US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Shawn Zinszer, Project Manager

Public Notice Date: December 6, 2004
Expiration Date: January 5, 2005
Reference: 200301265
Name: Fazio Brothers Sand Company, Inc

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT - Fazio Brothers Sand Company, Inc
12112 Northwest Lower River Road
Vancouver, Washington 98660
ATTN: Richard Fazio
Telephone: (360) 693-4216

AGENT - JD White Company, Inc
1111 Main Street, Suite 300
Vancouver, Washington 98660
ATTN: Kent Snyder
Telephone: (360) 696-9317

LOCATION – In the Columbia River between River Miles (RM) 94 and 101.5. The project is near the City of Vancouver, in Clark County, Washington.

WORK – Fazio Brothers Sand Company is proposing to continue hydraulic dredging operations in the Columbia River from (RM) 94 through101.5. The applicant is proposing to dredge the navigational channel and 100 feet outside of the navigational channel to a depth of –60 feet Columbia River Datum (CRD) from RM 94-100, and to a depth of –48 feet (CRD) from RM 100-101.5 (to avoid the Olympic pipeline). The applicant is also seeking authorization to dredge to a depth of –60 feet (CRD) the freighter anchorage area from RM 96-99.5. The applicant is seeking approval to complete the work using either pipeline, hopper, or clamshell dredging. All dredging would occur in waters greater than 30 feet in depth, Columbia River datum. Dredging will occur year-round in the navigational channel including 100 feet outside of the navigational channel. Dredging in the freighter anchorage area will occur between September 15 and February 28. The applicant is seeking authorization for a 10-year period and is proposing to remove a maximum of 325,000 cubic yards of sand from the Columbia River annually. Upland disposal of dredged material will continue to occur at the Fazio Brothers commercial sand pit located along Lower River Road.

PURPOSE – To provide sand for commercial sale.

MITIGATION – A similar previously issued permit required Fazio Brothers to plant riparian vegetation as compensatory mitigation. Currently a mitigation component for this permit has not been finalized, but likely will involve riparian enhancement.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. Bald eagle (Haliaeetus leucocephalus) threatened, Columbia River Bull Trout (Salvelinus confluentus) threatened, Columbia River Chum Salmon (Oncorhyncus keta) threatened, Lower Columbia River Chinook (Oncorhynchus tshawytscha) threatened, Upper Willamette River Chinook (Oncorhynchus tshawytscha) threatened, Upper Columbia River Spring Chinook (Oncorhynchus tshawytscha) endangered, Snake River Spring/Summer Chinook (Oncorhynchus tshawytscha) threatened, Snake River Fall Chinook (Oncorhynchus tshawytscha) threatened, Snake River Sockeye Salmon (Oncorhynchus nerka) endangered, Upper Columbia River Steelhead (Oncorhynchus mykiss) endangered, Middle Columbia River Steelhead (Oncorhynchus mykiss) threatened, Snake River Steelhead (Oncorhynchus mykiss) threatened, Upper Willamette River Steelhead (Oncorhynchus mykiss) threatened, Lower Columbia River Steelhead (Oncorhynchus mykiss) threatened, and designated critical habitat for the following ESU's: Snake River Spring/Summer Chinook (Oncorhynchus tshawytscha) threatened, Snake River Fall Chinook (Oncorhynchus tshawytscha) threatened, and Snake River Sockeye (Oncorhynchus nerka) endangered. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts of the proposed work to the above species.

A preliminary determination indicates that the activity "may affect, not likely to adversely affect" endangered or threatened species, or their critical habitat, designated under the Endangered Species Act of 1973. Consultation under Section 7 of the ESA has been initiated with National Marine Fisheries Service and/or U.S. Fish and Wildlife Service.

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon occurs in the project area. The proposed action would impact approximately 864 acres of EFH for these species.

CULTURAL RESOURCES - The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work would occur in an area that has been repeatedly dredged *(has been extensively modified by modern development)* that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments, Federal, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the area.

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.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal 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, considerations of property ownership, and, in general, the needs and welfare of the people.

