

PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT Potrero Canyon Bridge & Country Club Bridges

Public Notice/Application No.: SPL-2015-00144-JMR Project: Potrero Canyon Bridge & Country Club Bridges (19B SC 004 F0244 01C) Comment Period: December 16, 2020 through January 15, 2020 Project Manager: Jesse Rice; (602) 230-6854; Jesse M.Rice@usace.army.mil

Applicant

Rod Lane Arizona Department of Transportation 1221 South 2nd Avenue (T100) Tucson, Arizona 85713-1602

<u>Contact</u>

Israel Garcia Arizona Department of Transportation 1611 West Jackson Street Phoenix, Arizona 85007

Location

Potrero Creek within the city of Nogales, Santa Cruz County, AZ (at: 31.3902, -110.9586).

<u>Activity</u>

The Arizona Department of Transportation (ADOT) is proposing to complete a bridge scour improvement and bank protection project beneath the Potrero Canyon Bridge on Business Route 19 and the Country Club Bridges on Interstate 19 (see attached drawings). For more information, see Additional Project Information section below.

Submittal of Public Comments

Interested parties are hereby notified an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawings. We invite you to review today's public notice and provide views on the proposed work. By providing substantive, site-specific comments to the Corps Regulatory Division, you provide information that supports the Corps' decision-making process. All comments received during the comment period become part of the record and will be considered in the decision. This permit will be issued, issued with special conditions, or denied under Section 404 of the Clean Water Act.

During the Coronavirus Health Emergency, Regulatory Program staff are teleworking. Please do not mail hard copy documents, including comments to any Regulatory staff. Instead, your comments should be submitted electronically to: <u>Jesse.M.Rice@usace.army.mil</u>. Should you have any questions or concerns about the Corps' proposed action or our comment period, you may contact Jesse Rice directly at (602) 230-6854. The mission of the U.S. Army Corps of Engineers Regulatory Program is to protect the Nation's aquatic resources, while allowing reasonable development through fair, flexible and balanced permit decisions. The Corps evaluates permit applications for essentially all construction activities that occur in the Nation's waters, including wetlands. The Regulatory Program in the Los Angeles District is executed to protect aquatic resources by developing and implementing short- and long-term initiatives to improve regulatory products, processes, program transparency, and customer feedback considering current staffing levels and historical funding trends.

Corps permits are necessary for any work, including construction and dredging, in the Nation's navigable water and their tributary waters. The Corps balances the reasonably foreseeable benefits and detriments of proposed projects, and makes permit decisions that recognize the essential values of the Nation's aquatic ecosystems to the general public, as well as the property rights of private citizens who want to use their land. The Corps strives to make its permit decisions in a timely manner that minimizes impacts to the regulated public.

During the permit process, the Corps considers the views of other Federal, state and local agencies, interest groups, and the general public. The results of this careful public interest review are fair and equitable decisions that allow reasonable use of private property, infrastructure development, and growth of the economy, while offsetting the authorized impacts to the waters of the United States. The permit review process serves to first avoid and then minimize adverse effects of projects on aquatic resources to the maximum practicable extent. Any remaining unavoidable adverse impacts to the aquatic environment are offset by compensatory mitigation requirements, which may include restoration, enhancement, establishment, and/or preservation of aquatic ecosystem system functions and services.

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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 proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR Part 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers 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 of Engineers 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 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.

Preliminary Review of Selected Factors

<u>EIS Determination</u>- A preliminary determination has been made an environmental impact statement is not required for the proposed work.

<u>Water Quality</u>- The applicant is required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality. Section 401 requires any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance.

Coastal Zone Management - Not applicable within the State of Arizona.

Essential Fish Habitat- No Essential Fish Habitat (EFH), as defined by the Magnuson-Stevens Fishery Conservation and Management Act, occurs within the project area and no EFH is affected by the proposed project.

<u>Cultural Resources</u>- The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

<u>Endangered Species</u>- Preliminary determinations indicate the proposed activity may affect federally-listed endangered or threatened species, or their critical habitat. Therefore, consultation under Section 7 of the Endangered Species Act is required.

<u>Public Hearing</u>- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

<u>Basic Project Purpose</u>- The basic project purpose comprises the fundamental, essential, or irreducible purpose of the proposed project, and is used by the Corps to determine whether the applicant's project is water dependent (i.e., requires access or proximity to or siting within the special aquatic site to fulfill its basic purpose). Establishment of the basic project purpose is necessary only when the proposed activity would discharge dredged or fill material into a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). The basic project purpose for the proposed project is **Transportation**. The project **is not** water dependent.

<u>Overall Project Purpose</u>- The overall project purpose serves as the basis for the Corps' 404(b)(1) alternatives analysis and is determined by further defining the basic project purpose in a manner that more specifically describes the applicant's goals for the project, and which allows a reasonable range of alternatives to be analyzed. The overall project purpose for the proposed project is to provide protection to the Potrero Canyon bridge and the Country Club bridges, which ADOT has determined are vulnerable to erosion/scour.

Additional Project Information

<u>Baseline information-</u>Lands adjacent to the project limits consist primarily of a mixture of industrial, residential and undeveloped land. The project area is generally mapped within the Semidesert Grassland biotic community but includes elements of Interior Riparian Deciduous Forest

and Riparian Scrubland. Potrero Creek has intermittent flows at this location and flows to the east towards Las Lagunas de Anza wetlands, which are adjacent to the project site. The wetlands are a unique feature in the region and are a result of a geological feature which forces a perched water table to the surface. Water is present in the wetlands in all but the driest years and has played an important role in the area's history. However, over time several areas of the wetlands have been filled to accommodate other uses in the area (with most of these occurring prior to passage of the Clean Water Act). Examples include filling for agricultural uses in the early 1800's, the Nogales drive-in movie theater in 1951, and the construction of Interstate 19 in 1974. Today, much of the undeveloped area is preserved for outdoor education and recreation.

Interstate 19 crosses through the wetlands just west of the Las Lagunas de Anza park on an elevated roadbed. The interstate crosses over Potrero Creek and Country Club Road (which is aligned parallel to the creek) is located on two concrete bridges (referred to as the Country Club Bridges). To the east of the park and nearly parallel to the interstate is Business 19, which provides local access to residences and businesses. Business 19 crosses the creek at the Potrero Canyon Bridge in an area where the creek is narrower and slightly incised.

Approximately 0.8 mile downstream of the Potrero Canyon bridge, Potrero Creek joins Nogales Wash. From the confluence of Potrero Creek and Nogales Wash, Potrero Creek joins the Santa Cruz River approximately 3.6 miles to the north (downstream). The primary vegetation found within the riparian zones at the Country Club bridges area includes glossy privet (*Ligustrum lucidum*), Johnsongrass (*Sorghum halepense*), prostate knotweed (*Polygonum aviculare*), Gooding's willow (*Salix gooddingii*), velvet ash (*Fraxinus velutina*), Arizona walnut (*Juglans major*), and curly dock (Rumex crispus). The primary vegetation found within the riparian zones at the Potrero Canyon bridge area includes Siberian elm (*Ulmus pumila*), Gooding's willow, rough cocklebur (*Xanthium strumarium*), netleaf hackberry (*Celtis reticulata*), and softstem bulrush (*Schoenoplectus tabernaemontani*). Soils in the project area are mapped as Comoro gravelly loams and Guest soils, and are not described as hydric soils.

<u>Project description-</u> The Arizona Department of Transportation (ADOT) is planning a bridge scour improvement and bank protection project beneath the Interstate 19 Country Club bridges (northbound and southbound) and the Potrero Canyon bridge and (Figures 1 and 2). Work is anticipated to take 120 days to complete and would begin in early 2021.

The scope of work would consist of:

- Excavating soil and constructing a reinforced concrete scour floor beneath all three bridges 3 feet below the channel bed. The concrete floor would extend across the entire width of the channel (to the existing bank protection on each side of the creek) and 10 feet upstream and downstream beyond each bridge's pier limits. A concrete cutoff wall extending 4 to 6 feet below the concrete floor would be constructed along the upstream and downstream edges of each floor to prevent undermining.
- Applying 4 inches of shotcrete to the existing rail bank (stream bank armoring) at the Potrero Canyon bridge.
- Backfilling excavated material over the completed scour floors and restoring the project area.
- Completing other bridge preservation activities such as repairing damaged bridge girders.

Potrero Creek has intermittent flow. In order to maintain flows through the worksite, each scour floor would be constructed in two phases. In each phase, flows would be temporarily diverted to one side of the channel while the scour floor is constructed on the other side. Armored earthen berms

constructed from material excavated for the scour floors would be used to create a 20-foot-wide opening to reroute any flow away from the construction zone. Staging and stockpiling areas would occur outside Waters of the United States (Waters) and all wetland areas. The proposed amount of impacts to waters of the U.S. is identified in the table below. See the attached drawings and impact sheets.

Drainage Name	Amount of Waters (acres)	Permanent Impacts (acres)	Temporary Impacts (acres)
Potrero Creek at Potrero Canyon			
bridge – Wetlands	0.300	0.111	0.066
(Figure 3a)			
Potrero Creek at Potrero Canyon			
bridge – Other Waters (Non-	0.070	0.037	0.004
Wetlands)			
Potrero Creek at Country Club			
Bridges – Wetlands	0.890	0.239	0.497
(Figure 3b)			
Potrero Creek at Country Club			
Bridges - Other Waters (Non-	0.670	0.000	0.005
Wetlands)			
	1.19 Wetlands/	0.350 Wetlands/	0.563 Wetlands/0.009 Other Waters
Totals (acres)	0.740 Other Waters (Non-Wetlands) =	0.037 Other Waters (Non-Wetlands) =	
	1.93 Total	0.387 Total	(Non-Wetlands) = 0.572 Total

<u>Proposed Mitigation</u> – The proposed mitigation may change as a result of comments received in response to this public notice, the applicant's response to those comments, and/or the need for the project to comply with the 404(b)(1) Guidelines. In consideration of the above, the proposed mitigation sequence (avoidance/minimization/compensation), as applied to the proposed project is summarized below:

Avoidance: Work in Waters cannot be avoided because the area that is most vulnerable to scour is directly beneath the Potrero Canyon bridge and the Country Club bridges within the OHWM. Establishing a stable base for the scour floors necessitates excavating Waters, including jurisdictional wetlands.

