



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Applicant: The City of Fort Worth

Permit Application No.: SWF-2012-00441

Date: July 23, 2013

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

Contact

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Phone Number: 817-886-1738

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

AND

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUBJECT: Application for a Department of the Army Permit under Section 404 of the Clean Water Act (CWA) and for water quality certification under Section 401 of the CWA to discharge dredged and fill material into waters of the United States associated with the proposed Park Vista Boulevard South Project, located in the city of Fort Worth, Tarrant County, Texas.

APPLICANT: City of Fort Worth

APPLICATION NUMBER: SWF-2012-00441

DATE ISSUED: July 23, 2013

LOCATION: The proposed Park Vista Boulevard (South) roadway project would be located between the intersection of Ray White Rd and Wyndbrook Street and Golden Triangle Boulevard, city of Fort Worth, Tarrant County, Texas. The proposed project would be located approximately at N 32.927593° latitude; W -97.272650° longitude within the Keller 7.5-minute USGS quadrangle map in the Big Bear Creek USGS Hydrologic Unit 120301020703.

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant proposes to discharge approximately 2,530 cubic yards of dredged and fill material into approximately 1.05 acres (1,154 lf) of waters of the United States (WOUS) in conjunction with the construction of the proposed Park Vista Boulevard South Project. Total proposed impacts to waters of the U.S. include the direct and permanent impacts to 0.90- acre of non-forested wetlands, 746 lf (0.13-acre) of intermittent stream, and 408 lf (0.02-acre) of ephemeral stream.

I. INTRODUCTION: The City of Fort Worth is proposing to construct a 4 lane roadway with an associated 110 ft right-of-way. The applicant's stated purpose for the project is to help aid with the current and projected public roadway congestion in and around the vicinity of the proposed project area. The proposed route of the roadway is designed to connect Ray White Road and Golden Triangle Boulevard. The proposed roadway and associated infrastructure would include the construction of two 12'x4' box culverts that will be constructed beneath the proposed roadway for approximately 1,300 lf and a bridge that will span the proposed re-location of approximately 584 lf of intermittent stream (Big Bear Creek). The bridge construction would include support columns, rip rap, and additional fill material for the bridge embankment areas.

II. EXISTING CONDITIONS: The proposed project area extends north/south across a vacant parcel of land in between the intersection of Ray White Rd and Wyndbrook Street and Golden Triangle Boulevard, city of Fort Worth, Tarrant County, Texas. The project area is primarily surrounded by residential development.

The general topography within the proposed project area is gently sloping and ranges from approximately 690 to 730 feet above mean sea level. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map shows that a portion of the proposed project area is mapped within the 100-year floodplain. The National Wetland Inventory (NWI) Map shows the historical presence and route of Big Bear Creek.

According to the Soil Survey of Tarrant County six soil series are located within the proposed project area: Burleson clay (0 to 1 percent slopes), Frio silty clay (frequently flooded), Lindale clay loam (1 to 3 percent slopes), Slidell clay (0 to 1 percent slopes), Slidell clay (1 to 3 percent slopes), and Wilson clay loam (0 to 2 percent slopes).

The project area contains two intermittent streams (Big Bear Creek and an intermittent tributary to Big Bear Creek), and one herbaceous wetland/ephemeral stream complex. There is approximately 584 lf of Big Bear Creek (an intermittent stream), 162 lf of an unnamed intermittent tributary to Big Bear Creek, and 408 lf of ephemeral stream segments inter-mingled within the 0.90-acre herbaceous wetland complex, within the proposed project area. Big Bear Creek flows from the west to the east through the project site. The un-named intermittent tributary of Big Bear Creek flows from south to north, originating from the terminus of the wetland complex and terminating into Big Bear Creek. The three stream segments that constitute the 408 lf ephemeral stream flow generally from south to north through the herbaceous wetland complex. The wetland complex receives its hydrology from the south and consists of cattail (*Typha latifolia*), barnyard grass (*Echinochloa crus-galli*), and spikerush (*Eleocharis sp.*).

III. ADVERSE IMPACTS TO WOUS: The proposed culverts, site grading, bridge embankments, and roadway will result in the placement of approximately 1,452 cubic yards of fill material into 0.90-acres of herbaceous wetland and 1,078 cubic yards of fill material into 746 lf of intermittent stream and 408 lf of ephemeral stream. The re-location of 584 lf of Big Bear Creek will result in a reduction in total linear feet of Big Bear Creek.

IV. APPLICANTS ALTERNATIVES: The applicant has provided an initial alternatives analysis that includes three proposed alternatives. The applicants preferred alternative (Alternative 1) is designed to connect Ray White Road and Golden Triangle Boulevard directly without any s-curves. This alternative would impact all WOUS within the project area. The applicant believes this is the only alternative that meets the purpose and need of the project. The Shifted Alternative (Alternative 2) would shift the proposed Park Vista Boulevard to the west of the WOUS, therefore avoiding impacts to the 0.9-acres of wetlands and inter-mingled ephemeral stream. Shifting the proposed right-of-way to the west would create two intersections in the immediate area due to the s-curve created by this design. Both intersections would require traffic signals, or at the very least stop signs. This would create additional congestion on both Park Vista Boulevard and Ray White Road. The applicant believes this alternative does not meet the

purpose and need of this project, would not fit within the city's master thoroughfare plan (MTP), and would create safety concerns due to the dangerous s-curve that would need to be constructed to the west to avoid impacts to WOUS. The No Action Alternative (Alternative 3) would eliminate the construction of the proposed roadway. This would cause traffic to follow the current traffic routes of Ray White Road to North Beach Street or Ray White Road/Alta Vista Road to Golden Triangle Boulevard. This alternative would not impact WOUS. The applicant believes this alternative does not meet the purpose and need of the project and would result in an increase in congestion within the vicinity of the project area.

