



# Public Notice

Public Notice Number: 200275158

Date: June 11, 2002

Comments Due: July 3, 2002

US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

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 for a breaker wall at Pelican Lake near Randlett, Utah, as shown in the attached drawings.

**APPLICANT:** United States Department of the Interior  
Bureau of Land Management, Vernal Field Office  
170 South 500 East  
Attention: Mr. Jerry Kenczka  
(435) 781-4400

**LOCATION:** The project site is located at the Pelican Lake boat ramp south of Randlett, Utah on State Highway 88 (see Figure 1). The legal description is within Sections 20, 21, 28 and 29, Township 7 South, Range 20 East, Uintah County, Utah.

**PURPOSE:** To provide wind break protection for users of the recently improved Pelican Lake boat ramp and mooring dock during launch and unloading procedures.

**PROJECT DESCRIPTION:** The project proposes approximately 3,000 cubic yards of rock fill to be placed into waters of the United States below the storage elevation of Pelican Lake. The rock fill for the offshore breaker wall will parallel the newly modified boat ramp with a decreasing foot print as the fill ascends from the lake bottom (see Figure 2). The finish grade for the breaker wall is proposed to be 4 inches above storage elevation of Pelican Lake (see Figure 3). There are no wetland impacts associated with the breaker wall placement activities.

**ALTERNATIVES:** The applicant did not identify any other project alternatives. The no action alternative would maintain existing conditions yet leave additional recreational demands unprotected and unmet.

**AREA DESCRIPTION:** Pelican Lake is located south of Randlett, Utah on State Highway 88. The lake is at an elevation of approximately 4,780 above mean sea level and is bordered by Ouray Park to the north and the confluence of the Green and Duchense Rivers to the south. The

Uintah and Ouray Indian Reservation is also proximal to Pelican Lake and other lands administered by the Bureau of Land Management.

**ADDITIONAL INFORMATION:**

The applicant has requested water quality certification from the Utah Division of Water Quality in accordance with Section 401 of the Clean Water Act. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Water Division of Water Quality, 288 N. 1460 W., Post Office Box 144870, Salt Lake City, Utah 84114, on or before **July 3, 2002**.

The Utah Division of Water Quality also reviews each project with respect to the anti-degradation provision in state regulations. For further information regarding anti-degradation provision, please contact Mr. Moellmer, at the Water Division of Water Quality, telephone (801) 538-6329.

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. No further cultural resources review is warranted because the type of work in the permit area is of such limited nature and scope that there is little likelihood of impinging upon a cultural resources site.

This activity would not affect any threatened or endangered species or their critical habitat. 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 **July 3, 2002**. 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 Mark Gilfillan, 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 the applicant's agent, David Barfuss (address and phone listed above), or Mr. Gilfillan, at telephone number (970) 243-1199, extension 15, or email [Mark.A.Gilfillan@usace.army.mil](mailto:Mark.A.Gilfillan@usace.army.mil).

Michael J. Conrad, Jr.  
Colonel, Corps of Engineers  
District Engineer

Enclosures: 3 Drawings