Minimization: Permanent impacts to Waters, including wetlands, would be restricted to the minimum extent necessary to provide scour protection. Impacts to Waters and wetlands would be minimized by limiting access to the work areas, by scheduling construction outside the monsoon season, and by using temporary earthen berms made from native materials, which would be anchored and armored with Jersey barriers or plastic liners, to dewater the area of construction within the creek channel. Water would not be rerouted outside of the ordinary high-water mark of Potrero Creek. Wetlands in the construction area that are not authorized for permanent or temporary impact by a Section 404 permit issued by the U.S. Army Corps of Engineers (Corps) would be flagged and/or fenced for avoidance. All disturbed soils that would not be landscaped or otherwise permanently stabilized by construction would be seeded using species native to the project vicinity.

Compensation: ADOT proposes to compensate for unavoidable adverse impacts through the purchase of advance credits from the Tucson Audubon Society's in-lieu fee program. The amount of credits required is still being determined.

Proposed Special Conditions

The following list is comprised of proposed Permit Special Conditions, which are required of similar types of projects:

Special conditions are still being developed and may change based on a full evaluation of project impacts and the responses to this public notice.

For additional information please call Jesse Rice of my staff at (602) 230-6854 or via e-mail at <u>Jesse.M.Rice@usace.army.mil</u>. This public notice is issued by the Chief, Regulatory Division.



Regulatory Program Goals:

- To provide strong protection of the nation's aquatic environment, including wetlands.
- To ensure the Corps provides the regulated public with fair and reasonable decisions.
- To enhance the efficiency of the Corps' administration of its regulatory program.

DEPARTMENT OF THE ARMY LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS WWW.SPL.USACE.ARMY.MIL/MISSIONS/REGULATORY

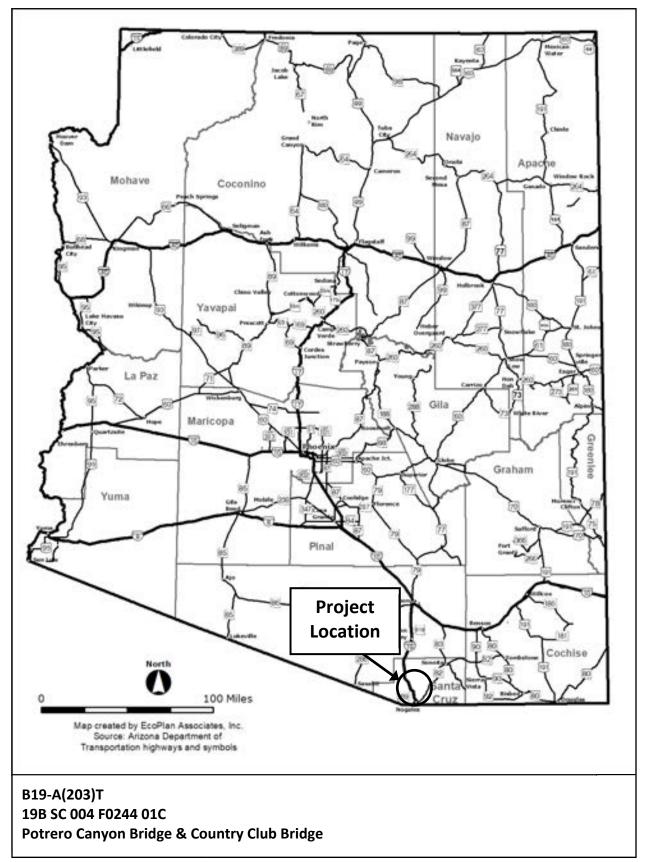
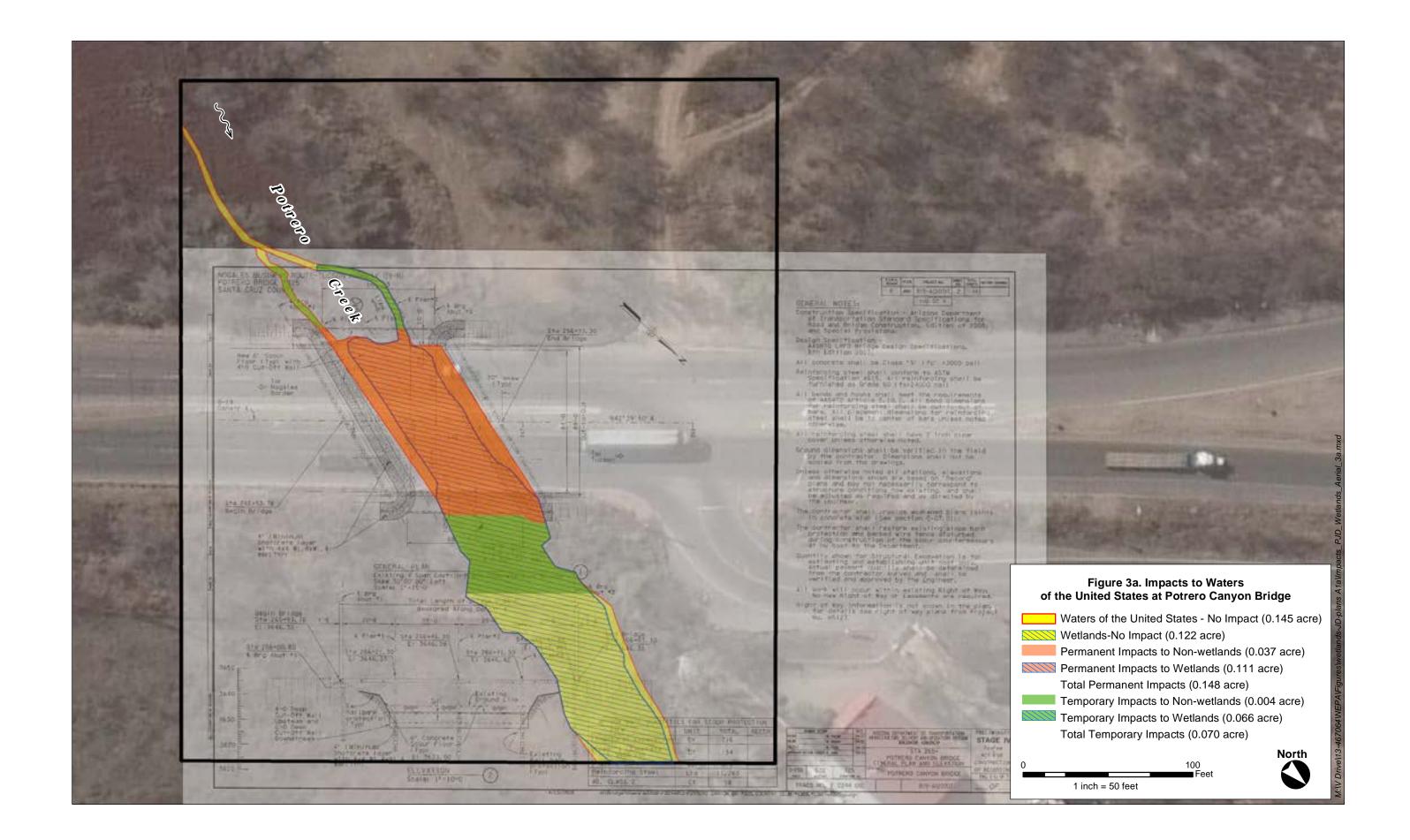
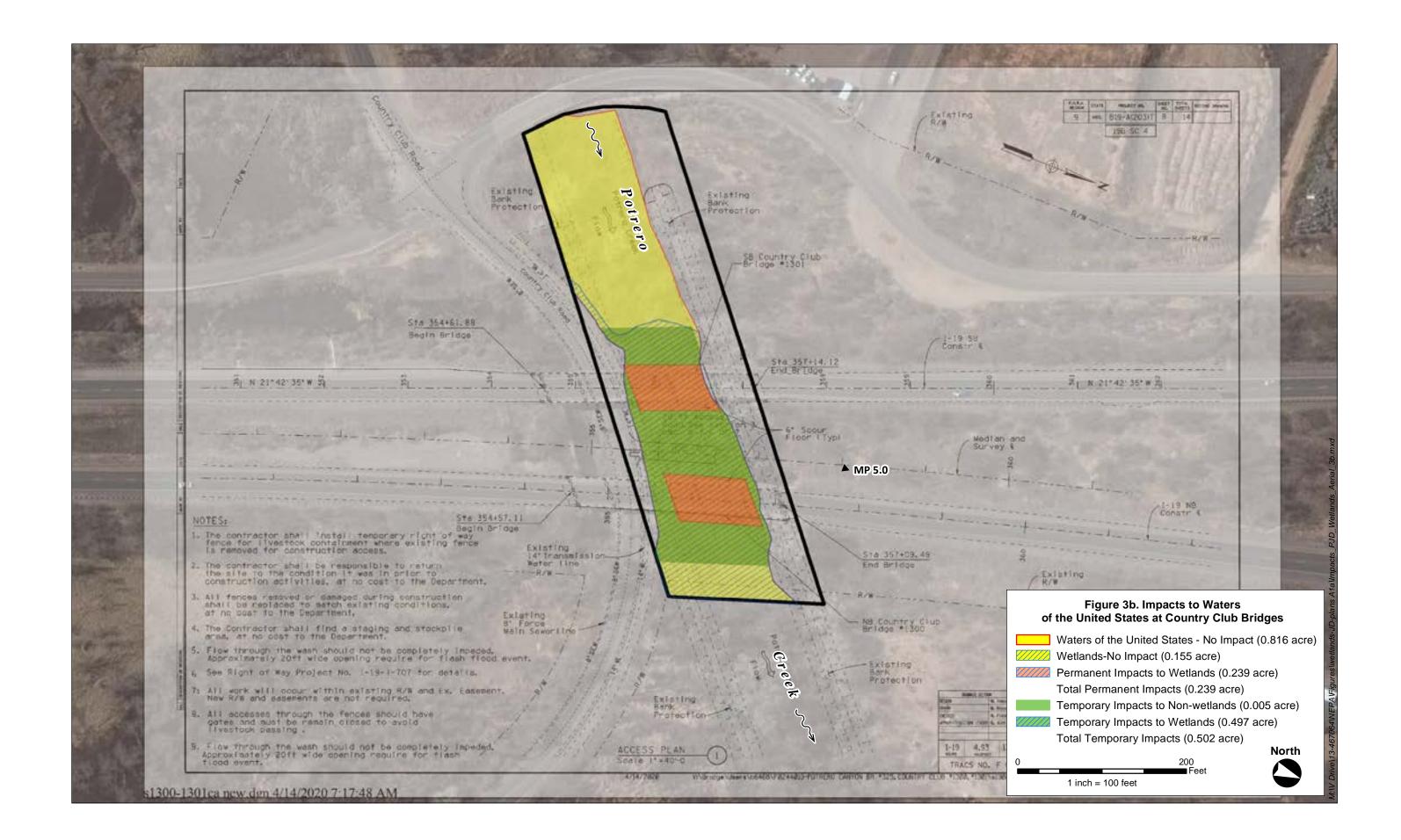


