. Mitigation activities include the relocation of the channel, riprap reinforcement of a portion of the new channel, construction of a riprap apron to dissipate stream energy where the relocated channel re-enters the existing channel, and planting of the relocated channel and adjacent areas with seed mix consisting of native shrubs and forbs typical of the existing drainage. 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: The project purpose is to create a roadbed for road realignment in Segment 2 (as depicted in attached drawings). The project is needed to improve highway sight distance, turning movements, and corridor safety and to provide a cost-effective disposal area for excavated materials.

Drawings: See attached eleven pages labeled 200400455.

Additional Information: Additional information may be obtained from Ms. Susan M. Sturges, Project Manager, U.S. Army Corps of Engineers at (503) 808-4381.

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.

Coastal Zone Management Act Certification: The project occurs outside of the state's coastal zone and is not subject to Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3).

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.

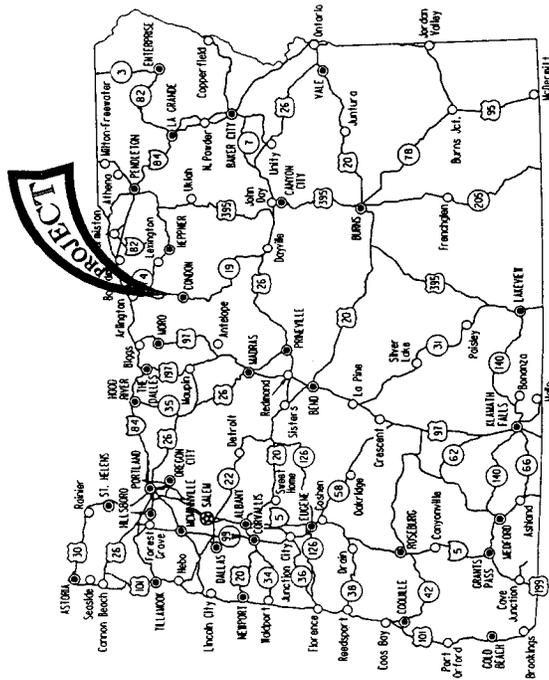
Cultural Resources: The described activity is located near property registered or eligible for registration in the latest published version of the National Register of Historic Places. The State Historic Preservation Office (SHPO) has already provided concurrence the activities will not adversely affect these properties. This notice has been provided to the SHPO, 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, 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,

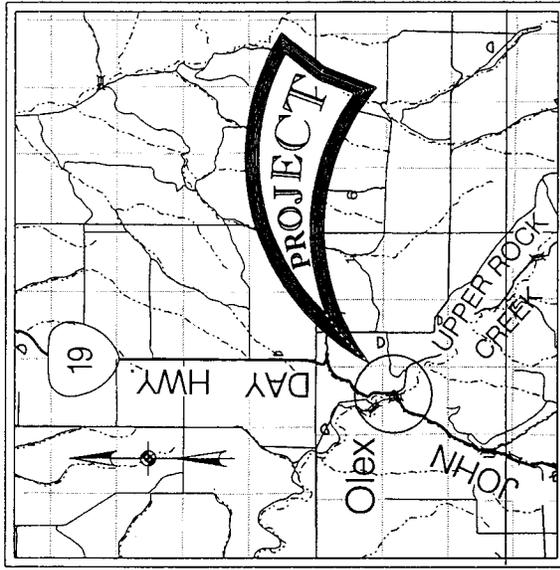
historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in 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.



