



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE

for PERMIT APPLICATION

Issue Date: September 9, 2004

Expiration Date: September 24, 2004

Corps of Engineers Action ID: 200400593

15 Day Notice

Oregon Department of State Lands Number: N/A

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

Applicant: Oregon Department of Transportation (ODOT), Ms. Melissa Hogan
123 North West Flanders
Portland, Oregon 97209

Location: Approximately River Mile 4 of Fall Creek, along the Mist-Clatskanie Highway (OR-47) between milepoints 4.2 and 4.3, near Clatskanie, Section 23, 7 North, 5 West, Columbia County, Oregon

Project Description: In three locations (Site numbers 9, 10 and 11), ODOT proposes to place riprap on the slopes and in toe trenches to protect the bank in an area where Fall Creek parallels closely with OR-47, affecting 0.09 acre of waters of the U.S, for a total length of 230 linear feet. ODOT proposes to place excavated streambed materials on the toe-trench riprap and willow cuttings within the riprap. All sites include large woody debris in their designs. Sites 9 and 11 incorporate rock barbs, and to minimize streambed fill, rock or pinpile walls for portions of the treatment.

Purpose: Road embankment repair; the project is needed as the creek is eroding the embankment and approaching the edge of pavement at the sites.

Drawing(s): See attached 19 figures labeled 200400593 Public Notice.

Additional Information: Additional information may be obtained from 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 is located 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 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, 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.

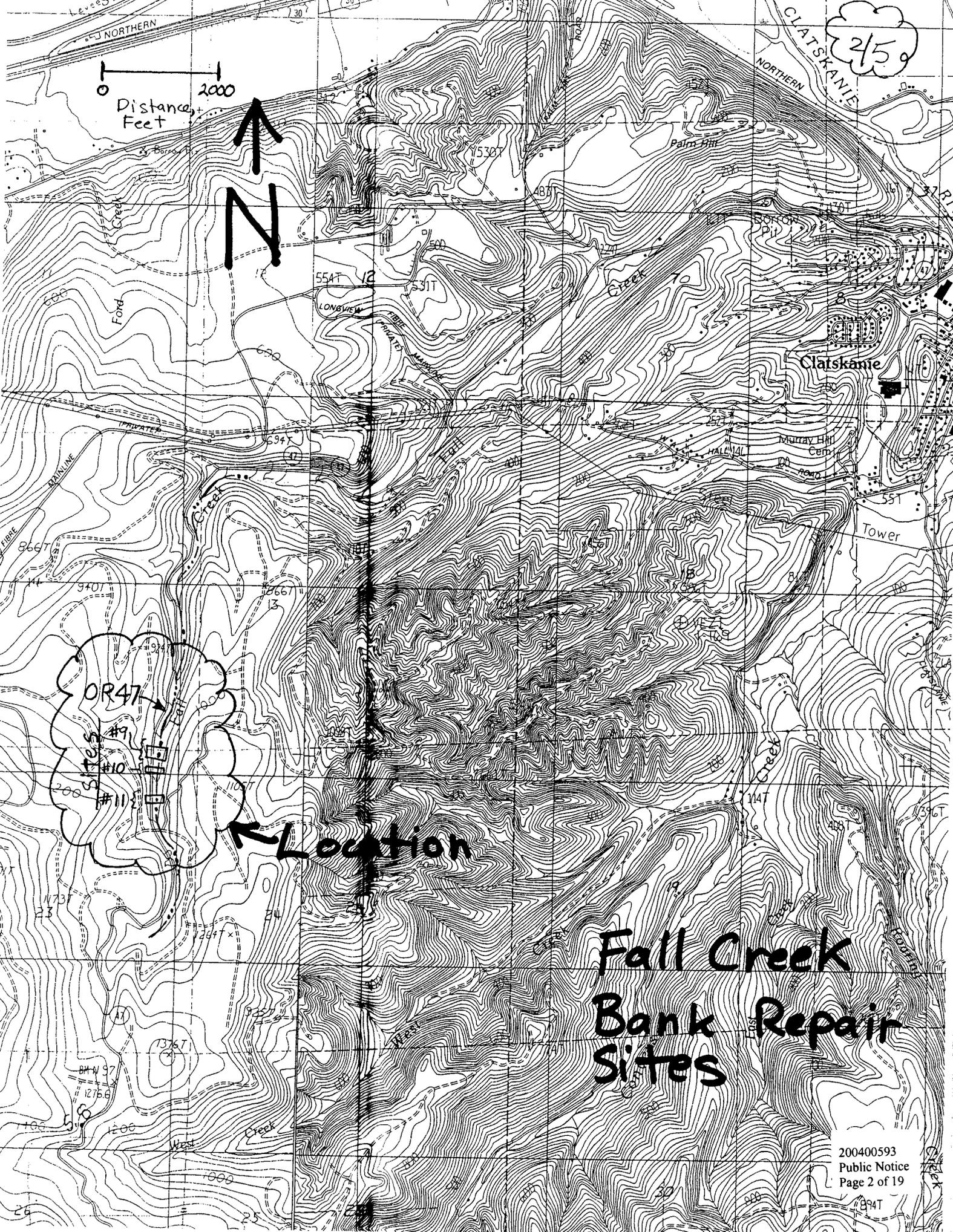
Subject: Fall Creek Bank Repairs, Mist-Clatskanie Highway, OR-47 (#110) Sites 9, 10 & 11; MP's 4.2 – 4.3	Project No.
By: H. Allen	Date: July 13, 2004 Rev. Aug. 30, 2004

Construction Notes:

- Commence construction only once the regulatory and environmental requirements are satisfied.
- Survey existing channel flowlines (FL) and note locations of groups of large rocks with their general size before starting excavation. Construct flowlines of new channel approximately to the same elevations as those of the existing channel; placing similar large rocks in approximately the same location as previously identified.
- Stockpile excavated channel material to later place in the new channel.
- Salvage and save as many tree seedling/saplings as possible for replant during/following construction.
- Willows - Plant live willows stakes along toe of new slope up to, at least, the ordinary high water mark (OHWM) level. Space the stakes approximately 2 feet on-center. Incorporate stakes into the material as construction of the new slope proceeds. Place stakes in the gaps between the large rocks, taking care not to crush the stakes.
- Where the proposed final slope face is above the proposed riprap slope face and the proposed slope is not too steep, construct the portion above the riprap with native material mixed with 5% to 10% compost. Seed slope and then cover with coir fabric.
- Large woody debris (LWD) - incorporate large wood into repair work as shown in the drawings. Skew axis of trunk 25 - 35 degrees to direction of flow. Embed wood into bank at least ten feet. Have rootball extend approximately 3 feet into channel and embed lower roots into replaced channel material.
- Toe trench – reduce the lateral (easterly) extent of the toe-trench if necessary to prevent impact to any wetlands on the opposite (east) bank.
- Walls to be constructed in the road embankment will be either rock or pinpile, to be determined by Geotechnical Engineer.

Drawing Notes:

- Dimensions are in feet.
- LEW = left edge of water, looking downstream
- REW = right edge of water, looking downstream
- LWD = Large Woody Debris
- OHWM = Ordinary High Water Mark. The low-flow channel banks were nearly vertical so OHWM limits pretty much coincided with the left and right edges of water.
- Ordinary High Water Mark (OHWM) determination – OHWM elevations were approximated (as shown on typical existing cross-sections for each site) based on observing:
 - Distinct lines in several locations where upland grasses & vegetation stopped approximately 8 – 12 inches above the streambed, below which was bare soil, and,
 - In many places, just above the vegetation/soil line was the top of the low flow channel bank (the top of this bank is typically slightly above the OHWM).