Figure 1. Project location



Figure 2. Project area









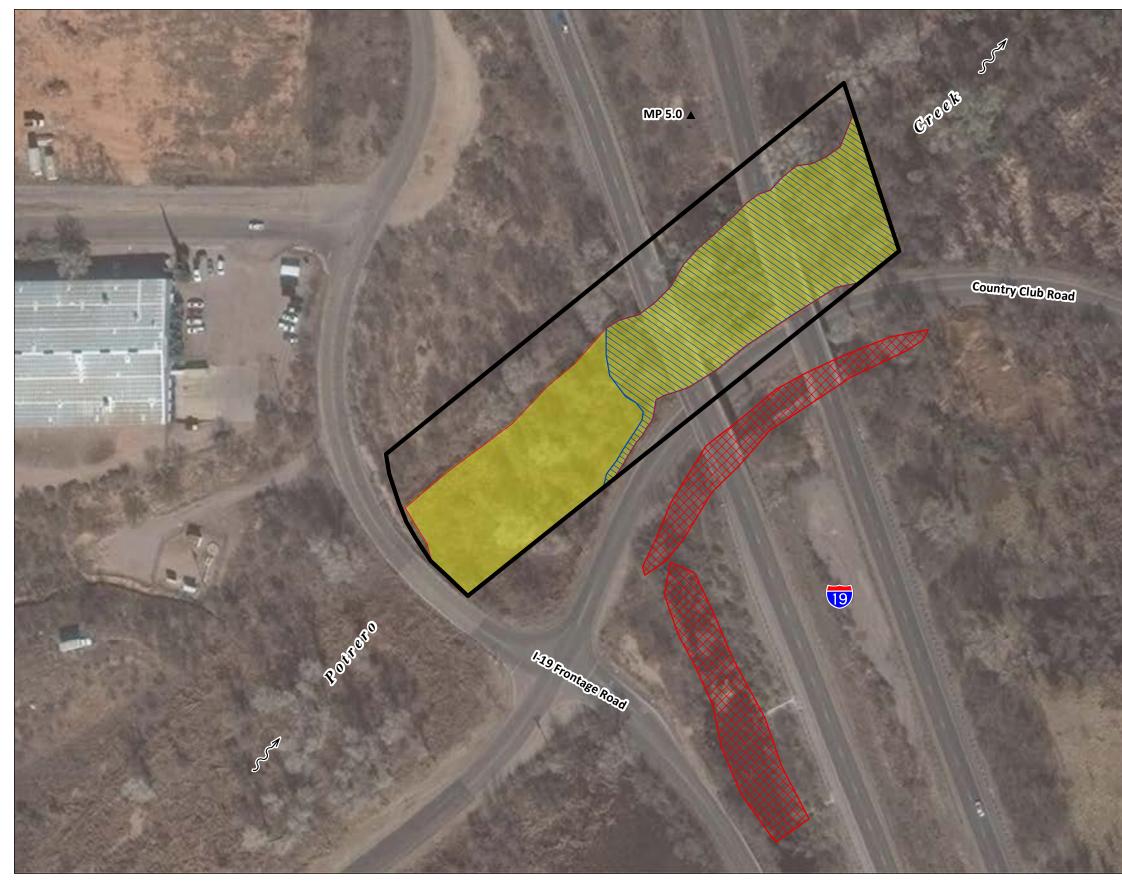
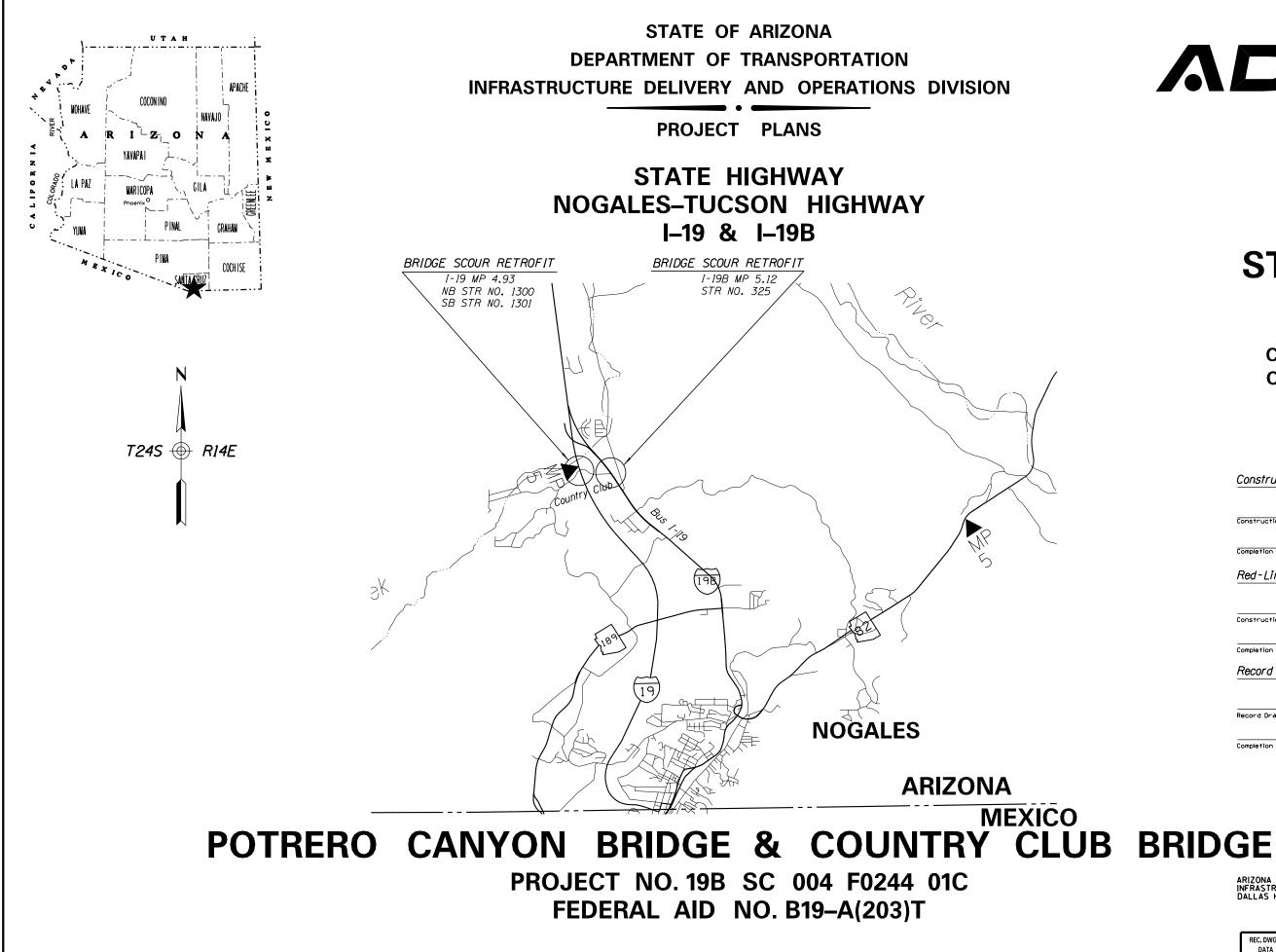


