



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

**US Army Corps of Engineers**  
Regulatory Branch  
4735 E. Marginal Way S., Bldg 1202  
Seattle, WA 98134-2388  
Telephone: (402)995-2681  
ATTN: Alex Sutton,  
Project Manager

**Public Notice Date: September 18, 2024**  
**Expiration Date: October 17, 2024**

**Reference No.: NWS-2019-958**  
**Name: Vigor Industrial, LLC**  
**(Vigor Basin and Access Channel Dredging)**

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Interested parties are hereby notified that a revised application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA), for certain work described below and shown on the enclosed drawings dated May 5, 2020. The work was previously described in a Public Notice dated January 27, 2020. The revision, as shown on sheet 6, consists of changing the location of the in-water disposal site within the Columbia River flow-lane.

The Corps will also review the work in accordance with Section 14 of the Rivers and Harbors Act of 1899, as codified at 33 U.S.C. Section 408 (Section 408), for work that may alter a Corps Civil Works project. An alteration is defined as any action that builds upon, alters, improves, moves, occupies or otherwise affects the usefulness, or the structural or ecological integrity of a Corps federally authorized project.

**APPLICANT:** Vigor Industrial, LLC  
Attention: Mr. Alan Sprott  
5555 North Channel Avenue  
Portland, Oregon 97217  
Telephone: (503) 247-1777

**AGENT:** Flowing Solutions  
Attention: Mr. Andrew Jansky  
3305 Southwest 87<sup>th</sup> Avenue  
Portland, Oregon 97225  
Telephone: (503) 297-6311

**LOCATION:** In the Columbia River at the Vigor Industrial, LLC access channel, located at approximately river mile 110.5 in the Columbia River, in Vancouver, Clark County, Washington.

**WORK:** The applicant proposes to dredge up to 20,000 cubic yards of accumulated sediment from the Vigor Industrial, LLC access channel, and dispose of the material in the flow lane of the Columbia River. Up to 10,000 cubic yards of sediment would be dredged initially, and up to an additional 10,000 cubic yards over a 10-year period. The proposed dredging would occur within

a 2,000- by 75-ft dredge prism and maintain the access channel to a 75-foot operational width, with a target depth of -10-ft Columbia River Datum (CRD). Dredging would occur via clamshell dredge from a barge-mounted crane. Dredged material would be transported by barge and disposed via clamshell or split-hull barge within the approved in-water disposal site.

**PURPOSE:** Dredge to maintain vessel access and navigation at the Vigor Industrial, LLC marina.

**DREDGED MATERIAL MANAGEMENT PROGRAM (DMMP):**

**Dredged Material Testing:** The proposed dredged material has been tested according to the procedures specified by DMMP, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Washington State. The DMMP evaluations may include both chemical and biological testing of sediments. For this project, on August 5, 2021, the DMMP agencies determined that all 20,000 cubic yards were suitable for unconfined disposal at the DMMP nondispersive (or dispersive) open-water disposal site in the flow lane of the Columbia River. The sediment testing data are available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

**Disposal Site Use Conditions:** The following standard site-use conditions will be specified by the Corps and the Washington Department of Natural Resources as part of the Federal/State permitting processes: (1) disposal operations must not interfere with Indian treaty fishing at the disposal site, including gill nets and other fishing gear; (2) the permittee must coordinate any nighttime disposal with the Corps, Seattle District, Regulatory Branch Project Manager; and (3) approval must be received from the District Engineer prior to conducting nighttime disposal. Other appropriate special conditions may be added as a result of comments received during the public review period for this public notice.

**ADDITIONAL INFORMATION:** The Corps previously issued a Standard Individual Permit for the proposed action on September 25, 2013 (Corps Reference Number: NWS-2006-576). The permit has since expired and the property ownership and applicant have changed. The applicant is requesting the work be completed over a 10-year period.

Project drawings are in color, which we think more accurately communicate the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project.