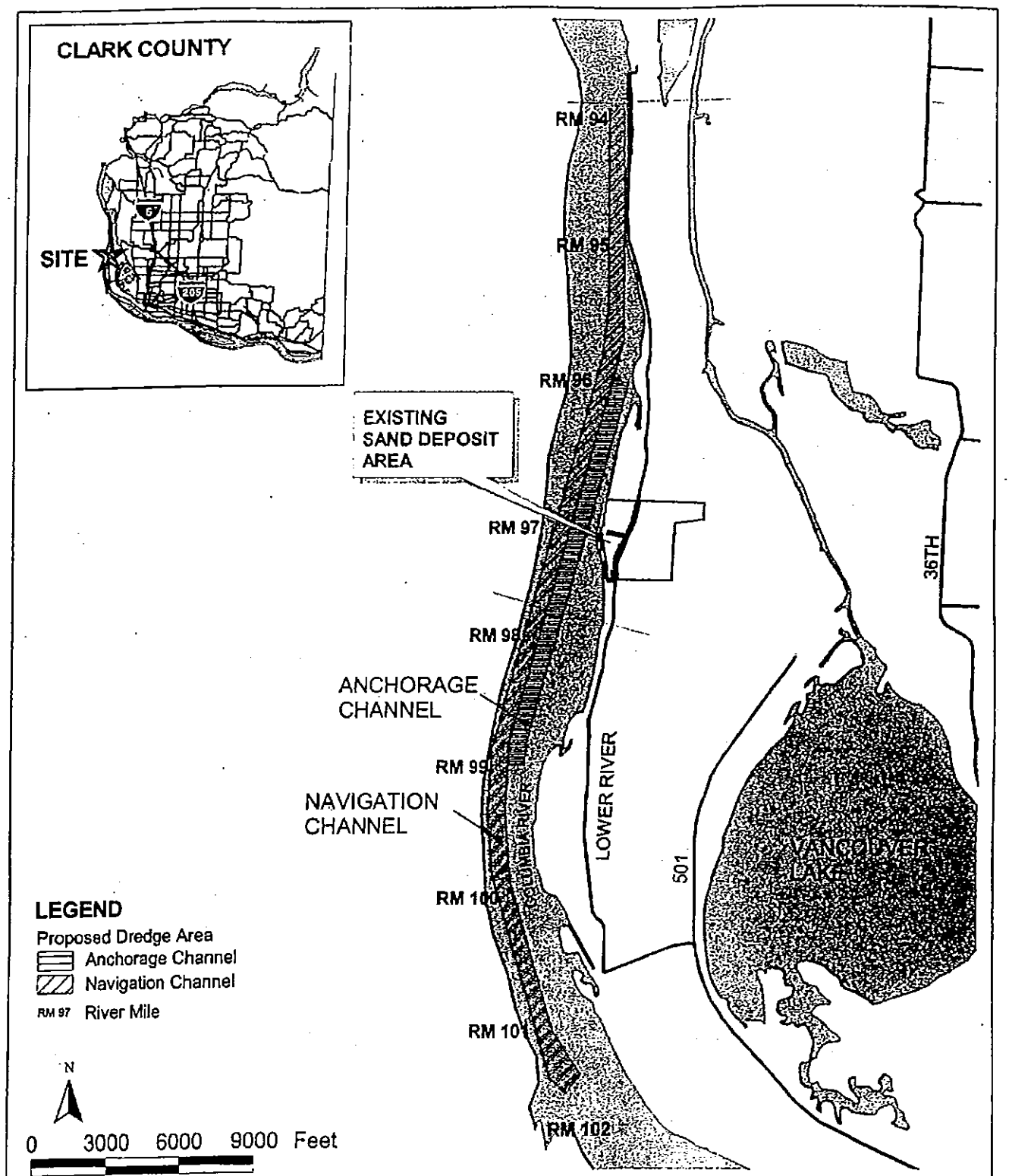
The Corps is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. 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 activity.

ADDITIONAL EVALUATION - The State of Washington is reviewing this work (for consistency with the approved Washington Coastal Zone Management Program)(and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act).