1-84
17 Miles



Condon
21 Miles

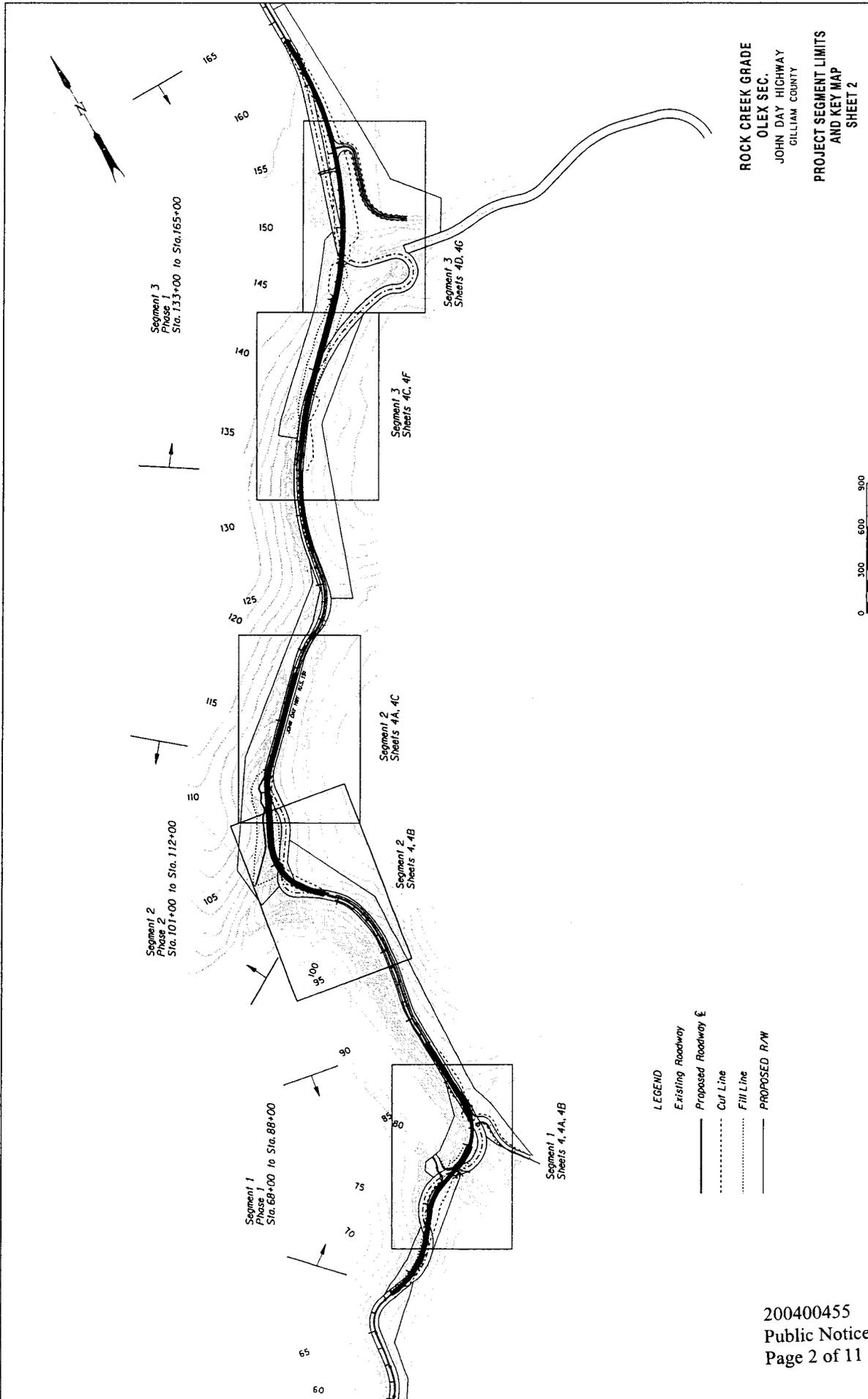
LOCATION MAP

No Scale

ROCK CREEK GRADE
OLEX SEC.
JOHN DAY HIGHWAY
GILLIAM COUNTY

VICINITY AND LOCATION MAP
SHEET 1

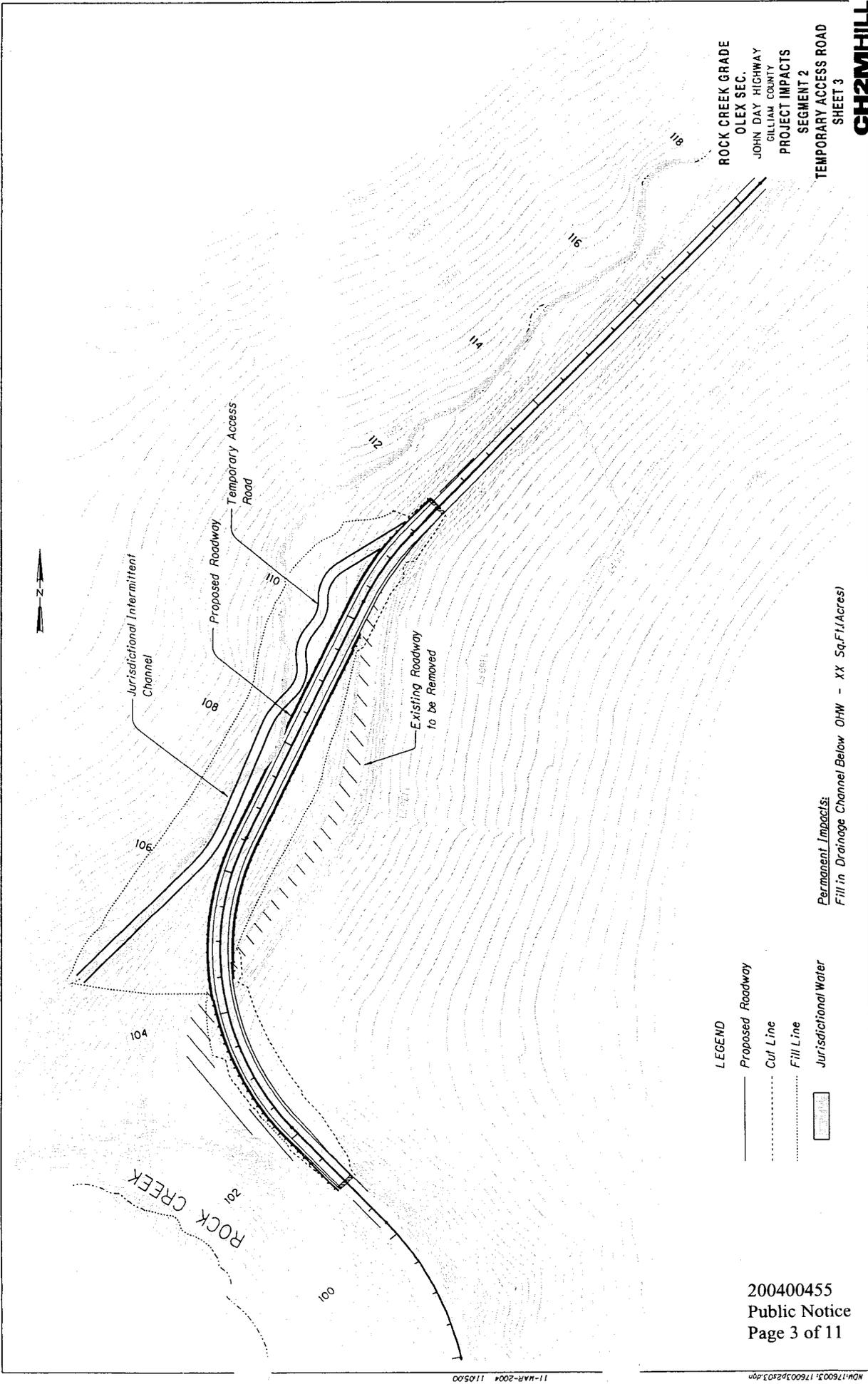
CH2MHILL



ROCK CREEK GRADE
 OLEX SEC.
 JOHN DAY HIGHWAY
 GILLIAM COUNTY
 PROJECT SEGMENT LIMITS
 AND KEY MAP
 SHEET 2

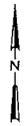
CH2MHILL

200400455
 Public Notice
 Page 2 of 11



ROCK CREEK GRADE
 OLEX SEC.
 JOHN DAY HIGHWAY
 GILLIAM COUNTY
 PROJECT IMPACTS
 SEGMENT 2
 TEMPORARY ACCESS ROAD
 SHEET 3