V. COMPENSATORY MITIGATION: The applicant proposes to compensate for the loss of WOUS with the purchase of mitigation credits from a currently serviceable mitigation bank. The specific mitigation bank is to be determined by the applicant.

VI. EXHIBITS:

- A. Exhibit 1: Large-Scale Vicinity Map
- B. Exhibit 2: Local Vicinity Map
- C. Exhibit 3: Aerial Project Map
- D. Exhibit 4: Topographic Project Map
- E. Exhibit 5: Floodplain Map
- F. Exhibit 6: National Wetlands Inventory (NWI) Map
- G. Exhibit 7: Soils Map
- H. Exhibit 8: WOUS Map
- I. Exhibit 9: Impacts to WOUS Map
- J. Exhibit 10: Photograph Location Map
- K. Exhibit 10a-10c: Project Site Photos
- L. Exhibit 11: Plan and Cross-Section Views

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-332, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The USACE 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 USACE in determining whether to issue, issue with modifications, or conditions, 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 the 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.

STATE WATER QUALITY CERTIFICATION: This project incorporates the requirements necessary to comply with the Texas Commission on Environmental Quality's (TCEQ) Tier I project criteria. Tier I projects are those that result in a direct impact of three acres or less of waters of the State or 1,500 linear feet of streams (or a combination of the two is below the threshold) for which the applicant has incorporated best management practices (BMPs) and other provisions designed to safeguard water quality. The USACE has received a completed checklist and signed statement fulfilling Tier I criteria for the project. Accordingly, a request for 401 certification is not necessary and there will be no additional TCEQ review.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service's latest published version of endangered and threatened species to determine if any species may occur in the project area. The proposed project would be located in Tarrant County where the whooping crane (*Grus americana*) and least tern (*Sterna antillarum*) are known to occur or may occur as migrants. The whooping crane and least tern are endangered species. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: The USACE has reviewed the latest complete published version of the National Register of Historic Places and found no listed properties to be in the project area. However, presently unknown scientific, archaeological, cultural or architectural data may be lost or destroyed by the proposed work under the requested permit.

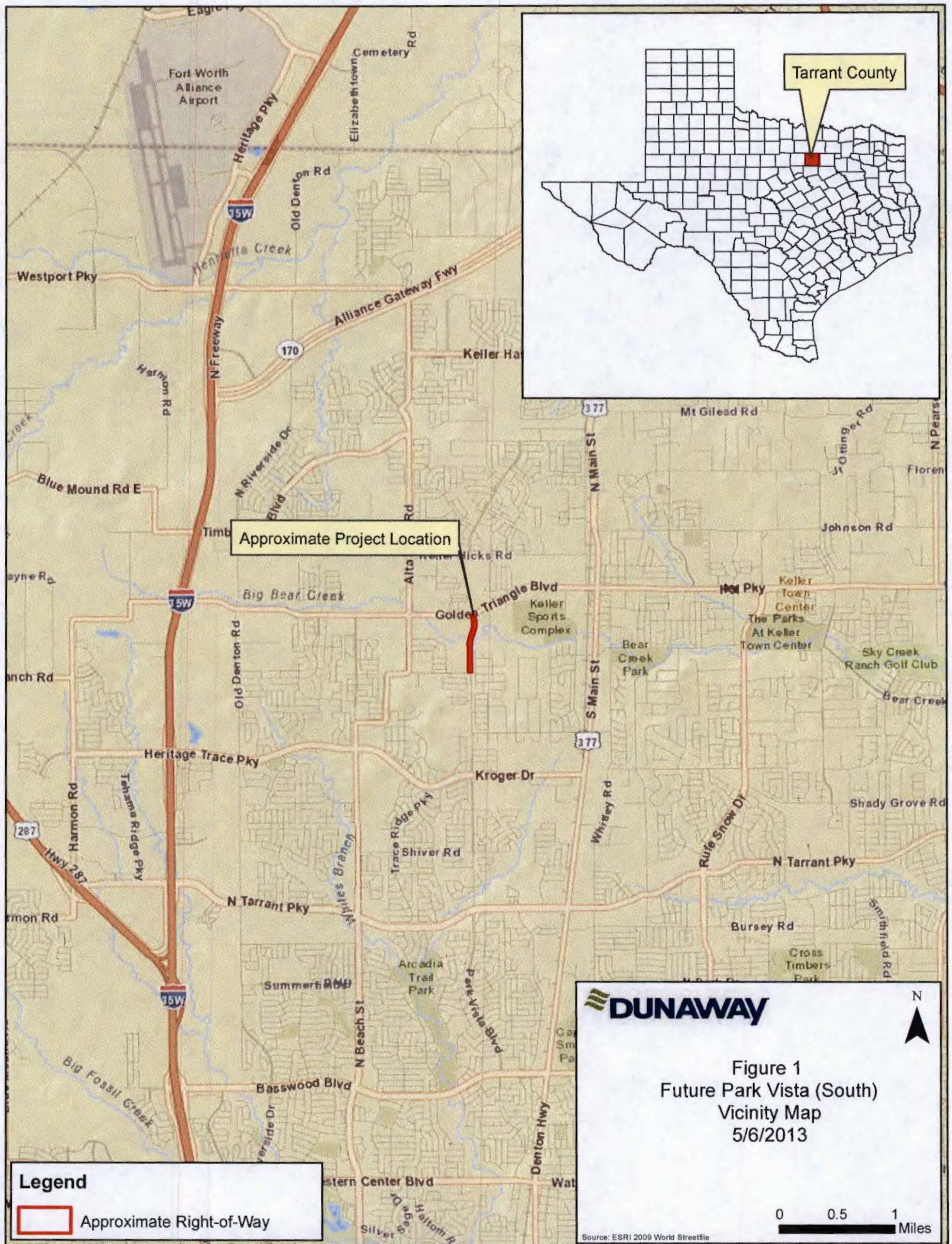
FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

