



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200000154

Date: April 19, 2001

Comments Due: May 19, 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 10 of the Rivers and Harbors Act to deploy and evaluate an aquatic filter barrier (AFB) around the cooling water intake structures of the Contra Costa Power Plant in the San Joaquin River, as shown in the attached drawings.

APPLICANT: Mirant Delta, LLC.
P.O. Box 192
Pittsburg, California 94565

LOCATION: The project is located in the San Joaquin River, along the south bank, approximately one mile east of the City of Antioch in Section 16, Township 2 North, Range 2 East, Contra Costa County, California.

PROJECT DESCRIPTION: The Applicant is proposing to deploy an AFB at the Contra Costa Power Plant to test and evaluate its effectiveness in reducing the entrainment of federally listed fish species. The AFB would be deployed in the San Joaquin River in an elongated semicircle around the cooling water intake structure. The AFB consists of three main components, a flotation structure or hood, the curtain or barrier and a anchoring system of approximately 90 anchors. These would be arranged to form a floating curtain that would extend from the water surface through the water column to the river bottom, effectively isolating the cooling water intake structure from the river and excluding fish thus preventing their entrainment in the plant's cooling system. The AFB will create an artificial embayment of approximately 8 surface acres with 3.2 acres of shallow water habitat less than 4 meters in depth.

AREA DESCRIPTION: The existing power plant facility occupies approximately 3,000 feet of shoreline and is bounded on the west by Antioch's industrial area and on the east by several marinas.

ADDITIONAL INFORMATION: No further cultural resources review is warranted because the area has been extensively and continuously disturbed and the type of work in the permit area is of such limited nature and scope that there is little likelihood of affecting any cultural resources.

The following endangered species and their critical habitat may be present in the permit area: Sacramento River winter run chinook salmon (*Oncorhynchus tshawytscha*), Central Valley spring run chinook salmon (*Oncorhynchus tshawytscha*), Central Valley steelhead (*Oncorhynchus mykiss*), delta smelt (*Hypomeses transpacificus*), Sacramento Splittail (*Pogonichthys macrolepidotus*). Since this work may affect these species or their designated critical habitat, consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service will be initiated.

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 **May 19, 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 applicant's agent, Steve Gallo, telephone (925) 427-3513 or Mr. William Guthrie, at the letterhead address, telephone (916) 557-5269.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Enclosures: 6 Drawing(s)