

Notice of Public Hearing (Sept. 7, 2010)

Proposed 401 Water Quality Certification for gravel removal on the Chetco River

The purpose of this notice is to invite you to attend a public hearing and provide comments pertaining to concerns about potential water quality impacts that may result from the US Army Corps of Engineers' proposed removal of gravel from three bars in the Chetco River in Curry County in SW Oregon. The Corps proposes to do this over five years under a regional general permit.

Representatives from the following agencies that worked collaboratively to develop the proposed Regional General Permit may attend and answer questions:

US Army Corps of Engineers, Oregon Department of State Lands, Oregon Department of Fish and Wildlife, National Marine Fisheries Service, US Fish and Wildlife Service, and Oregon Department of Land Conservation and Development

DEQ's role:

The Oregon Department of Environmental Quality is the regulatory agency that helps protect and preserve Oregon's environment. DEQ is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, and for managing the proper disposal of hazardous and solid wastes.

One way that DEQ protects Oregon's water quality is by issuing Section 401 certifications. Section 401 of the Federal Clean Water Act requires Federal agencies to obtain a water quality certification from the State of Oregon if their proposed activity may result in a discharge to surface waters. The certification states that the discharge will comply with Oregon water quality standards and policies and applicable sections of the Clean Water Act.

Hearing Details:

Date: Tuesday, Sept. 7, 2010

Information Session: 6 p.m.

Hearing: 7 p.m. to 8:30 p.m.

Location:

Best Western Beachfront Conference Center
16008 Boat Basin Road
Brookings, OR 97415
(541) 469-7779

Comments due:

5 p.m., Sept. 10, 2010

How can I comment?

You can provide written or spoken testimony at the public hearing. DEQ also accepts comments by mail, fax and e-mail:

401 Public Comments
Oregon Department of Environmental Quality
Northwest Region
2020 SW 4th Avenue, Suite 400
Portland, Oregon 97201

Fax: 503-229-6957

E-mail: 401publiccomments@deq.state.or.us

Where can I get more information?

You can view the most recent US Army Corps of Engineers and Oregon Department of State Lands joint public notice of the proposed Regional General Permit at:
<http://www.nwp.usace.army.mil/op/g/docs/notices/NWP-2008-071.pdf>

Click on the colored links to view the [DEQ draft Evaluation and Findings Report](#) and [draft Certification decision](#). (If you are receiving this notice in hardcopy, the documents are attached.)

You can review all related documents in the 401 program file at the Northwest Region DEQ office in Portland. For a review appointment, call Marjorie Holland at 503 229-6826.



State of Oregon
Department of
Environmental
Quality

**Northwest Region
401 Water Quality
Certification program**
2020 SW 4th Avenue
Portland, OR 97201
Phone: (503) 229-5263
(800) 452-4011
Fax: (503) 229-5850
Contact:
L. Alexandra Liverman

www.oregon.gov/DEQ

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subscriptions@deq.state.or.us

Please include your full name, e-mail address and mailing address so that we can purge you from our print mailing list, thus saving trees and taxpayer dollars.

What is proposed?

Gravel may be removed for commercial purposes from three locations within the Chetco River, at approximately river mile 4.5 to 5.5, river mile 7.0 to 8.0 and river mile 10.2. The following specific parameters and limitations must be adhered to for gravel removal to occur: reserve volumes; bar form retention requirements; by bar allocations; general construction details (during gravel removal); an adaptive management strategy; a monitoring plan, and enhancement actions. Details of each of these can be reviewed in the joint US Army Corps of Engineers and Oregon Department of State Lands public notice materials or the draft DEQ Evaluation and Findings Report. See links at the “Where can I get more information” section of this notice.

Certification duration

The proposed 401 Water Quality Certification would be effective for five years.

Who is the applicant?

The 401 WQC decision will be issued to:

US Army Corps of Engineers
Attn: CENWP-PM-E
P.O. Box 2946
Portland, Oregon 97208-2946
Attn: Judy Linton

The following three operators will be the only authorized permittees:

Mr. Ted Freeman
Freeman Rock, Inc.
P.O. Box 1218
Brookings, Oregon 97415-0014

Mr. Robert Elayer
Tidewater Contractors, Inc.
P.O. Box 1956
Brookings, Oregon 97415-0224

Mr. Virgil Frazier
South Coast Lumber Company
P.O. Box 670
Brookings, Oregon 97415-0198

Who might have an interest?

People who work, live, and recreate in the area.

What legal requirements apply?

Federal Clean Water Act
Oregon Revised Statutes (ORS) 468B and
Oregon Administrative Rules (OAR) Chapter
340 Division 48 give DEQ the authority to issue
certifications.

What happens after the public comment period closes?

DEQ considers and responds to all comments received. DEQ may modify the proposed 401 Water Quality Certification decision in response to the comments.

Accessibility information

DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ Communications & Outreach (503) 229-5696 or toll free in Oregon at (800) 452-4011; fax to 503-229-6762; or e-mail to deqinfo@deq.state.or.us.

People with hearing impairments may call 711.