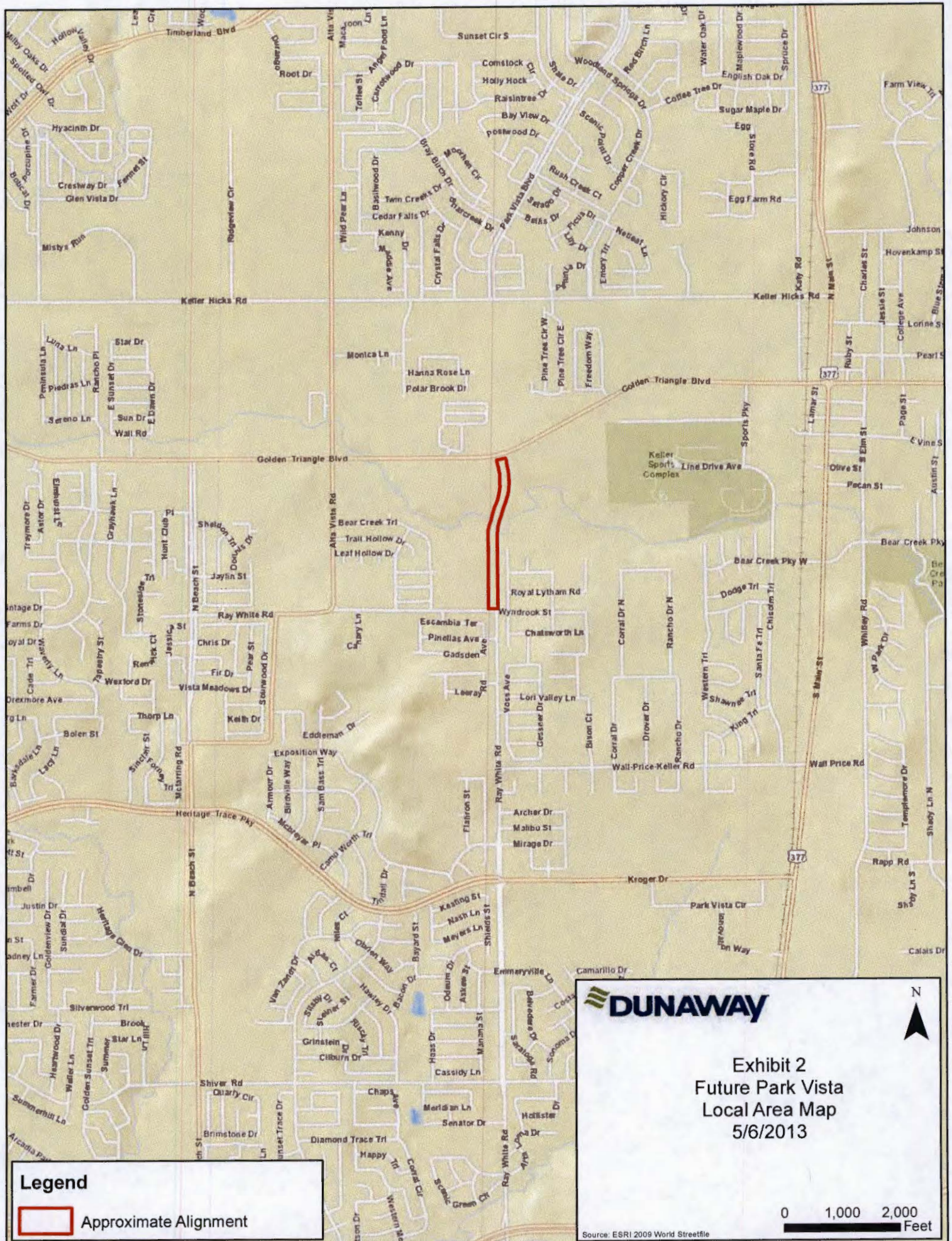
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

