



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200375049

Date: February 21, 2003

Comments Due: March 22, 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 extend the Dillon Marina boat ramp below the mean high water mark in the Lake Dillon, as shown in the attached drawings.

APPLICANT: Mr. Jack Benson, Dillon Town Manager, P.O. Box 8, Dillon, Colorado 80435

LOCATION: The Dillon Marina is located on the north side of Lake Dillon, on Marina Drive in Dillon, Colorado. The marina is located in Section 8, Township 5 South, and Range 77 West, Summit County, Colorado.

PURPOSE: The purpose of this project is to extend the existing boat ramp an additional 85 feet below the high water elevation of 9017 feet so that it is functional during low water years.

PROJECT DESCRIPTION: The Town of Dillon is proposing to extend the existing Dillon Marina boat ramp 520 linear feet into deeper water at a grade of 11.75 degrees. The new boat ramp will be 20 feet wide and constructed of concrete. The side slopes of the boat ramp will be armored with riprap. To facilitate the grade, the maximum fill above mean grade will be approximately seven feet.

The proposed project will permanently impact approximately 1 acre of unvegetated lake bottom for the ramp and 4 acres for the burrow area and haul road. All fill and construction activities will occur below the ordinary high water mark of Lake Dillon (9017 feet above sea level). All fill material will be excavated from the bottom of Lake Dillon. All work will occur during periods of low water. No construction will occur within 20 feet from the edge of water surface, as determined in April 2003.

Fill material includes approximately 3,600 cubic yards of excavated lake bottom material, 200 cubic yards of concrete, 600 cubic yards of bedding material and 1,500 cubic yards of riprap material.

ALTERNATIVES: Because the current boat ramp does not presently meet waters edge, the Dillon Marina has been launching and hauling all boats utilizing a crane. Continued crane operations are not efficient and do not meet the current need of the Marina.

Without extension of the current ramp from an elevation of 8982 to 8932 feet, the operation of the marina operation is not meeting the design need.

AREA DESCRIPTION: The proposed project is located in Lake Dillon, a reservoir owned and operated by the Denver Water Board. The specific area of the project is below the 9017 feet elevation of mean high water on the north end. The area is unvegetated lake bottom. No vegetation is in the project area.

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. Phil Hegeman, Planning and Standards Section, Colorado Department of Public Health and Environment, Water Quality Control Division, 4300 Cherry Creek Drive South, Denver, Colorado, 80222-1530, on or before **March 22, 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 anti-degradation provision, please contact Mr. Hegeman at the Colorado Department of Public Health and Environment, Water Quality Control Division, telephone (303) 692-3518.

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 **March 22, 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. Anthony Curtis, Kremmling Colorado Regulatory Office, U.S. Army Engineer District, Sacramento, P.O. Box 369, Kremmling, Colorado 80459. For further information, please contact Mr. Anthony Curtis, at telephone number (970) 724-9036, or email Anthony.C.Curtis@usace.army.mil.

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

Enclosures: Drawing(s)