**MITIGATION:** To minimize impacts to the aquatic environment, dredge equipment would be in proper working order and sized to result in as short an impact duration as possible. The clamshell would be closed lip to minimize release of material. Work would occur during the approved in-water work period. Additional compensatory mitigation is not proposed.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

**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 NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area. If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and in coordination with the NMFS.

**CULTURAL RESOURCES:** The Corps has reviewed the latest published version of the National Register of Historic Places, Washington Information System for Architectural and Archaeological Records Data and other sources of information. Historic properties are recorded near the proposed project. However, they do not occur in the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The Corps 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 regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Nations in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

**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 impacts, 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 Washington Department of Ecology has or will evaluate the proposed project in accordance with Section 401 of the Clean Water Act.

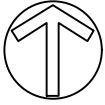
The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered 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.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether authorizing the work would not be contrary to the public interest. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to [Alexandra.K.Sutton@usace.army.mil](mailto:Alexandra.K.Sutton@usace.army.mil). Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, 4735 E. Marginal Way S, Bldg 1202, Seattle, Washington, 98134-2388. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses. All comments whether conventional mail or e-mail 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:

Vigor Industrial, LLC; NWS-2019-958

Encl: Figures (6)

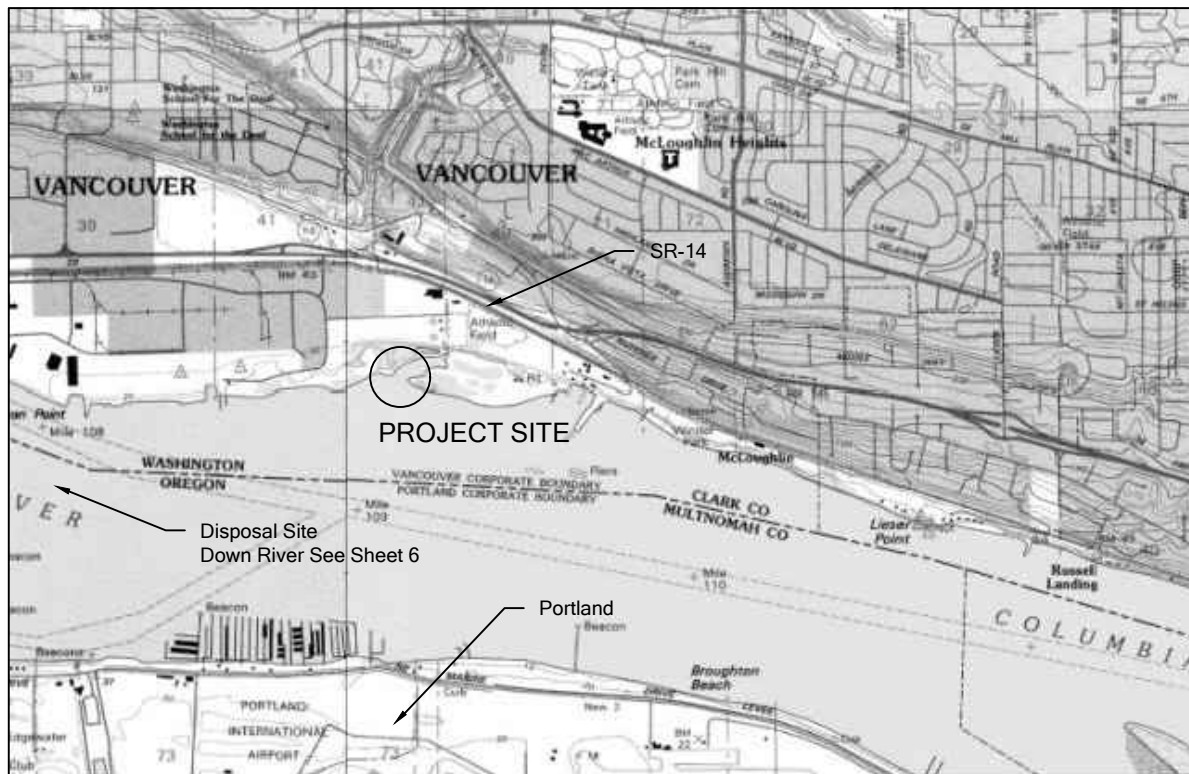


## Locator Map

Not to Scale

## Sheet Index

1. Cover Sheet
2. Site Survey
3. Proposed Dredge Prism
4. Typical Dredge Area
5. Typical Section
6. Disposal Zones



## Vicinity Map

Not to Scale

**Flowing solutions**



Flowing Solutions  
3305 SW 87th Avenue  
Portland, OR 97225  
Phone (503) 297-6311

SHEET TITLE: VICINITY MAP

PROJECT: VIGOR INDUSTRIAL, LLC  
1 SE MARINE PARK WAY  
VANCOUVER, WA 98661

RIVER/MILE: COLUMBIA RIVER MILE 110.5

LAT 45.612407  
LON -122.627798  
CLARK COUNTY

DATUM: C.R.D.

DATE:  
5/25/2020

SHEET NO.  
1



SURVEY BY: NW HYDRO  
DATA COLLECTED: June 26, 2019

**NOTES:**

1. HORIZONTAL DATUM: NORTH AMERICAN DATUM OF 1983, STATE PLANE COORDINATES, WASHINGTON SOUTH ZONE.
2. UNITS: U.S SURVEY FEET.
3. VERTICAL DATUM: COLUMBIA RIVER DATUM (C.R.D). SOUNDINGS ARE IN FEET AND INDICATE DEPTHS BELOW COLUMBIA RIVER DATUM.
4. CONTOUR INTERVAL: 1 FOOT.
5. ALL HORIZONTAL POSITIONING FOR DATA ACQUISITION AND NAVIGATION WAS SUPPLIED BY AN APPLANIX POS-MV INERTIALLY AIDED RTK GPS SYSTEM. RTK GPS CORRECTIONS WERE SUPPLIED FROM WASHINGTON STATE REFERENCE NETWORK AND VERIFIED WITH WSDOT MONUMENTS NEAR THE PROJECT SITE.
6. SURVEY DATA WAS COLLECTED USING A TWENTY-FIVE FOOT LINE SPACING INTERVAL. THE SURVEY DATA COLLECTED ALONG EACH LINE WAS THINNED USING A "SHOAL BIASED" METHOD TO AN APPROXIMATE HORIZONTAL SPACING OF 3 FEET.
7. THIS BATHYMETRIC SURVEY IS REPRESENTATIVE OF THE GENERAL CONDITION OF THE RIVER BOTTOM AT THE TIME OF THE SURVEY. THE CONDITION OF THE BOTTOM MAY CHANGE AT ANY TIME AFTER THE DATE OF THIS SURVEY. THERE MAY BE BOTTOM FEATURES THAT ARE NOT SHOWN ON THIS MAP DUE TO THE LINE SPACING INTERVAL. THIS SURVEY DOES NOT INCLUDE BATHYMETRIC DATA BETWEEN ADJACENT SURVEY LINES.
8. ALL BATHYMETRIC DATA WAS COLLECTED IN ACCORDANCE WITH THE U.S ARMY CORPS OF ENGINEERS HYDROGRAPHIC SURVEY MANUAL EM-112-02-1003 (NOVEMBER 2013). SURVEY CLASSIFICATION: NAVIGATION AND DREDGING SUPPORT SURVEYS, BOTTOM CLASSIFICATION OF SOFT.

