



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Number: 200375136

Date: May 14, 2004

Comments Due: June 13, 2004

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Elkhead Reservoir Expansion project, which would result in impacts to approximately 37.0 acres of waters of the United States, including wetlands, in or adjacent to Elkhead Reservoir and Elkhead Creek. 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:** Colorado River Water Conservation District  
201 Centennial Street  
Post Office Box 1120  
Glenwood Springs, Colorado 81602  
(970) 945-8522

**LOCATION:** The project site is located approximately 9.0 miles northeast of the City of Craig within Section 16, Township 7 North, Range 89 West, Moffat County, Colorado, and can be viewed on the Ralph White Lake, Colo., USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is proposing to raise the base operational level of Elkhead Reservoir by 20 feet, which would increase the total reservoir capacity from 13,700 acre-feet (AF) to 24,877 AF. The surface area of the full reservoir pool would increase from approximately 435 acres to approximately 720 acres. The project would require the discharge of approximately 451,000 cubic yards (CY) of earth fill and 11,000 CY of concrete for dam and spillway construction, and approximately 50,000 CY of earth fill for temporary access raising of County Road 29. The project would result in the fill and inundation of approximately 37.0 acres of wetland which currently exist at the margins and delta of the existing reservoir, at the base of the existing dam embankment, and adjacent the existing County Road 29 embankment.

The earth fill material for the proposed expansion of the Elkhead Creek Dam project would originate from one on-site borrow area (Figure 3). The reservoir elevation would be lowered to accommodate a construction period of approximately two years. Dewatering of the reservoir would utilize the existing outlet works with the placement of fish retention screens down to an elevation of approximately 6,336 feet msl. The existing spillway would be partially demolished to facilitate maintenance of runoff conveyance at a lowered reservoir elevation. A new outlet would be constructed using the existing outlet structure and the partially demolished spillway to pass snowmelt and storm runoff. A new spillway would be constructed adjacent to the east dam

abutment. At completion of the outlet works, the existing outlet structure would be backfilled and abandoned as part of dam embankment construction. During the dam embankment and spillway construction, the new outlet structure would continue to release runoff until construction was completed.

**PURPOSE:** The applicant's stated project purpose is to augment the flows of the Yampa River Basin in order to meet future human needs and to provide base flow augmentation to aid in the recovery of the four listed Upper Colorado River endangered fish species which include: Colorado pikeminnow (**Ptychocheilus lucius**), humpback chub (**Gila cypha**), bonytail chub (**Gila elegans**) and razorback sucker (**Xrauchen texanus**). The applicant would fund, own and operate the portion of the proposed enlargement for enhancing Yampa River flows for human uses. Of the 6,751 AF of enlargement capacity to be owned by the applicant, 2,000 AF would be leased to the "Upper Colorado Endangered Fish Recovery Program (Recovery Program)" on an annual basis for additional flow augmentation for a period of 20 years, with renewal provisions based upon evaluation of water needs for recovery and human use needs. The additional 4,751 AF of the enlargement pool owned by the applicant is proposed for use as augmentation of flows in Elkhead Creek and the Yampa River to support human needs.

A 5,000 AF enlargement capacity for assisting in the recovery of the federally listed endangered fish species would be financed and owned by the participants in the Recovery Program. The State of Colorado and Recovery Program in accordance with Recovery Program capital improvements program would provide the funding. The State of Colorado would hold the 5,000 AF of enlargement capacity dedicated to endangered fish recovery on behalf of the Recovery Program. Operation of the 5,000 AF of enlargement portion would be at the direction of the U.S. Fish and Wildlife Service, consistent with the Yampa Management Plan and related implementation agreement. The attached drawings provide additional project details.