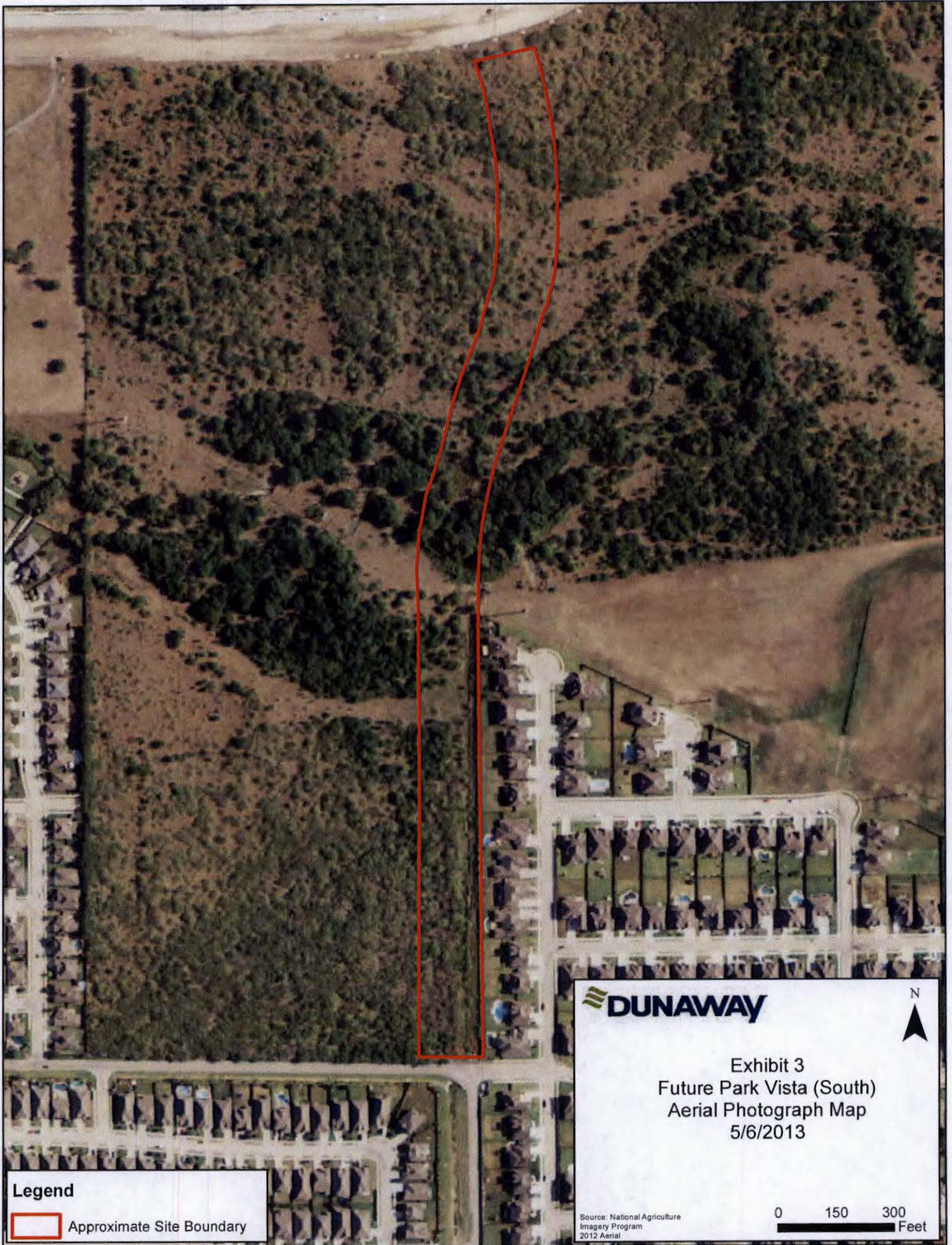
PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before August 23, 2013, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to ; Regulatory Branch, CESWF-PER-R; U. S. Army Corps of Engineers; Post Office Box 17300; Fort Worth, Texas 76102-0300. You may visit the Regulatory Branch in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Telephone inquiries should be directed to Ms. Elisha Bradshaw at (817) 886-1738. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.


DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS







Legend

 Approximate Site Boundary


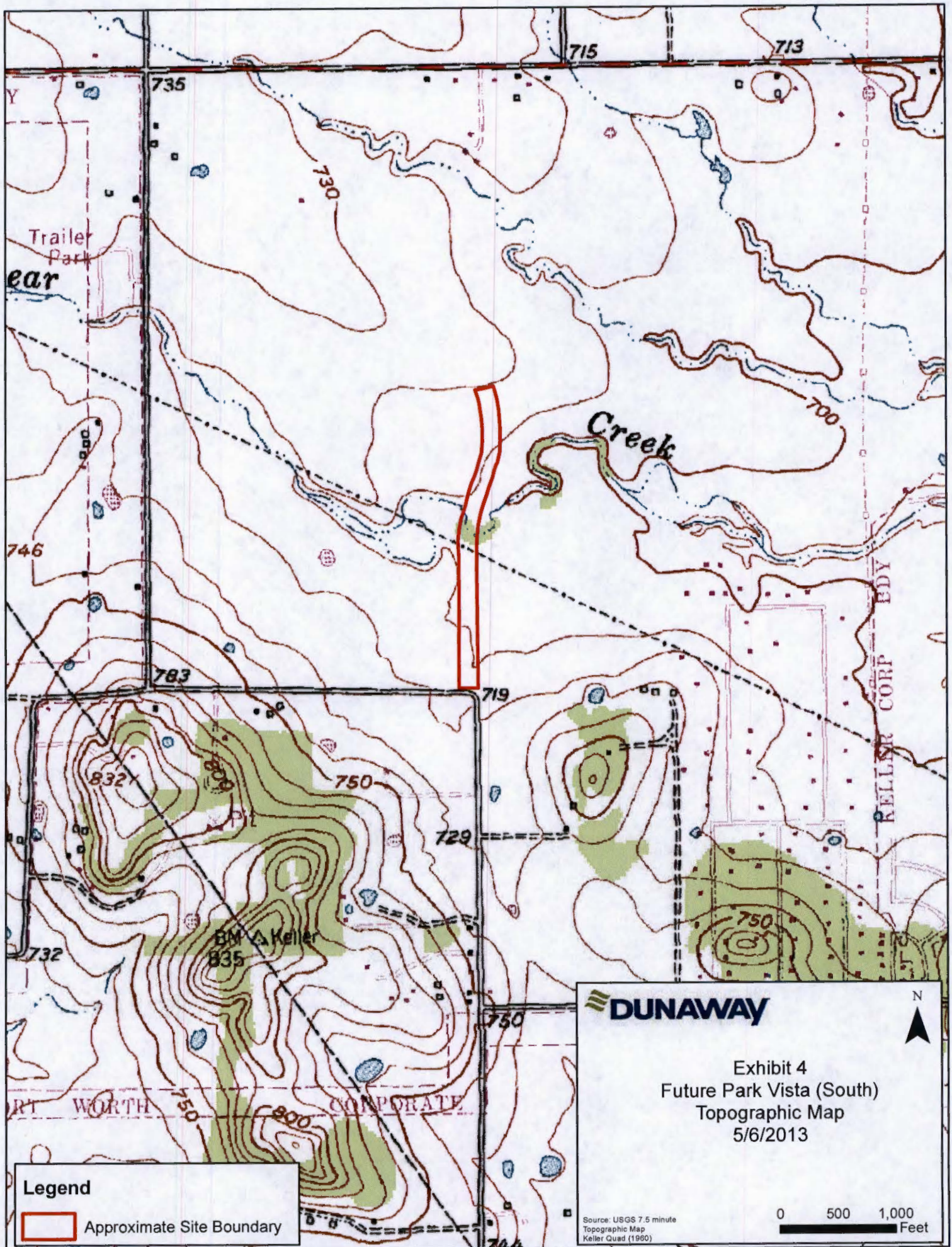


Exhibit 3
Future Park Vista (South)
Aerial Photograph Map
5/6/2013

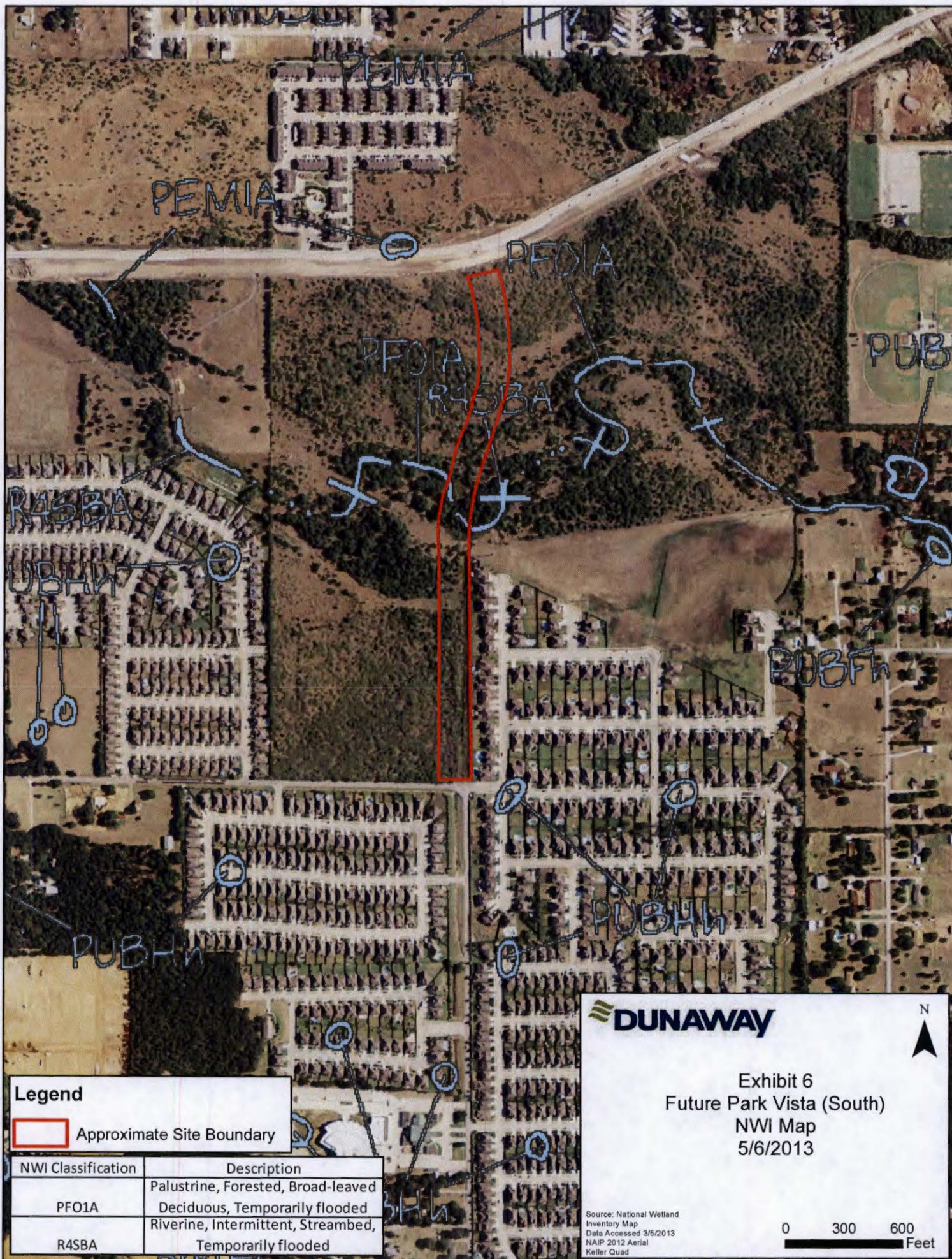
Source: National Agriculture
Imagery Program
2012 Aerial

