



US Army Corps  
of Engineers  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: SPK-2006-00897

Date: November 30, 2007

Comments Due: December 30, 2007

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 the Colusa Generating Station project, which would result in approximately 0.702 acre of permanent impacts and 0.455 acre of temporary impacts to waters of the United States, including wetlands, in or adjacent to Teresa Creek and Glenn-Colusa Canal. 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 10 of the Rivers and Harbors Act of 1899 for structures or work in or affecting navigable waters of the United States and/or Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**APPLICANT:** E&L Westcoast, LLC  
8403 Colesville, Suite 915  
Silver Springs, Maryland 20910  
Attn: Andrew Welch, (240) 723-2304

**LOCATION:** The project site is located in Glenn-Colusa Canal and Teresa Creek, Section 35, Township 18 North, Range 4 West, MDB&M, Colusa County, California, and can be seen on the attached USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is proposing to construct a nominal 660-megawatt combined-cycle power plant on 31 acres of a 100-acre site. This project will include a 22.5-acre power generation facility and stormwater basin, a new 8.2 –acre switchyard, a 43-acre construction area (including laydown, parking, and office), a new 1,800 foot-long electrical interconnection to PG&E's 230kV Cottonwood to Vaca-Dixon lines adjacent to the site, a new 1,500-foot-long natural gas pipeline from the Tehama-Colusa Canal, and a 2,500-foot-long access road extending from the existing road leading to the PG&E Compressor Station. In addition, a permanent 12-foot-wide dirt road will be constructed along the pipeline conveying water from Tehama-Colusa Canal to the power plant. The road will be used for maintenance and access to the water intake at the Tehama-Colusa Canal. In order to access the power plant site with heavy-vehicle equipment the applicant is proposing to construct and replace two bridges located at Teresa Creek and Glenn-Colusa Canal. Based on the available information, the overall project purpose is to replace two bridges and reconfigure associated road approaches to allow for heavy haul vehicles to access a proposed new power generation facility. The applicant believes there is a need to replace existing bridge structures and widen road approaches to allow heavy equipment to access the proposed power generation facility. The attached drawings provide additional project details.

**ADDITIONAL INFORMATION:**

**Environmental Setting.** There are approximately 27.41-acres of wetlands and other waters of the United States including vernal pool complex wetlands, seasonal wetlands, agricultural wetlands, perennial tributaries within the project area. The project site for the bridges, approaches, and the proposed power generating station is characterized by two types of grasslands: California annual grasslands and vernal pool grasslands. California annual grassland habitats occupy most of the study area and are dominated by nonnative plant species that are typical of degraded grasslands in the Central Valley. Dominant species include yellow star-thistle (*Centaurea solstitialis*), medusa head (*Taeniathernum caput-medusae*), cut-leaf geranium (*Geranium dissectum*), wild oats (*Avena ssp.*), ripgut brome (*Bromus diandrus*), and filaree (*Erodium botrys*). These grasslands provide habitat for common wildlife species such as the meadowlark (*Sturnella neglecta*), savannah sparrow (*Passerculus sandwichensis*), and coyote (*Canis latrans*). The vernal pool grasslands are associated with some of the low elevation portions of the study areas. Vernal pool grasslands are identified separately from California grasslands because the vernal pool grasslands intergrade with the vernal pools and other seasonal wetlands. All of the grasslands in the study area provide habitat for common wildlife species such as the meadowlark, savannah sparrow, and coyote.

**Alternatives.** The applicant has 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. The applicant has proposed compensatory mitigation for impacts to waters of the United States including wetlands.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the California Regional Water Quality Control Board is required for this project. The applicant has indicated they have applied for certification.

**HISTORIC PROPERTIES:** The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate.

**ENDANGERED SPECIES:** The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

**ESSENTIAL FISH HABITAT:** The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management 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 SPK-2006-00897 must be submitted to the office listed below on or before December 30, 2007.

Mr. Brian Vierria, Project Manager  
US Army Corps of Engineers, Sacramento District  
Sacramento Office  
1325 J Street, Room 1480  
Sacramento, California 95814 2922  
Email: [brian.e.vierria@usace.army.mil](mailto:brian.e.vierria@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 Mr. Brian Vierria, 916-557-7728, [brian.e.vierria@usace.army.mil](mailto:brian.e.vierria@usace.army.mil).

Attachments: 5 drawings