2159

Distance
Feet
2000



Clatskanie

OR47
Res #9
#10
#11

Location

Fall Creek Bank Repair Sites

BRIDGE ENGINEERING SECTION

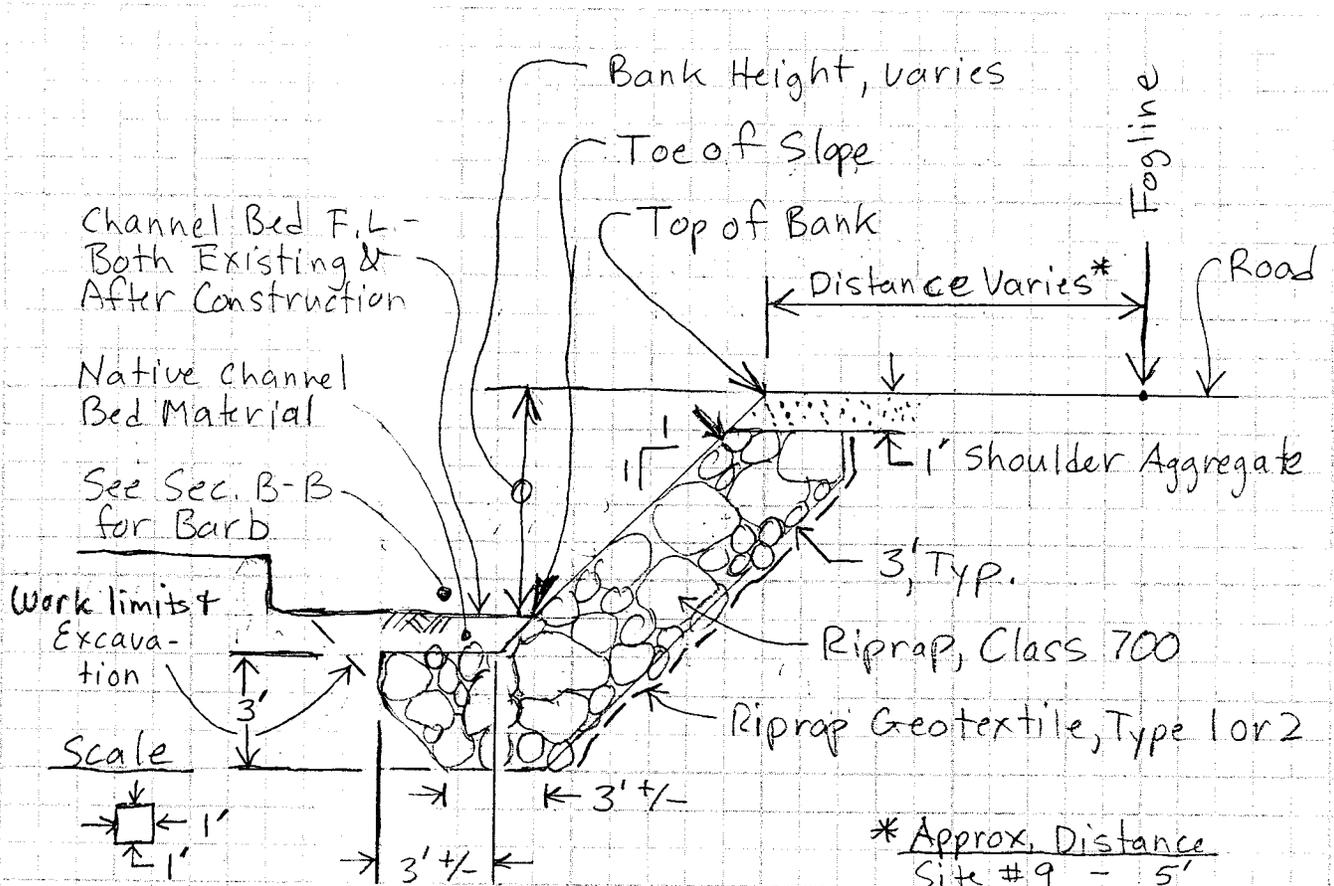
OREGON DEPARTMENT OF TRANSPORTATION

Sheet 3/5

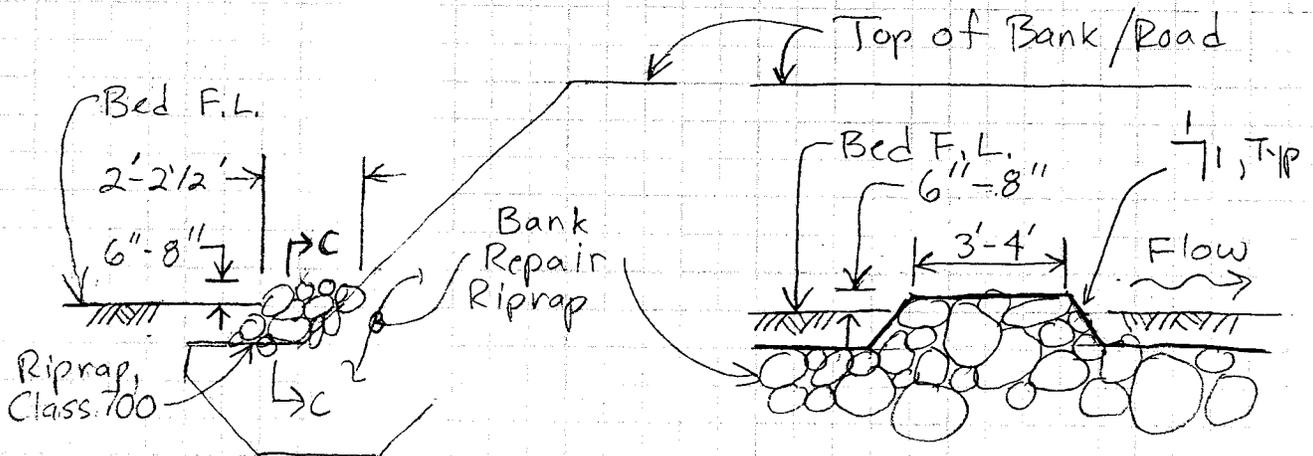
Bridge Name Fall Creek Bank Repair - Cross Section Details

Calculations by H. Allen

Date June 2004 Bridge No. _____



Section A-A
Typical of Bank Repair
Looking south (toward increasing MP's)



Section B-B
Barb, Side View

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Section C-C
Barb, Front View

