



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

Public Notice

Applicant: The City of Fort Worth

Permit Application No.: SWF-2008-00264

Date: June 6, 2014

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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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 (WOUS) associated with the proposed East 1st Street Project, located in the city of Fort Worth, Tarrant County, Texas.

APPLICANT: City of Fort Worth

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LOCATION: The proposed project is located within the city of Fort Worth in Tarrant County, Texas, 76244. The East 1st Street Expansion is situated between Beach Street and Oakland Boulevard. It is located north of Interstate Highway 30. The project will start near the intersection of Beach Street and Haltom Road and extend east to Oakland Boulevard. The proposed project would be located approximately at N 32.765827° latitude; W -97.274786° longitude within the Haltom City 7.5-minute USGS quadrangle map in the Lower West Fork Trinity River USGS Hydrologic Unit 12030102.

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant proposes to discharge approximately 8,910 total cubic yards of dredged and fill material into approximately 1.35 acres of WOUS in conjunction with the expansion of the existing East 1st Street (Between Beach Street and Oakland Boulevard). Total proposed impacts to WOUS include the direct and permanent impacts to 1.13-acres of non-forested wetlands, 252 lf (0.16-acre) of perennial stream, and 1,884 lf (0.06-acre) of ephemeral stream.

I. INTRODUCTION: The City of Fort Worth is proposing to expand the existing roadway to a 4 lane roadway with a constructed median. The applicant's stated purpose for the project is to replace an existing bridge structure that does not meet current safety standards and 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 expansion is situated between Beach Street to the west and Oakland Boulevard to the east. The proposed roadway expansion would include the construction of one new bridge structure with associated support spanning the West

Fork Trinity River as well as two other smaller bridge structures beneath the roadway west of the river crossing. In addition to the bridge construction the existing roadway would be expanded to four-lanes with a constructed median through a majority of the project area. Approximately 1,600 linear feet at the west end would not contain a median. The bridge construction would include support columns, rip rap, and additional fill material for the bridge embankment areas. In addition, the lane expansion would require additional fill to get the right-of-way up to grade.

II. EXISTING CONDITIONS: The proposed project area extends east/west along the north side of the existing East 1st Street between the intersection of Beach Street and Oakland Boulevard, city of Fort Worth, Tarrant County, Texas. The project area is primarily surrounded by undeveloped land to the north, developed areas to the east and west, and a park area to the south.

The general topography within the proposed project area is gently sloping and ranges from approximately 500 to 550 feet above mean sea level. The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map shows that a large 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 West Fork Trinity River as well as other wetland features within the proposed right-of-way.

According to the Soil Survey of Tarrant County six soil series are located within the proposed project area: Arents (frequently flooded), Arents (loamy), Bastil fine sandy loam, (0 to 3 percent slopes), Bastil-Urban land complex (0 to 5 percent slopes), Frio silty clay (occasionally flooded), and Ovan clay (occasionally flooded).

The project area contains one perennial stream (West Fork Trinity River), three ephemeral streams, and eight non-forested wetland features. There are approximately 494 lf of perennial stream (West Fork Trinity River), 3,499 lf of ephemeral stream, and 1.13-acres of non-forested wetland features within the proposed project area. The West Fork Trinity River flows from the north to the south through the project site. The un-named ephemeral tributaries of the West Fork Trinity originate on both the east and west side. The eight wetland features are situated between Beach Street to the west and the West Fork Trinity River to the east. The wetland features receive their hydrology during heavy rain events or the rising of the West Fork Trinity during flooding situations. These wetland features consist primarily of cedar elm (*Ulmus crassifolia*), black willow (*Salix nigra*), corralberry (*Symphoricarpos orbiculatus*), Chinese privet (*Ligustrum sinense*), and sumpweed (*Iva annua*).

III. ADVERSE IMPACTS TO WOUS: Total fill within the non-forested wetlands associated with the project is approximately 3,794 cubic yards in order to bring areas up to grade for construction of road. Approximately 3,000 cubic yards of concrete would be installed with the associated bridge piers. This includes concrete placed under the natural ground level. Areas under the 2 relief bridges and Trinity River Bridge would have rip rap to prevent erosion. Total rip rap fill in WOUS would be approximately 500 cubic yards. Total fill with the stream features associated with the project would be approximately 1,616 cubic yards of soil to bring areas up to grade. Total proposed impacts to WOUS include the direct and permanent impacts to

1.13-acres of non-forested wetlands, 252 lf (0.16-acre) of perennial stream, and 1,884 lf (0.06-acre) of ephemeral stream.