Figure 5. Avoidance areas





ADOT

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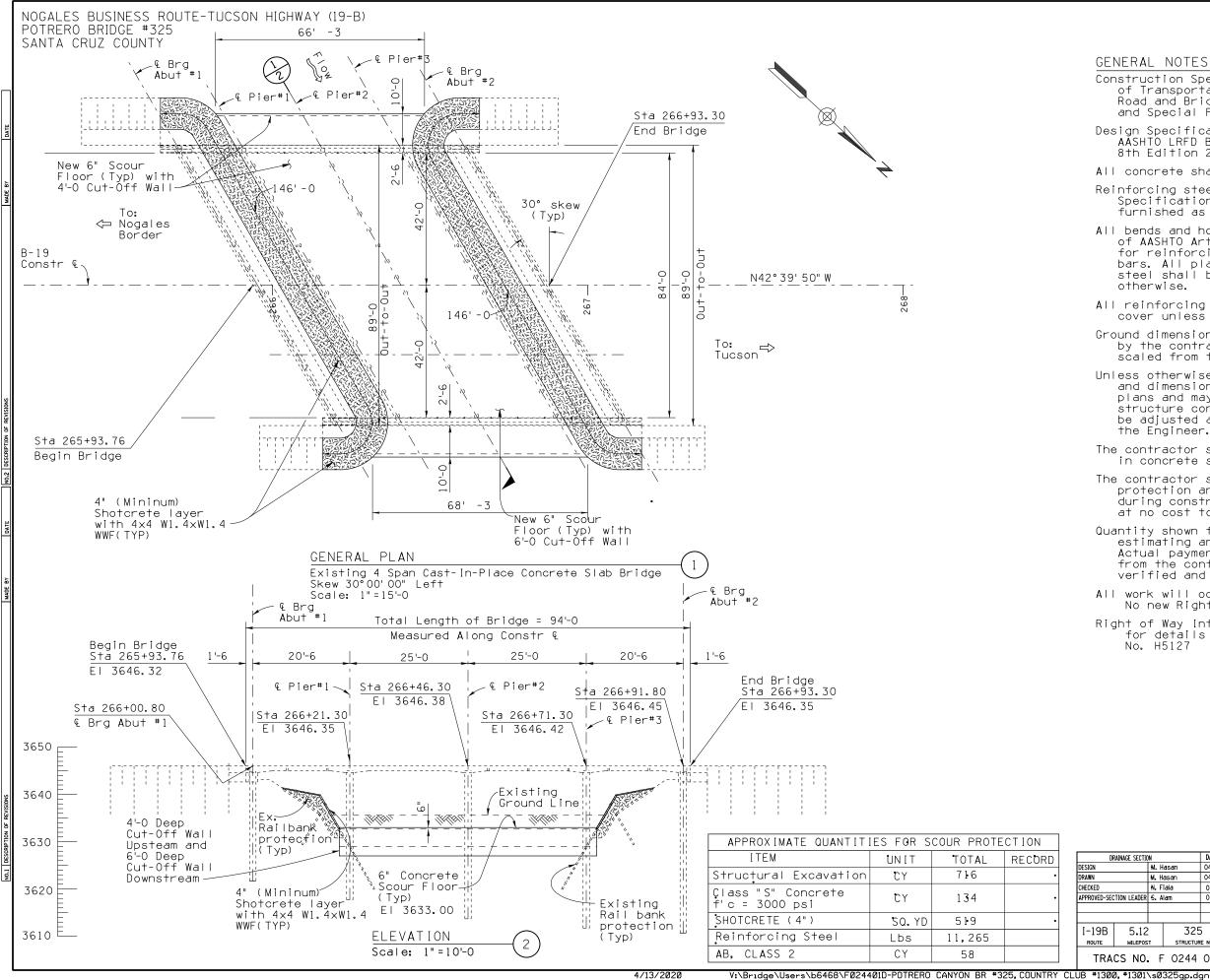
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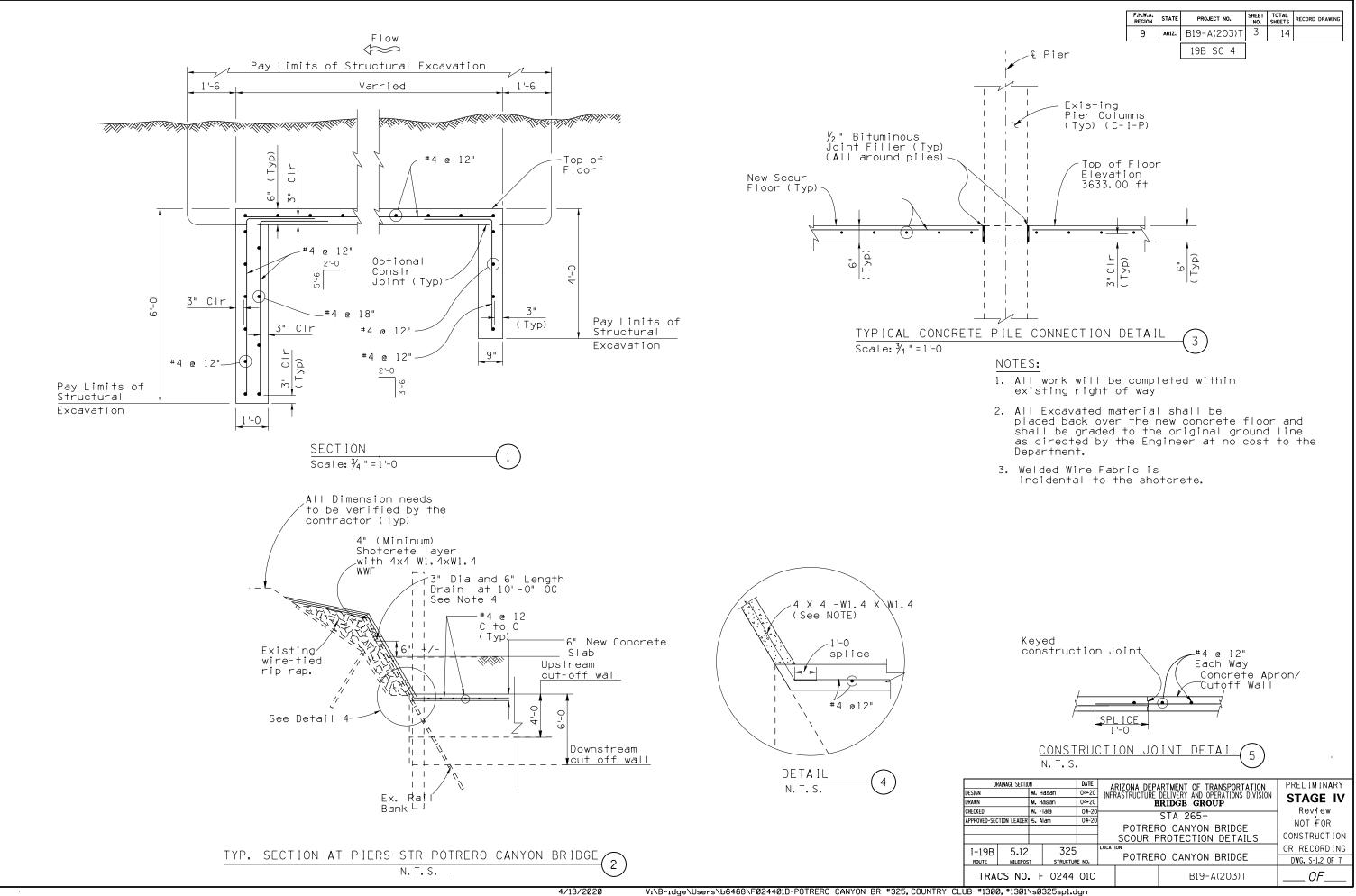
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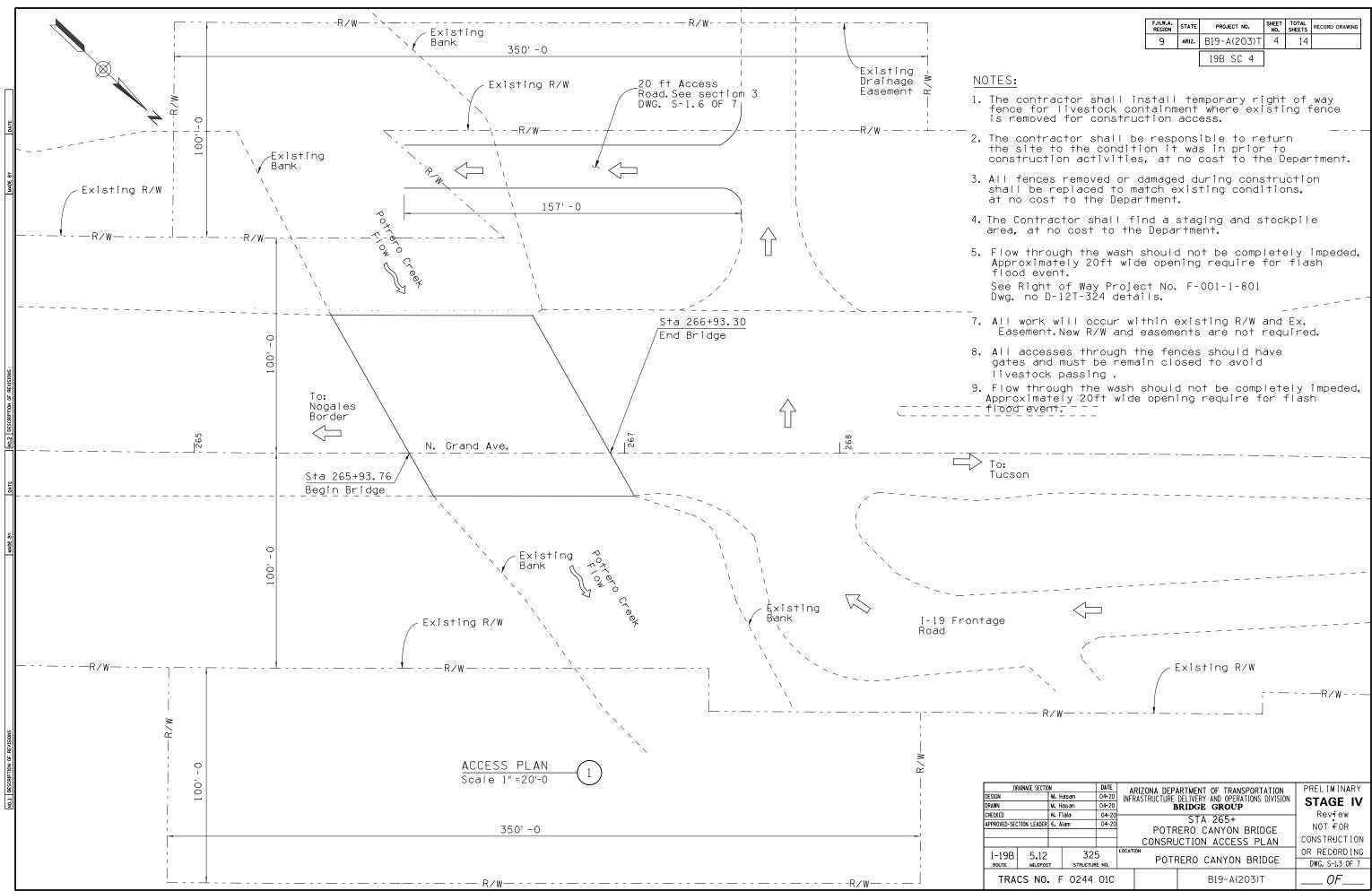
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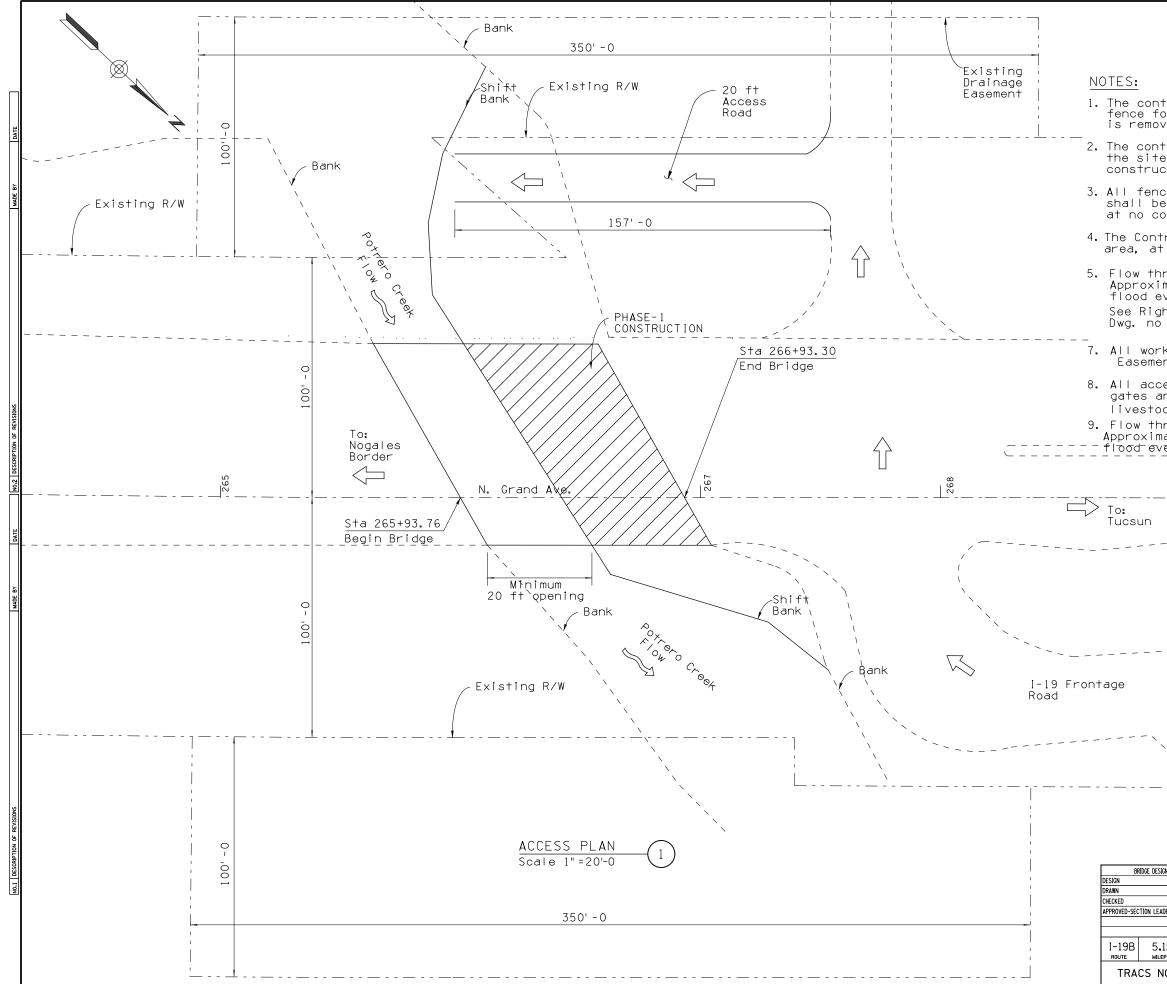