COMMENT AND REVIEW PERIOD – Conventional mail or email comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, email comments must originate from the author's email account and must include on the subject line of the email message the permit applicant's name and reference number as shown below. All email comments should be sent to Shawn.H.Zinszer@usace.army.mil Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or email comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or email must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Fazio Brothers Sand Company, Inc, 200301265

Encl
Drawings (3)

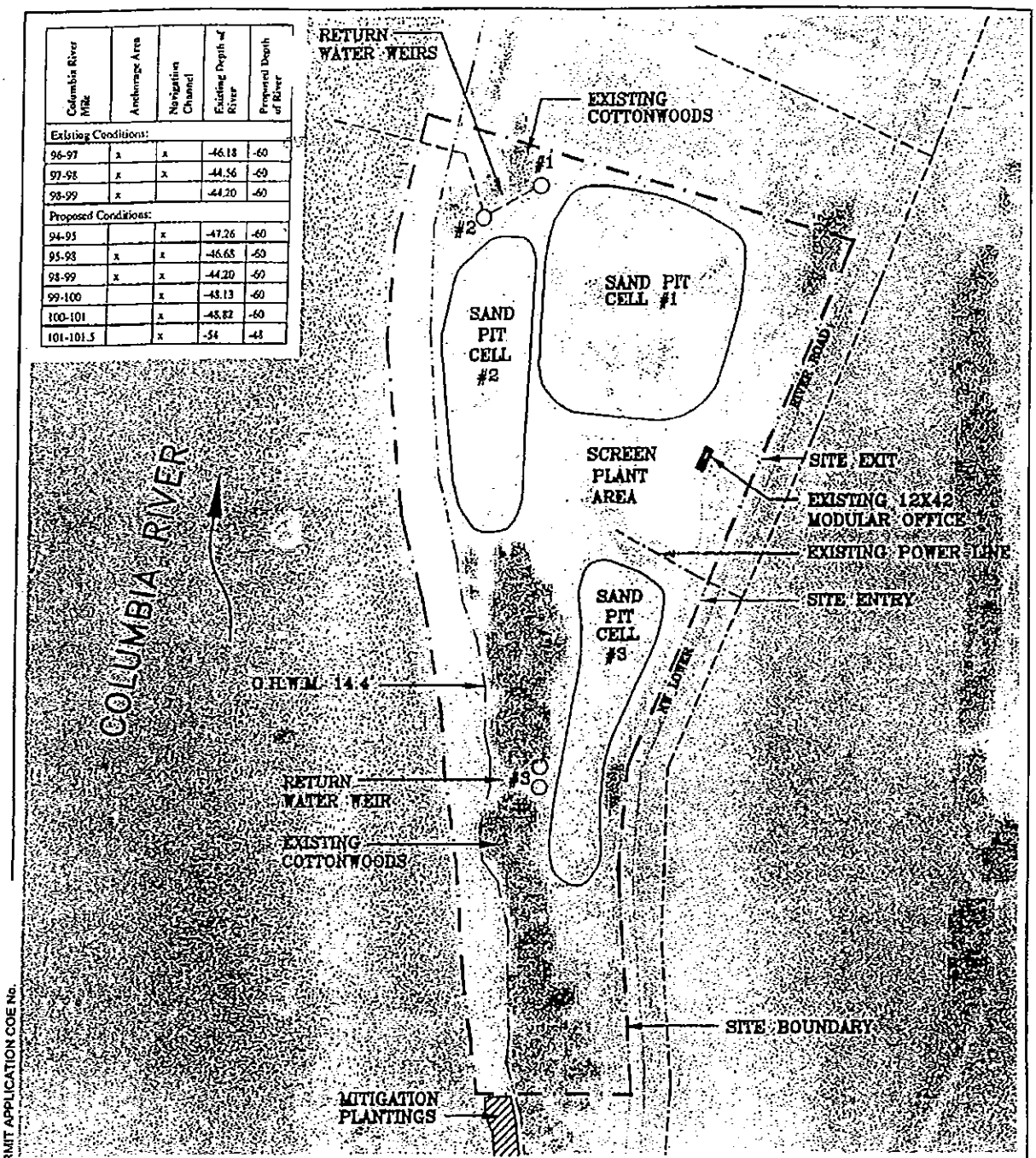


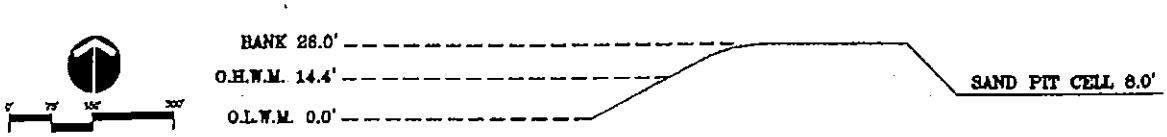
the jd white company, inc
Creative Problem Solving