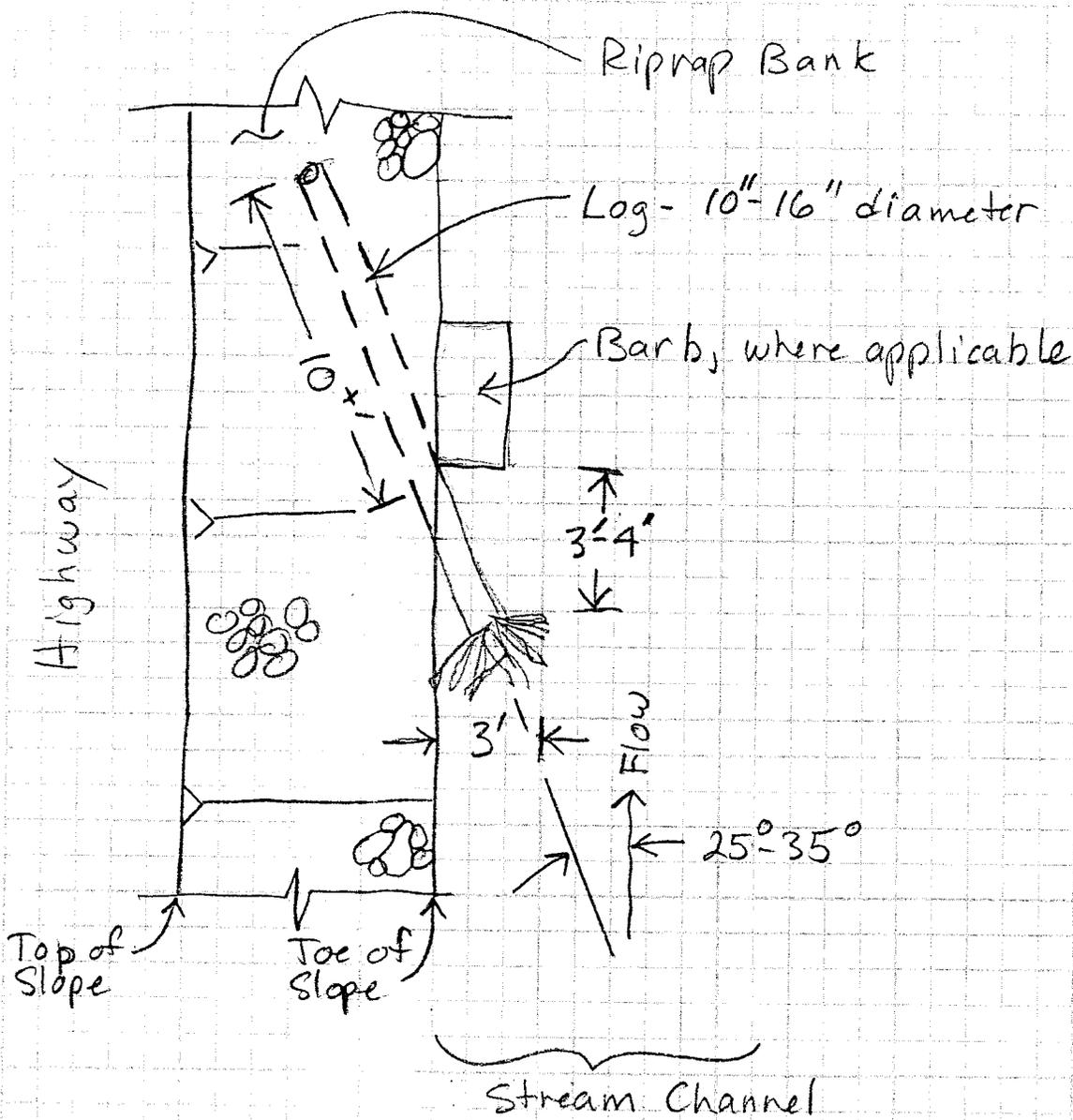
BRIDGE ENGINEERING SECTION

OREGON DEPARTMENT OF TRANSPORTATION

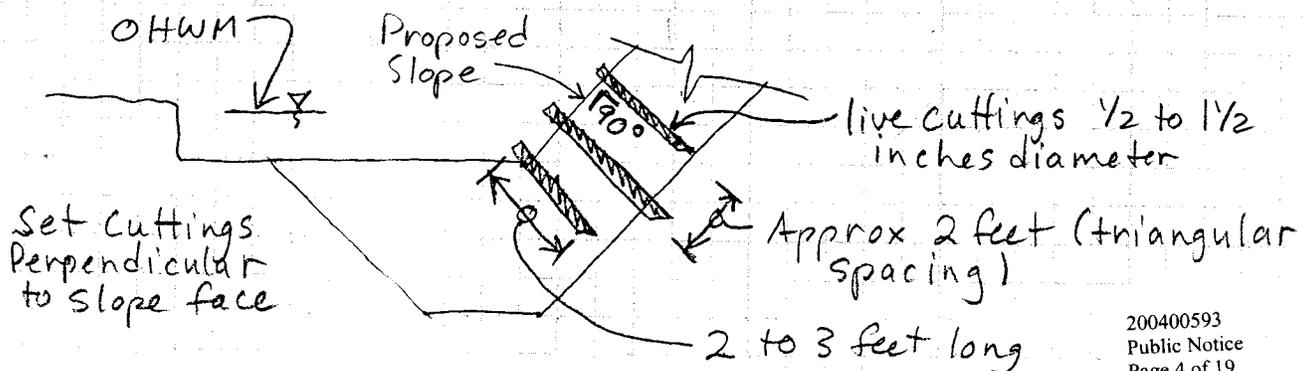
Sheet 4/5

Bridge Name Large Woody Debris (LWD), Willow Staking

Calculations by _____ Date _____ Bridge No. _____

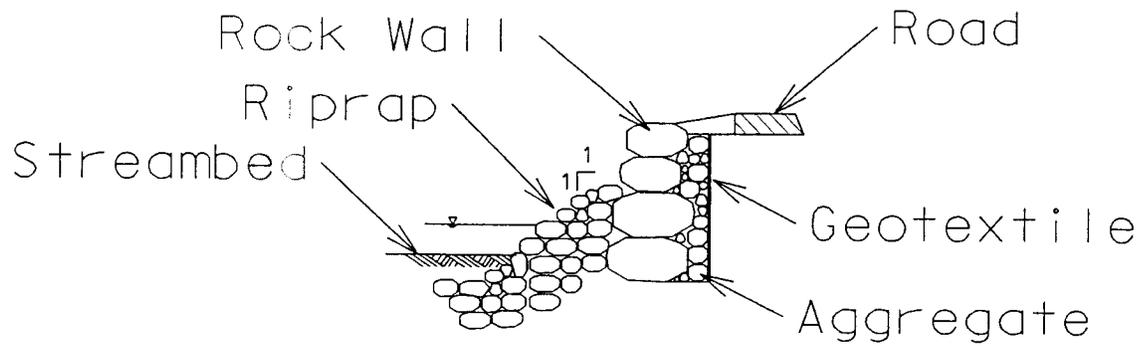


LWD - Plan View

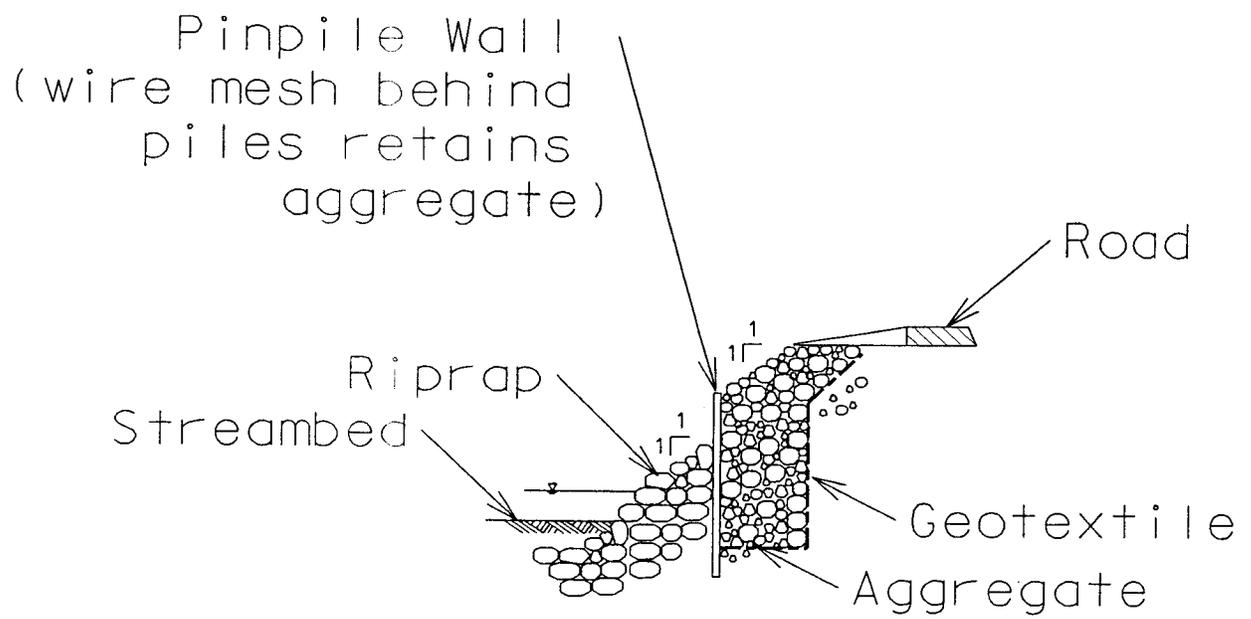


Willows - Section View, Typical.

Conceptual Embankment Wall Details



Rock Wall



Pinpile Wall

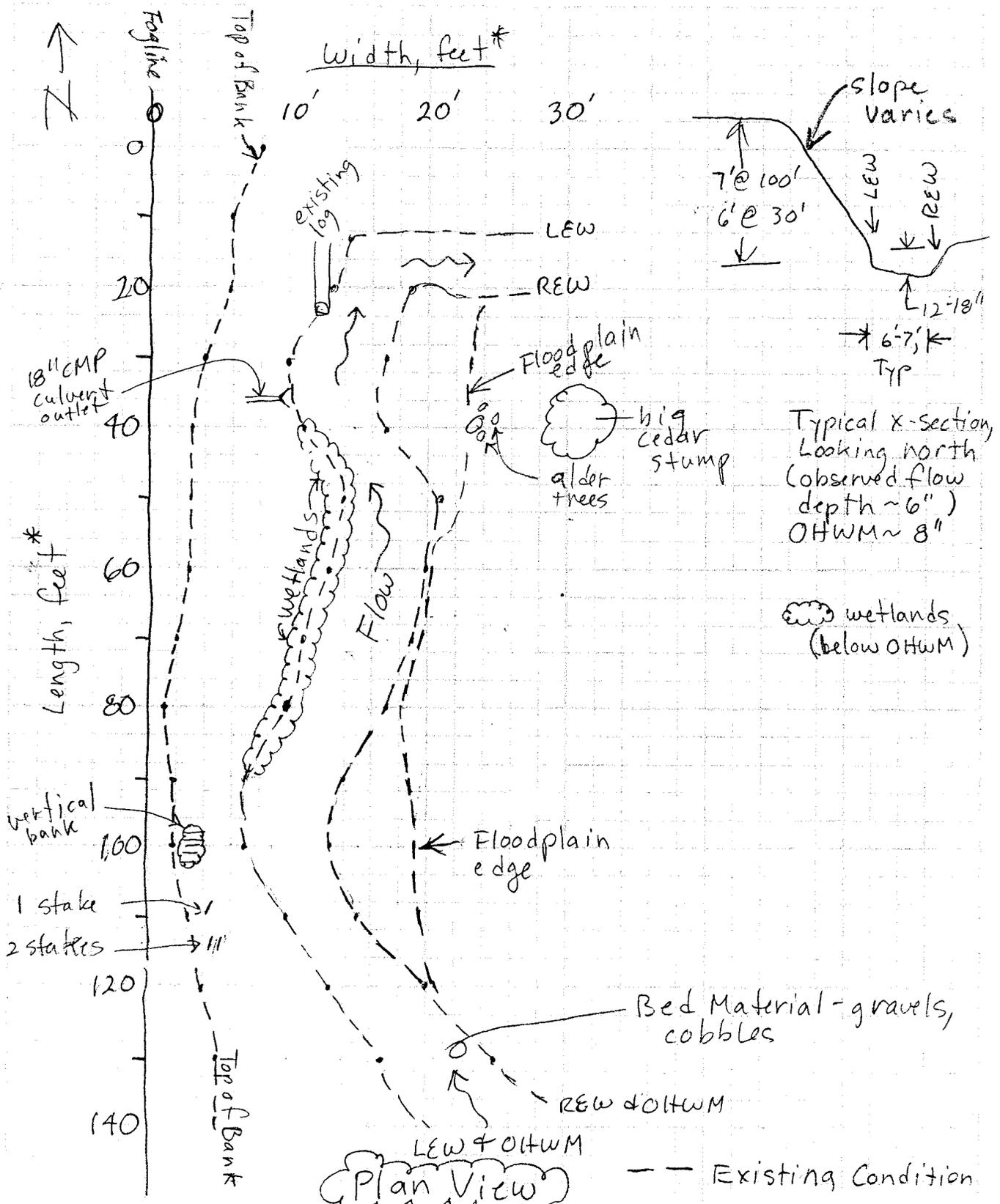
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Bridge Name Site #9 - Existing Condition