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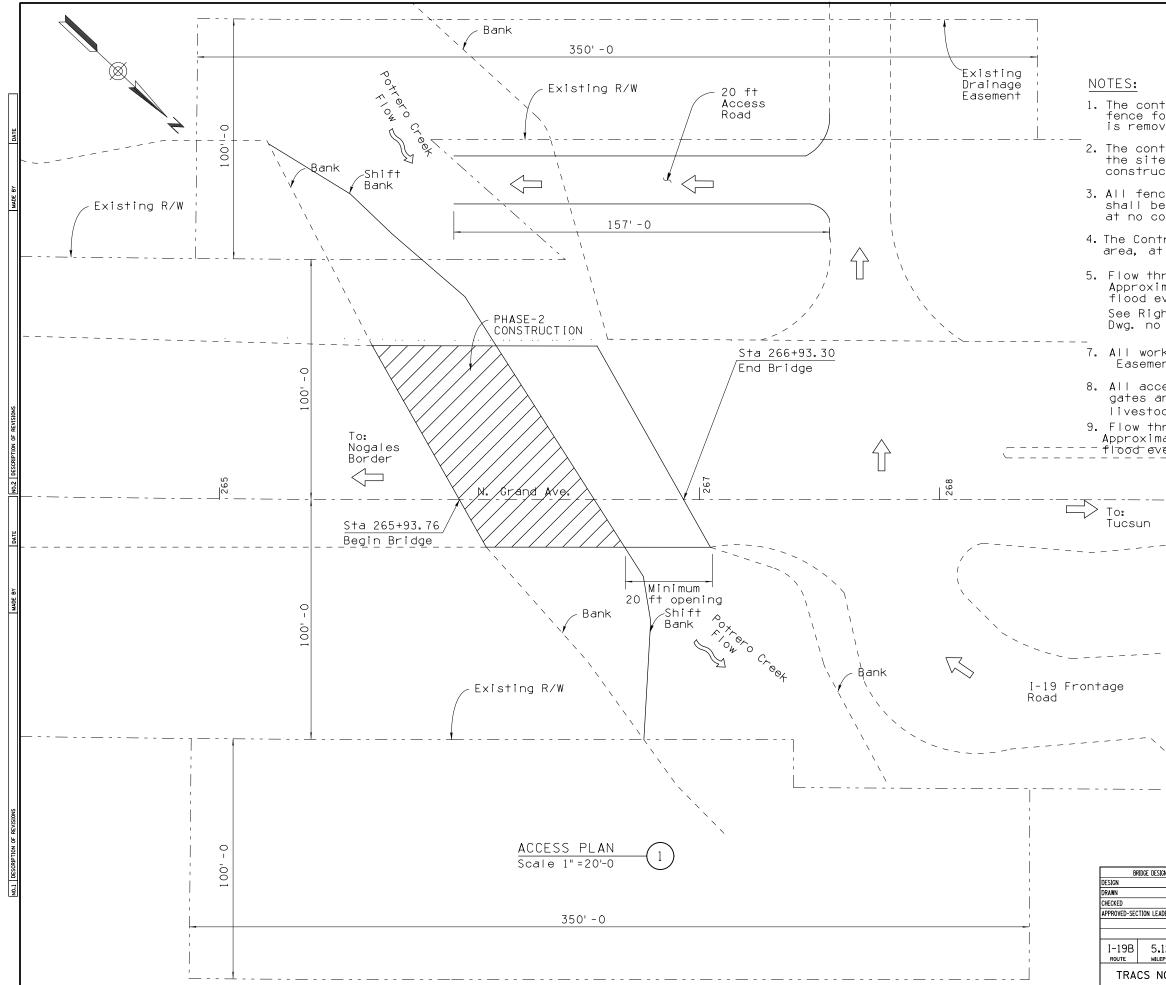




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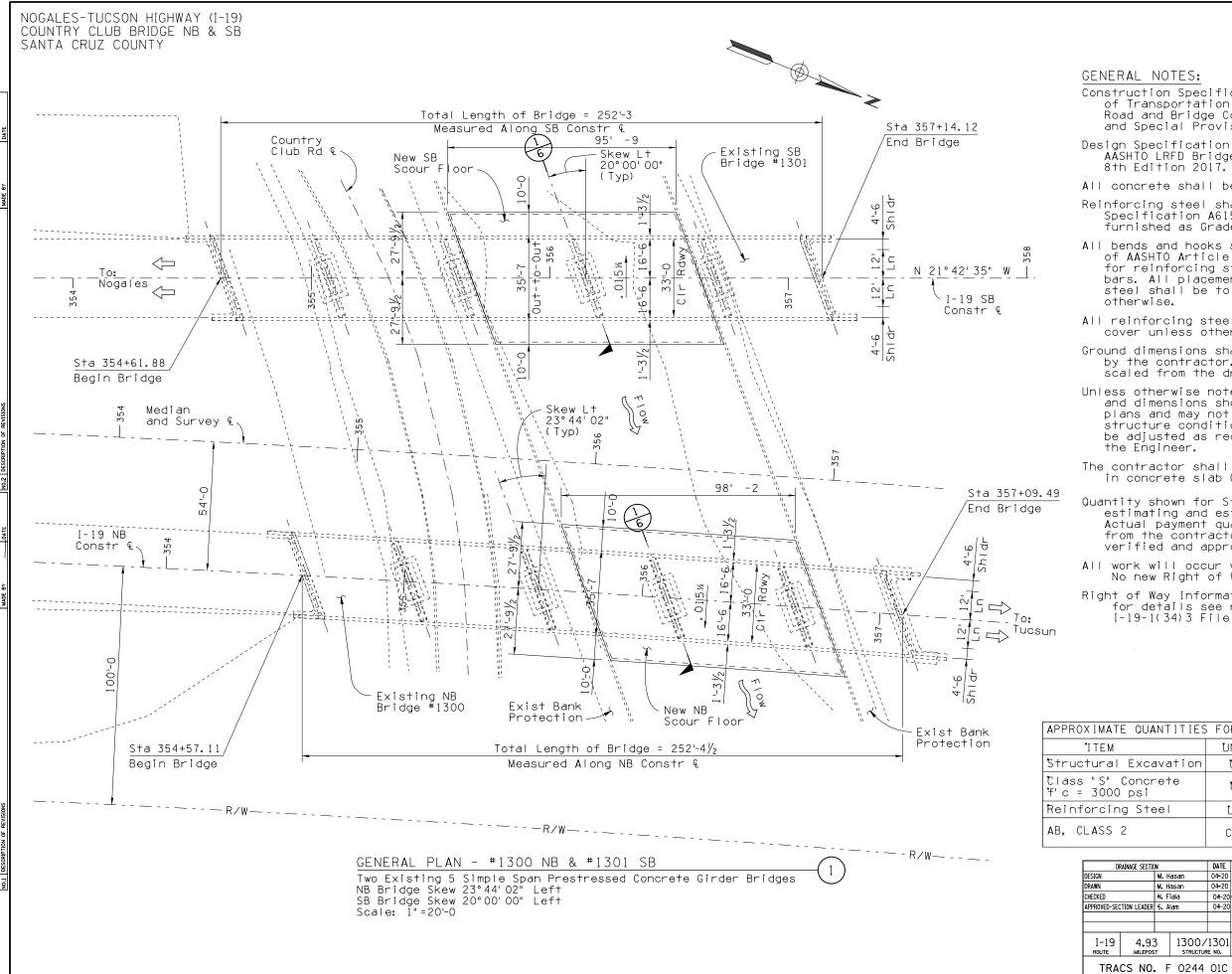
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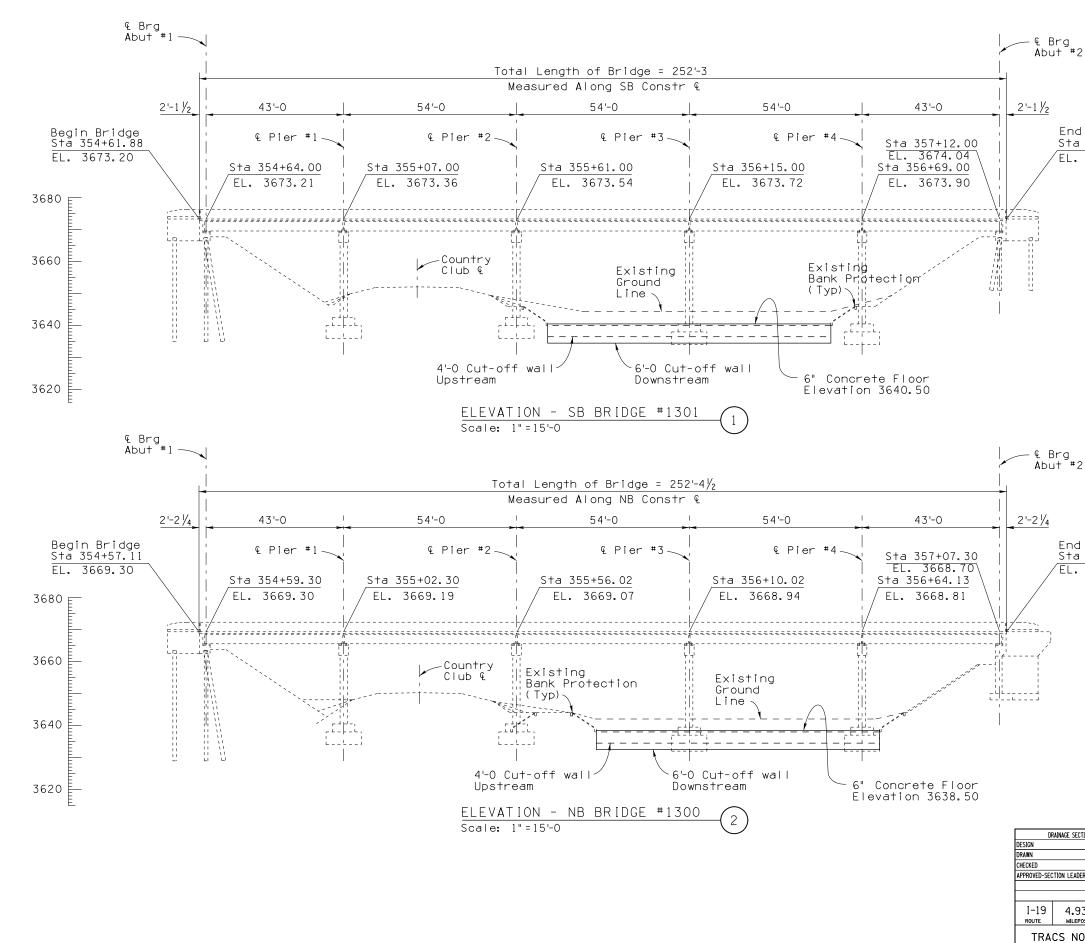