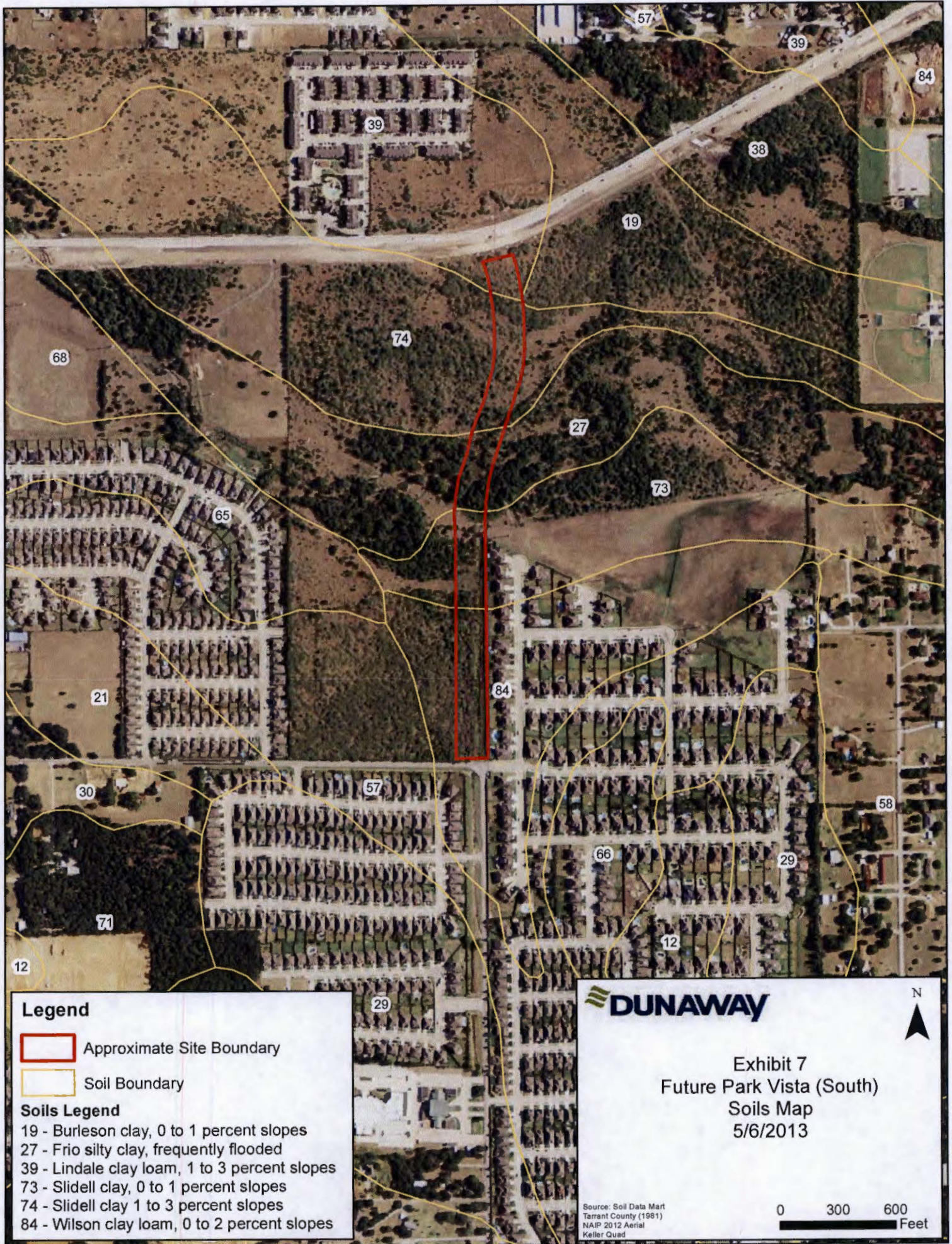
0 150 300
Feet

N









Legend

- Approximate Site Boundary
- Soil Boundary

Soils Legend

- 19 - Burleson clay, 0 to 1 percent slopes
- 27 - Frio silty clay, frequently flooded
- 39 - Lindale clay loam, 1 to 3 percent slopes
- 73 - Slidell clay, 0 to 1 percent slopes
- 74 - Slidell clay 1 to 3 percent slopes
- 84 - Wilson clay loam, 0 to 2 percent slopes

