



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200175365

Date: July 10, 2003

Comments Due: August 11, 2003

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 (CWA) and for water quality certification under Section 401 of the CWA to place fill into waters of the United States, as shown in the attached drawings.

APPLICANT: Pagosa Area Water and Sanitation District (PAWSD)
Attention: Carrie Campbell
P. O. Drawer 4610
Pagosa Springs, Colorado 81157

LOCATION: The proposed project is located at Stevens Reservoir, which is an existing reservoir on Dutton Creek. Stevens Reservoir is located approximately three miles northwest of the Town of Pagosa Springs, within Sections 4 and 5, Township 35 North, Range 2 West, Archuleta County, Colorado (Figures 1 and 2).

PURPOSE: The project purpose is to provide additional water storage and firm yield for the municipal water supply of PAWSD to meet the projected 2008 to 2010 demand.

PROJECT DESCRIPTION: The proposed project consists of enlarging the existing Stevens Dam and Reservoir. The reservoir capacity would be increased from approximately 635 acre-feet to approximately 1,844 acre-feet. The reservoir surface area would increase from approximately 87.5 acres to 162 acres (Figure 3). The crest of the new dam would be 10 feet higher than the existing dam, and the water level in the reservoir would be 10 feet higher. Figure 4 shows the plan view of the existing dam and Figure 5 shows the plan view of the proposed enlarged dam. Figure 6 shows the cross sections of the existing and enlarged dams. The existing and enlarged Stevens Reservoir is currently, and would continue to be, filled by a combination of 1) natural runoff from the 5.8 square mile drainage area upstream of the reservoir, and 2) transbasin diversions, primarily the Dutton Ditch.

The project area contains 44.8 acres of wetland (Figure 7). Approximately 0.88 acre of wet meadow and emergent wetlands below the dam would be filled to enlarge the dam. As a result of raising the dam and increasing the surface area of the reservoir, approximately 43.9 acres of wetlands and 4,400 feet of Dutton Creek would be inundated (Figure 7). Within the project area, Dutton Creek is a sparsely vegetated, ephemeral channel. The applicant has prepared a conceptual wetland mitigation plan, which proposes to replace wetlands around the perimeter of the enlarged reservoir (Figure 8). The table below shows the acreage of each existing wetland type in the project area, and the proposed acreage of wetland mitigation which the applicant believes to be feasible based on conceptual information. More detail would be developed based on site surveys, grading plans and additional project details.

<u>Wetland Type</u>	<u>Existing Acres</u>	<u>Proposed Acres Ratio</u>	
Emergent Aquatic	9.50	26.5	1:2.78
Persistent Wet Meadow	5.14	7.5	1:1.45
Seasonal Wet Meadow	20.24	11.1	1:0.7
Aquatic Bed	8.16	16.32	1:2 *
Emergent Wetland	0.43	--	--
Wetland Shrub	0.20	5.0	1:25 **
Ponds	<u>1.11</u>	<u>--</u>	<u>--</u>
Total	44.8	66.48	1:1.5 Avg.

*This figure may be low, as it is likely that more acreage will be conducive to the depths that would support submerged vegetation and Aquatic Bed habitat.

**This number is an estimate at this time, although the potential to create shrub habitat will likely be high.

ALTERNATIVES: The applicant has provided seven alternatives for consideration. These alternatives, including the applicant's preferred alternative, are described below.

Alternative A - No Build: Alternative A consists of retaining the current water supply and treatment facilities. This alternative would not result in any additional impacts to the aquatic environment; however, PAWSD's water supply would not increase.

Alternative B - Enlarge Stevens Reservoir: This is the applicant's preferred alternative, and is described above.

Alternative C - Construct a New Martinez Reservoir: Martinez Reservoir is located in the same basin, and would use the same water supply, as Stevens Reservoir. If Stevens Reservoir is not enlarged, construction of Martinez Reservoir would be considered. Either Stevens or Martinez Reservoir would essentially develop the existing PAWSD water supply in the basin. The impacts of constructing a new reservoir on Martinez Creek have not been investigated; impacts associated with constructing a new on-channel reservoir may be greater than enlarging an existing reservoir.