Calculations by H. Allen Date May 2004 Bridge No. _____



* Note - width and length axis are different scales

BRIDGE ENGINEERING SECTION

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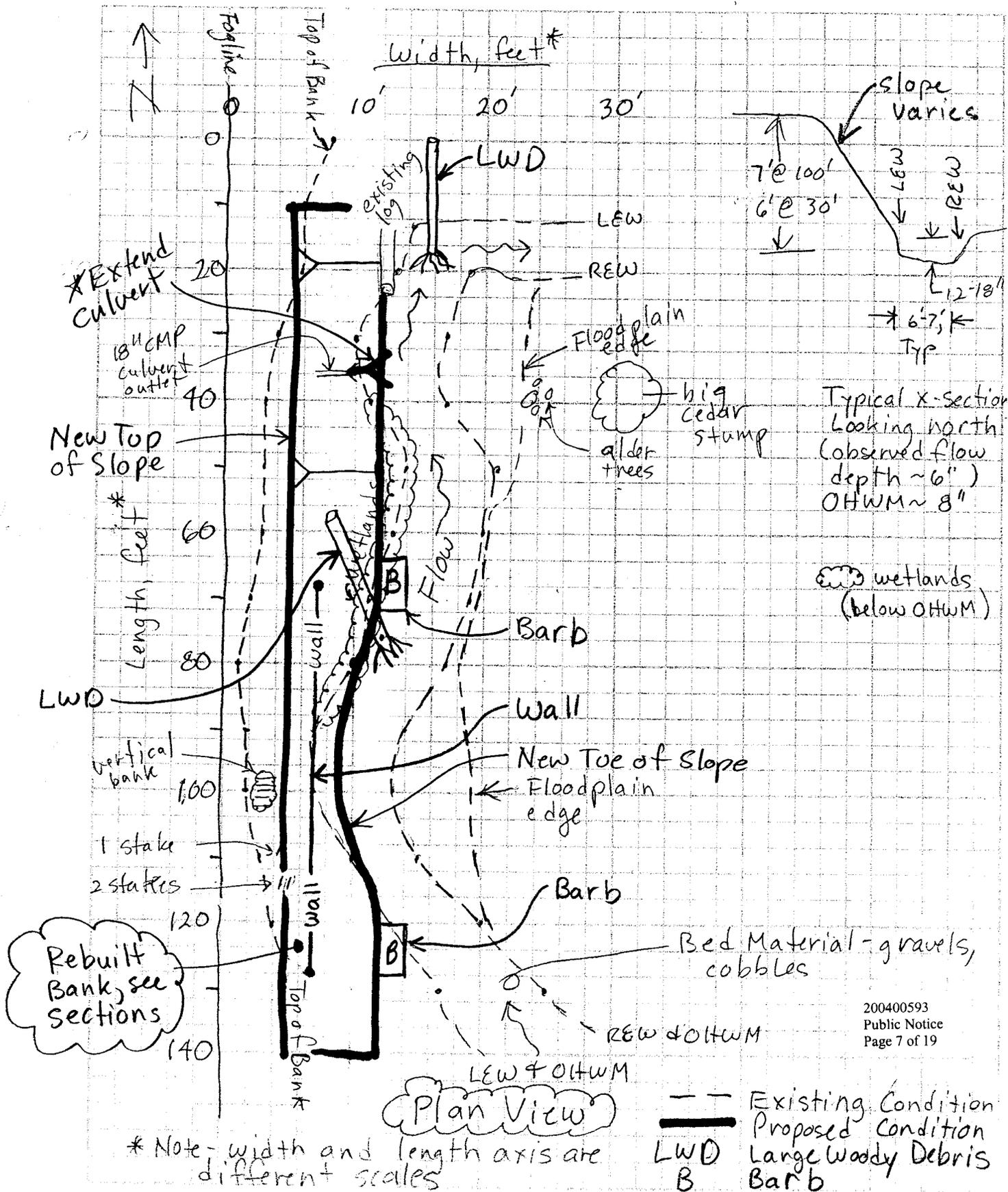
Sheet 2/5

Bridge Name Site #9 - Proposed ~~Existing Condition~~

Calculations by H. Allen

Date Aug ~~May~~ 2004

Bridge No. _____



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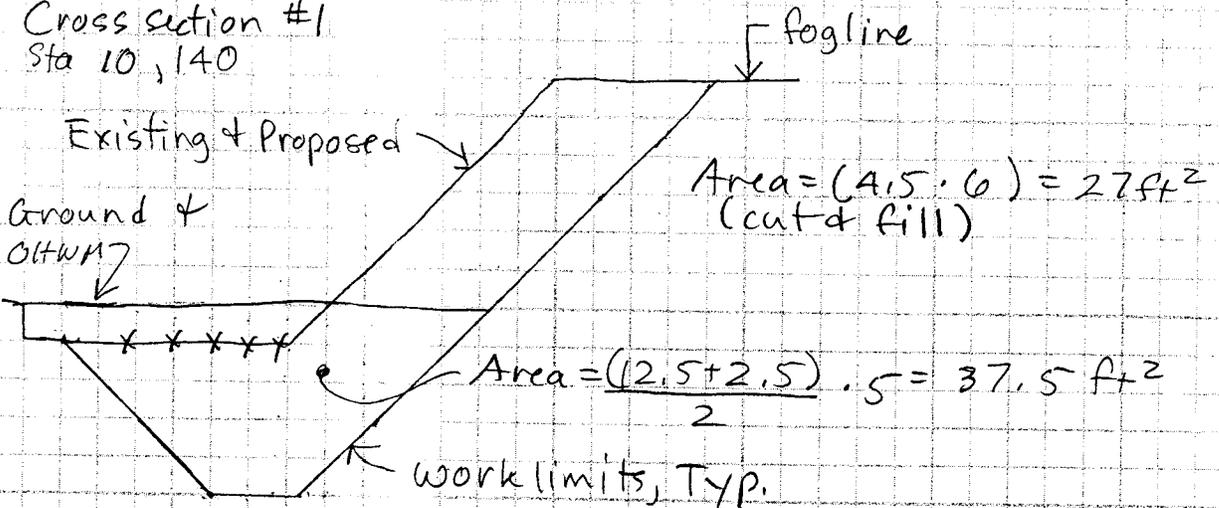
Bridge Name Fall Creek - Quantities, Site #9

Calculations by H. Allen

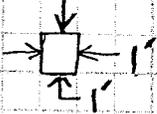
Date June, 2004 Bridge No. _____

Assume bank height = 7' and OltWM @ 1' for Quantities

Cross section #1
Sta 10, 140

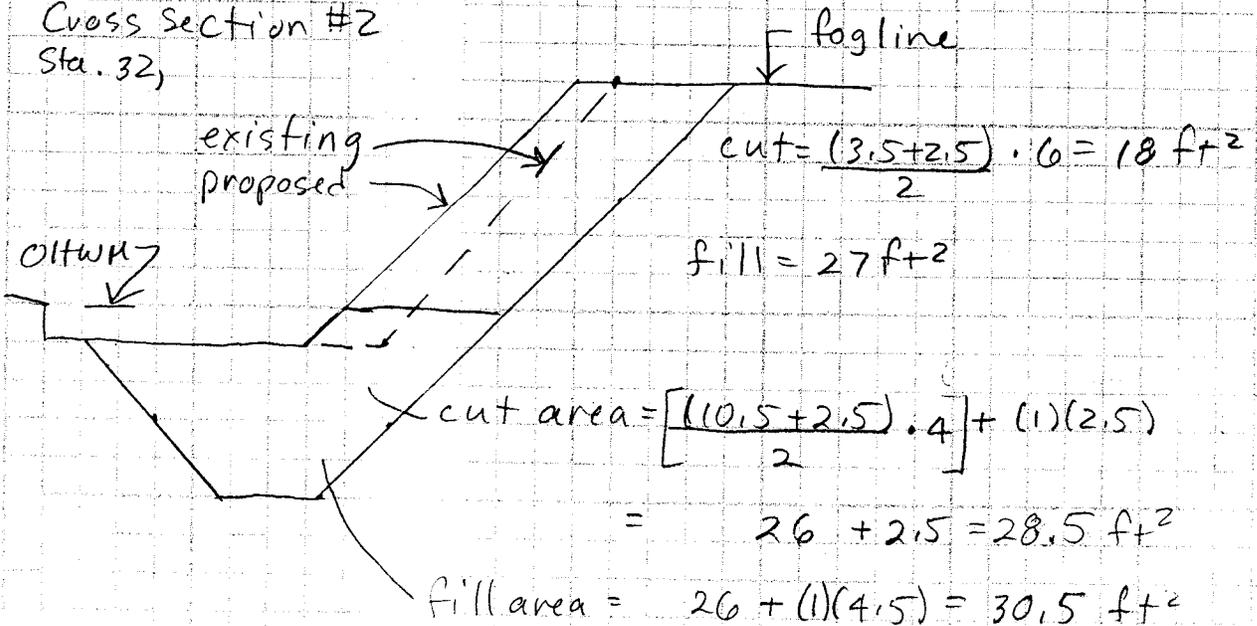


Scale:



for section @ Sta 24, see Cross-Section # 6

Cross section #2
Sta. 32,



BRIDGE ENGINEERING SECTION

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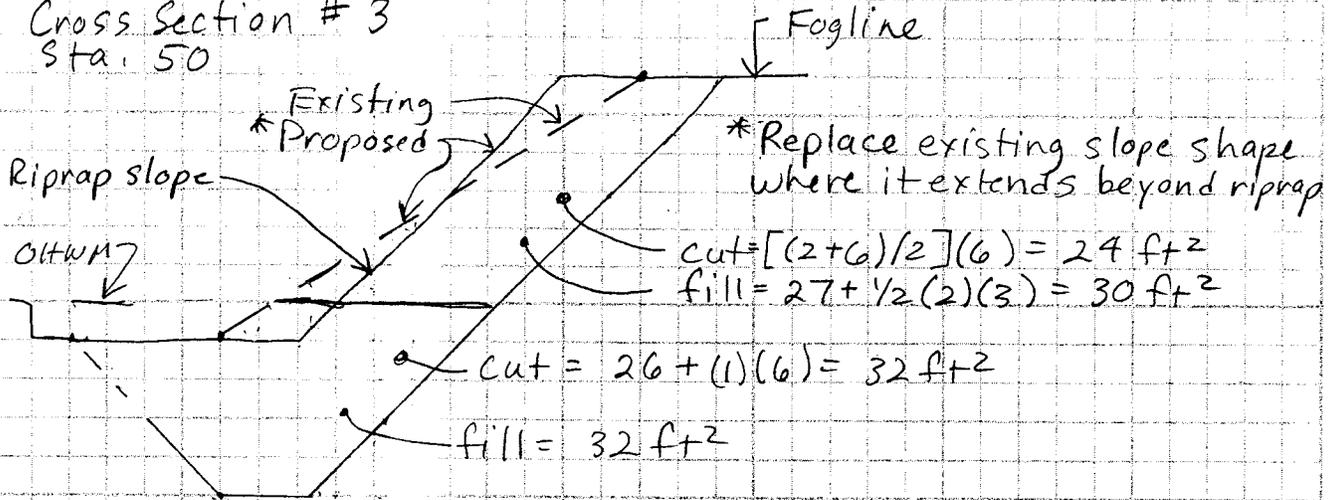
Sheet 4/5

Bridge Name Fall Creek - Quantities, Site #9

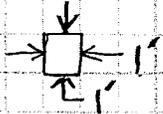
Calculations by H. Allen Date June, 2004 Bridge No. _____

Assume bank height = 7' and OltWM @ 1' for Quantities

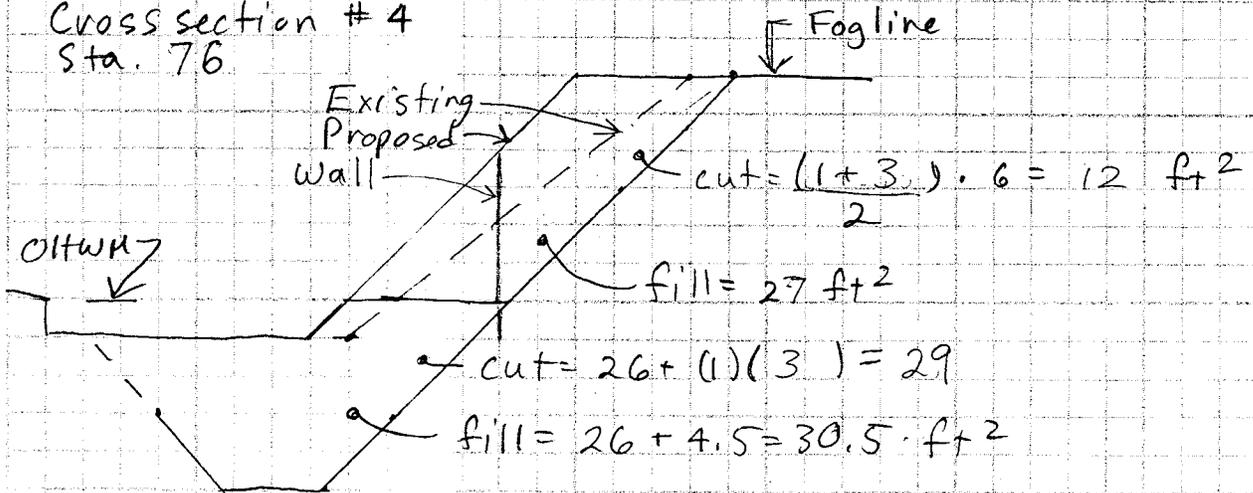
Cross Section # 3
Sta. 50



Scale:



Cross section # 4
Sta. 76



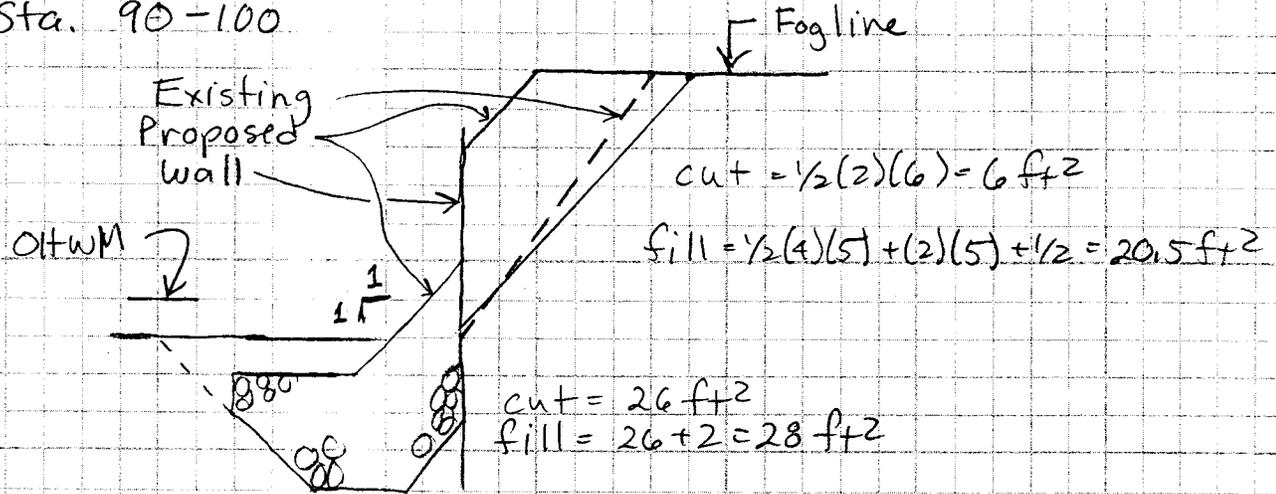
Bridge Name Fall Creek - Quantities

Calculations by H. Allen

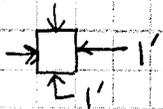
Date Aug, 2004 Bridge No. _____

Assume bank height = 7' and 0.14W.M @ 1' for quantities

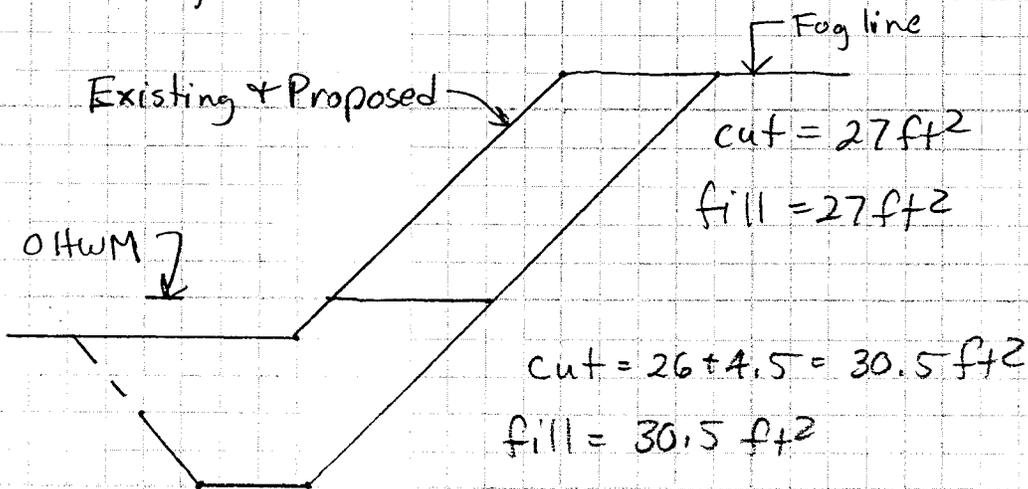
Cross-section #5
 Sta. 90-100



Scale



Cross section #6
 Sta. 24, 120



BRIDGE ENGINEERING SECTION

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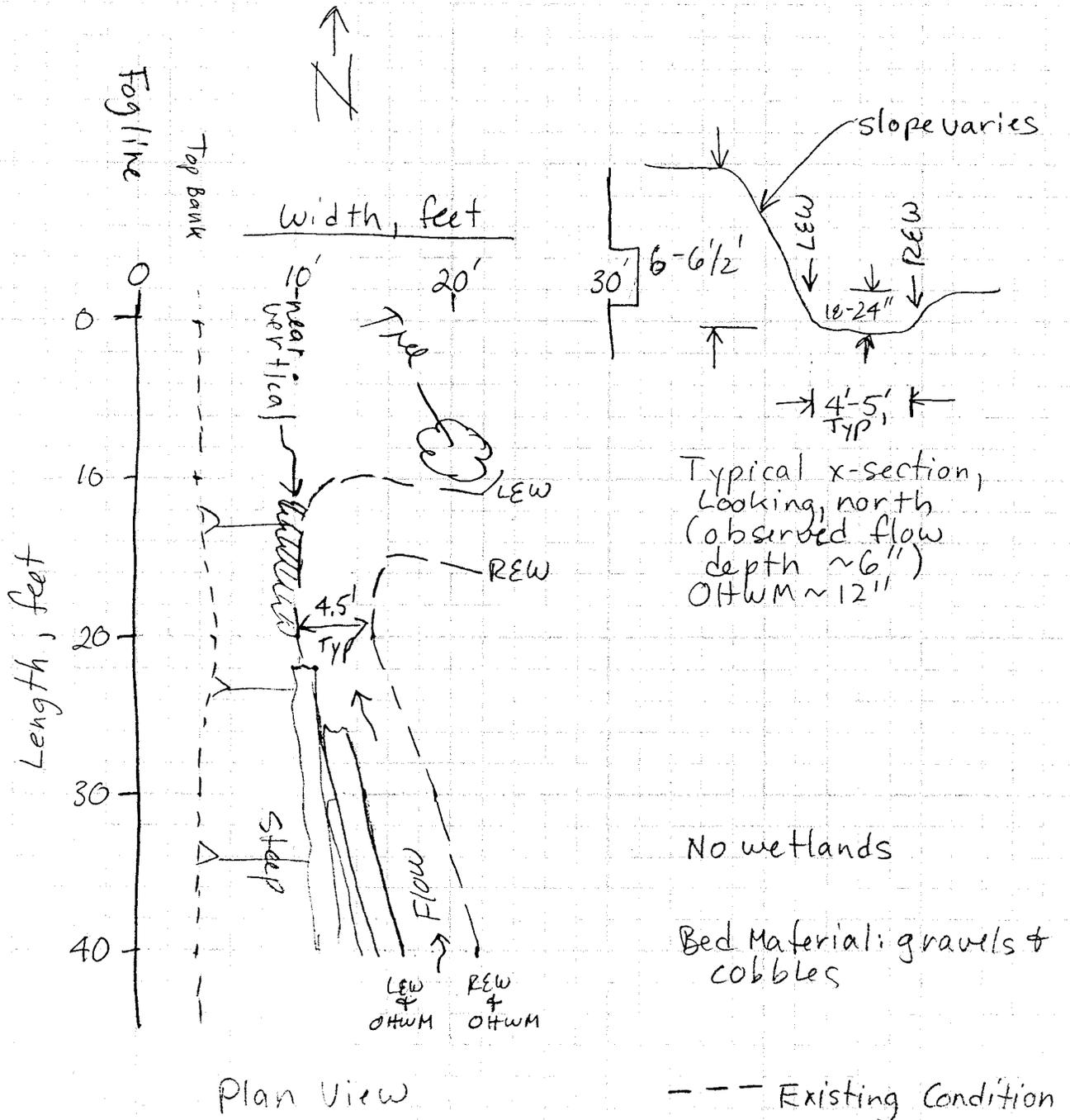
Sheet 1/3

Bridge Name Site #10 - Existing Condition

Calculations by H. Allen

Date May 2004

Bridge No. _____



Typical x-section,
Looking north
(observed flow
depth ~6")
OHWM ~12"

No wetlands

Bed Material: gravels & cobbles

BRIDGE ENGINEERING SECTION

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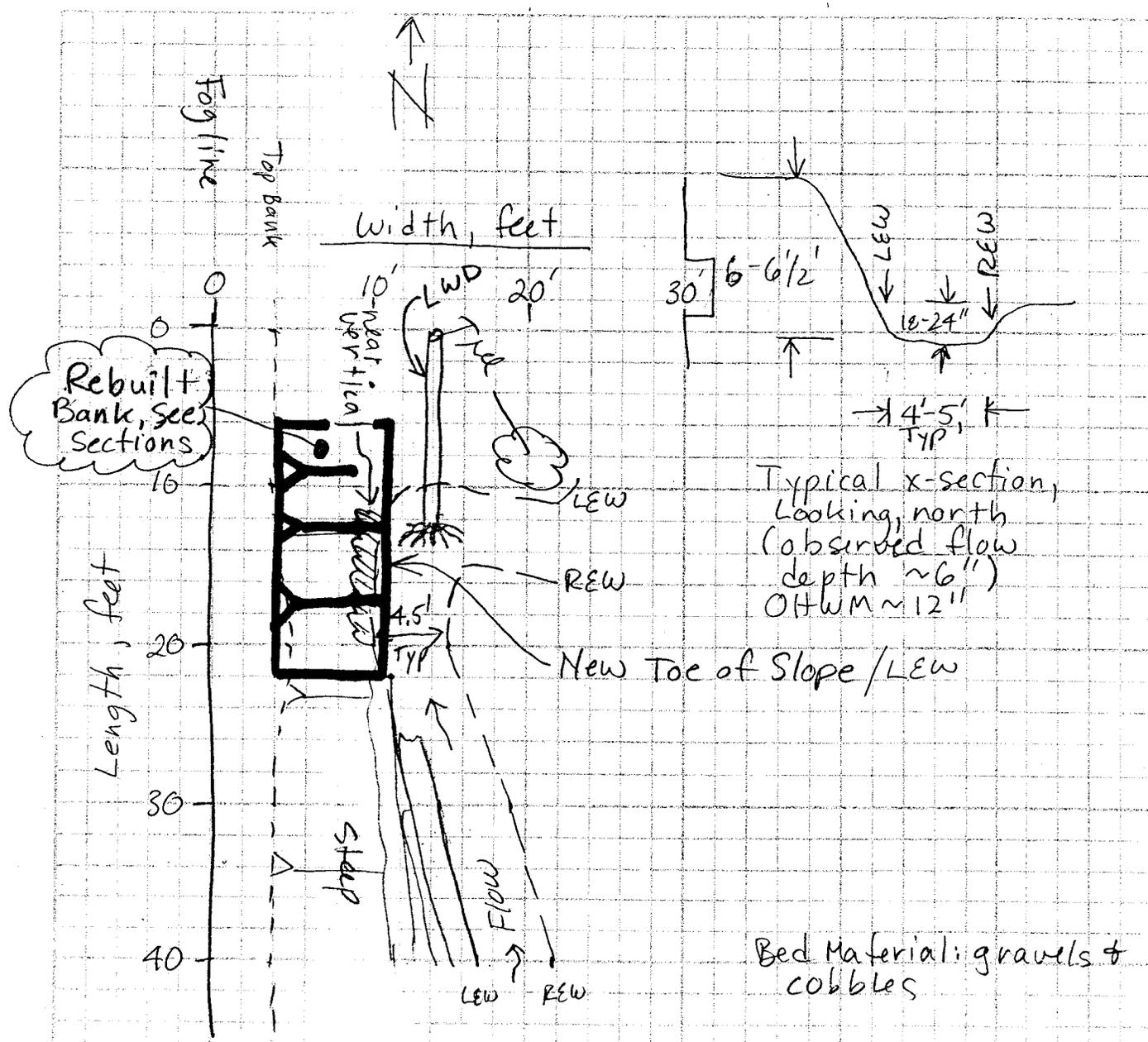
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Bridge Name Site #10 - Proposed Condition

