



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

Public Notice

Section 408 Request #: 408-SWF-2021-0009

Date issued: March 4, 2022

Close of comment period: April 4, 2022

USACE Point of Contact: Jason Story

REQUEST TO ALTER A U.S. ARMY CORPS OF ENGINEERS FEDERALLY AUTHORIZED CIVIL WORKS PROJECT UNDER 33 USC 408 (SECTION 408)

TITLE: Section 408 Request # 408-SWF-2021-0009, Clear Fork 36-inch force main

SUBJECT: Request for a Section 408 permission to alter the Fort Worth Floodway, a U.S. Army Corps of Engineers (USACE) federally authorized Civil Works project. Written comments are being solicited from anyone having an interest in this proposed alteration. Comments will become part of the USACE administrative record and will be considered in determining whether to approve the proposed alteration. Comments supporting, opposing, or identifying concerns that should be considered by the USACE in its decision process are welcome. Issuance of this notice does not imply USACE endorsement of the proposed alteration as described.

REQUESTER: City of Fort Worth

LOCATION: The proposed project would begin west of Rodgers Road and continue north and east and end near 5th Street in Fort Worth, Texas.

NON-FEDERAL SPONSOR: Tarrant Regional Water District

LOCATION MAP(S)/DRAWING(S): Attached figure

DESCRIPTION OF THE PROPOSED ALTERATION: The proposed project includes construction of a peak flow sanitary sewer lift station and force main within the Clear Fork Sanitary Sewer Basin. The Clear Fork Lift Station and Force Main project will serve to skim peak wet weather sanitary sewer flows from two existing 48-inch gravity interceptors within the Union Pacific Davidson Railyard, and to pump peak flows approximately 14,000 linear feet northeast past existing capacity constraints. The lift station will have a peak pumping capacity of 22 million gallons per day and the force main will have a nominal diameter of 36-inches. The proposed force main alignment will be generally north and east, and will primarily be installed within existing City, railroad and TxDOT rights-of-way. The force main will cross the Clear Fork Trinity River

by Horizontal Directional Drill (HDD). The force main will be installed within the Fort Worth Floodway (federal project) by open cut trenching, in steel casing installed by hand tunneling, or by HDD.

REGULATORY AUTHORITY: This request will be reviewed pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408). A requester has the responsibility to acquire other authorizations required by federal, state, and local laws or regulations, including any required permits from the USACE Regulatory Program. An approval under Section 408 does not grant any property rights or exclusive privileges nor does it authorize any injury to the property or rights of others.

EVALUATION: The decision whether to grant the request for the alteration under Section 408 is based on several factors which are outlined in *Engineer Circular* 1165-2-220. The benefits which reasonably may be expected to accrue from the proposed alteration must be balanced against its reasonably foreseeable detriments. Review of the proposed alteration will be reviewed by a USACE technical review team considering the following factors:

1. Impacts to the Usefulness of the USACE Project Determination. The review team will determine if the proposed alteration would limit the ability of the federally authorized project to function as authorized, or would compromise or change any authorized project conditions, purposes, or outputs.

2. Injurious to the Public Interest Determination. The review team will determine the probable impacts of the proposed alteration, including cumulative impacts, on the public interest. Factors that may be relevant to the public interest may include, but are not limited to, such things as conservation, economic development, historic properties, cultural resources, environmental impacts, water supply, water quality, flood hazards, floodplains, residual risk, induced damages, navigation, shore erosion or accretion, and recreation.

3. Environmental Compliance. A decision on a Section 408 request is a federal action subject to the National Environmental Policy Act (NEPA) and other applicable federal environmental and cultural resources compliance requirements.

THREATENED AND ENDANGERED SPECIES: The USACE has reviewed an official list of species protected under the Endangered Species Act, and our initial review indicates the proposed alteration would have no effect to species listed by the United States Fish and Wildlife Service as threatened or endangered within the action area for the Section 408 jurisdiction.

HISTORIC, CULTURAL, AND ARCHAEOLOGICAL RESOURCES: The USACE has reviewed the proposed alteration for impacts to cultural resources, in accordance with NEPA and Section 106 of the National Historic Preservation Act. Our initial review indicates that the proposed undertaking shall have No Effect on historic properties.

A cultural resources survey was conducted on behalf of the requester, which did not locate any additional cultural resources within the area of potential effect. The requester coordinated the cultural resources report with the Texas Historical Commission, who concurred with the findings. The Fort Worth Floodway is eligible for the National Register of Historic Places; however, the USACE has determined that the proposed undertaking shall not affect the Fort Worth Floodway as an historic property. Consultation with other interested parties is ongoing.

SOLICITATION OF COMMENTS: 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 the proposed alteration. Comments received will be considered by the USACE to determine whether to issue, modify, condition, or deny a permission for this proposed alteration.

