



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: 200275190

Date: April 1, 2003

Comments Due: Not Applicable

In reply, please refer to the Public Notice Number

## REGIONAL GENERAL PERMIT NUMBER GP037 STREAM STABILIZATION WESTERN COLORADO

### TO WHOM IT MAY CONCERN:

**SUBJECT:** The extension (5 years) of authorization for Regional General Permit number GP037 under the authorities of Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act.

The District Engineer, Corps of Engineers, Sacramento District, has re-issued Regional General Permit (RGP) number GP037. This RGP authorizes certain limited discharges of dredged and fill material associated with stream stabilization in western Colorado. Stream channelization or channel blockage e.g., barriers to floating recreational craft are not appropriate uses of this RGP. Please refer to the enclosed copy of the RGP. The RGP has a new expiration date of **April 1, 2008**.

Based upon a re-examination of the potential individual and cumulative impacts of the regulated activities, the Sacramento District decided to re-issue the permit. The Sacramento District considered comments received in response to the public notice on this proposal. The Sacramento District concluded that re-issuing this permit complies with the U.S. Environmental Protection Agency Section 404(b)(1) guidelines for evaluating discharges of dredged or fill material in waters of the United States and is not contrary to the public interest. The activities authorized by this RGP are similar in nature and similar in their impact upon water quality and the aquatic environment, will have only minimal adverse effects when performed separately, and will have only minimal cumulative adverse effects on water quality and the aquatic environment.

Please give special attention to the notification and approval procedures, terms, conditions, limitations, cautionary statements and other remarks of this RGP. You are responsible for complying with the RGP. **Anyone proposing to perform work authorized by this RGP must obtain approval from the Corps of Engineers, Sacramento District prior to beginning work in waters of the United States.** For more information and assistance, contact the, Corps of

Engineers, Sacramento District, Colorado/Gunnison Basin Regulatory Office, 402 Rood Avenue, Room 142, Grand Junction, Colorado 81501-2563 or telephone (970) 243-1199.

**LOCATION:** This RGP is only applicable to "waters of the United States" in **western Colorado** within the boundaries of the Sacramento District. The Sacramento District's eastern boundary is the Continental Divide. This includes, but is not limited to, rivers, creeks, lakes, ponds, reservoirs and other waterways in western Colorado. Certain waterways are given special consideration such as occupied and critical habitat for fish species protected by the Endangered Species Acts (refer to special condition number 5 of the RGP).

The Sacramento District will also carefully review applications to perform work under this RGP in western Colorado streams designated as "Gold Medal Waters." Our review may include consultation with the Colorado Division of Wildlife on a case-by-case basis. These streams include:

1. **Blue River**, from Dillon Reservoir Dam downstream to the confluence with the Colorado River (34 miles);
2. **Gore Creek**, from Red Sandstone Creek downstream to its confluence with the Eagle River (4 miles);
3. **Colorado River**, from Windy Gap to the confluence with Troublesome Creek, 3 miles east of Kremmling (20 miles);
4. **Fryingpan River**, from Ruedi Reservoir Dam downstream to the confluence with the Roaring Fork River (14 miles);
5. **Gunnison River**, from the upstream boundary of the Black Canyon of the Gunnison National Monument to its confluence with the North Fork of the Gunnison River (26 miles); and
6. **Roaring Fork River**, from the confluence with the Crystal River downstream to the confluence with the Colorado River (12 miles).

**NOTIFICATION AND APPROVAL PROCEDURES:** Anyone proposing to perform work authorized by this permit must provide the following information, in writing, to the Corps of Engineers, Sacramento District prior to beginning work:

1. **Name, address and telephone number of the applicant responsible for the work, the owner of the affected lands (if different than the applicant), and the contractor(s) that will be performing the work;**
2. **Define the purpose and need for the work. Describe any erosion or unstable conditions. If possible, include photographs of the problem areas;**
3. **A legal description of the project location including section, township and range. If possible, include the UTM coordinates or latitude and longitude of the location;**

4. A statement indicating that you have notified adjacent property owners of the proposed work;

5. A set of drawings with dimensions of the proposed work. These drawings are very important in order to give us a clear understanding of your proposed work and also to check permit compliance later if we approve the work. The drawings must show the following:

- a. Project location;
- b. Plan or top view(s) of the proposed work; and
- c. Typical cross-sectional or side view(s) of the work.

The drawings should be on 8.5-inch by 11-inch paper with all pertinent dimensions such as length, width and height of the structures or work. A bar scale would be useful on each drawing. If known, provide the average gradient or slope based on the bankfull elevation difference of the affected stream reach; and

6. If your project is located on Indian lands, you must obtain water quality certification under Section 401 of the Clean Water Act from the U.S. Environmental Protection Agency (EPA) and provide a copy to the Corps of Engineers. For assistance, contact Mr. Richard Claggett, (EPR-EP), Unit Chief, Wetlands and Watersheds Unit, U.S. Environmental Protection Agency, 999 18th Street, Suite 300, Denver, Colorado 80202-2466.

**Note:**

Your written notification requesting approval under the RGP should be sent to the appropriate Corps of Engineers Regulatory Office within western Colorado dependent on the geographic location of your project. For assistance in determining the appropriate regulatory office and point of contact, please telephone number (970) 243-1199.

Within 15 days of receiving your written notification and information, the Corps of Engineers will review your proposal and notify you, normally in writing, if the work may proceed under the authorization given in this RGP. If we must coordinate or consult with other agencies e.g., Endangered Species Act compliance, then our decision will be delayed until the coordination or consultation is completed. **You may not start construction of your project until the Corps of Engineers notifies you that the project is authorized by this RGP. If you proceed without approval verification by the Corps of Engineers, you may be subject to severe penalties under the law.** If we reject your request, you may apply for an individual Department of the Army permit.

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

Enclosure: RGP 037