Alternative D - Construct a New Dry Gulch Reservoir: Dry Gulch is a small tributary of the San Juan River. Diversions from the San Juan River would be used to fill the reservoir. This site could yield a large amount of water and is expected to be needed about 10 to 15 years in the future. Given the time necessary to plan, permit, and acquire right-of-way for a new reservoir, the applicant expects that this project could not be completed for at least 15 years, and is therefore not a near-term water supply solution.

Alternative E - Enlarge the Hatcher Treatment Plant: The applicant included this action as an alternative, but states that additional storage (e.g., construction of Martinez Reservoir) would be required.

Alternative F - Enlarge the Snowball Inlet Pipe and Treatment Plant: The enlargement would increase the capacity of the existing diversion and Snowball pipeline from the West Fork of the San Juan River. The applicant does not consider this alternative to be feasible in the near future because 1) placing a pipeline around the Jackson Mountain slide would be costly; 2) the pipeline is old and may require complete replacement; and 3) the existing Snowball Treatment Plant could not be readily expanded to utilize the increased capacity. The applicant states that this alternative would likely be pursued in the future to increase the utilization of San Juan River flows and may be used in conjunction with Dry Gulch Reservoir.

Alternative G - Water Conservation Measures: The applicant states that water conservation measures are in place, including an increase in block rate structure, a water conservation plan, and hiring of a water conservation director to further improve the program. In determining its future water needs, the applicant has incorporated a reduction of water usage per capita from the present 215 gallons per person per day to 205 gallons per person per day in 2025. This alternative would not obviate the need for additional water supply as projected by the applicant.

AREA DESCRIPTION: The project area is located approximately three miles northwest of the Town of Pagosa Springs on private land at elevations ranging between about 7715' to 7725' above mean sea level. Stevens Reservoir is created by an impoundment on Dutton Creek, tributary to Martinez Creek, tributary to Stollsteimer Creek, tributary to the Piedra River. The water surface of Stevens Reservoir presently covers approximately 87.5 acres at the full elevation of 7716.1 feet. The wetlands are located around the perimeter of the reservoir (Figure 7). Uplands in the vicinity of the reservoir are comprised of gently sloping meadows with scattered stands of Ponderosa pine and oak brush, much of which has been used as range for cattle. Several homes are located near the reservoir, but well above the proposed new high water line of the expanded reservoir.

ADDITIONAL INFORMATION: The applicant has requested water quality certification from the Colorado Department of Public Health and Environment, Water Quality Control Division, in accordance with Section 401 of the Clean Water Act. Written comments on water quality certification should be submitted to Mr. Andrew Ross, Colorado Department of Public Health and Environment, Water Quality Control Division, 4300 Cherry Creek Drive South, Denver, Colorado, 80222-1530, on or before **August 11, 2003**.

The Colorado Department of Public Health and Environment, Water Quality Control Division also reviews each project with respect to the anti-degradation provision in state regulations. For further information regarding the anti-degradation provision, please contact Mr. Ross at the Colorado Department of Public Health and Environment, Water Quality Control Division, telephone (303) 692-3540.

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed. Presently unknown cultural resources may be located in the permit area. The applicant has retained a consultant to perform a cultural resources inventory of the project area.

We have determined that a net depletion of water resulting from the project may affect the Colorado pikeminnow (*Ptychocheilus lucius*) and the razorback sucker (*Xyrauchen texanus*), Federally-listed endangered fish species. Consultation under Section 7 of the Endangered Species Act has been initiated with the U.S. Fish and Wildlife Service. We have determined that the project is not likely to adversely affect the Federally-listed bald eagle, Canada lynx, boreal toad, southwestern willow flycatcher, or yellow-billed cuckoo. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **August 11, 2003**. 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.

For activities involving 404 discharges, a permit will be denied if the discharge does not comply with the Environmental Protection Agency's Section 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines it would be contrary to the public interest.

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.

Written comments on this permit application should be submitted to the District Engineer at the address listed above. Please furnish a copy of your written comments to the attention of Mr. Ken Jacobson, Colorado/Gunnison Basin Regulatory Office, U.S. Army Engineer District, Sacramento, 402 Rood Avenue, Room 142, Grand Junction, Colorado 81501-2563. For further information, please contact Mr. Ken Jacobson at telephone number 970-243-1199, extension 11, or email ken.jacobson@usace.army.mil.

Michael J. Conrad, Jr.
Colonel, US Army
District Engineer

Enclosures: 8 Drawings