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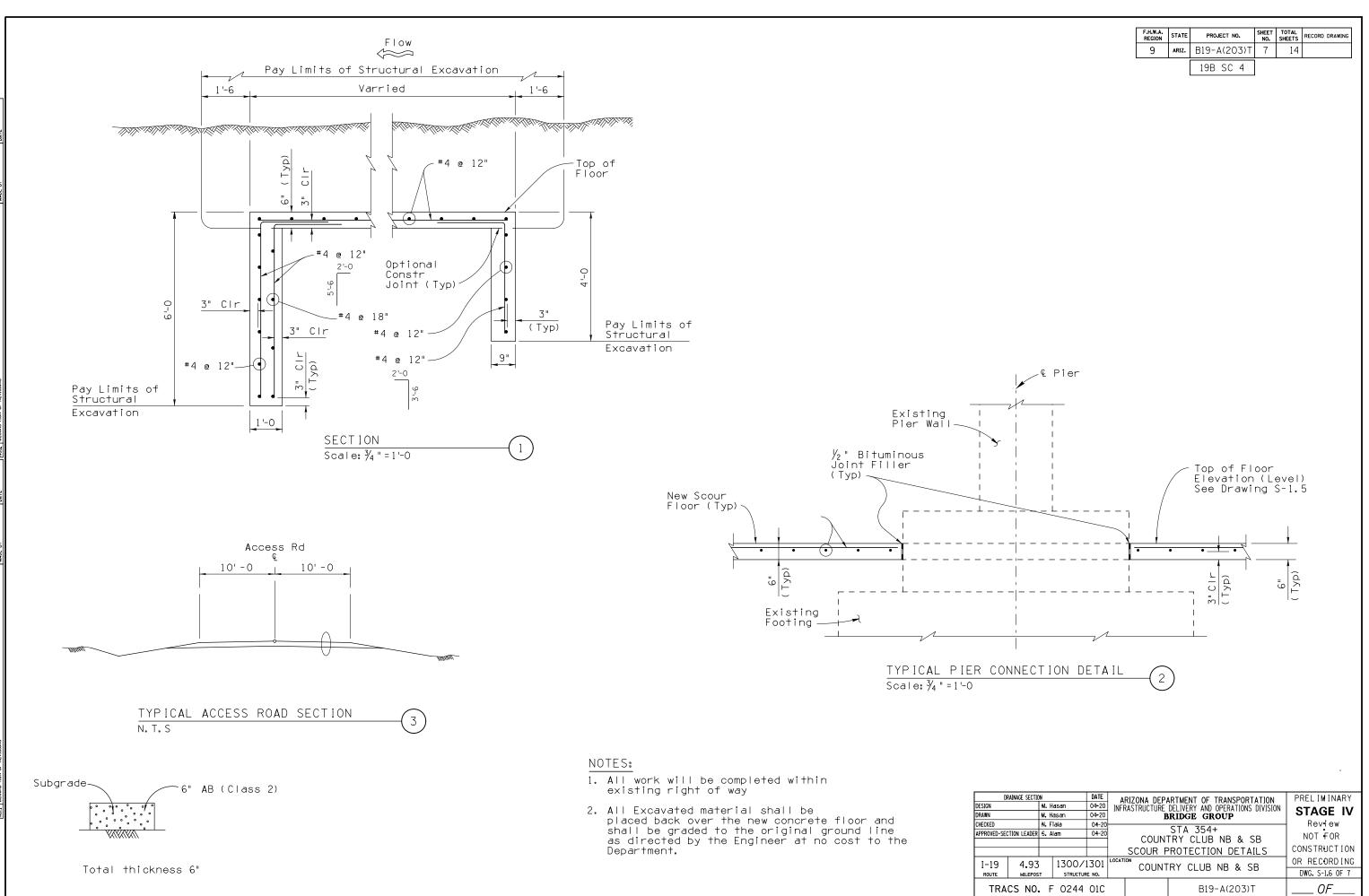


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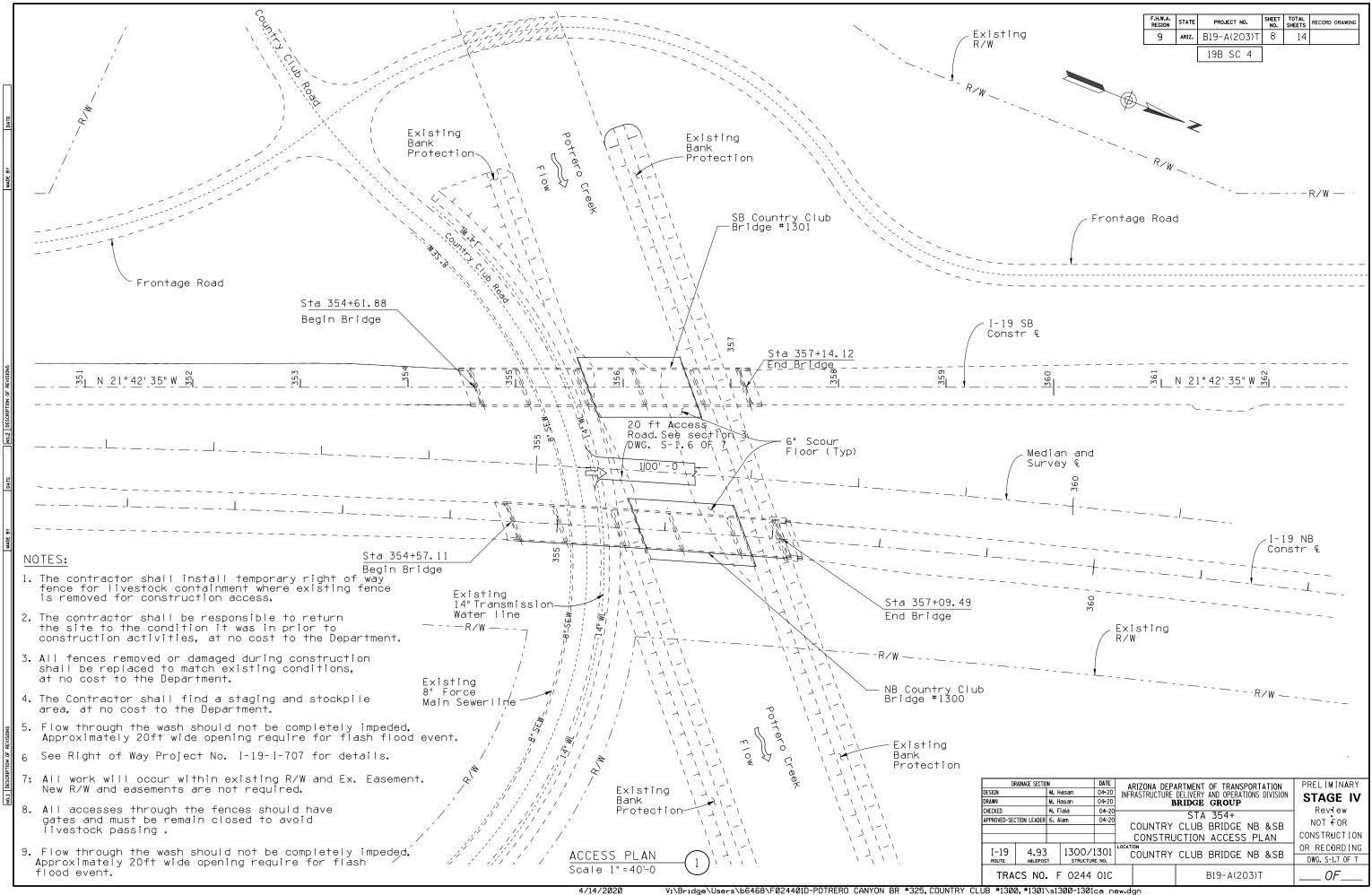
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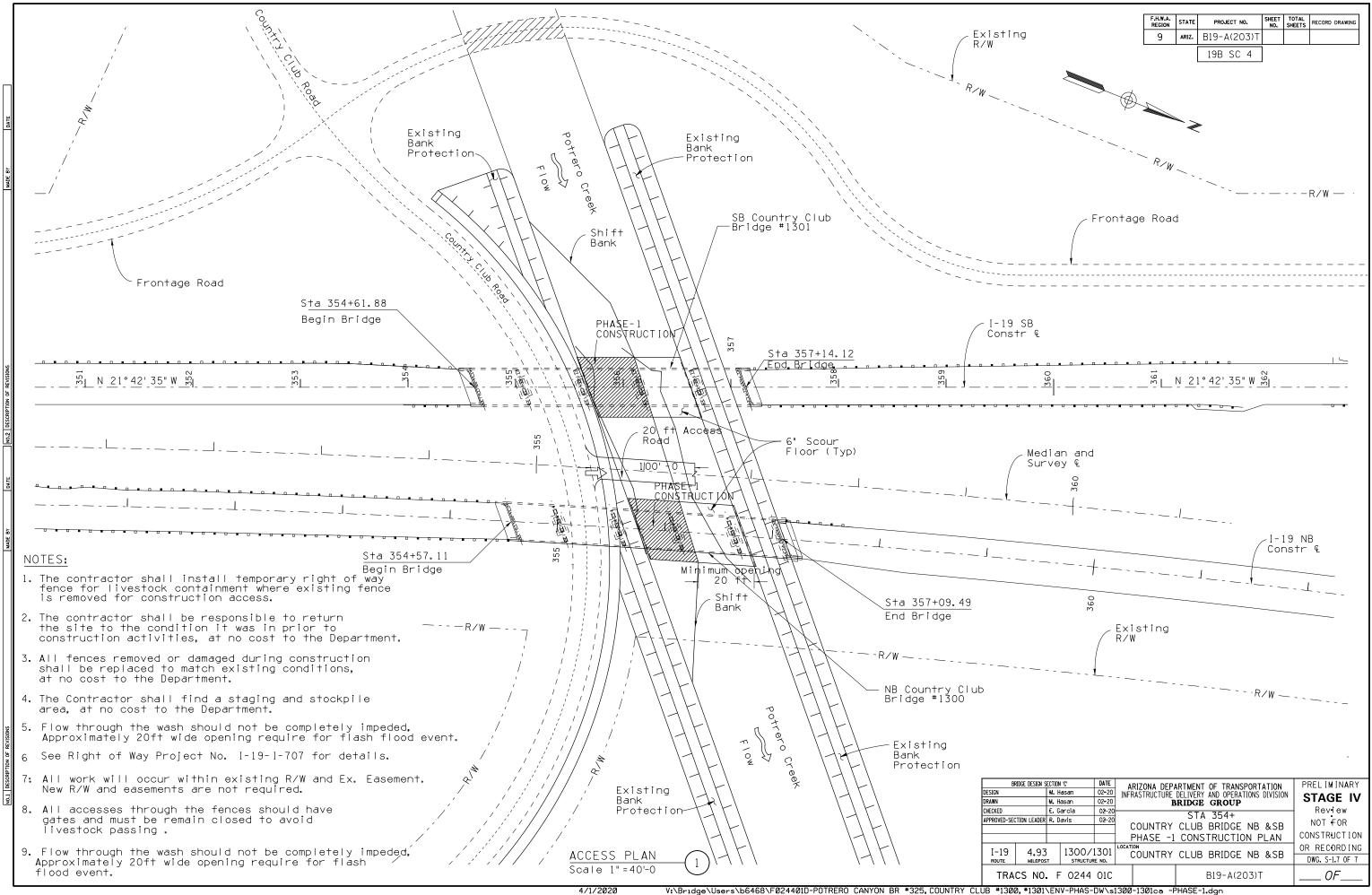
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	N. FI	ala	04-20		STA 354+	Review
EADER	5. Al	am	04-20	COLINT	RY CLUB NB & SB	NOT FOR
					ROTECTION ELEVATION	CONSTRUCTION
.93		1300/1	301			OR RECORDING
LEPOS		STRUCTUR		COUN	TRY CLUB NB & SB	DWG. S-1.5 OF 7
NO.	F	0244	01C		B19-A(203)T	0F