CH2MHILL

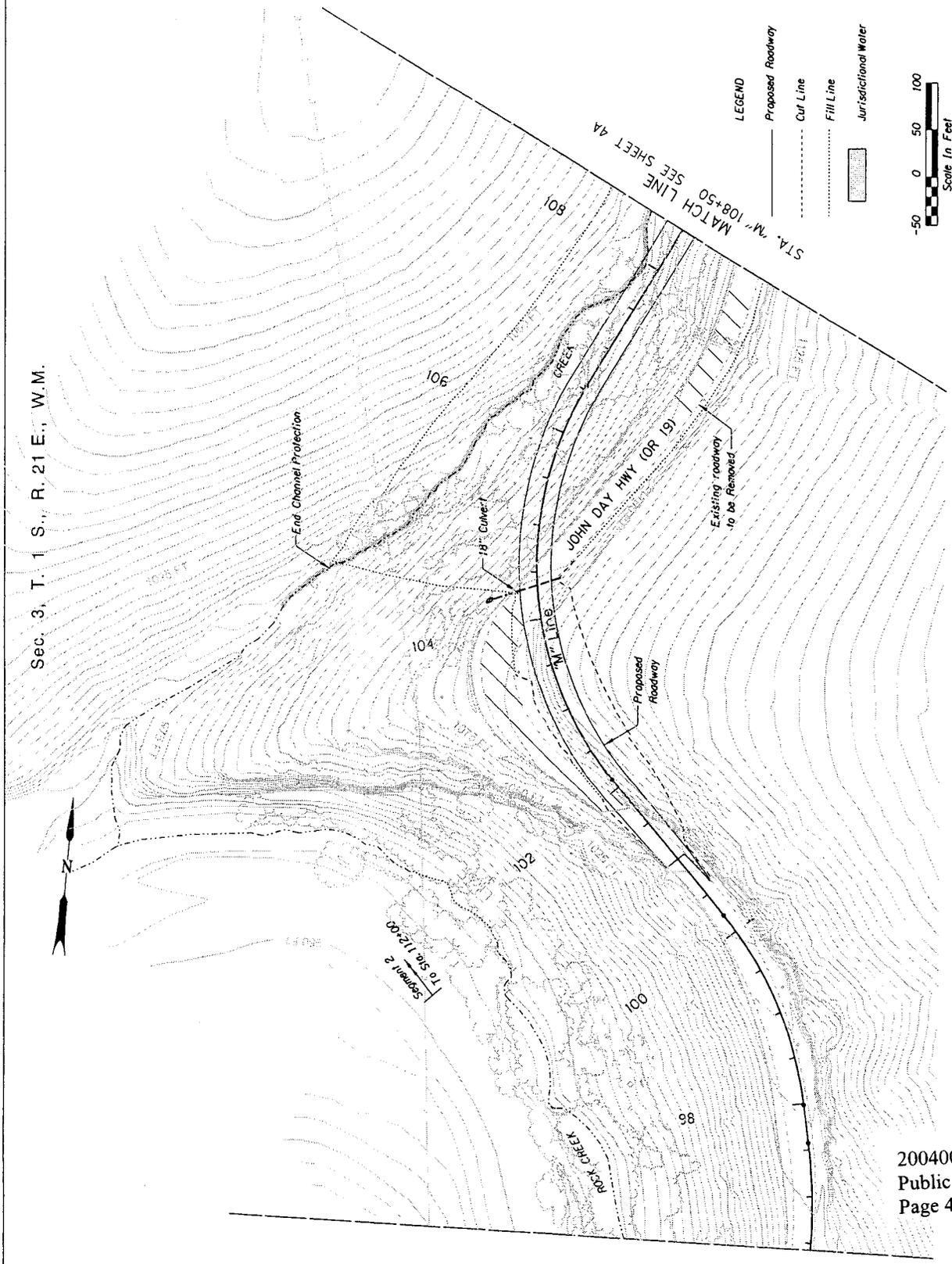
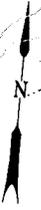


- LEGEND**
- Proposed Roadway
 - Cul Line
 - Fill Line
 - Jurisdictional Water

Permanent Impacts:
 Fill in Drainage Channel Below OHW - XX Sq.Ft./Acres

200400455
 Public Notice
 Page 3 of 11

Sec. 3, T. 1 S., R. 21 E., W.M.



