



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200375248

Date: July 28, 2003

Comments Due: August 18, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN: Review of a Prospectus for a mitigation bank under Regulatory Guidance identified in the Federal Register, Volume Number 228, Tuesday, November 28, 1995, Federal Guidance for the Establishment, Use and Operation of Mitigation Banks.

APPLICANT: Ren Martyn
Finger Rock Preserve, LLC
Post Office Box 883400
Steamboat Springs, Colorado 80477

LOCATION: The proposed mitigation bank site is located at Finger Rock Preserve, a ranch that contains portions of Brinker and Chimney creeks. Finger Rock Preserve is located approximately four (4) miles southeast of the Town of Yampa within Sections 26 and 35, Township 2 North, Range 85 West, Routt County, Colorado.

PURPOSE: To provide the general public a location within the Yampa River Watershed with opportunity to mitigate unavoidable impacts to wetlands and waters of the United States after all efforts to avoid, minimize and mitigate on-site have been exhausted.

PROJECT DESCRIPTION: According to the bank sponsor, the proposed mitigation bank would entail the restoration and creation of approximately two hundred sixty (260) acres of wetland. Restored and created wetlands would include forested, shrub/scrub and grass/grasslike wetland types. It is anticipated that the completed project would provide a broad array of wetland functions and values. The wetland and aquatic habitat at the site would be restored and created through a variety of techniques using standard mitigation practices. The proposed bank would be primarily constructed by excavating substrate to a level consistent with existing wetlands, placement of instream structures to distribute water, and revegetation with native wetland and riparian species. The proposed wetland mitigation bank would be developed through a Mitigation Bank Review Team process, and all wetland development would be completed in accordance with the provisions of a Corps of Engineers approved Banking Instrument.

AREA DESCRIPTION: The project site is currently operated for agricultural (ranching) purposes which include forage (hay) and livestock production. The proposed mitigation bank site is located at an elevation between 8,000 and 8,120 feet above mean sea level and includes the drainages of Brinker and Chimney creeks. Brinker Creek is tributary to Chimney Creek, and Chimney Creek is tributary to the Yampa River. These creeks form the basis for hydrology at the proposed mitigation bank.

ADDITIONAL INFORMATION: The Corps of Engineers formally requested Federal and state agency review of the Prospectus for the Finger Rock Preserve, LLC, Wetland Mitigation Bank on July 18, 2003. A wetland delineation was verified by the Corps of Engineers on June 12, 2003, and it was determined that a total of approximately 17.7 acres of jurisdictional wetland currently exist at the proposed mitigation bank site.

The latest version of the National Register of Historic Places and its monthly supplements have been reviewed. Presently unknown cultural resources may be located in the project area, and the mitigation bank sponsor has retained a consultant to perform a cultural resources inventory at the mitigation bank site.

We have determined that project will not affect threatened or endangered species. The District Engineer has made this determination based on information provided by the applicant and on the Corps of Engineers preliminary investigation.

Interested parties are invited to submit written comments on the mitigation bank proposal on or before August 18, 2003. A copy of the prospectus may be obtained by contacting NatureTech Consultant Services Corporation, Post Office Box 2736, Grand Junction, Colorado 81502, telephone number (970) 255-6508. Written comments on the mitigation bank proposal should be submitted to the District Engineer at the address listed above. Please furnish a copy of your written comments to Mr. Ken Jacobson, Chief, Colorado/Gunnison Basin Regulatory Office, 402 Rood Avenue, Room 142, Grand Junction, Colorado 81501-2563. For further information, please contact Mr. Jacobson at telephone number (970) 243-1199, extension 11, or email ken.jacobson@usace.army.mil.

Michael J. Conrad, Jr.
Colonel, US Army
District Engineer