FEDERAL NAVIGATION CHANNEL  
FEDERAL NAVIGATION CHANNEL

**Flowing solutions**

Flowing Solutions  
3305 SW 87th Avenue  
Portland, OR 97225  
Phone (503) 297-6311

SHEET TITLE: SITE SURVEY

PROJECT: VIGOR INDUSTRIAL, LLC  
1 SE MARINE PARK WAY  
VANCOUVER, WA 98661

LAT 45.612407  
LON -122.627798  
CLARK COUNTY

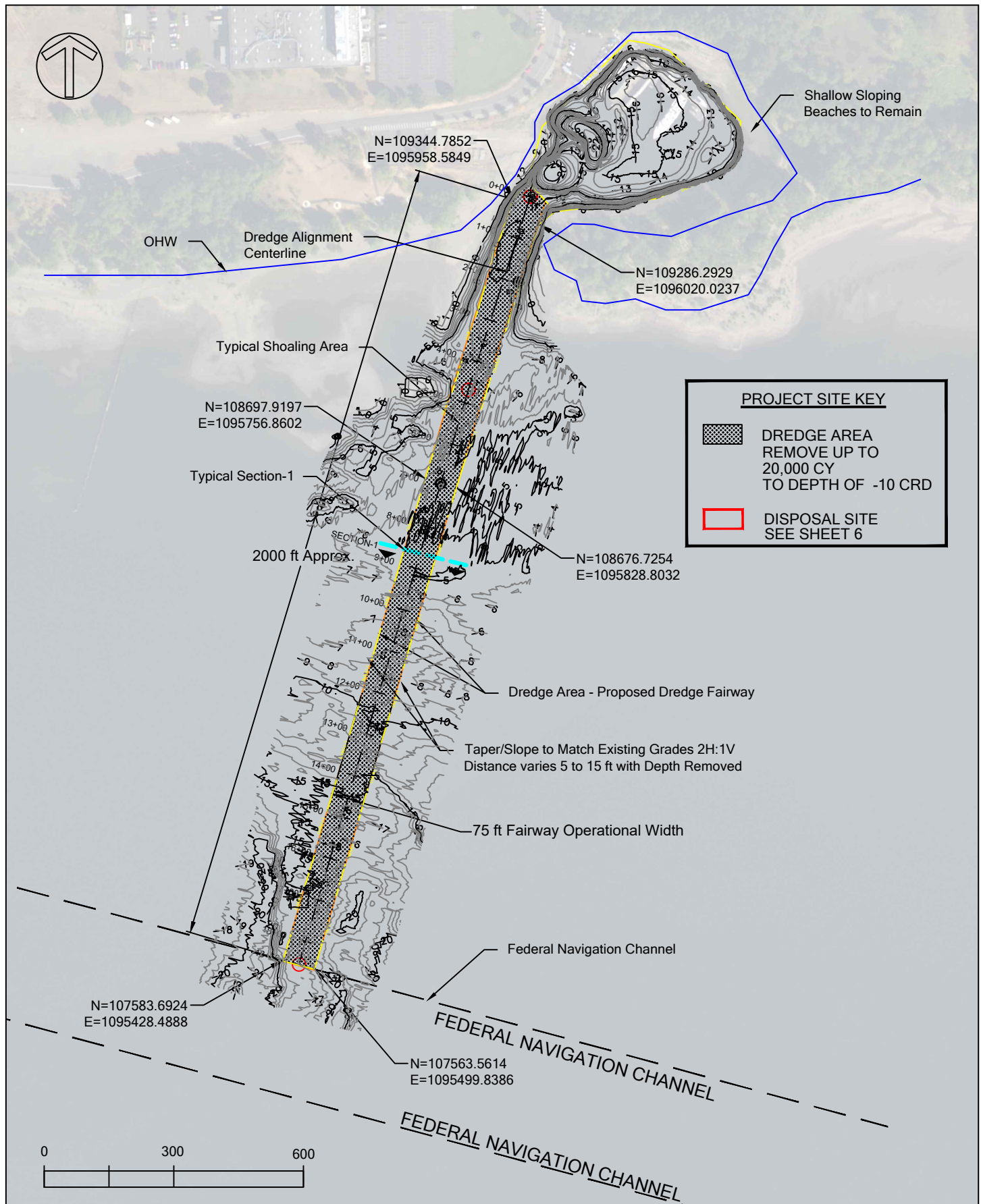
RIVER/MILE: COLUMBIA RIVER MILE 110.5

DATUM: C.R.D.