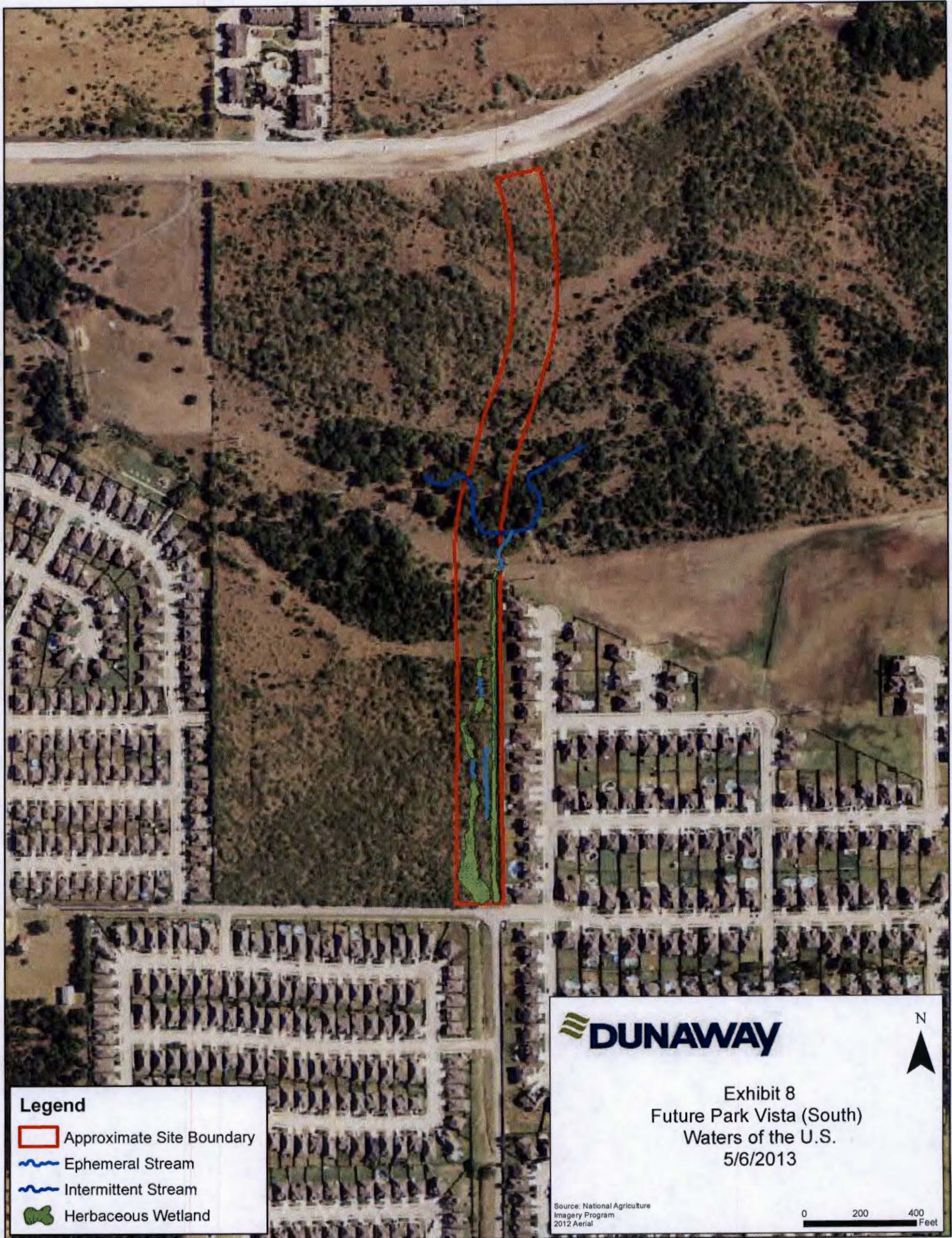
DUNAWAY

Exhibit 7
Future Park Vista (South)
Soils Map
5/6/2013







Source: Soil Data Mart
Tarrant County (1981)
NAIP 2012 Aerial
Keller Quad

0 300 600
Feet



Legend

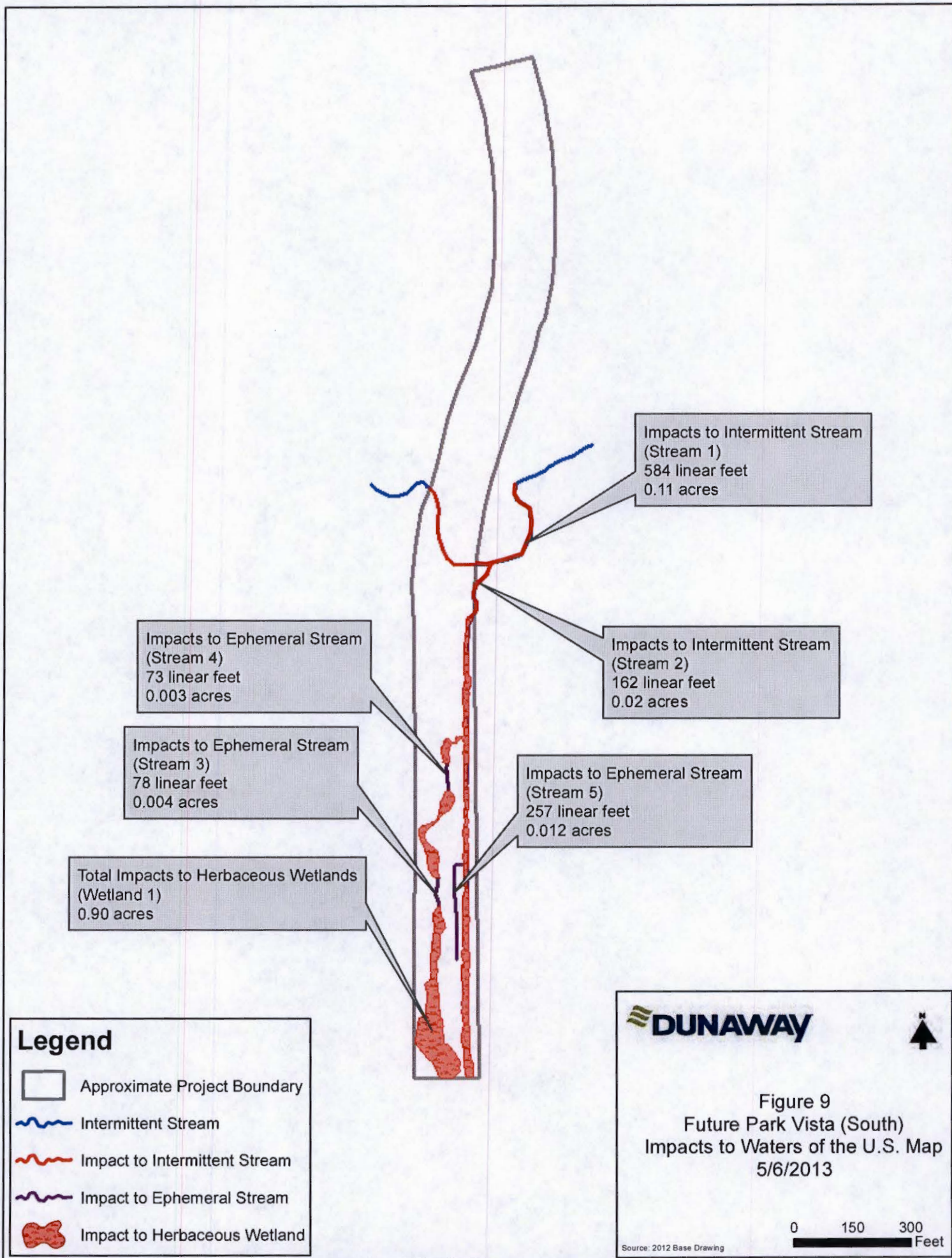
-  Approximate Site Boundary
-  Ephemeral Stream
-  Intermittent Stream
-  Herbaceous Wetland