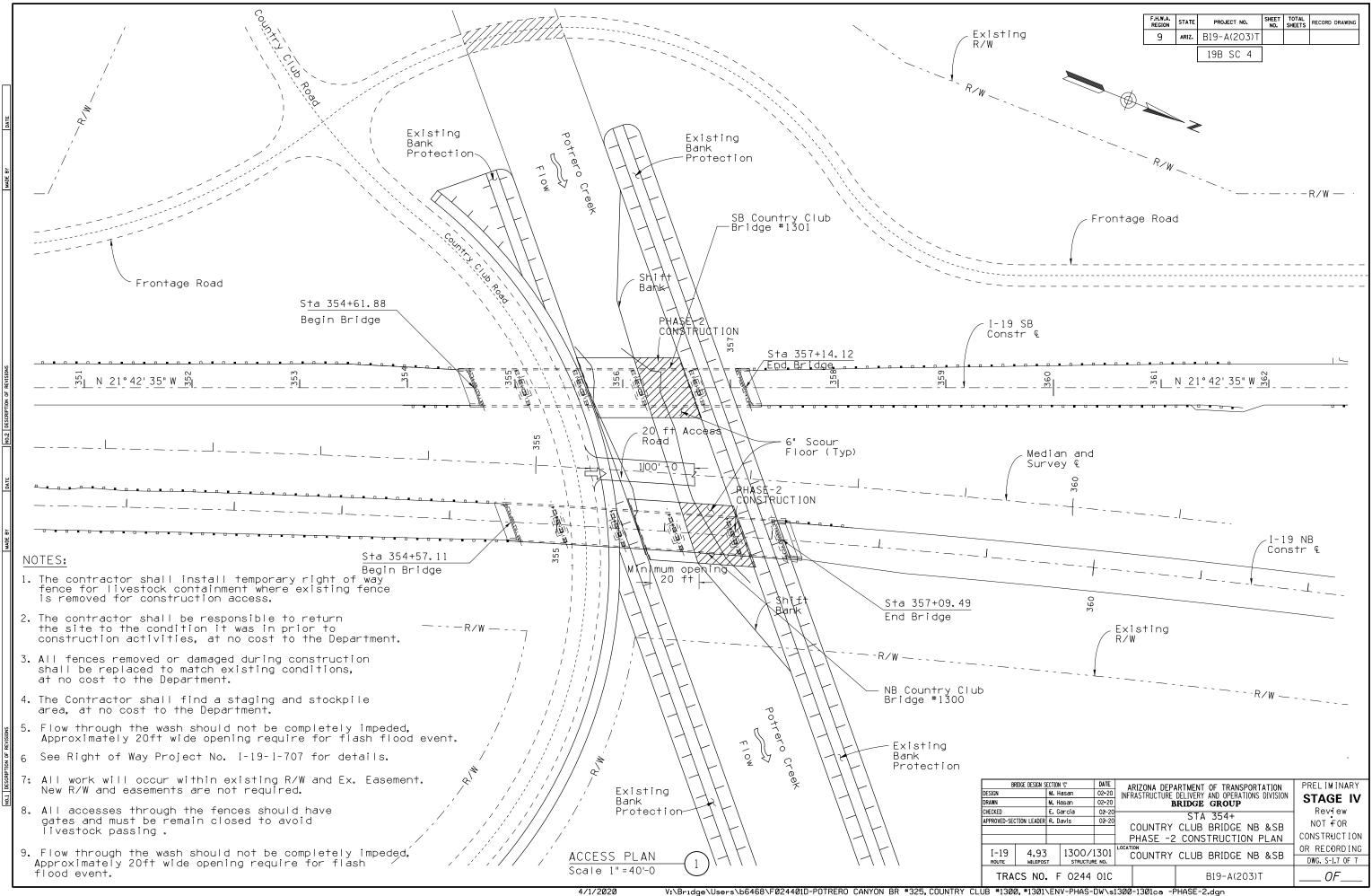
301\s1300-1301sp2	new.dgn



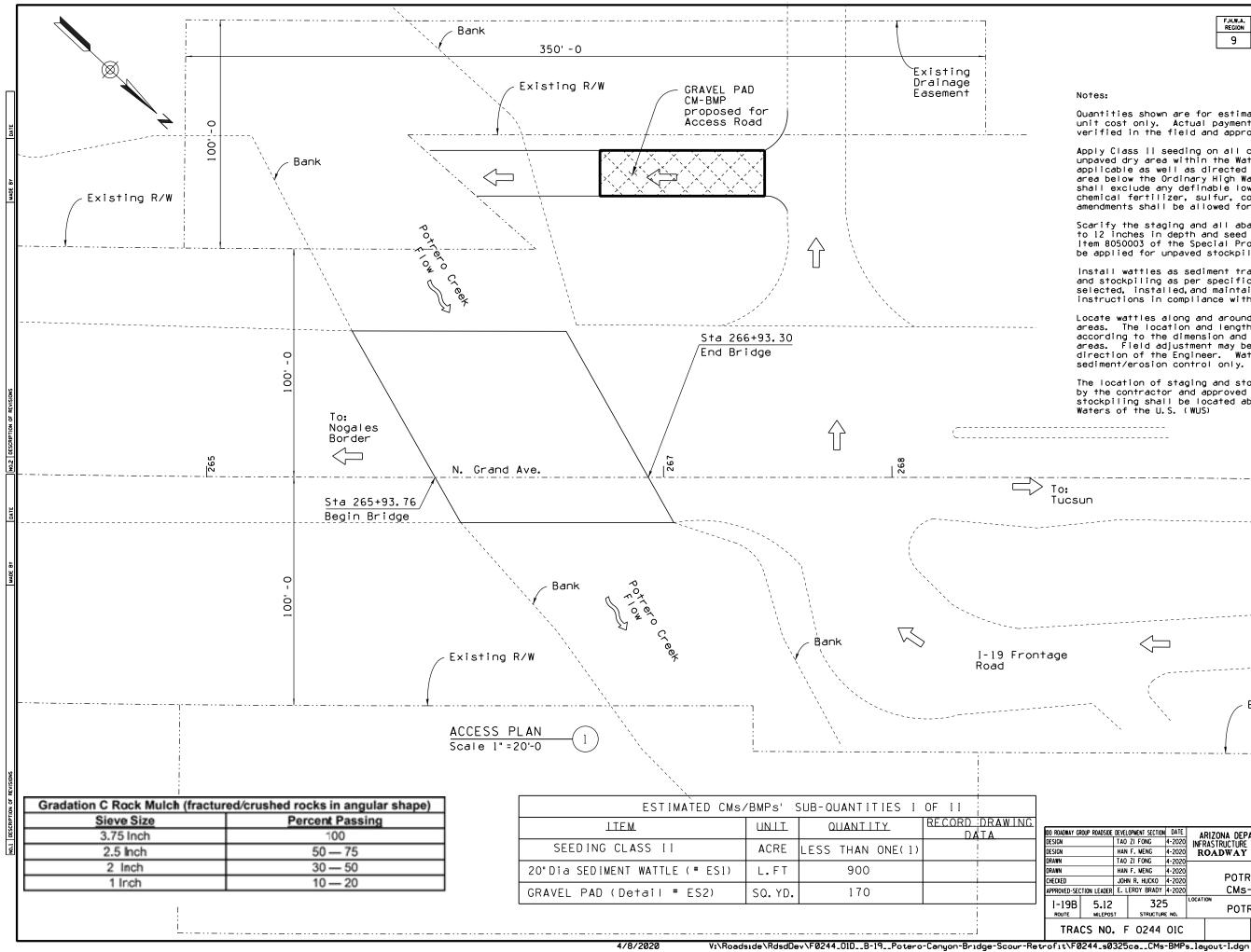
s1300-1301ca new.dgn 4/14/2020 7:17:48 AM



