



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200475092

Date: April 29, 2004

Comments Due: May 23, 2004

In reply, please refer to the Public Notice Number

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct a seasonal road crossing, which would result in impacts to approximately 0.2 acres of waters of the United States. 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 action is being reviewed under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Sandco, Inc
Mr. Dave Dillon
PO Box 4440
Durango, Colorado 81302

LOCATION: The project site is located within the Animas River, just north of Trimble Lane (County Road 252), near Durango in Section 10, Township 36, Range 9, La Plata County, Colorado, and can be seen on the Hermosa USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to construct a temporary seasonal access road and conveyor system across the Animas River to access a proposed off-stream mining pit. The conveyor system would be constructed with temporary piers and would be placed in the river adjacent to the proposed road, to allow additional transport of aggregate material across the river. The proposed access road would be constructed of natural gravel material or river rock. Construction of the road would involve the placement of 6 to 8 culvert pipes, ranging in size from 24" to 49" in diameter, within the Animas River to accommodate the rivers low flow. The roadway would be about 25 feet wide and approximately 240 feet long, spanning the highwater mark with side slopes at 2:1, resulting in approximately 600 to 800 cu. yards of material (0.2 acres) below the ordinary highwater mark. The roadway would be constructed during the late fall and winter months, and will be removed each year prior to the spring runoff. The material therein will be redistributed throughout the river channel bed. This activity would continue for the lifetime of the pit. Due to the limited size of the SANDCO's processing pit, the expected mining operation is approximately 20 years.

Road Construction and Removal Procedures

Construction of the proposed road would begin on the east side of the river and proceed west. Native river-deposited material from the proposed lake area will be placed in the river concurrently with a series of large culvert pipes, so as not to restrict the flow of water. Placement of the pipes and gravel will be accomplished from the finished portion of the road, in order to minimize any channel disturbances. Road material will be placed on top of pipes and/or the road and then graded, never dumped wholly or directly into the river.

Removal of the road material would begin on the east side and proceed west. The pit run material used to cover the pipes will be excavated with a track hoe and loaded into dump trucks and hauled to the processing site on the west side. With culvert pipes now exposed, they will be lifted and transported back to the east side for the following season installation.

ADDITIONAL INFORMATION:

The substrate of the river, in which the crossing is proposed, is comprised mostly of river gravel. The river at this location is mostly devoid of vegetation, and the riparian area is dominated by grasses, willows, and cottonwoods. In addition, SANDCO, Inc's mining activities have been primarily located within the boundaries of the Animas River directly adjacent to their processing pit. The instream mining operations have been ongoing for approximately 20 years.

The historic operation involved the placement of a temporary access road across the Animas River. The proposed road will be approximately located at the historic road location.

Potential impacts associated with the proposed project may include the increase of turbidity and suspended sediments within the river during the construction phase of the road, degradation of adjacent banks due to continual disturbance, and impacts to fish habitat.

To minimize potential impacts, upon initial construction of the access road, the applicant has proposed to place riprap (see attachment 5) on both the east and west river banks to mitigate riverbank instability. Bank armoring will be constructed so as not to restrict the ordinary high flow or low flow of the Animas River. The rock may be partially backfilled with native soils in order to promote vegetation growth. Post-use restoration of the river banks at the location of the access road, would include contouring the slope to its original grade and planting native vegetation.

Alternatives. The purpose of the access road is to haul material from Sandco's off-stream mining pit located 300 feet east of the river to Sandco's 16.6 acre processing yard located directly across the river on the west side. Other alternatives that the applicant considered for transporting the gravel from the proposed pit to the processing plant, include using County Roads 250 and 252. However, the construction of an northeasterly access road from County Road 250 to the pit would be a total distance of 0.75 - 1.0 mile. In addition, the material would then have to be transported an additional 1.75 miles to Sandco's processing plant. This alternative would involve the total hauling distance to be approximately 2.5 miles versus the 0.25 mile for the proposed activity. According to the applicant, the transportation costs of building a proposed road and hauling material approximately 2.5 miles is not practical in view of the available crossing of 0.25 miles (800-900 feet) across the Animas River. The amount of truck traffic, noise, pollution, and wear and tear on the County Road would have a much greater negative impact on the neighboring property owners than the proposed river crossing. A second alternative that was considered was the construction of a conveyor system rather than an access road, to convey the material across the river to the processing plant. The conveyor system,

absent of a temporary road, would involve less fill activity within the Animas River and would have less of an impact through noise levels and dust on neighboring property owners. However, the applicant feels that if a conveyor belt was used a temporary access road, similar in nature of the proposed access road, would still be required for general maintenance for the conveyor system.

Project's Scope

The US Army Corps of Engineers regulates the discharge of fill or dredged material within waters of the U.S. Therefore, this public notice only describes the installation of the temporary seasonal haul road within the Animas River. The construction of the mining pit is located outside of the Corps' jurisdiction. The construction of the proposed pit and its environmental impacts are not included within the scope of our review process.

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

The applicant has received the La Plata County Board of County Commissioners Map Amendment (resolution No., 2004-5) recorded January 11, 2004, under Reception No, 876589 of the La Plata County Clerk and Recorder's office.

HISTORIC PROPERTIES: Based on the available information, no cultural resources are within the project's area of potential affect.

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

The above determinations are based on information provided by the applicant and our preliminary review.

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 200475092, must be submitted to the office listed below on or before May 23, 2004:

Ms. Kara Hellige, Project Manager
US Army Corps of Engineers, Sacramento District
Durango Regulatory Office
278 Sawyer Drive, Suite #1
Durango, Colorado 81303
Email: kara.a.hellige@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 Ms. Kara Hellige, 970-375-9452.

Attachments: 5 drawings