DRAWING NAME: Vicinity Map
PROJECT NAME: Fazio Bros. Corps Permits
Location: Clark County, Washington
Source: Clark County Assessment & GIS 07/01/03

DES.	JR	11-05-03
DRW.	JR	11-05-03
CHK.	AG	11-13-03
APP.		
REV.		
PROJECT:		# 02-107-2

Columbia River Mile	Anchorage Area	Navigation Channel	Existing Depth of River	Proposed Depth of River
Existing Conditions:				
96-97	x	x	-46.18	-60
97-98	x	x	-44.56	-60
98-99	x		-44.20	-60
Proposed Conditions:				
94-95		x	-47.26	-60
95-98	x	x	-46.65	-60
98-99	x	x	-44.20	-60
99-100		x	-43.13	-60
100-101		x	-43.82	-60
101-101.5		x	-54	-48





FAZIO BROS. - PERMIT APPLICATION COE No.

PURPOSE: PROVIDING SAND FOR COMMERCIAL USE

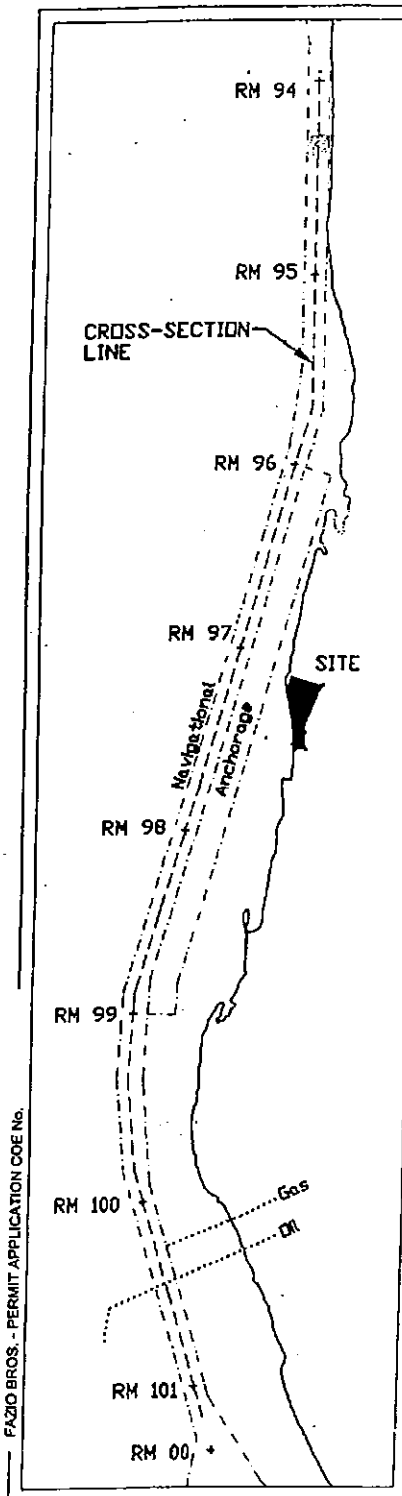
DATUM:
LAT: 45°42'48.53" LON: -122°45'11.34"

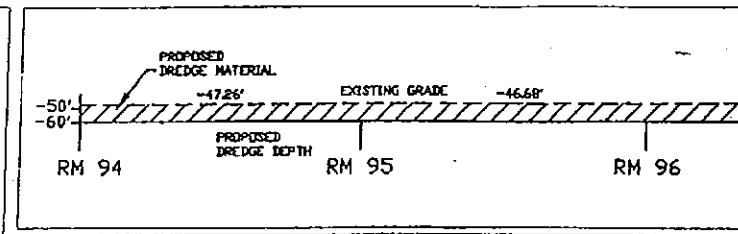
ADJACENT PROPERTY OWNERS:
EGGER FARMS INC.
WASHINGTON STATE FISH & WILDLIFE
NEW COLUMBIA GARDEN CO.