LEGEND

- Proposed Roadway
- Cut Line
- Fill Line
- Jurisdictional Water

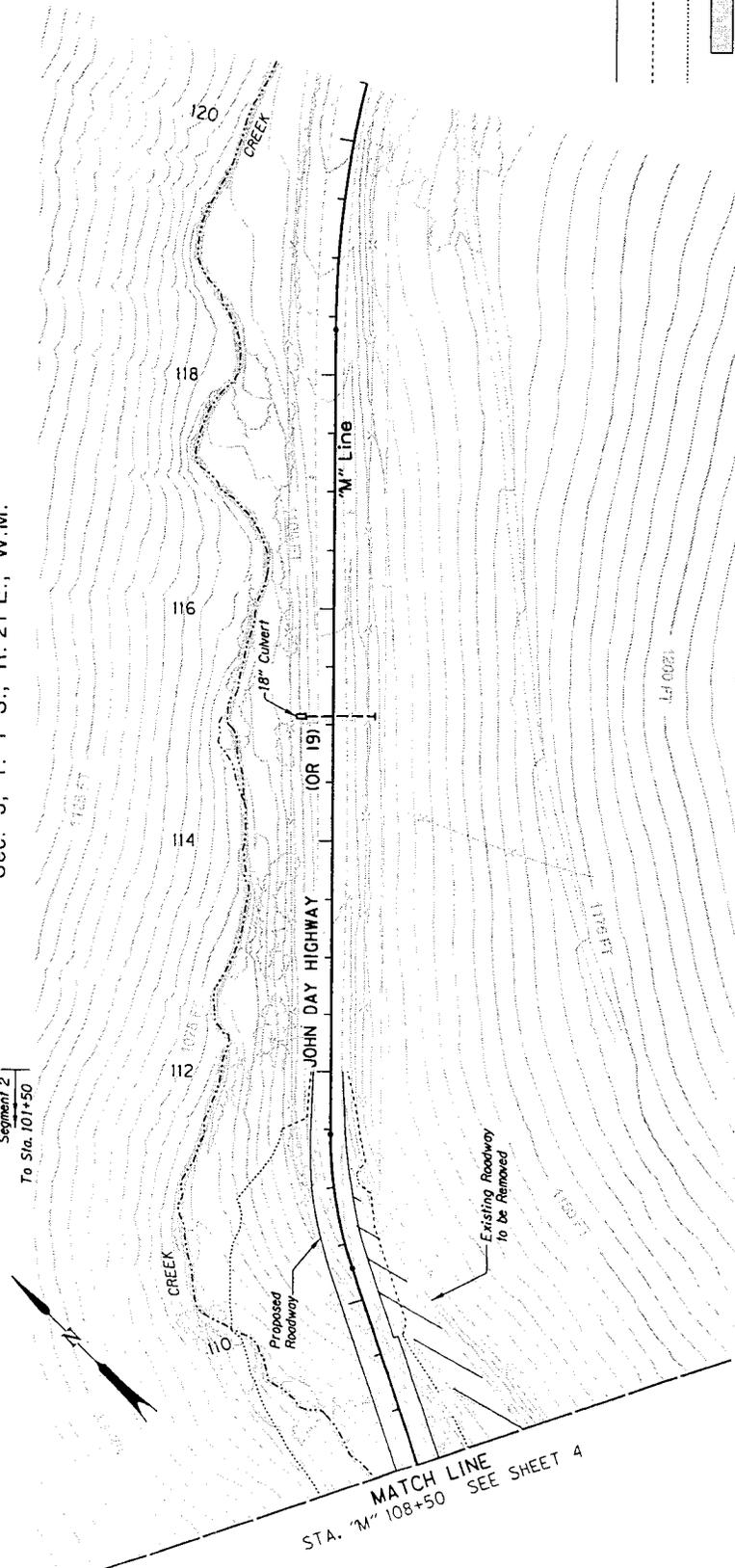


ROCK CREEK GRADE
OLEX SEC.
JOHN DAY HIGHWAY
GILLIAM COUNTY
PROJECT IMPACTS
SEGMENT 2
STA. "M" 96+50 TO STA. "M" 108+50
SHEET 4

CH2MHILL

Sec. 3, T. 1 S., R. 21 E., W.M.

