



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street

Sacramento, CA 95814-2922

Number: 200475519

Date: October 3, 2006

Comments Due: November 2, 2006

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to improve Goeglein Gulch Road, which would result in impacts to approximately 0.56 acres of waters of the United States, including wetlands, within Goeglein Gulch Drainage. Goeglein Gulch is tributary to the Animas river, an interstate waterway. 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/regulatory.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: City of Durango
Greg Boysen
949 E. 2nd Ave.
Durango, Colorado 81301
970-382-6363

LOCATION: The project site is located along Goeglein Gulch Road in the City of Durango in Sections 21, 28, 29, Township 35n, Range 9w, La Plata County, Colorado.

PROJECT DESCRIPTION: The applicant is proposing to widen and improve Goeglein Gulch Road to include two through lanes (11 ft each in width), a center two-way left turn lane (13 feet in width) as needed to accommodate existing access, two designated bicycle lanes (5 ft in width), and a separated shared use path (10 feet in width). The project will be constructed using standard road construction methods.

The purpose of the project is to improve Goeglein Gulch Road to two through lanes, a center two-way left turn lane where required, designated bicycle lanes, and a separated shared use path to meet the required City of Durango standards to accommodate current and anticipated future auto, bicycle and pedestrian traffic volumes in the corridor.

The college mesa area has recently seen a large increase in residential and commercial development, along with continued expansion of Fort Lewis College (FLC). This project will improve the safety and operation of the roadway by providing a two-way left turn lane to segregate the left-turning vehicles from the flow of traffic, thereby eliminating the incidence of rear-end accidents. The addition of the bike lanes will provide a much needed safe mode of transportation between the college and downtown Durango. Currently, access to FLC from downtown is difficult and dangerous. In its current configuration, there are no pedestrian facilities in the corridor. The construction of the shared use path will provide this much needed facility and will eliminate the exposure of pedestrians to the flow of vehicular traffic. In addition to accommodating pedestrians, the shared use path will provide recreational opportunities to its users.

The Fort Lewis College Mesa is used for a variety of functions, including access to FLC, Hillcrest Golf

Course, Rim Drive Overlook, Lion's Den Park, the City of Durango Reservoir, Hillcrest Development, and SkyRidge Development. The mesa is also bordered by public lands to the southeast, which are used extensively for recreation. The area will see more recreational use due to increased development and trails.

The project has been divided into three phases, due to the availability of funding and the limited construction season in the Durango region.

Phase I

Phase I begins at the intersection of Goeglein Gulch and E 8th Avenue, and ends just north/east of the Goeglein Gulch Road/South River Trail intersection. This phase resulted in permanent impacts to 0.21 acres of waters of the US, including wetlands. The project resulted in piping 865 linear feet of stream. In a letter dated July 11, 2005 the Corps Durango Office verified that the project was authorized under Nationwide Permit (NWP) Number 14 for linear transportation projects and 33 for temporary construction activities. Phase I was constructed in 2005. The City of Durango is currently in non-compliance with a special condition of the permit which required mitigation.

Phase II

Phase II is currently under construction. This phase begins just south/west of the Goeglein Gulch Road/South Rim Trail intersection and ends at the Goeglein Gulch Road/Jenkins Ranch Road intersection. Phase II resulted in 0.48 acres of waters of the US, including wetlands. The project resulted in piping approximately 1,542 linear feet of stream. This Phase has not received a Department of the Army authorization, therefore the City of Durango is currently in violation of Section 404 of the Clean Water Act.

Phase III

Phase III is proposed to be constructed in the summer of 2007. This phase begins at the Goeglein Gulch/Jenkins Ranch Road intersection and ends just north/east of the Goeglein Gulch Road/Hillcrest Drive. Phase III will result in 0.08 acres of impacts to waters of the US.

Wetland Type Permanent Impact in Acres

Phase I

Palustrine Emergent	0.18
Palustrine Scrub Shrub	0.0
Palustrine Foreste	0.0
Intermittent Streambed	0.03
Total	0.21

Phase II

Palustrine Emergent	0.26
Palustrine Scrub Shrub	0.01
Palustrine Forested	0.07
Intermittent Streambed	0.14
Total	0.48

Phase III

Palustrine Emergent	0.07
Palustrine Scrub Shrub	0.01
Palustrine Forested	0.0
Intermittent Streambed	0.0
Total	0.08

TOTAL PROJECT IMPACTS: 0.77

This office is reviewing Phase II and Phase III under the Individual Permit Process, due to the cumulative impacts of 0.77 acres for all three phases.

Mitigation Proposal

The City of Durango has provided a compensatory mitigation plan for all three phases of the Goeglein Gulch project, along with the Sky Ridge Development (DA # 199875183). During the permit review for Phase I, it had been determined that Sky Ridge Development had not fulfilled their wetland mitigation requirements. Therefore, the mitigation for Goeglein Gulch will be combined with the mitigation requirements of Sky Ridge Development. The mitigation plan for Phase I and Sky Ridge has already been approved by the Corps Durango Office. The approved mitigation plan was over-designed in anticipation of mitigation needed for Goeglein Gulch Phase II and III. Currently some minor revisions are being made to the mitigation plan to adjust for some conflicts between the original layout of the mitigation areas and the road alignment in Phase III of the project. Construction of the mitigation area is proposed for the fall of 2006.

The proposed mitigation plan includes:

- 1) creation of 0.26 acres of palustrine emergent wetland, 0.14 acres of palustrine scrub shrub, 0.11 acres of palustrine forested/riparian canopy,
- 2) enhancement of 2.23 acres of riparian buffer,
- 3) enhancement and creation through meanders of 0.1 acres of stream bed (2,013 LF).

The City of Durango is requesting 1.71 acres of wetland mitigation credit. The total impacts for Sky Ridge Development (.68 acres) and Goeglein Gulch (0.71 acres) is 1.39 acres.

Preconstruction Site Conditions

Elevations within the study area range from about 2,627 m (8,620 ft) mean seal level (msl) to 2,691m (8,830 ft) msl. The jurisdiction areas of concern are all associated with the Goeglein Gulch Drainage. The drainage parallels the existing Goeglein Gulch Road. The riparian areas of concern are characterized by the gravel/cobble stream channel and associated palustrine emergent and scrub/shrub stream edges. At the proposed mitigation location there are three open water features (Pond 1, 2, & 3) as well as several wet swales which collect roadside runoff.

Based on the available information, the overall project purpose is to improve safety condition for vehicular and pedestrian access to Fort Lewis College. The applicant believes there is a need to accommodate current and anticipated future auto, bicycle and pedestrian traffic volumes in the corridor. The attached drawings provide additional project details.

Alternatives. The applicant has provided information concerning project alternatives. The applicant's alternatives are attached. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

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

HISTORIC PROPERTIES: The State Historic Preservation Officer has concurred that the project site does not contain any historic or cultural resources eligible for listing within the National Register.

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 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 200475519, must be submitted to the office listed below on or before November 2, 2006:

Kara Hellige, Project Manager
US Army Corps of Engineers, Sacramento District
Durango Regulatory Office
103 Sheppard Drive
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 Kara Hellige, 970-375-9452, or e-mail at kara.a.hellige@usace.army.mil.

Attachments: 11 drawings