



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 199850571

Date: February 2, 2001

Comments Due: February 28, 2001

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to place fill below the ordinary high water line for the construction of a fish barrier on the Virgin River.

APPLICANT: Washington County Water Conservancy District
ATTN: Ms. Barbara Hjelle
136 North 100 East, Suite 1
St. George, UT 84770

LOCATION: Virgin River, immediately below the Interstate 15 bridge in St. George, Utah. The site is located in Section 6, Township 43 South, Range 15 West, Washington County, Utah.

PURPOSE: To provide a fish barrier dam across the Virgin River in order to prevent the reintroduction of non-native fish into the river section above the barrier. Subsequent to construction, non-native fish above the barrier will be eradicated by Rotenone poisoning in a cooperative effort between the Utah Division of Wildlife Resources, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the Virgin River Fish Recovery team, the Washington St. George Fields Irrigation Company and the Washington County Water Conservancy District.

PROJECT DESCRIPTION: The applicant proposes to construct a dam that will cover 7500 square feet of water and embankment on the Virgin River below the I-15 bridge in St. George. Approximately 5600 cubic yards of material will be excavated from the river bottom and riparian area on both sides of the river. Sixteen concrete-filled steel pipes, 12 inches in diameter, will be embedded into underlying bedrock to provide reinforcement for the barrier. Each pipe will be approximately 36 feet in length. The dam will extend 26 feet from current right edge water and 86 feet from current left edge water. Where bank material is excavated on the north and south sides of the river, 547 cubic yards of rip rap will be placed at a 2:1 and 3:1 slope respectively to continue the natural contour. The rip rap will be placed on top of a layer of 195 cubic yards of sandy gravel. Approximately 116 cubic yards of reinforced concrete and 16 cubic yards on non-reinforced concrete will be used to form the structure of the barrier.

Water surface elevations for 10, 50, 100 and 500 year floods will increase by 0.18, 0.37, 0.42 and 0.5 feet respectively.

Rotenone treatments to eradicate non-native fish above the fish barrier will occur in a 21 mile reach from the Washington Fields Diversion Dam downstream to the proposed fish barrier. These treatments will occur periodically (1-2 times per year) for the next 5-10 years. During each treatment, the water level in the Seegmiller and Riverside (Duck Ponds) marsh areas (see Fig. 2 of 7) will be temporarily drawn down (for up to one week) by breaching associated beaver dams using water gel explosives. These notches in beaver dams will be maintained open by hand, for the duration of each treatment phase. The individual number of beaver dams in these marshes varies, temporally, between three and ten.

AREA DESCRIPTION: This site is located on the Virgin River where it flows southwest under Interstate I-15. The barrier will be constructed on the west side and downstream of the bridge. The Virgin River, in this reach, has been classified as an unstable Rosgen C5 type system. This reach is somewhat narrowly confined with upper bank slopes >30% on both left and right banks. The lower banks are mostly unvegetated, although some tamarisk and coyote willow exist. Sand and small gravels comprise both bed and bank material, contributing to a highly sediment mobile system. The river supports a riparian community consisting primarily of Tamarisk, Coyote Willow, and several grasses, rushes and forbs. The endangered woundfin, the Virgin River chub, and the redshiner are found in the Virgin River. The redshiner is the subject of eradication.

Seegmiller Marsh is an oxbow created marsh which formed in the 1980's due to flood induced shifts in the river. It is located approximately 3.5 miles upstream from the fish barrier. The marsh is 15 acres and is fed by irrigation return flows carried by drains from the Washington/St. George fields. Riverside Marsh is approximately 10 acres and is located 1.2 miles upstream from the proposed fish barrier. This marsh is fed by surface storm water runoff from St. George City's Flood Street and some irrigated fields just north of the marsh.

ALTERNATIVES: Alternatives include treating a 35 to 37 mile reach of the Virgin River with Rotenone at one time, building the fish barrier upstream of the I-15 bridge, and a no action alternative. Treating a reach larger than the one proposed has been determined impracticable because the labor costs would be unmanageable and because the treatments would be ineffective over such a large area. Building the fish barrier upstream of the bridge would cause increased scouring around the piers of the bridge, thus destabilizing it. The no action alternative would maintain current red shiner populations, resulting in a decrease in the populations of the endangered woundfin and the Virgin River chub, both native Virgin River species.

ADDITIONAL INFORMATION:

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected.

The following endangered species are present in the permit area:

Woundfin (*Plagopterus argentissimus*) - placed on endangered species list on October 13, 1970.

Virgin River Chub (*Gila robusta seminuda*) - The states of Nevada, Utah, and Arizona formally recognize the chub as a species vulnerable to extinction, and these States protect the chub from unregulated taking. FWS recently proposed the chub for listing as endangered (June 24, 1986; 51 FR 22949).

Virgin spinedace (*Lepidomeda mollispinis mollispinis*) - candidate for Federal listing as endangered or threatened

Western Willow FlyCatcher (*Empidonax traillii*)

The District Engineer has made these determinations based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **February 28, 2001**. 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.

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 benefit 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, cultural values, fish and wildlife values, flood hazards, flood plain 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.

If additional information is required, please contact the Washington County Conservancy District, telephone (435) 673-3617, or Ms. Amy Defreese, at the Utah Regulatory Office, 1403 South 600 West, Suite A, Bountiful, Utah 84010 or telephone (801) 295-8380, extension 13.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Enclosures: Drawings