



Public Notice

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

Number: 200675059
Date: February 20, 2006
Comments Due: March 21, 2006

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Eagle River Recreational Enhancements project, which would result in impacts to approximately 0.01 acre of wetlands adjacent to the Eagle River, place 16 cubic yards of fill below the ordinary high water mark of the Eagle River for a boat ramp and re-work approximately 123 linear feet of river bank line and 316 cubic yards of fill material existing in waters of the United States (Eagle River). 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 Avon, Colorado
Contact: Mr. Norman Wood
400 Benchmark Road
Avon, Colorado 81620
Telephone: (970) 748-4045

AGENT: River Restoration.Org
Contact: Mr. Jason Carey, PE
Post Office Box 2123
Glenwood Springs, Colorado 81601

LOCATION: The project site is located at Bob Bridge in the Town of Avon, Colorado within Section 12, Township 5 South, Range 82 West, Eagle County, Colorado, and can be seen on the Edwards USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to construct three drop structures (two pre-cast and one boulder) with a new boat launch area to enhance whitewater boating recreation on the Eagle River. Based on the available information, the overall project purpose is to build a whitewater recreation park.

The applicant states the project purpose is to enhance recreation and visual aesthetics in a unique reach of whitewater on the Eagle River. The applicant believes the need for this project is to protect and improve recreational opportunities in accordance with Eagle River Watershed Plan (1996).

The project is further summarized under the following description of impacts:

Bank Terracing. The applicant is proposing a re-working of the existing upstream and downstream Bob Bridge rip-rap at the North side of the river but between the existing bike path and the Eagle River (from stations 1+00 to 1+40 and 2+50 to 3+10). The applicant is proposing approximately 100 linear feet of re-worked rip-rap to accommodate a more user-friendly seating and viewing area. This area will be modified from an existing dumped rip-rap area into boulder terraced banks. Approximately 55 cubic yards of the bank terrace fill material will be below the ordinary high water mark and would be comprised of cobbles and boulders with a gravel bedding. This is approximately 0.013 acre of fill below the ordinary high water mark.

Boulder Structures. The applicant is proposing a re-working of approximately 316 cubic yards of existing rip-rap and boulder material during the creation of the boulder structures. This material will consist of boulder and cobble material in the existing area as well as new imported boulders. The extent of the fill area will be 1700 square feet for the boulder structures. The boulder structures will be built on the North and South sides of the river (between stations 1+20 to 1+45 and 2+95 to 3+20 and across the river channel between stations 4+80 to 4+90). In addition, the applicant proposes small wing structures constructed of re-worked boulders at stations 2+30 to 2+40 and 3+90 to 4+10.

Wave Features. The applicant is proposing a total of 22 cubic yards keyed into the excavated bedrock. Wave features will be pre-cast, concrete reinforced with fiberglass rebar material and backfilled with ready mix. No wet concrete will be directly placed into the stream or stream bed for this project; however, the pre-cast structures will be pump-filled with ready mix concrete in-place. Wave features will be placed at stations 3+03 and 1+33.

Pools. River pools will be enhanced in two locations at stations 2+80 and 3+05. The pools will require excavation of approximately 31 cubic yards of bedrock material. At stations 4+80 and 5+00 10 cubic yards of existing boulders will be re-arranged and between stations 4+80 and 5+00, excavation of 16 cubic yards of material will be required.

Boat Ramp. The applicant is proposing a boat ramp by excavating the river bank at the existing graveled parking area. Minimal impact to mature woody vegetation is likely to occur. The boat ramp will be stabilized with a Geo-web synthetic backfilled with compacted road base above the high water mark. At and below the high water mark, approximately 16 cubic yards of boulder fill placement will be necessary.

Wetland Impacts. There is an existing small (400 square feet) wetland area near the boat ramp that will not be impacted by construction activities. The functions of the wetland area will not be impaired or lost. There will however, be an overall net increase to this wetland area by the creation of between 50 and 305 square feet of wetland/riparian area replaced where excess rip-rap now exists.

The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. The immediate area surrounding the new Bob Bridge and the Eagle River riparian corridor is heavily impacted from activity associated with recreational, past construction and public use activities. The Eagle River riparian community is characterized by willows, scattered conifers and narrow leaf cottonwood. The applicant has identified the following functions existing at this section of the Eagle River and riparian corridor as; sediment transportation, fish habitat, pollution dilution, flood dissipation and wildlife corridor

Alternatives. The applicant has provided information concerning four (4) 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.

The attached Appendix B (7 pages) provides the applicant's submitted alternative analysis.

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. A riparian area will be restored on the North side of the river between sections 0+70 to 1+00. This area was previously filled with approximately 50 cubic yards of leftover rip-rap from the Bob Bridge construction. This material will be removed and used on the bank terracing and wing structures between section 1+10 to 1+40. It is expected that a minimum of 10 cubic yards and a maximum of 50 cubic yards will be removed from this riparian area.

The applicant states the proposed project will enhance the benefits of recreation with a balance of detriments. The values lost by temporary construction impacts on the stream bed and the removal of 21 feet of overhanging bank cover are transferred to the long-term gain in recreation and community heritage value. Recreation will be greatly concentrated to existing degraded areas including rip-rap river banks.

The applicant states the functions of the reach are insignificantly changed with respect to velocity breaks, back waters, and sediment transport. The project area aquatic functions have been previously degraded by the Bob Bridge construction. The applicant states that there will be no change to water quality and channel morphology created by this project. There will be a net increase in wetland riparian areas with the removal of some of the rip-rap river bank material. The applicant also states that overall, the Eagle River watershed will benefit by the education of the community, and the introduction of new river stewards to the river environment.

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 (including applicant's report entitled January 23, 2006, Individual Permit 404 Permit Application), 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 200675059, must be submitted to the office listed below on or before March 21, 2006:

Mr. Mark Gilfillan, Project Manager
US Army Corps of Engineers, Sacramento District
Colorado/Gunnison Basin Regulatory Office
400 Rood Avenue, Room 142
Grand Junction, Colorado 81501-2563
Email: Mark.A.Gilfillan@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. Gilfillan, at telephone number (970) 243-1199, extension 15, or by email at Mark.A.Gilfillan@usace.army.mil.

Attachments (2): Appendix B (7 pages of alternatives)
9 full drawings (18 split drawings)