



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Number: 200275566

Date: April 2, 2004

Comments Due: May 3, 2004

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit modification to maintain approximately 750 feet of streambank stabilization work performed on the Uncompahgre River. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/cespk-co/regulatory/PNs/index.html>.

**AUTHORITY:** This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**APPLICANT:** Thomas Patzau  
6154 County Road 23  
Ridgway, CO 81432  
970-626-4253

**Agent:** Christopher Philips, PE  
Riverbend Engineering  
140-A Solomon Drive  
Pagosa Springs, CO 81147  
970-731-0065

**LOCATION:** The project site is located on the west bank of the Uncompahgre River about one mile upstream of the Town of Ridgway in the center of Section 21, Township 45 North, Range 8 West, Ouray County, Colorado, and can be seen on the Ridgway USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is requesting to maintain 750 feet of streambank stabilization work that deviated from project plans approved under Department of the Army permit 200275566. This permit was issued last winter and work was performed in early spring of 2003. The project involved the construction of a gabion wall capped with a row of large boulders with approximately 1,500 cubic yards of rock, gravel, and topsoil fill placed below the ordinary high water line. Additional soil was placed on the bank and planted with a native grass seed mix and an estimated 2,200 willow cuttings.

As-built surveys of the finished work indicate that the wall location extends 20 feet out from design plans at and near the middle of the project, while end points are reasonably close to design locations (see Attachment 4 of 4). This construction error is attributed to errors in construction staking. The attached drawings provide additional project details.

The applicant's stated project purpose in performing the work is to reclaim land lost to erosion, stabilize the riverbank to protect his property from future erosion, and correct a safety problem posed by the vertical stream bank. Consulting hydrologist, Riverbend Engineering, has determined that the as-built location of the gabion wall does not change conditions in the river significantly from those conditions that

would have existed had the wall been built in the approved location. Additional information on the hydraulic and geomorphic comparison of the "Design" conditions versus the "As-Built" condition is available from the applicant or their agent.

#### **ADDITIONAL INFORMATION:**

**Background.** A number of previous attempts have been made to stabilize the riverbank at this site. These attempts included the placement of boulders and gabions along the toe of the bank in 1997 and 1999 and construction of two concrete block deflectors in 2001. These attempts failed to stabilize the bank, resulting in continued loss of the applicant's property and a continued threat to structures. In response to these failed attempts, the applicant developed the subject gabion wall stabilization effort as a more permanent site specific solution to the problem. Recently, the applicant has indicated intentions to work in a cooperative atmosphere with their neighbors to develop a long term solution based in fluvial geomorphology as opposed to increasingly heavy bank protection measures.

**Environmental Setting.** At this site, the river is at an elevation of approximately 7,100 feet msl and drains a basin of approximately 145 miles. The U.S. Geological Survey stream gage located near Ridgway indicates an average annual bankfull discharge of approximately 900 cubic feet per second (cfs). The high flow of record, based on over 40 years of data, occurred on June 24, 1983 measuring 2,100 cfs.

The project reach is a wide, shallow, braided stretch. It is entrenched with a significant amount of depositional material. Overbank flooding does not occur and the entrenched channel appears to be widening to reestablish a floodplain. The west riverbank is devoid of vegetation with the exception of a mature cottonwood tree. Erosion is frequent on both riverbanks. The area was once part of an instream gravel mining operation which was reduced in size and is located immediately downstream (currently pending individual permit application number 200375402). Other surrounding land use is characterized as agriculture consisting of livestock forage production, grazing, and rural residences.

**Alternatives.** Another alternative would be to reconstruct the bank protection effort to meet the design criteria of the work covered under the previously approved permit.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification, as required under Section 401 of the Clean Water Act from the Colorado Department of Public Health and Environment, Water Quality Control Division, is required for this completed project. The applicant has requested certification. Comments on water quality certification should be addressed to Mr. John Hranac, Assessment Unit of the Watershed Section, Water Quality Control Division, who may be reached at telephone (303) 692-3586.

**HISTORIC PROPERTIES:** Based on the available information, no cultural resources were located within the affected project area.

**ENDANGERED SPECIES:** The project did not affect any federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood

hazards, floodplain 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 activity's impact on the public interest will include application of the 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230), or of their criteria.

The Corps 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 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 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.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice 200275566, must be submitted to the office listed below on or before May 3, 2004:

Susan Bachini Nall, Project Manager  
US Army Corps of Engineers, Sacramento District  
Colorado/Gunnison Basin Regulatory Office  
400 Rood Avenue, Room 142  
Grand Junction, Colorado 81501-2563  
Email: [Susan.Nall@usace.army.mil](mailto:Susan.Nall@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Susan Bachini Nall, 970-243-1199, extension 16, [Susan.Nall@usace.army.mil](mailto:Susan.Nall@usace.army.mil).

Attachments: 4 drawings