



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200375278

Date: October 10, 2003

Comments Due: October 31, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Review of a Prospectus for a mitigation bank under Regulatory Guidance identified in the Federal Register, Volume 228, Tuesday, November 25, 1995, Federal Guidance for the Establishment, Use and Operation of Mitigation Banks.

APPLICANT: Mesa County
Department of Public Works
750 Main Street
Post Office Box 20,000
Grand Junction, Colorado 81502-5077

LOCATION: The proposed wetland mitigation bank is located adjacent to the Colorado River at 23 1/4 Road near the City of Grand Junction within Section 8, Township 1 South, Range 1 West, Mesa County, Colorado.

PURPOSE: To provide Department of the Army permit applicants a location within Mesa County, Colorado with opportunity to mitigate unavoidable impacts to wetlands and waters of the United States after all efforts to avoid, minimize and mitigate impacts on-site have been exhausted. The proposed wetland mitigation bank prospectus provides information regarding operation of the bank under an "umbrella" authorization that would provide for multiple, discrete land parcels (mitigation bank sites).

PROJECT DESCRIPTION: The proposed wetland mitigation site construction involves recontouring within the elevation range of existing persistent emergent vegetation existing as a fringe around the abandoned gravel mine to convert tamarisk (*Tamarix* spp.) scrub areas and the majority of the flooded gravel mine to a mosaic of permanently inundated and seasonally saturated palustrine emergent wetlands. The site would be buffered with native wetland transition and upland riparian shrub vegetation, and would feature a total of approximately 1.0 acre of shallow open water, the depth and area of which would fluctuate seasonally. According to the applicant this approach is anticipated to develop self-sustaining jurisdictional wetlands based upon hydrologic and soil characteristics at the site.

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.

ADDITIONAL INFORMATION: Six additional parcels owned by Mesa County, Colorado are located within the City of Grand Junction area and are proposed for eventual inclusion in the proposed mitigation bank. Statements concerning these sites, existing conditions and potential mitigation implementation opportunities at each site are included in the prospectus.

The Corps of Engineers formally requested Federal and state agency review of the Prospectus for the proposed Mesa County Wetland Mitigation Bank on September 19, 2003. A wetland delineation of the initial site was verified by the Corps of Engineers on August 20, 2003, and it was determined that total of approximately 0.63 acre of jurisdictional wetland and 5.17 acres of other waters of the United States (open water and mud flat) exist at the proposed mitigation bank site.

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected. No further cultural resources review is warranted because the permit area has been extensively modified by previous work.

We have determined that the proposed 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' preliminary investigation.

Interested parties are invited to submit written comments on or before **October 31, 2003**. A copy of the prospectus may be obtained by contacting Rare Earth Science, LLC, 844 Grand Avenue, Grand Junction, Colorado 81501-3425, telephone number (970) 255-6508. Written comments on the mitigation bank proposal and prospectus should be submitted to the District Engineer at the address listed above. Please furnish a copy of your written comments to the attention of Ken Jacobson, Colorado/Gunnison Basin Regulatory Office, U.S. Army Engineer District, Sacramento, 400 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.

Mark W. Connelly
Lieutenant Colonel,
Corps of Engineers
Acting District Engineer