DATE:  
5/25/2020

SHEET NO.  
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**Flowing solutions**



Flowing Solutions  
3305 SW 87th Avenue  
Portland, OR 97225  
Phone (503) 297-6311

SHEET TITLE: PROPOSED AUTHORIZED DREDGE PRISM

PROJECT: VIGOR INDUSTRIAL, LLC  
1 SE MARINE PARK WAY  
VANCOUVER, WA 98661

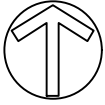
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LAT 45.612407  
LON -122.627798  
CLARK COUNTY

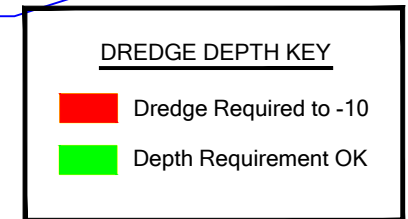
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DATE:  
5/25/2020

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Note- Colored area shows typical shoaling area and expected work area based on survey. Actual work area shall vary within authorized limit shown on sheet 3 and work area will be finalized after pre-dredge survey is conducted as required by issued permit.

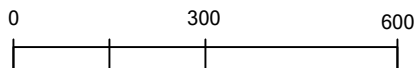


Typical Shoal Area

Fairway  
Base of Dredge Prism

FEDERAL NAVIGATION CHANNEL

FEDERAL NAVIGATION CHANNEL



**Flowing solutions**



Flowing Solutions  
3305 SW 87th Avenue  
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Phone (503) 297-6311

SHEET TITLE: TYPICAL DREDGE AREAS

PROJECT: VIGOR INDUSTRIAL, LLC  
1 SE MARINE PARK WAY  
VANCOUVER, WA 98661

RIVER/MILE: COLUMBIA RIVER MILE 110.5

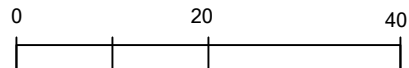
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LON -122.627798  
CLARK COUNTY

DATUM: C.R.D.

DATE:  
5/25/2020

SHEET NO.  
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Section-1 - 8+63.77

Flowing Solutions  
3305 SW 87th Avenue  
Portland, OR 97225  
Phone (503) 297-6311

