



US Army Corps  
of Engineers

Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Number: 200475304

Date: July 6, 2004

Comments Due: August 5, 2004

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application for the discharge dredged and fill material in the White River to construct the Rio Blanco State Wildlife Area inlet project. 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 Division of Wildlife  
c/o Mr. Barry Dupire  
Post Office Box 1181  
Meeker, Colorado 81641  
(970) 878-6090

**LOCATION:** The project site is located approximately 18 miles northwest of the Town of Meeker within Section 6, Township 1 North, Range 96 West, Rio Blanco County, Colorado, and can be seen on the White River City, Colorado, USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is proposing to reconstruct the inlet/intake structure which provides White River water to Rio Blanco Reservoir. The applicant's stated project purpose is to reconstruct the existing diversion structure to a higher elevation by placing boulders and riprap in the river channel.

The project would require the discharge of approximately 280 and 40 cubic yards of large boulders and 18-inch diameter rock riprap, respectively. The applicant believes there is a need to rebuild the main head drop at the inlet diversion to Rio Blanco Reservoir to insure a more consistent flow to the reservoir. The attached drawings provide additional project details.

## **ADDITIONAL INFORMATION:**

**Alternatives.** The applicant has not provided information concerning project alternatives.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver as required under Section 401 of the Clean Water Act from the Colorado Department of Public Health and Environment is required for this project. The applicant has not indicated they have applied for certification.

**HISTORIC PROPERTIES:** Based on the available information, cultural resources are not within the project's area of potential effect.

**ENDANGERED SPECIES:** The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat [Colorado pikeminnow (***Ptychocheilus lucius***)]. The Corps will initiate consultation with the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

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 Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

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 number 200475304, must be submitted to the office listed below on or before August 5, 2004:

Ken Jacobson, Chief  
Colorado/Gunnison Basin  
Regulatory Office  
400 Rood Avenue, Room 142  
Grand Junction, Colorado 81501-2563

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

Attachments: 4 drawings