#### **ADDITIONAL INFORMATION:**

**Environmental Setting:** Elkhead Creek is a large perennial tributary to the Yampa River in Northwestern Colorado. The dam and reservoir are located within a watershed located southwest of the Elkhead Mountains that has a drainage area of approximately 250 square miles. The watershed ranges in elevation from 6,220 to 10,500 msl. Soils are high in silt and very susceptible to erosion if left exposed. The valley floor's adjacent uplands have been utilized for grazing purposes since the 19th Century. Native vegetation within the upland portion of the project area is dominated by Wyoming big sagebrush (**Artemisia wyomingensis**), needle-and-threadgrass (**Stipa occidentalis**), Indian ricegrass (**Oryzopsis hymenoides**), antelope bitterbrush (**Purshia tridentata**) and mountain snowberry (**Symphoricarpos oreophilus**). There are approximately 57.0 acres of palustrine emergent and scrub/shrub wetlands within the project area. The wetlands within the project area are dominated by Baltic rush (**Juncus balticus**), broad-leaf cattail (**Typha latifoli**), sandbar willow (**Salix exigua**) and small-winged sedge (**Carex microptera**), with intrusions or local populations of small-fruit bulrush (**Scirpus microcarpus**), blue-joint reedgrass (**Calamagrostis canadensis**), beaked sedge (**Carex rostrata**), Nebraska sedge (**Carex nebrascensis**) and other wetland species in smaller amounts.

**Alternatives:** The applicant's consultant is currently collating a project specific alternatives analysis from information gained during project development. The Corps of Engineers will review all alternatives considered during the project development process, including any alternatives identified during the public notice process.

**Mitigation:** The Corps requires and the applicant has considered use of all reasonable and practical measures to avoid and minimize impacts to aquatic resources. For the project which is the subject of this public notice, the applicant has provided a wetland mitigation plan for unavoidable impacts. The mitigation plan goal is to mitigate wetland impacts on-site and in-kind. Four separate sites (Figures 6, 6a, 6b, 6c, 6d and 6e) have been proposed to create approximately 42 acres of mitigation. Mitigation would be accomplished through 1; accelerated wetland development of the post construction delta by the placement of cross channel sheet-pile check dams to collect sediment and accelerate the development a new delta and subsequent revegetation with native plant materials present in the area, 2; excavation and placement of salvaged hydric soil from Brown's Gulch and revegetation of an island (Figure 6c) created due to the new operational pool elevation, 3; the placement of on-site salvaged hydric soils and revegetation at Mud Gulch (Figure 6e), and 4; creation of wetlands at the mouth of Brown Gulch by berming, backfill with salvaged hydric soils, and natural revegetation.

The applicant proposes to monitor the mitigation sites and collect data regarding the presence of hydric soils, hydrophytic vegetation and hydrologic conditions.

The applicant would be required to provide the Corps with site specific mitigation and monitoring plans, prior to issuance of a Department of the Army permit for the project.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification is required under Section 401 of the Clean Water Act from the Colorado Department of Public Health and Environment for this project. The applicant has indicated they have applied for certification.

**CULTURAL RESOURCES:** A cultural resource inventory was conducted at the project site by Metcalf Archaeological Consultants, Incorporated on April 30-May 2, 2003. A total of 317 acres were surveyed on a combination of state and private land. One previously recorded prehistoric site was noted during their file search, but is located outside the project area. Two additional sites were discovered during the survey, however, neither site was recommended as eligible for inclusion on the National Register and cultural resource clearance was recommended.

**ENDANGERED SPECIES:** To comply with the Endangered Species Act, the U.S. Fish and Wildlife Service completed an intra-Service consultation. The product of this consultation is a Programmatic Biological Opinion (PBO) for the Yampa River basin. The purpose of the PBO is to evaluate the impacts to federally listed species due to current and foreseeable future water depletions and to consider management actions to offset anticipated impacts. Enlargement of Elkhead Reservoir is part of the endangered species recovery strategy for recovery of the four listed fishes. The Recovery Program, through direct financial participation in the proposed project, and through lease, is funding that portion of reservoir storage dedicated to stream flow augmentation for the listed fishes.

**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 200375136, must be submitted to the office listed below on or before June 13, 2004:

Ken Jacobson, 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: [Ken.Jacobson@usace.army.mil](mailto:Ken.Jacobson@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 Ken Jacobson, 970-243-1199, extension 11, [Ken.Jacobson@usace.army.mil](mailto:Ken.Jacobson@usace.army.mil).

Attachments: 28 drawings