PROJECT: VIGOR INDUSTRIAL, LLC  
1 SE MARINE PARK WAY  
VANCOUVER, WA 98661

RIVER/MILE: COLUMBIA RIVER MILE 110.5

LAT 45.612407  
LON -122.627798  
CLARK COUNTY

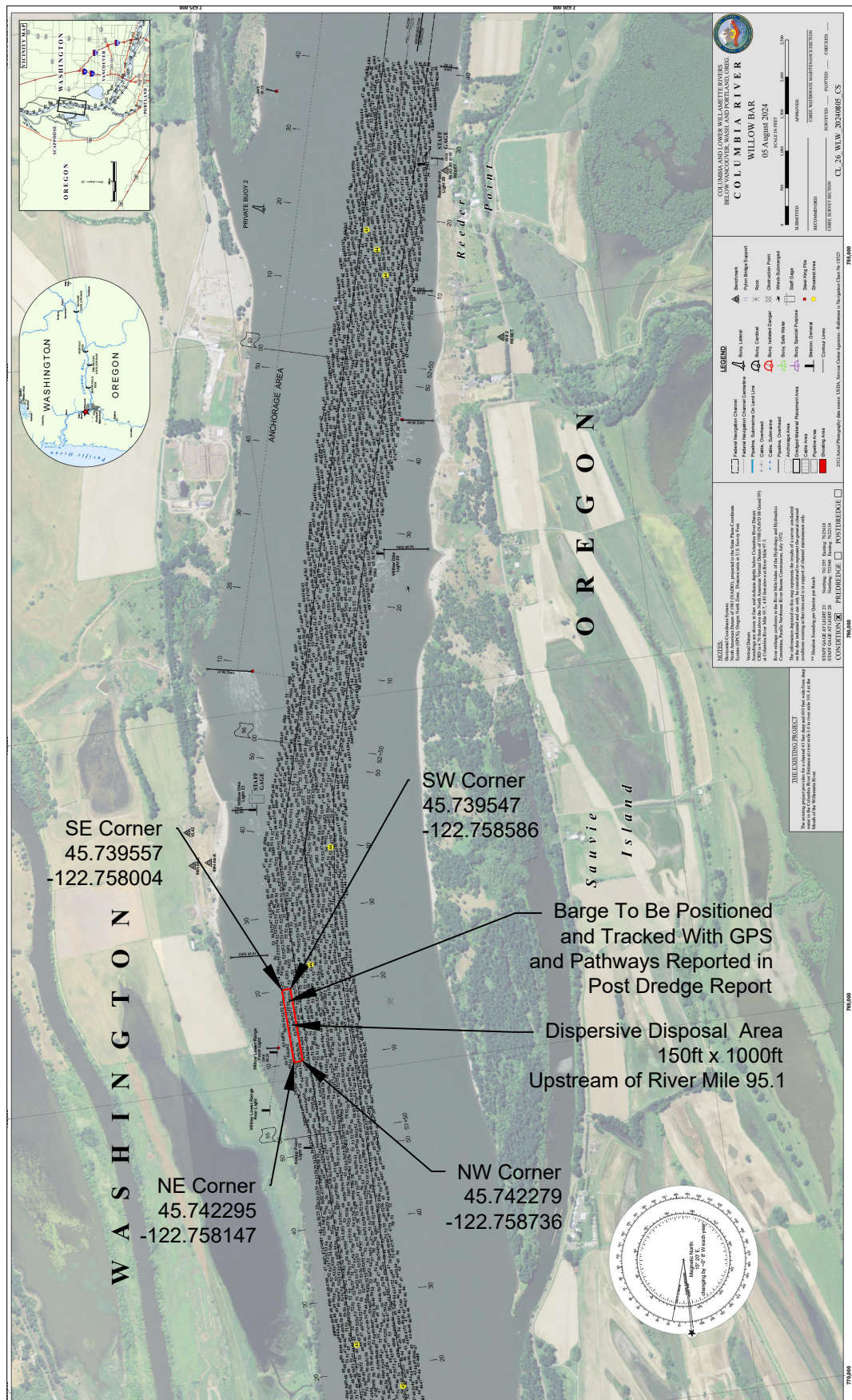
DATUM: C.R.D.
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SHEET NO.  
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**Disposal Zones:**

Typical Disposal Zone shown.  
The final zone will be selected based on sufficient capacity, as directed COE navigation branch utilizing up to date survey data. Areas shown here have capacity at time of survey which will likely change.

No disposal will occur above -19 depth contour.



Not To Scale

**Flowing solutions**

Flowing Solutions  
3305 SW 87th Avenue  
Portland, OR 97225  
Phone (503) 297-6311

SHEET TITLE: DISPOSAL ZONE - UPDATED 2024

PROJECT: VIGOR INDUSTRIAL, LLC  
1 SE MARINE PARK WAY  
VANCOUVER, WA 98661

RIVER/MILE: COLUMBIA RIVER MILE 110.5

LAT 45.612407  
LON -122.627798  
CLARK COUNTY

DATUM: C.R.D.

DATE:  
5/25/2020  
REV: 9-3-2024

SHEET NO.

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