IV. APPLICANTS ALTERNATIVES: The applicant has provided initial alternatives analysis that includes three proposed alternatives.

1. No Action Alternative. The first alternative (no build) would include no new bridge and no expansion of the existing East 1st Street. This is not a practicable solution because the condition and safety of the bridge would not be addressed, proposed traffic demands would not be met, and improved accessibility in the area would go unaddressed. Alternative 1 would include the improvements to the existing roadway and existing bridge over the West Fork Trinity River while following the existing road alignment and ROW.

2. Widen East 1st Street. The second alternative would widen East 1st Street to a four lane divided urban roadway and obtain any additional ROW needed along the north and south sides of the existing alignment. The existing bridge over the West Fork of the Trinity River was determined to be a historic structure and is eligible for listing in the National Register of Historic Places. Because of the existing structure's historic significance, the City of Fort Worth proposes to preserve the existing bridge and incorporate it into a trail for pedestrian and bicyclist use. The proposed roadway classification would remain as a minor arterial, which according to the Transportation Planning and Programming (TPP) Division, has a projected 2015 average daily traffic (ADT) of 5,200 vehicles per day (vpd), versus the 2035 ADT of 7,200 vpd. Improvements to the existing bridge would be considered an adverse effect to a National Register of Historic Places eligible bridge, which would require a Section 4(f) analysis. In addition to the historic significance of the existing bridge structure, it has been determined that the existing bridge poses safety concerns. The existing bridge is currently load restricted for 16,000 pounds (lbs.) and is classified as structurally deficient according to the Texas legal load limit of 80,000 lbs. In addition, the bridge is narrow (20 feet wide) and does not satisfy current two-lane design standards from the American Association of State Highway and Transportation Officials (AASHTO) Standard Specifications for Highway Bridges. Current TxDOT and AASHTO design standards specify a minimum roadway width of two 10-foot traffic lanes with 2-foot shoulders. Traffic data compiled for this project also reflects a projected increase in traffic utilizing this roadway in the coming years. According to the TPP Division, vehicular traffic along East 1st Street is projected to increase by approximately 28 percent, from 2015, the estimated date of construction completion, to design year 2035. The ADT for 2015 is 5,200 vpd and the corresponding traffic for year 2035 is projected to be 7,200 vpd. Additionally, following the existing East 1st Street Alignment would require additional ROW along the south side of the road, which would encroach on Gateway Park, which is considered a Section 4(f) resource. Because of impacts to historic resources and recreational areas, along with associated safety concerns of retaining the existing bridge structure this alternative was eliminated from further study.

3. Construction of a New Bridge (Applicant's Preferred Alternative). The third and applicant's preferred alternative would include the construction of a new bridge and approach roadway to bypass the existing bridge over the West Fork Trinity River, add two relief structures in the

floodplain, and widen East 1st Street to a four lane divided urban arterial with no control of access. The purpose of this project is to increase safety and improve the condition of the bridge to current design standards and meet the existing and proposed traffic demands. The road expansion to the north was chosen because it would provide a new wider bridge on a new alignment for motorized traffic while utilizing the existing historic bridge for pedestrian and cyclists. Widening East 1st Street to the north would result in less interference with pedestrian traffic and existing property, since the majority of the land to the north is undeveloped.

Safety is the key component of this build alternative that is not found in other potential options. As proposed, it would provide a bridge structure designed to safely accommodate increase traffic numbers and weight loads. Due to the historic nature of the existing bridge, expanding or altering the structure in attempt to meet regulations was not a practicable alternative. The project area has only been expanded far enough to accommodate a new bridge structure as well as associated tie-ins. Along with the construction of the new bridge structure, additional ROW has been acquired to expand existing lanes and create space for recommended medians as well. These features associated with this alternative allow for safe vehicular travel as well as meeting all design standards of a minor arterial roadway.