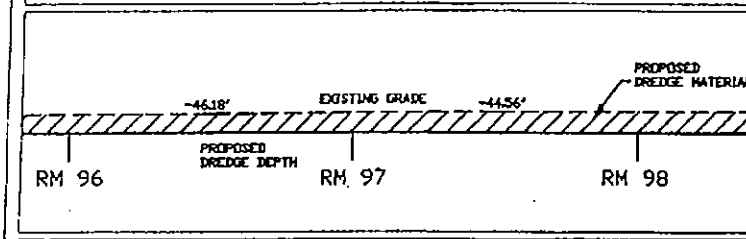
EXISTING SITE PLAN

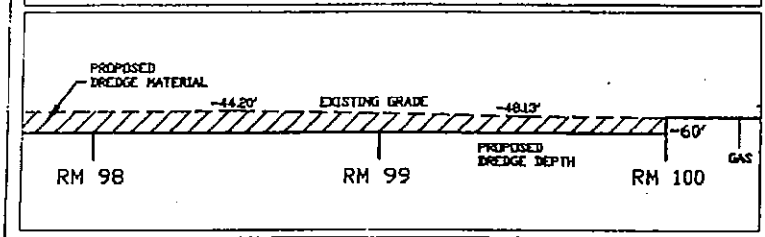
PROPOSED: PIPELINE DREDGING APPROXIMATELY 375,000 CUBIC YARDS OF SAND PER YEAR FOR 10 years WITH RETURN WATER DISCHARGE.

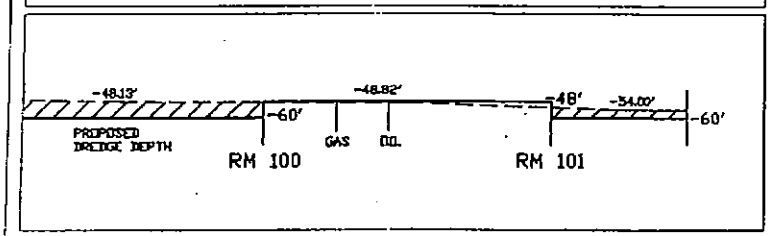
IN: CITY OF VANCOUVER
AT: COLUMBIA RIVER MILE 94.0 TO 101.5, SEC 25, T3N, R1W
COUNTY OF: CLARK STATE: WA
APPLICATION BY: FAZIO BROS. SAND CO., INC.











Note: Cross-sections are vertically exaggerated by 20x.

Columbia River Mile	Anchorage Area	Navigation Channel	Existing Depth of River	Proposed Depth of River
Existing Conditions:				
96-97	x	x	-46.18	-60
97-98	x	x	-44.56	-60
98-99	x		-44.20	-60
Proposed Conditions:				
94-95		x	-47.26	-60
95-98	x	x	-46.68	-60
98-99	x	x	-44.20	-60
99-100		x	-48.13	-60
100-101		x	-48.82	-48
101-101.5		x	-54	-60

NOT TO SCALE

FAZIO BROS. - PERMIT APPLICATION COE No.

PURPOSE: PROVIDING SAND FOR COMMERCIAL USE

DATUM: LAT: 45°42'48.53" LON: -122°45'11.34"

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WASHINGTON STATE FISH & WILDLIFE
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CROSS-SECTION MAP

PROPOSED: PIPELINE DREDGING APPROXIMATELY 375,000 CUBIC YARDS OF SAND PER YEAR FOR 10 years WITH RETURN WATER DISCHARGE.

THE CITY OF VANCOUVER
AT: COLUMBIA RIVER MILE 94.0 TO 101.5, SEC 25, T3N, R1W
COUNTY OF: CLARK STATE: WA
APPLICATION BY: FAZIO BROS. SAND CO., INC.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification

Date: December 6, 2004

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200301265 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600