



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

Public Notice

Number: 2007-01391-GB

Date: October 3, 2007

Comments Due: November 5, 2007

SUBJECT: The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct a whitewater recreation park in the Colorado River, which would result in the placement of fill into waters of the United States below the ordinary high water mark (OHWM) of the Colorado River. Based on project plans and preliminary wetland delineation, no jurisdictional wetlands will be filled as a result of the 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 and Section 401 for water quality certification.

APPLICANT: Town of Palisade
POC: Mr. Tim Sarmo
175 East 3rd Street
PO Box 128
Palisade, CO 81526-0128

AGENT: Recreation, Engineering and Planning
POC: Mr. Gary Lacy
485 Arapahoe Avenue
Boulder, CO 80302

LOCATION: The project site is located in and along the banks of the Colorado River, immediately east of Riverbend Park in Section 3, Township 1 South, Range 2 East, at UTM 12 729313E 4331057N, Town of Palisade, Mesa County, Colorado, and can be seen on the Palisade USGS Topographic Quadrangle.

PROJECT DESCRIPTION: The applicant is proposing to construct a recreational whitewater park along a 400-linear-yard section of the Colorado River. The whitewater park consists of multiple components as follows:

- 1) Three (3) drop structures comprising approximately 4,409 cubic yards of natural rock/boulder.
- 2) Two (2) plunge pools will be utilized in two locations beneath the drop structures
- 3) Eight (8) current deflector structures comprising approximately one thousand one hundred five (1,105) cubic yards of rock/boulder

- 4) Thirty six (36) eight-foot-diameter boulders
- 5) Six hundred sixty one (661) cubic yards of sub-surface flow fill, to be placed below the invert of the river channel. Flow fill will be installed under de-watered conditions
- 6) Four hundred fifty (450) cubic yards of rock for riverbank terracing
- 7) Twelve hundred (1,200) cubic yards of temporary pitfall to be utilized in construction of a coffer dam. This material will be removed after project completion.
- 8) Fifteen hundred (1,500) cubic yards of cobble/rock armoring
- 9) Nine hundred (930) cubic yards miscellaneous pitfall/cobble compacted fill

The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Environmental Setting. The proposed project area contains approximately 400-linear-yards of the Colorado River and its banks, 2 existing islands, an existing diversion channel, an active irrigation channel, and two pump stations with associated intake structures. Upland areas contain cottonwood (*Populus deltoids*), Russian olive (*Elaeagnus angustifolia*), grease wood (*Sarcobatus vermiculatis*) western wheatgrass (*Agropyron smitii*) and various grasses and forbs. Fringe wetlands contain tamarisk (*Tamarix ramosissima*), horse tail (*Equisetum arvense*), barnyard grass (*Echinochloa crus-galli*) and common spike rush (*Eleocharis palustris*), American three-square (*Scirpus maritimus*), common reed (*Phragmites australis*), reed canary grass (*Phalaris arundinacea*) and willow (*Salix spp.*).

Alternatives. The applicant has not provided any alternatives to the proposed project at this time. Alternatives to the applicants proposed project will be evaluated as the Corps is required to evaluate both onsite and offsite 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, Water Quality Control Division, is required for this project. Application status is unknown.

HISTORIC PROPERTIES: Preliminary review indicates that no historic properties will be directly effected by the proposed project. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Preservation Act, as appropriate.

ENDANGERED SPECIES: The proposed project is located in designated critical habitat of two Federally-listed endangered species, the Colorado Pikeminnow (*Ptychocheilus lucius*) and razorback sucker (*Xyrauchen texanus*). The Corps has determined the proposed project *may effect* the above listed species and/or their critical habitat and will initiate consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of 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 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230), or of their criteria.

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 2007-01391-GB, must be submitted to the office listed below on or before November 5, 2007.

Mr. Steve Moore, Project Manager
US Army Corps of Engineers, Sacramento District
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 the Corps' project manager, Steve Moore at 970-243-1199 extension 13.

Attachments: 18 drawings