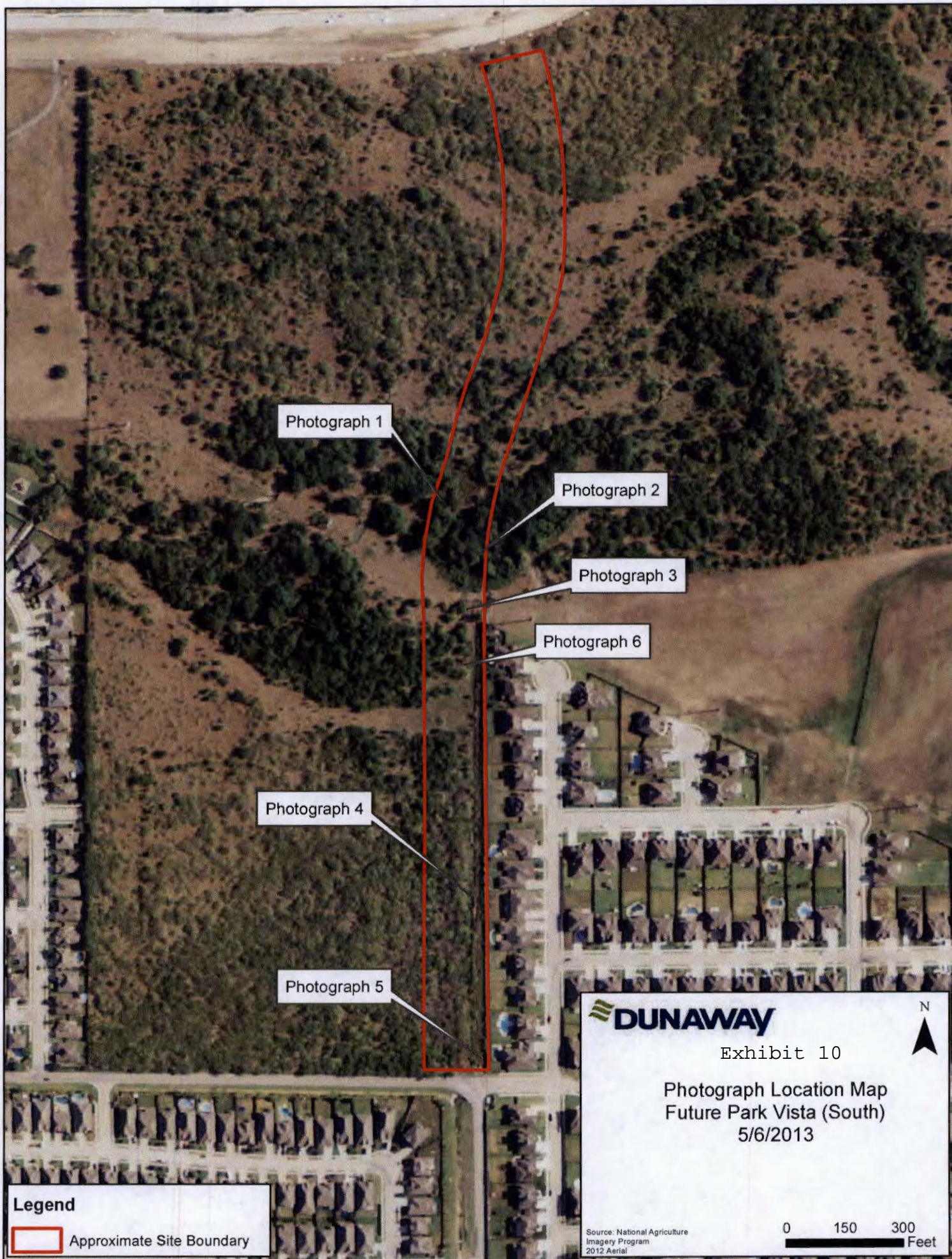
 **DUNAWAY**

Exhibit 8
Future Park Vista (South)
Waters of the U.S.
5/6/2013

Source: National Agriculture
Imagery Program
2012 Aerial

0 200 400
Feet





Photograph 1

Photograph 2

Photograph 3

Photograph 6

Photograph 4

Photograph 5

Legend


 Approximate Site Boundary



Exhibit 10

Photograph Location Map
Future Park Vista (South)
5/6/2013



Source: National Agriculture
Imagery Program
2012 Aerial

0 150 300
Feet



↑
Photo 1

Looking at Big Bear Creek in the proposed project area.



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Photo 2

Looking at Big Bear Creek in the proposed project area.

Exhibit 10a



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Photo 3

Looking at tributary to Big Bear Creek where it exits wetland complex.
View is to the southeast.



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Photo 4

Typical view of ephemeral stream in project area. View is to the south
along Stream 5.

Exhibit 10b.



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Photo 5

Looking across wetland complex near south end of project area. View is to the northeast.



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Photo 6

View along herbaceous wetland in drainage channel running north to south in project area. View is to the south.

Exhibit 10c.



DESIGN SPEED = 45 mph

