



PUBLIC NOTICE

**US Army Corps
of Engineers**

Omaha District

Effective Date: April 1, 2001

Wyoming Regulatory Office 2232 Dell Range Blvd., Suite 210 Cheyenne, Wyoming 82009

WYOMING REGULATORY OFFICE
NOTICE OF PERMITS ISSUED, DENIED, SUSPENDED OR WITHDRAWN
JANUARY 1 - MARCH 31, 2001

<u>File No.</u>	<u>Applicant Activity - Waterbody - County</u>	<u>Permit Action</u>	<u>Date</u>
199440326	Wyoming Water Development Commission	Issued (Previous Quarter)	12/20/00

Construction of the High Savery Dam and Reservoir, a.k.a. the Little Snake River Supplemental Irrigation Water Supply Project and its associated facilities. The earth-fill dam will be 130 feet high and at normal pool will have a surface area of about 482 acres with a storage capacity of about 22,433 acre-feet. It will be located on Savery Creek in Carbon County. Water from the reservoir will be used for late season supplemental irrigation supply. Construction of the dam and reservoir will involve excavation of (approximately) 1,700,000 cubic yards (cu yds) of material, placement of 1,600,000 cu yds of fill to construct the dam, and 60,000 cu yds of fill to construct a temporary cofferdam upstream of the construction site for the dam. The project will impact about 16 acres of wetlands.

200040227	City of Rawlins	Withdrawn	02/22/01
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Construction of portions of a city golf course involving the proposed filling of 0.48 acre of saline wetlands for a green, filling of .04 acre of other waters of the U.S. that would modify the hydrologic regime of approximately 35 acres of other saline wetlands, and excavation of 3.0 acres of unconsolidated bed material to be replaced with a liner and about 4800 cu yds of fill for associated irrigation facilities. To be located in isolated wetlands in Carbon County.

Note: The applicant in the above action was advised in a letter from the Corps dated February 22, 2001, that their application had been withdrawn. Based on information in the record and an on-site visit, the Corps had determined the wetlands and waters on site were isolated and no longer considered to be waters of the U.S. under Section 404 of the Clean Water Act. This determination was made subsequent to the U.S. Supreme Court decision in the case of the Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, No. 99-1178 (January 9, 2001) (SWANCC), which held that the

Corps exceeded its statutory authority by asserting jurisdiction over an abandoned sand and gravel pit in northern Illinois that provided habitat for migratory birds. In light of the Courts ruling, the Corps will no longer rely on the use of waters or wetlands as habitat by migratory birds as the sole basis for the assertion of regulatory jurisdiction over isolated, non-navigable, intrastate waters. The Courts ruling did not affect the Corps regulations and jurisdiction over **all** isolated water bodies. It also did not affect Corps jurisdiction over surface water tributaries and their adjacent wetlands that meet the definition of waters of the U.S.

199940148

Steve Raridan and Alan Huston

Issued 03/19/01

Construction of an erosion control structure including approximately 930 cubic yards (cu yds) of rock to construct a rock sill, 590 cu yds of fill to construct a 225-foot-long rock revetment along the bank downstream of the rock sill, and 165 cu yds of fill (each) to construct two rock weirs located approximately 150 feet and 250 feet downstream of the sill. Located on the Green River in Sublette County.

During the period covered by this public notice, the Wyoming Regulatory Field Office also authorized 8 projects under the provisions of the regional general permits available for use in Wyoming. This office also verified 132 projects to be done in accordance with the Corps nationwide permits applicable and available for use in Wyoming.

Anyone interested in knowing if an activity observed in a waterway or wetland in Wyoming has been authorized by an individual, regional, or nationwide permit is encouraged to contact the Wyoming Regulatory Office. Responses to such inquiries will be facilitated if the individual inquiring is able to provide the location of the activity by quarter, section, township, range, and county or the name of the individual or organization responsible for the work.

An Environmental Assessment or Environmental Impact Statement, if such was required, and a Statement of Findings and/or Record of Decision were prepared on each of the permit actions listed above and are on file in the Omaha District, Corps of Engineers, Wyoming Regulatory Office, 2232 Dell Range Blvd., Suite 210, Cheyenne, Wyoming, 82009. Copies of these documents are available and can be obtained upon written request.

Please contact the Wyoming Regulatory Office at (307) 772-2300, if you have any questions or need further information concerning this notice.