Calculations by H. Allen

Date May 2004

Bridge No. _____



Plan View

- Existing Condition
- Proposed Condition
- LWD = Large Woody Debris

Bed Material: gravels & cobbles

BRIDGE ENGINEERING SECTION

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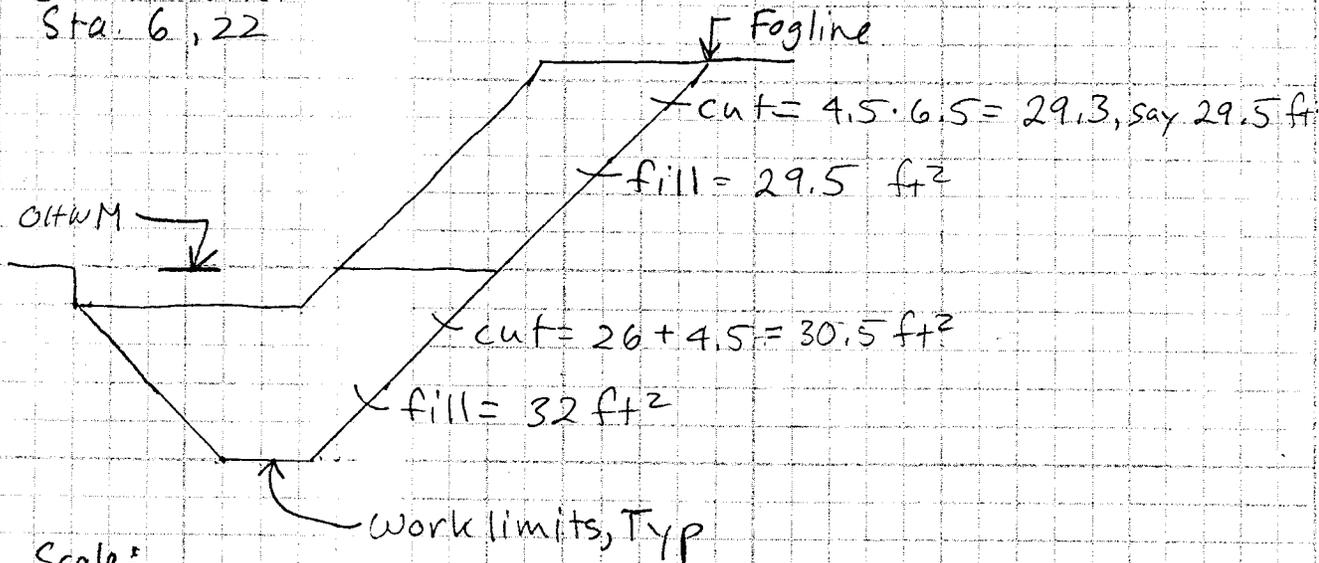
Bridge Name Fall Creek - Quantities, site #10

Calculations by H. Allen

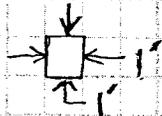
Date June, 2004 Bridge No. _____

Assume bank height = 6.5' and OTHWM @ 1' for Quantities

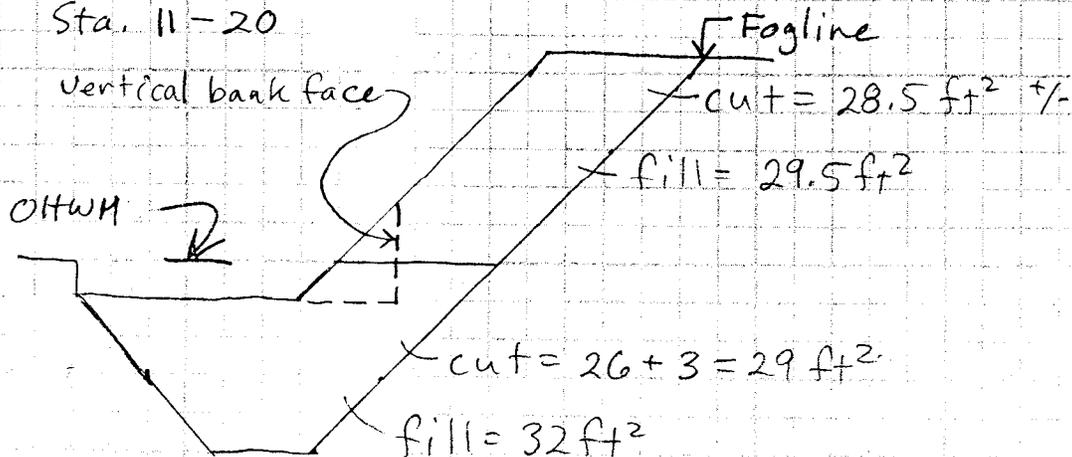
Cross-section # 1
Sta. 6, 22



Scale:



Cross section # 2
Sta. 11-20



BRIDGE ENGINEERING
OREGON DEPARTMENT OF TRANSPORTATION

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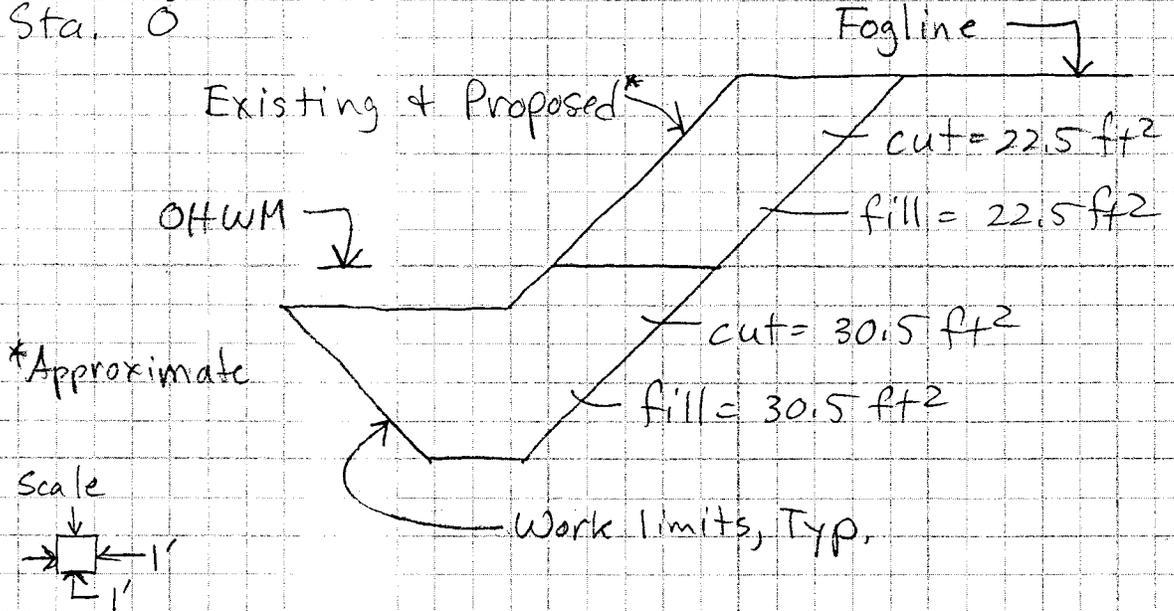
Bridge Name Fall Creek Quantities, site #11

Calculations by H. Allen

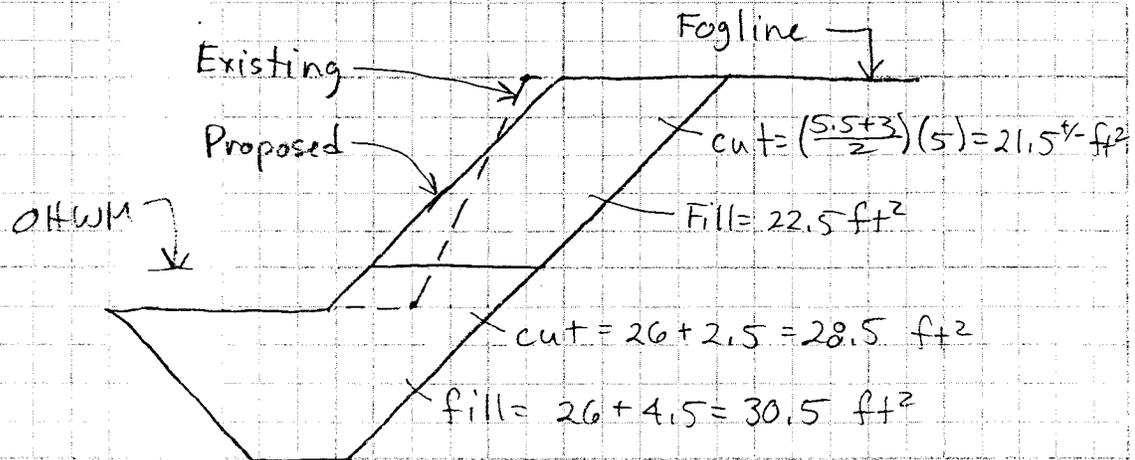
Date Aug, 2004 Bridge No. _____

Assume bank height = 6' and OTHWM @ 1' for Quantities

Cross-Section #1
 Sta. 0



Cross-Section #2
 Sta. 10



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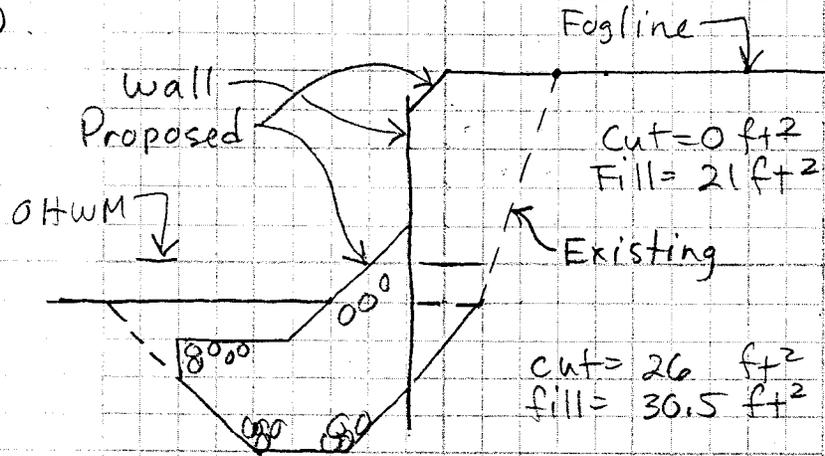
Bridge Name Fall Creek - Quantities, Site #11