Segment 2
To Sta. 101+50



LEGEND

- Proposed Roadway
- Cul Line
- Fill Line
- Jurisdictional Water

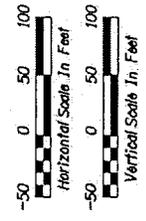
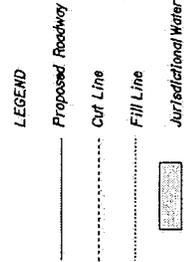
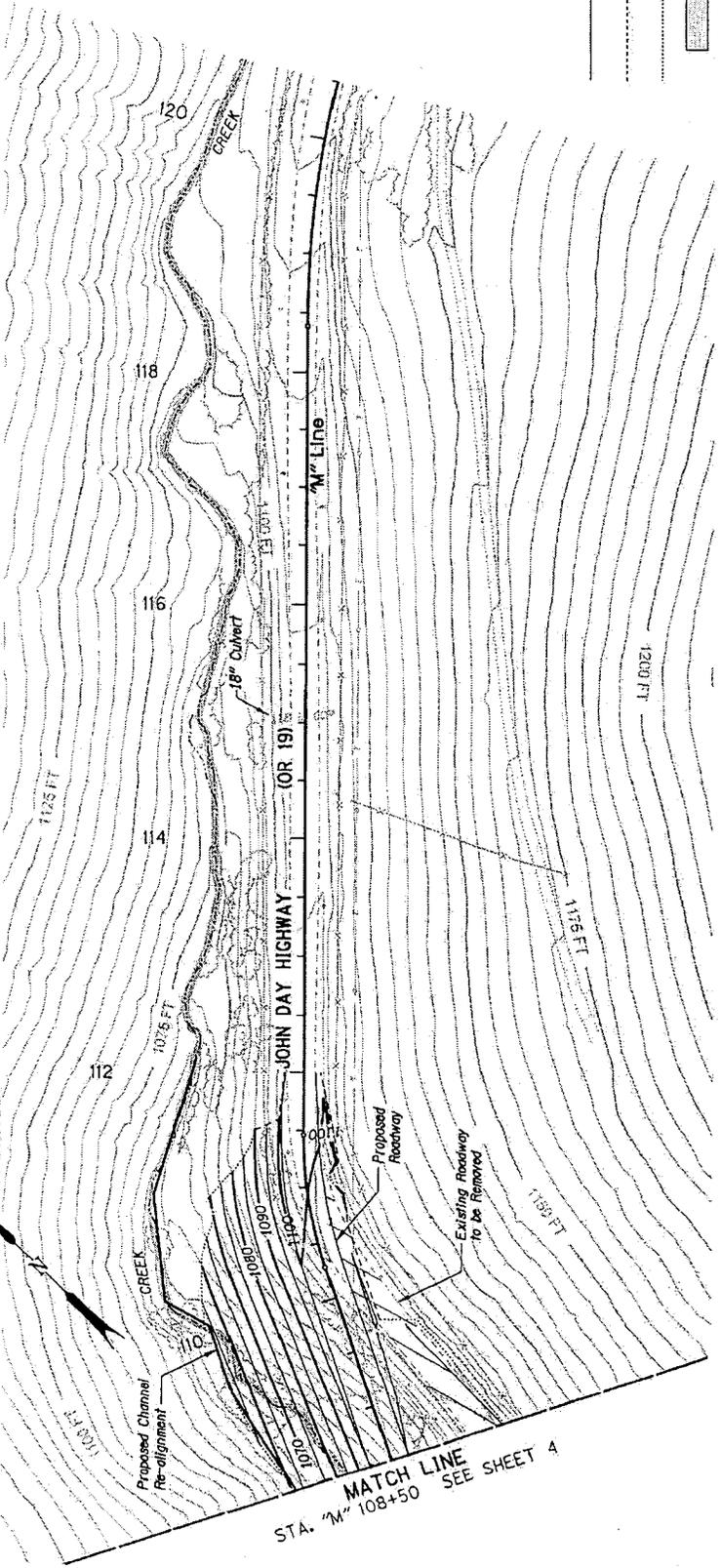


ROCK CREEK GRADE
OLEX SEC.
JOHN DAY HIGHWAY
GILLIAM COUNTY
SEGMENT 2
ROADWAY PLAN
STA. "M" 108+50 TO STA. "M" 120+50
SHEET 4A

CH2MHILL

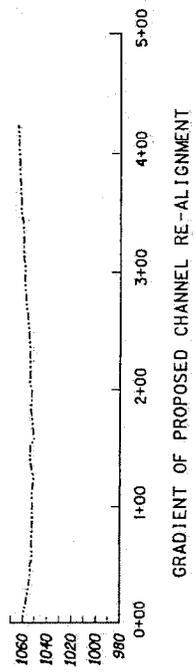
Sec. 3, T. 1 S., R. 21 E., W.M.