It should be noted that materials submitted as part of the Section 408 request become part of the public record and are available to the public under the Freedom of Information Act (FOIA). Individuals may submit a written request to obtain materials under FOIA or make an appointment to view the project file at the Fort Worth District, Corps of Engineers, Office of Counsel.

It is presumed that all parties receiving this notice will wish to respond to this public notice; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed alteration as described herein.

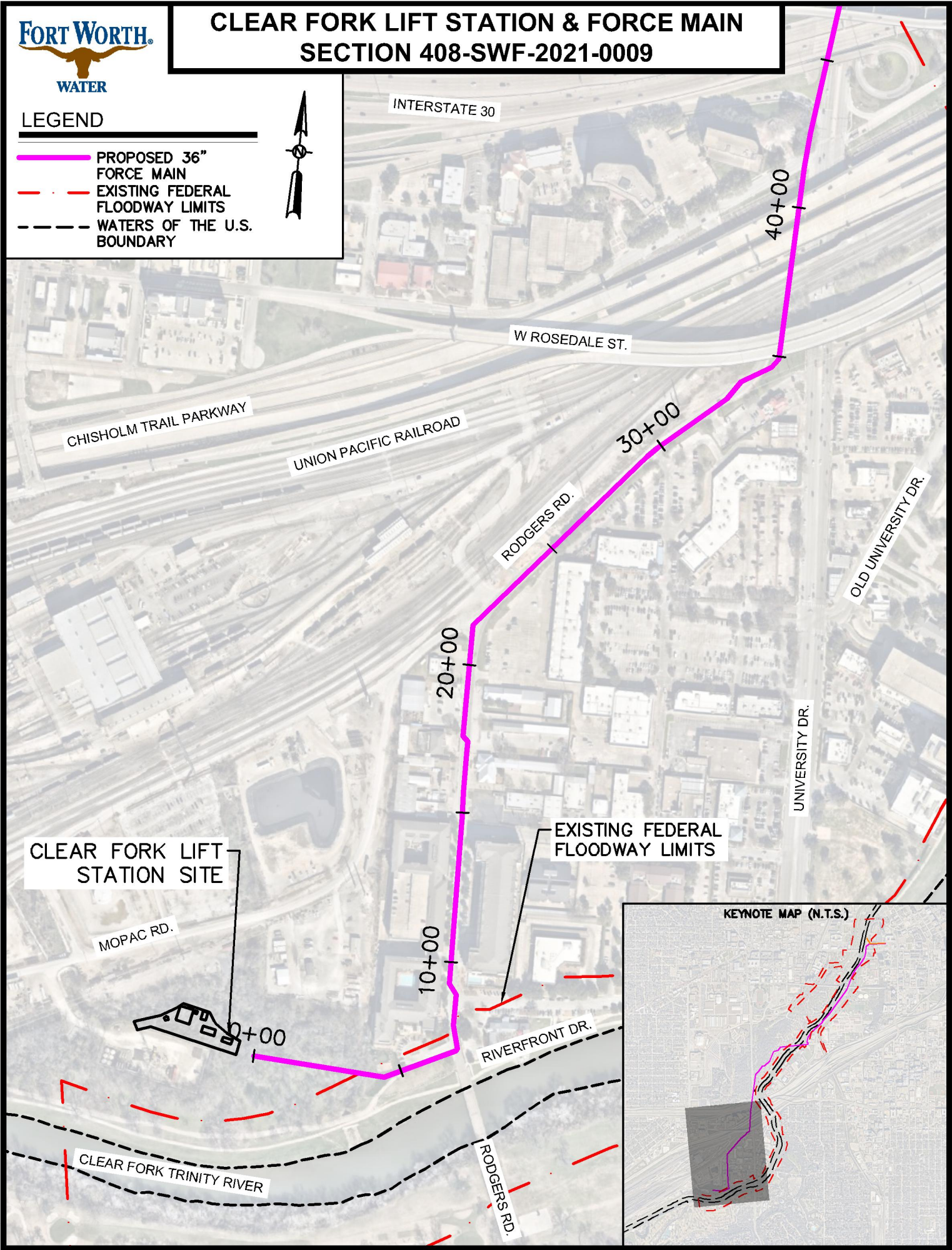
CLOSE OF COMMENT PERIOD: Written comments on the proposed alteration must reach this office on or before the close of the comment period. Comments must reference the Section 408 Request ID # and project name. Comments and requests for additional information should be submitted to jason.e.story@usace.army.mil. Telephone inquiries should be directed to Mr. Jason Story, at (817) 886-1852. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available. For more information on Section 408, visit the Fort Worth District Section 408 webpage at <https://www.swf.usace.army.mil/Missions/Section-408/>.



