Public Notice

US Army Corps of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Number: 200575262
Date: May 17, 2005
Comments Due: June 16, 2005

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Frisco Whitewater Park On Ten Mile Creek project, which would result in the discharge of 834 cubic yards of three to four foot diameter native stone boulders and 54 cubic yards of concrete grout into waters of the United States, including wetlands, in or adjacent to the Ten Mile Creek. 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: Town of Frisco
Attn: Mr. Michael Penny
P.O. Box 4100
Frisco, Colorado 80443
970-668-5276

LOCATION: The project site is located at the West Main Street Park-N-Ride Facility/Ten Mile Canyon Trailhead Parking Lot in Frisco in Section 34, Township 5 South, Range 78 West, Summit County, Colorado, and can be seen on the Frisco USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to construct two drop structures to enhance boating and aquatic habitat, terrace the stream bank to improve stability and provide access, and place up to twelve large diameter boulders in created plunge pools.

The two drop structures will be constructed, replacing two existing rock weirs, using three to five foot diameter boulders. The drop structures will extend across the entire channel and be anchored to each stream-bank. Boulders will be anchored to the bed and banks to insure that they will withstand flood flows. All boulders, within the flow opening, will be placed such that their top surfaces match flush to the existing channel invert, in order to prevent impoundment of flows within Ten Mile Creek. Each structure will be placed at such an elevation as to ensure that there is no overall reduction in flood capacity for the channel. The approximate quantity of each structure is 270 cubic yards and a total of 54 yards of grout will be used in order to insure structural stability of each structure.

A four-foot deep pool will be excavated below each structure, with pool depth gradually decreasing in the downstream direction to form the pool tailout. The resulting pool will provide pool habitat and will be scoured of sediment during high slows. The drop associated with the drop structure will dissipate stream energy and aerate the water.

The drop structure will be constructed at periods of low flow and a temporary coffer dam constructed with on site cobble will be used to create a dry work area and ensure proper vertical anchoring.

Ten to twelve, six-foot diameter riffle roughness boulders will be placed at various locations above and below plunge pools to enhance the quality of the riffle and create velocity shelters for recreational boaters and fish.

Portions of the stream-banks will be stabilized. Bank terracing, consisting of three-foot diameter boulders, will be placed at the tow of the new streambank below the ordinary high waterline within the project area. A total of 264 cubic yards of material will be placed as bank terracing.

The drop structures will be constructed during periods of low flow, typically either the spring or fall. During this time period, flows in Ten Mile Creek typically are less than 50 cubic feet per second. the flow of Ten Mile Creek will be diverted around the work area using a temporary coffer dam constructed of on-site cobbled and gravel and nuisance water will be pumped out of the work area. The resulting dry work area will allow for the appropriate vertical anchoring of boulders and allow placement of concrete grout without contact with the live flow of Ten Mile Creek. Once boulders have been placed and the grout has cured, the flow of the river is placed over the drop structure and the remainder of the structure is completed.

Project construction is anticipated to occur during the late summer or fall of 2005. Construction is anticipated to be completed within 45 days of commencement.

Based on the available information, the overall project purpose is to provide improved recreational opportunities, enhance the aquatic environment, and stabilize streambank areas. The applicant believes there is a need to provide whitewater boating facilities to the citizens of Frisco. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. This reach of Ten Mile Creek can be characterized as moderately disturbed. The banks are rip-rapped in areas and the stream is generally channelized in this area. There are rock weirs in the channel. There are willows and alders along the bank, primarily interspersed just above the normal flow range.

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

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, Water Quality Control Division is required for this project. Written comments on water quality certification should bed submitted to Mr. John Hranac, Planning and Standards Section, Colorado Department of Public Health and Environment, Water Quality Control Division, 4300 Cherry Creek Drive South, Denver, Colorado 80222-1530, on or before June 16, 2005. 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 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 200575262, must be submitted to the office listed below on or before June 16, 2005:

Anthony C. Curtis, Office Chief
US Army Corps of Engineers, Sacramento District
Frisco Regulatory Office
P.O. Box 607
301 West Main Street, Suite 202
Frisco, Colorado 80443-0607
Email: Anthony.C.Curtis@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 Anthony C. Curtis, 970-668-9676, Anthony.C.Curtis@usace.army.mil.

Attachments: 6 drawings