Segment 2
To Sta. 101+50

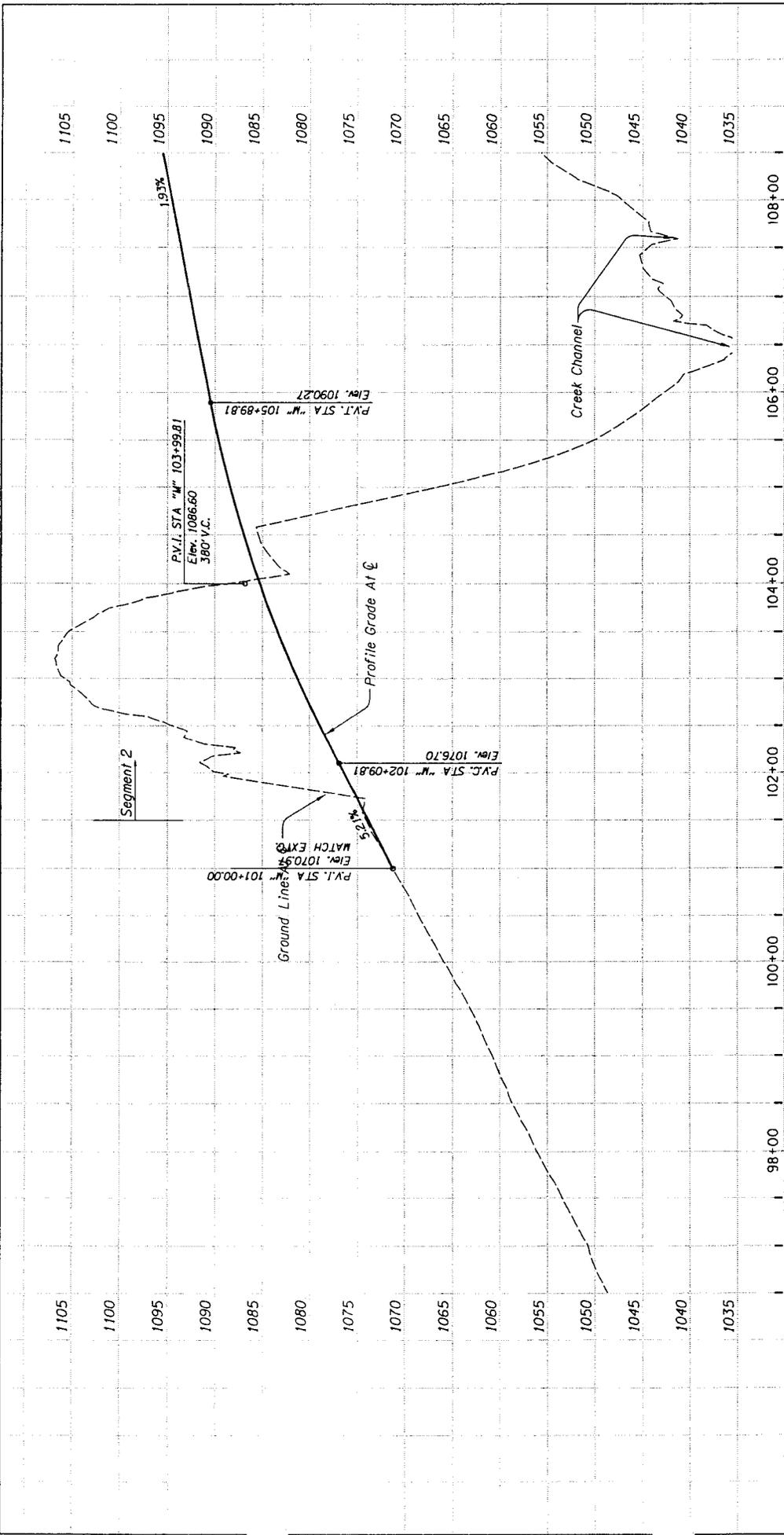


ROCK CREEK GRADE
OLEX SEC.
JOHN DAY HIGHWAY
GILLIAM COUNTY
SEGMENT 2
ROADWAY PLAN
STA. "M" 108+50 TO STA. "M" 120+50
SHEET 4A

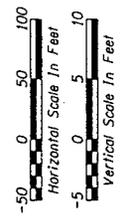
CH2MHILL



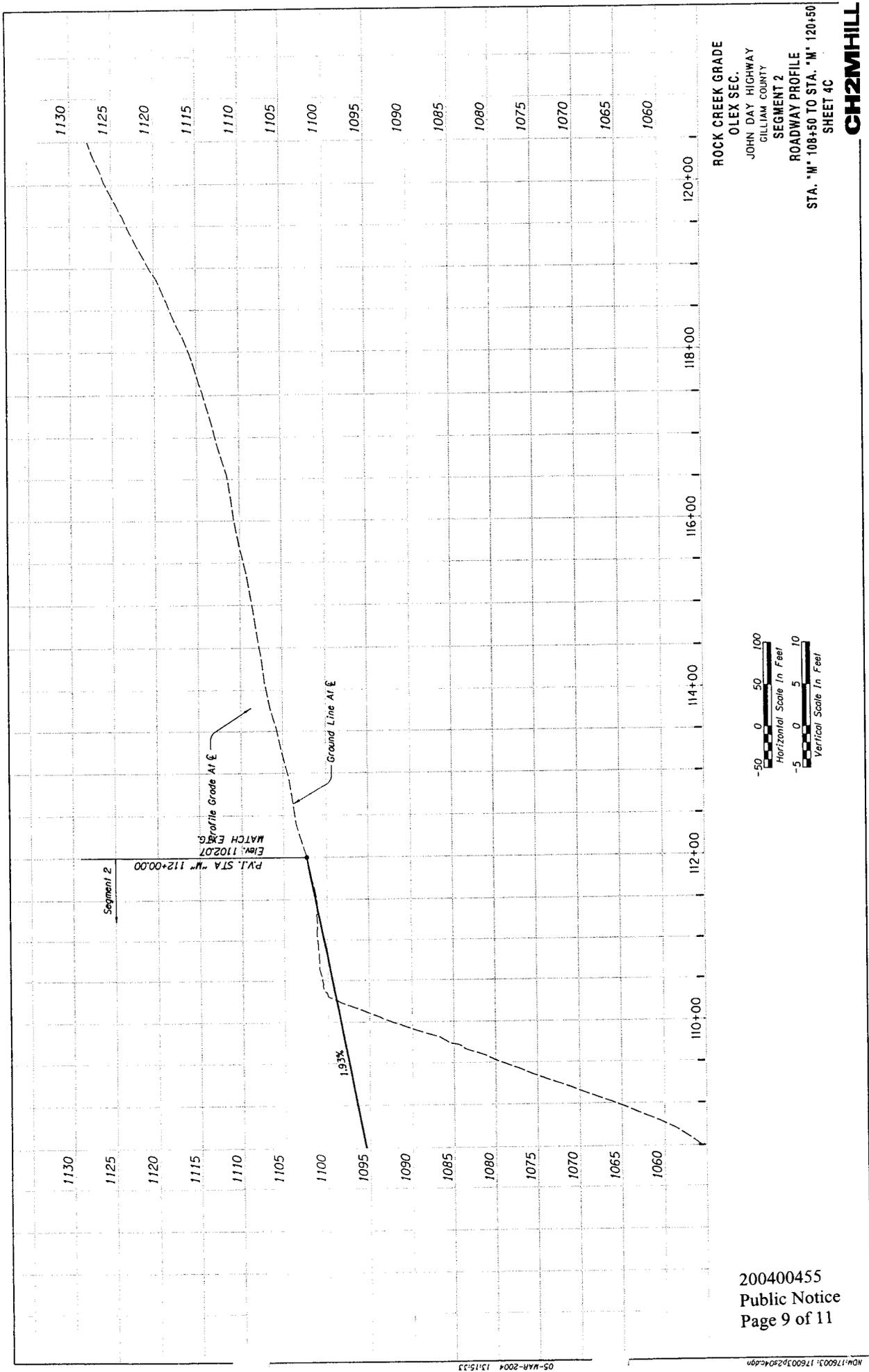
MATCH LINE
STA. "M" 108+50 SEE SHEET 4



ROCK CREEK GRADE
 OLEX SEC.
 JOHN DAY HIGHWAY
 GILLIAM COUNTY
 SEGMENT 2
 ROADWAY PROFILE
 STA. "M" 96+50 TO STA. "M" 108+50
 SHEET 4B