Another notable goal of this project is to increase pedestrian access and safety associated with this roadway. As mentioned above, this alternative would utilize the existing bridge structure for pedestrian use while also meeting the requirements of an updated bridge for vehicular travel. Additionally, East 1st Street is designated as Bike Route 340 through the City of Fort Worth. This alternative allows the city to use the historic bridge as a safe bicycle route over the Trinity River. This design increases the overall safety for not only drivers but also for bicyclists and pedestrians.

This alternative as proposed would expand the existing ROW to the north where the current land is primarily uninhabited and undeveloped. Because the areas to the north are mostly undeveloped there will be less interference with existing property. Portions of this undeveloped land are located in the 100-year floodplain which would restrict certain development in the future. By utilizing the north side of the existing roadway the goals of this project can be met while incorporating areas that may not be suitable for development in the future. This also preserves the southern adjacent properties associated with Gateway Park that can be utilized for public use as laid out by the City of Fort Worth and the Trinity River Authority as a component of the Central City projects.

This build alternative provides a means to meet all goals and design requirements for this roadway expansion. It provides the ability to install safety features and requirements to help protect the growing population in this area of Fort Worth. Public safety is a consistent point of reference for the layout of this design alternative. The upgrade of the bridge structure, elevated medians, and expanded shoulders helps to ensure safe travel through this area and provides preventative measures for potential incidents that may occur. It also takes into consideration those pedestrians and bicyclists who are not in vehicles who utilize this travel corridor. By providing designated areas for pedestrian travel via expanded lanes and utilizing the existing bridge structure, this project will provide an effective travel route for those traveling by vehicle,

bicycle, and on foot. This along with the limited impact to established residential developments and existing multi-use facilities (Gateway Park) make this design a viable alternative.

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. Currently the applicant proposes to purchase 12.8 credits from the Trinity River Mitigation Bank calculated according to the approved Mitigation Banking Instrument as follows:

1.13 acre emergent wetland X 2 credits/acre = 2.26 rounded to 2.3 credits; 252 linear feet perennial stream X 0.019 credit/linear foot = 4.78 rounded to 4.8 credits; and 1884 linear feet ephemeral stream X 0.003 credit/linear foot = 5.65 rounded to 5.7 credits.

The project application was received prior to the implementation of the Fort Worth District Stream Mitigation Method and is not subject to its mitigation alternative sequencing.

VI. FIGURES:

- A. Figure 1: Large-Scale Vicinity Map
- B. Figure 2: Local Vicinity Map
- C. Figure 3: Aerial Project Map
- D. Figure 4: Topographic Project Map
- E. Figure 5: FEMA Floodplain Map
- F. Figure 6: National Wetlands Inventory (NWI) Map
- G. Figure 7: Soils Map
- H. Figure 8: WOUS Map
- I. Figure 9: Impacts to WOUS Map
- J. Figures 10-11: Plan and Profile views
- K. Figures 12-14: 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 would result in a direct impact of less than three acres of waters of the state but more than 1,500 linear feet of streams (or a combination of the two is above the threshold), and as such would not fulfill Tier I criteria for the project. Therefore, Texas Commission on Environmental Quality (TCEQ) certification is required. Concurrent with USACE processing of this Department of the Army application, the TCEQ is reviewing this application under Section 401 of the Clean Water Act, and Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. By virtue of an agreement between the USACE and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. **Any comments concerning this application may be submitted to the Texas Commission on Environmental Quality, 401 Coordinator, MSC-150, P.O. Box 13087, Austin, Texas 78711-3087.** The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of the work is made available for review in the TCEQ's Austin Office. The TCEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requestor, or of persons represented by the requestor; and a brief description of how the application, if granted, would adversely affect such interest.

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 proposed realignment of East 1st Street has been surveyed for the presence of historic and prehistoric cultural properties. The remains of one historic Albright Bridge are present in the area. The bridge was originally built in 1897, but collapsed in 1922, leaving only current evidence of the original abutments and corrugated piers. The Albright Bridge remains are not considered to be eligible for inclusion in the National Register of Historic Places (NRHP) and no additional work is proposed. The Texas State Historic Preservation Office concurred with this determination in a letter dated April 10, 2009.

Deep testing for buried prehistoric sites did not identify any evidence or potential for impacts to these types of resources within the area of the proposed construction. The existing East 1st Street bridge, considered eligible for inclusion in the NRHP, would remain intact to the south of the current work. This bridge would not be affected by this project and will remain in use as a pedestrian and bicycle path.