CLEAR FORK LIFT STATION & FORCE MAIN
SECTION 408-SWF-2021-0009

LEGEND

- PROPOSED 36" FORCE MAIN
- EXISTING FEDERAL FLOODWAY LIMITS
- WATERS OF THE U.S. BOUNDARY





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UNIVERSITY DR

50+00

60+00

70+00

80+00

90+00

100+00

TRINITY PARK DR

TRINITY PARK

EXISTING FEDERAL FLOODWAY LIMITS

CLEAR FORK TRINITY RIVER

PARKVIEW DR

CHISHOLM TRAIL PARKWAY

INTERSTATE 30

UNION PACIFIC RAILROAD

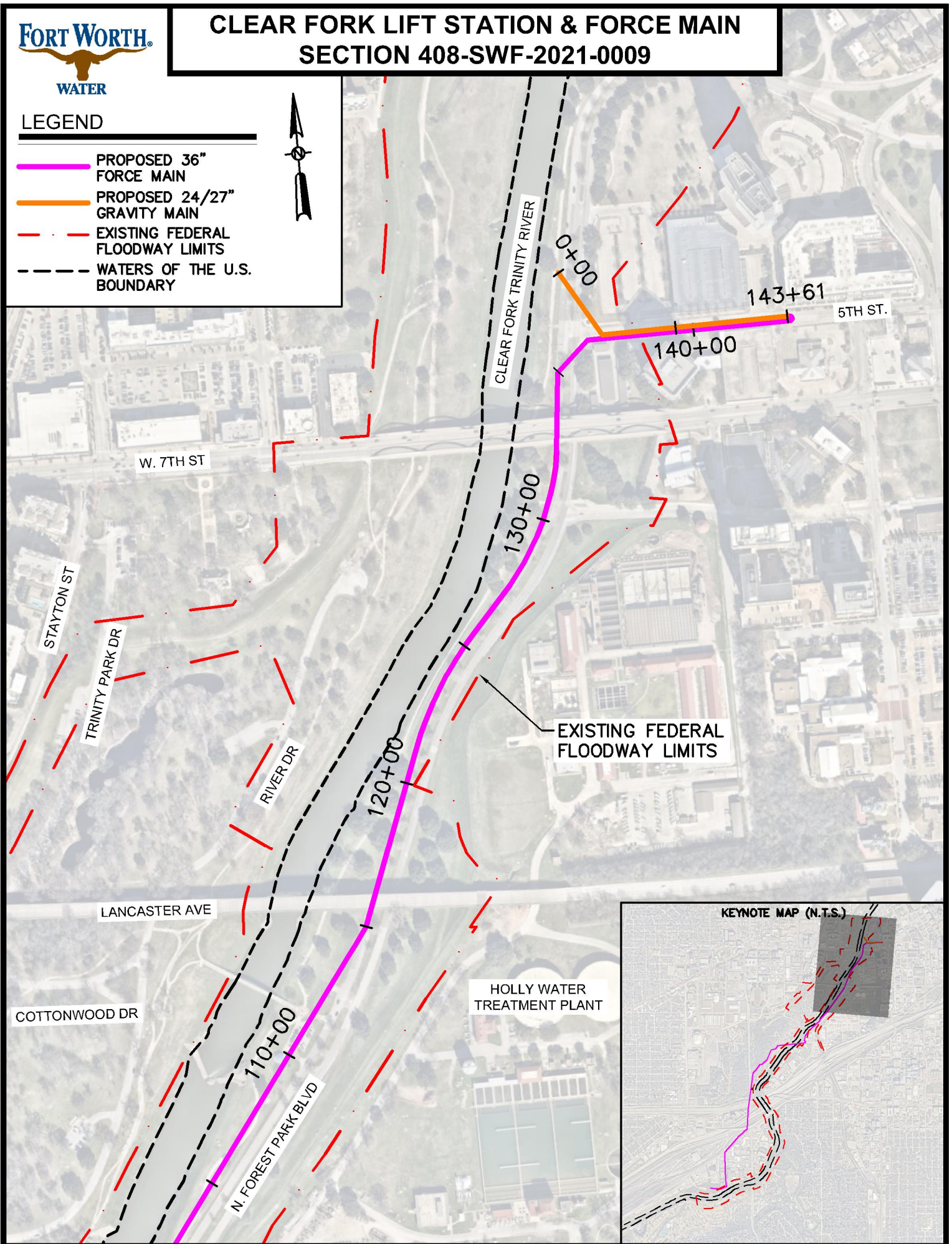
KEYNOTE MAP (N.T.S.)



CLEAR FORK LIFT STATION & FORCE MAIN SECTION 408-SWF-2021-0009

LEGEND

- PROPOSED 36" FORCE MAIN
- PROPOSED 24/27" GRAVITY MAIN
- EXISTING FEDERAL FLOODWAY LIMITS
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KEYNOTE MAP (N.T.S.)