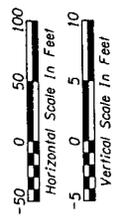


CH2MHILL



ROCK CREEK GRADE
 OLEX SEC.
 JOHN DAY HIGHWAY
 GILLIAM COUNTY
 SEGMENT 2
 ROADWAY PROFILE
 STA. "M" 108+50 TO STA. "M" 120+50
 SHEET 4C

CH2MHILL

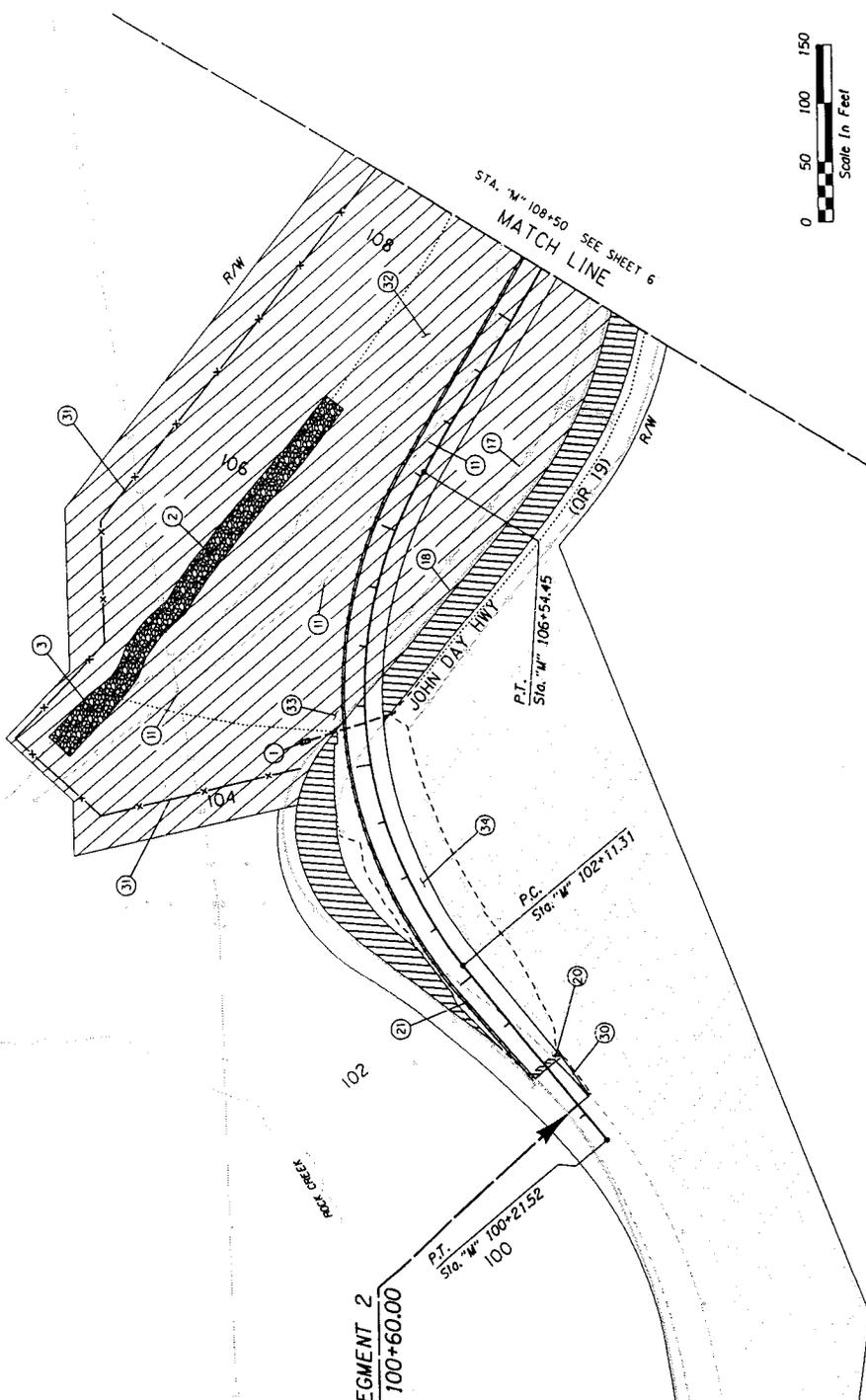


200400455
 Public Notice
 Page 9 of 11

Sec. 3, T. 1 S., R. 21 E., W.M.



- LEGEND**
- MIC - Cold Plane Pavement Removal
 - Environmental Hold Off Area - See Specification Subsection 00180.65
 - MIC - Obliterate Surfacing
 - Riprap
 - R.O.W. Hold Off Areas. Not Available Until October 15, 2004
 - Cut Line
 - Fill Line