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.

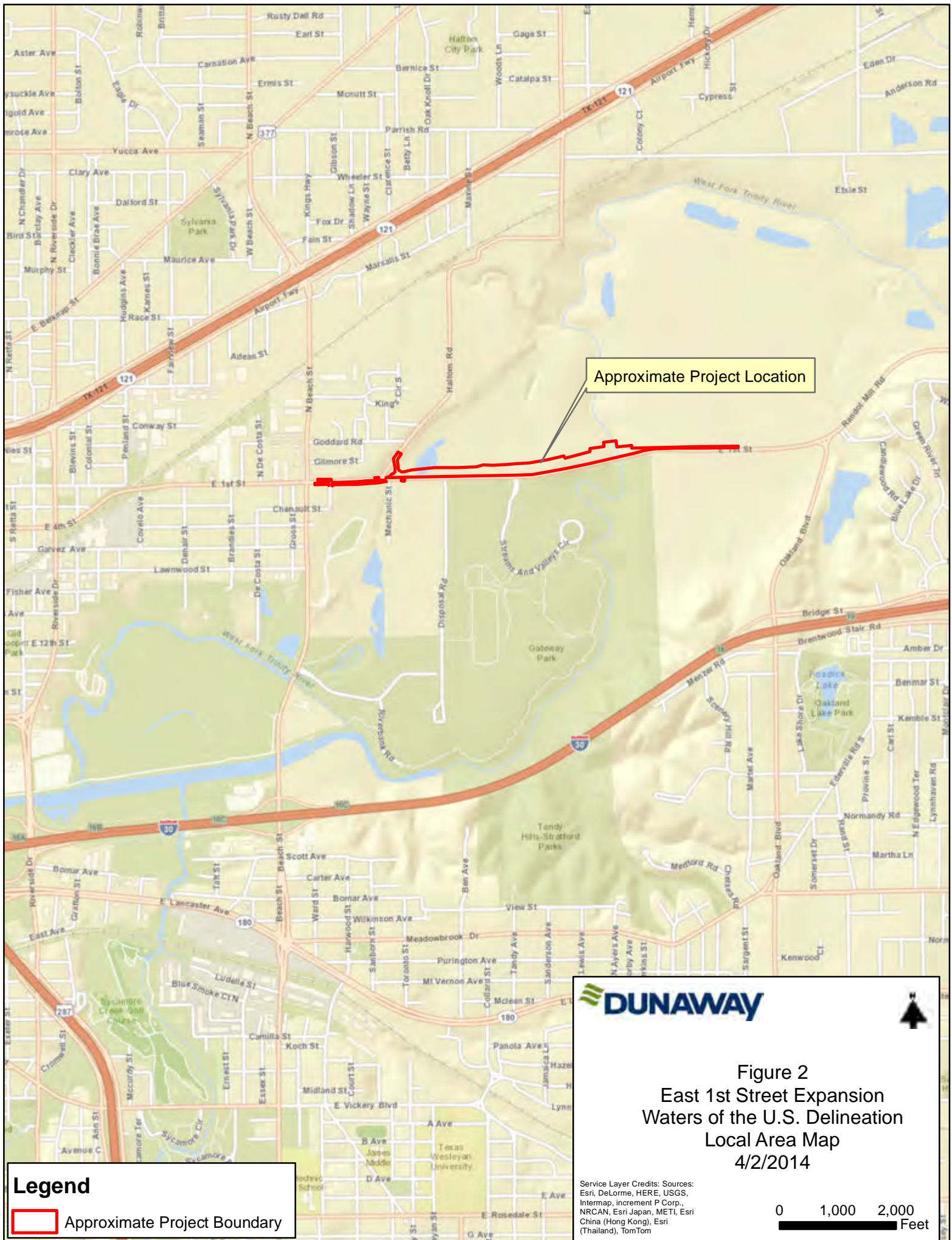
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted 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 July 7, 2014, 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 Division, CESWF-DE-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 Mr. Darvin Messer at (817) 886-1744. 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 Project Boundary



Figure 3
East 1st Street Expansion
Waters of the U.S. Delineation
Aerial Map
4/2/2014

Source: National Agriculture
Imagery Program
Fort Worth Quad
2012 Aerial

0 500 1,000
Feet