Calculations by H. Allen

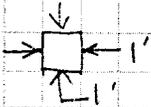
Date Aug, 2004 Bridge No. _____

Assume bank height = 6' and OTHWM @ 1' for Quantities

Cross-section # 3
Sta. 20 + 40



Scale



BRIDGE ENGINEERING SECTION

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Bridge Name Fall Creek - Quantities, Site #11

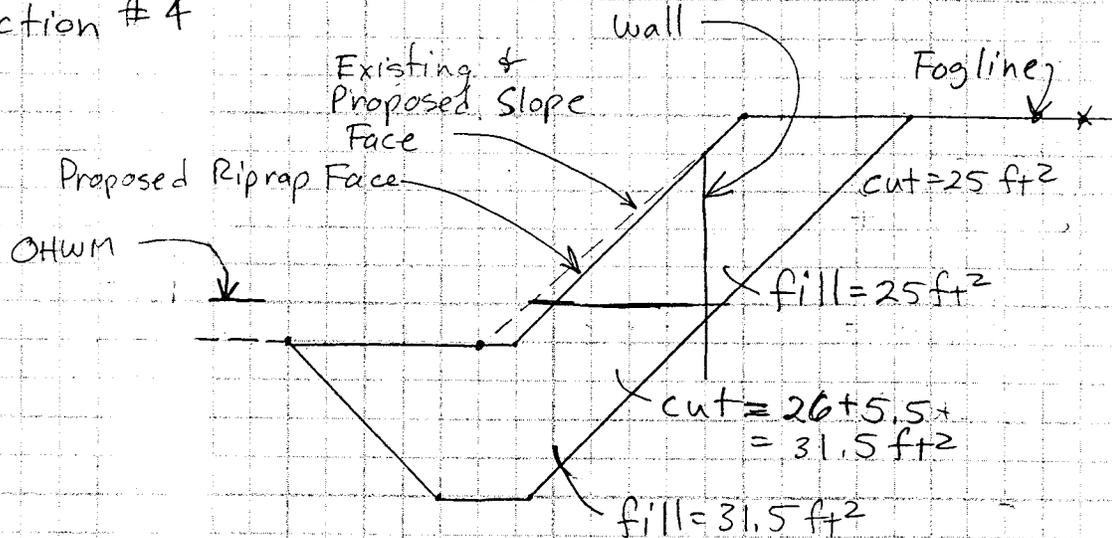
Calculations by H. Allen

Date June, 2004

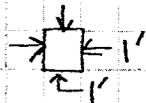
Bridge No. _____

Assume bank height = 6' and OTHWM @ 1' for Quantities

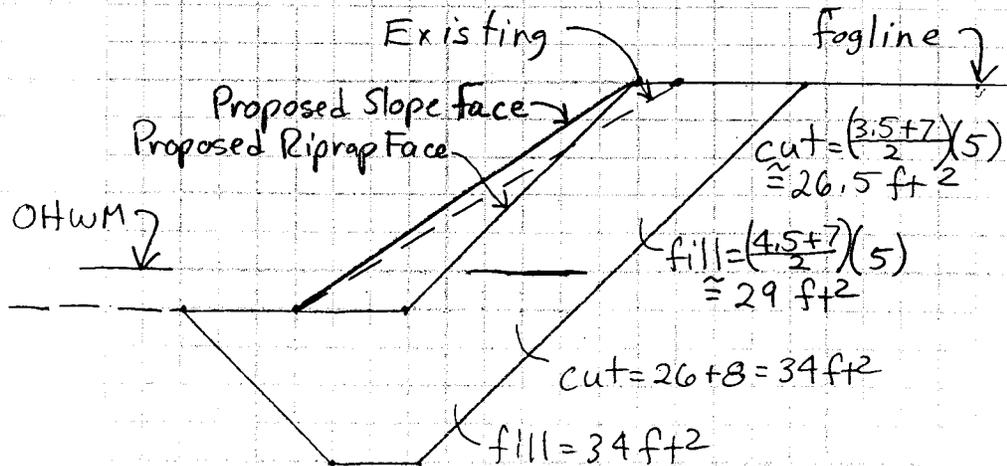
Cross-Section # 4
Sta. 50



Scale:



Cross-Section # 5
Sta. 55



BRIDGE ENGINEERING SECTION

OREGON DEPARTMENT OF TRANSPORTATION

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Bridge Name Fall Creek - Quantities, Site #11

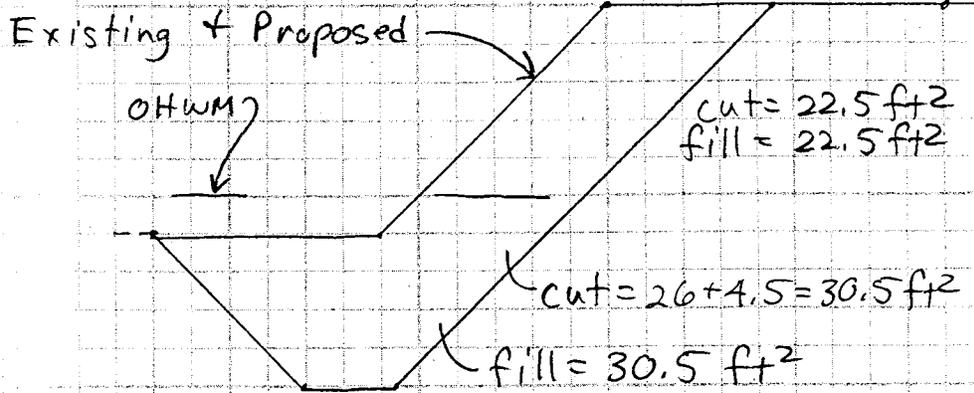
Calculations by H. Allen

Date June, 2004

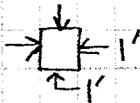
Bridge No. _____

Assume bank height = 6' and OTHWM @ 1' for Quantities

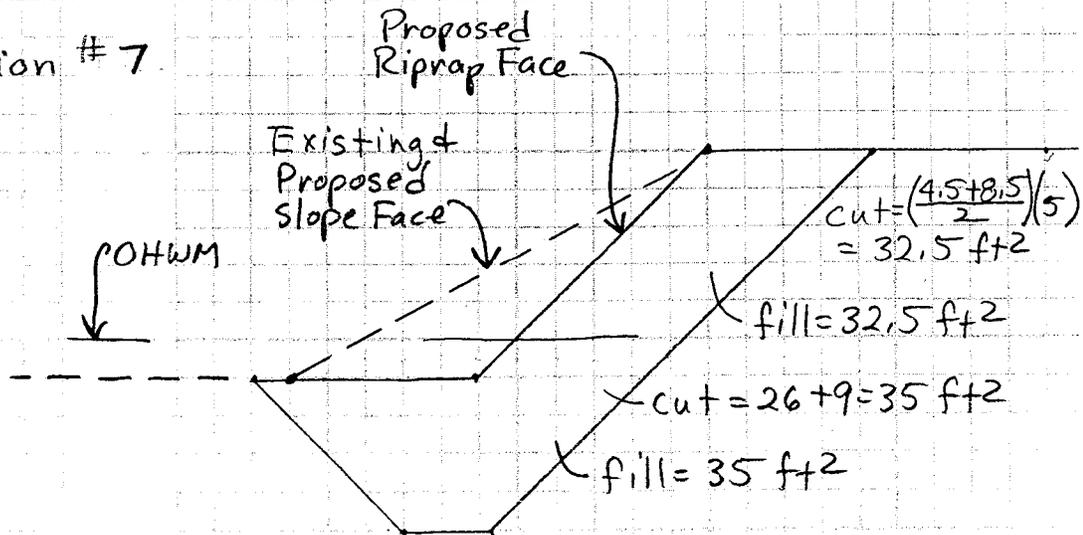
Cross-Section # 6
Sta. 65



Scale:



Cross-Section # 7
Sta. 80



PUBLIC NOTICE
Oregon Department of Environmental Quality
Water Quality 401 Certification

Corps of Engineers Action ID Number: 200400593
Oregon Department of State Lands Number: unknown

Notice Issued: September 9, 2004
Written Comments Due: October 11, 2004

WHO IS THE APPLICANT: Oregon Department of Transportation (ODOT), Ms. Melissa Hogan

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.