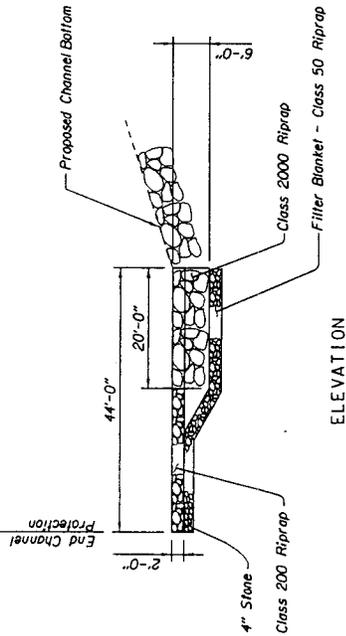


BEGIN SEGMENT 2
STA. "M" 100+60.00

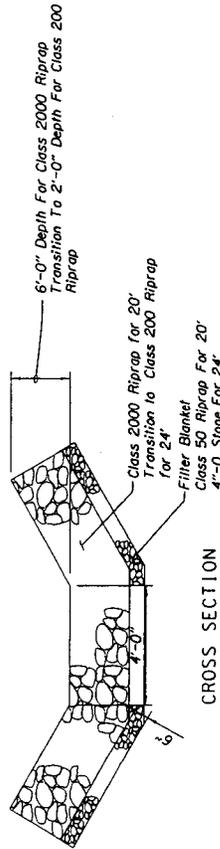
- ① MIC - Sta. "M" 104+28.89, 50.07' Lt. to Const. Riprap Outlet Pad Inst. 18" Culk. Pipe - 76 L.F. F.L. 1083.36 U/S F.L. 1077.94 D/S (For Details. See Sht. 2B)
- ② Sta. "M" 104+55, 224.5' Lt. to Sta. "M" 106+66, 97.0' Lt. Const. Riprap Channel Protection (For Details. See Sht. 2B-2)
- ③ Sta. "M" 104+34, 259.7' Lt. to Sta. "M" 104+55, 224.5' Lt. Const. Riprap Apron (For Details. See Sht. 2B-2)
- ④ Telephone Pole - (Relocation By Others)
- ⑤ Remove Exlg. Fence
- ⑥ MIC - Remove Exlg. Guardrail
- ⑦ MIC - Cold Plane Pavement Removal. See Detail, Sht. 2B-4
- ⑧ MIC - Sta. "M" 101+00.00 Lt. to Sta. "M" 112+00.00 Lt. Const. Guardrail Connection to Existing. Sta. "M" 101+00.00 Lt. Const. Guardrail Type 2A-1077 Ft. Sta. "M" 112+00.00 Lt. Const. Non-Flored Terminal (See 0001 Drg. Nos. RD400, RD405, RD420)
- ⑨ MIC - Sta. "M" 100+60.00, 12.84' Rt. to Sta. "M" 101+00.00, 15.00' Rt. Const. Pavement Widening (For Details. See Sht. 2B-3)
- ⑩ Temporary Type Orange Plastic Mesh Fence - 850 LF Limit of Segment 2 Work And Access Zone
- ⑪ Embankment Construction Zone. See Detail, Sht. 6
- ⑫ Silver Fill Embankment. See Silver Fill Benching Detail. See Sht. 3
- ⑬ MIC - Construct "M" Line Roadway

NOTE:
NIC - Not In Contract

<p>OREGON DEPARTMENT OF TRANSPORTATION ROADWAY ENGINEERING SECTION</p>			
<p>ROCK CREEK GRADE OLEX SEC. JOHN DAY HIGHWAY GILLIAM COUNTY</p>			
<p>Reviewed By - J. Bond Designed by - E. Botte Drafted by - B. McCortie</p>			
<p>ROADWAY PLAN SEGMENT 2</p>		<p>SHEET NO. 5</p>	
<p>STA. "M" 101+00 TO STA. "M" 108+50</p>			

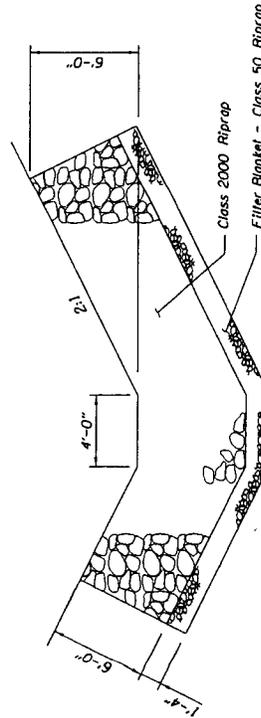


ELEVATION

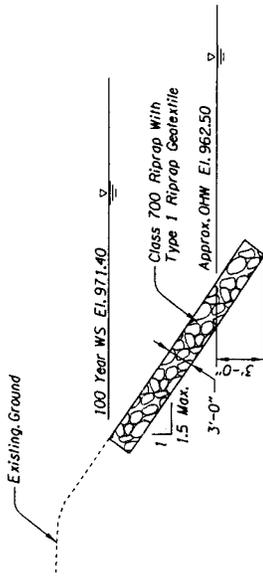


CROSS SECTION

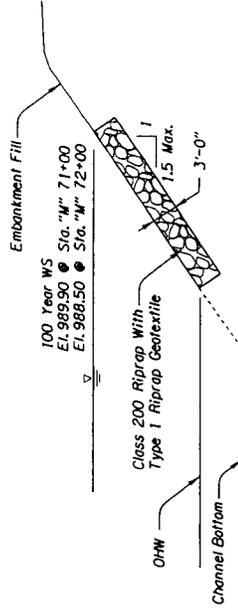
RIPRAP APRON



RIPRAP CHANNEL PROTECTION - SEGMENT 2



Note: Riprap placed on east bank of Rock Creek only shall stop at OHW.



ROAD EMBANKMENT PROTECTION - SEGMENT 1

		OREGON DEPARTMENT OF TRANSPORTATION ROADWAY ENGINEERING SECTION ROCK CREEK GRADE OLEX SEC. JOHN DAY HIGHWAY GILLIAM COUNTY Reviewed By - J. Bland Designed by - M. Sotolongo Drafted by - C. Gray
EXPIRES: 6/30/2004		DRAINAGE DETAILS SHEET NO. 2B-2

Note: Drawing Not To Scale

PUBLIC NOTICE
Oregon Department of Environmental Quality
Water Quality 401 Certification

Corps of Engineers Action ID Number: 200400455
Oregon Division of State Lands Number: 32691

Notice Issued: August 13, 2004
Written Comments Due: September 2, 2004

WHO IS THE APPLICANT: Oregon Department of Transportation

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.