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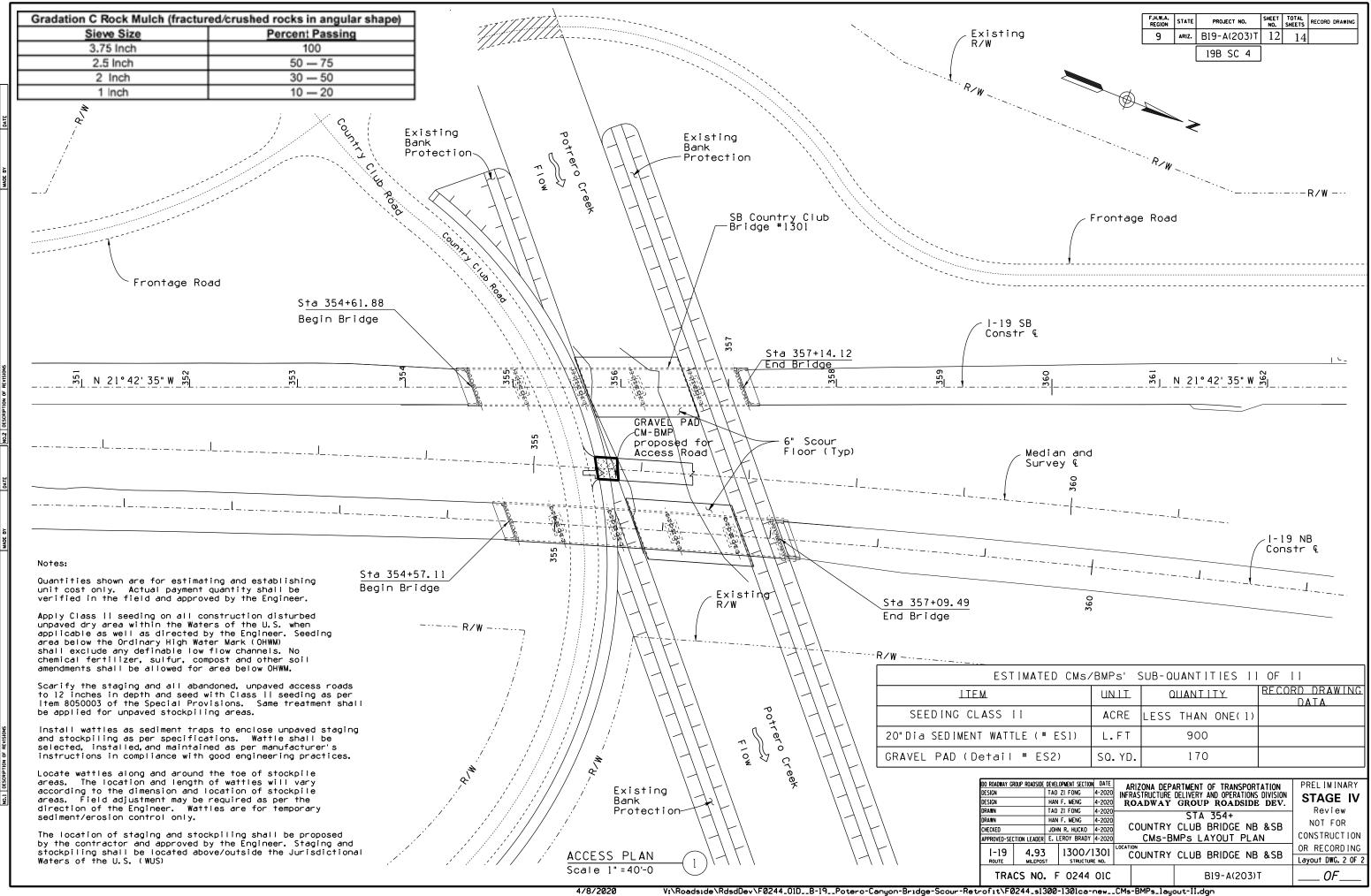


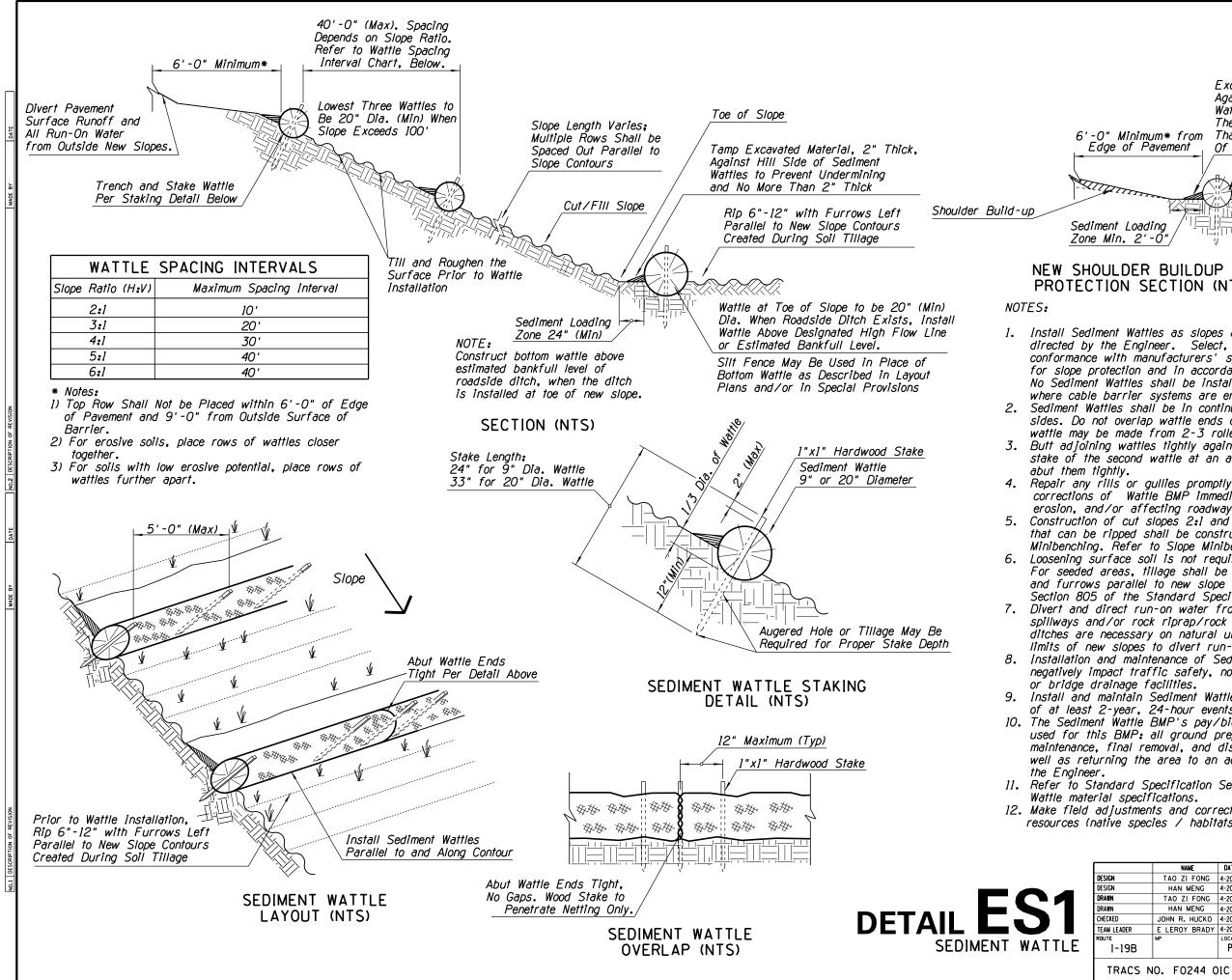
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	F.H.W.A.	STATE	PROJECT NO.	SHEET	TOTAL	RECORD DRAWING
	region 9	ARIZ.	B19-A(203)T	<u>№</u> .	<u>знеетз</u> 14	
			19B SC 4	]		
S:						
tities shown are for cost only. Actual fied in the field ar	payment	t quả	intity shall	be	g	
y Class II seeding o ved dry area within icable as well as di below the Ordinary I exclude any defina ical fertilizer, sul dments shall be allo	the Wat rected High Wa ble low fur, co	ters by t ster w flo ompos	of the U.S. he Engineer. Mark (OHWM) w channels. t and other	when See No soil	ding	
ify the staging and 2 inches in depth ar 8050003 of the Spec oplied for unpaved s	nd seed cial Pro	with ovisi	ons. Same t	edin	ig as	per
all wattles as sedim stockpiling as per s cted, installed,and ructions in compliar	specific maintai	catic ined	ons. Wattle as per manuf	shal actu	l be rer's	5
te wattles along and s. The location and rding to the dimensi s. Field adjustment ction of the Enginee ment/erosion control	d length on and may be er. Wat	n of loca e rec	wattles will ntion of stoc puired as per	var kpil the	е	
location of staging he contractor and ap kpiling shall be loc rs of the U.S. (WUS)	proved ated ab	by t	he Engineer.	S†a	ging	and
		· ·				
<b>N</b>						
	/ F	Exis	sting R/W			
	(			r - <b></b>		
DSIDE DEVELOPMENT SECTION DATE ARI			NT OF TRANSPORT	ATION	PI	RELIMINARY
TAO ZI FONG 4-2020 HAN F. MENG 4-2020 RO	STRUCTURE	DELIVE	TRANSFORT RY AND OPERATIONS UP ROADSIDE	DIVISIO		TAGE IV
TAO ZI FONG 4-2020		ст	A 265+			Review

				I ANIZUNA DEI				
1	TAO ZI FONG		4-2020	INFRASTRUCTUR	E DELIVERY AND OPERATIONS DIVISION	STAGE IV		
1	HAN F. MENG		4-2020	ROADWAY	GROUP ROADSIDE DEV.	STAGE IV		
1	TAO 3	ZI FONG	4-2020			Review		
			4-2020		STA 265+ POTRERO CANYON BRIDGE			
		OHN R. HUCKO 4		-	CONSTRUCTION			
N LEADER	E.LE	ROY BRADY	4-2020	L CMS	S-BMPS LAYOUT PLAN			
5.12		325	5		OR RECORDING			
MILEPOST	-		-		RERO CANYON BRIDGE	Layout DWG.   OF 2		
5 NO.	F	0244	01C		B19-A(203)T	0F		
4 00		014	0140					



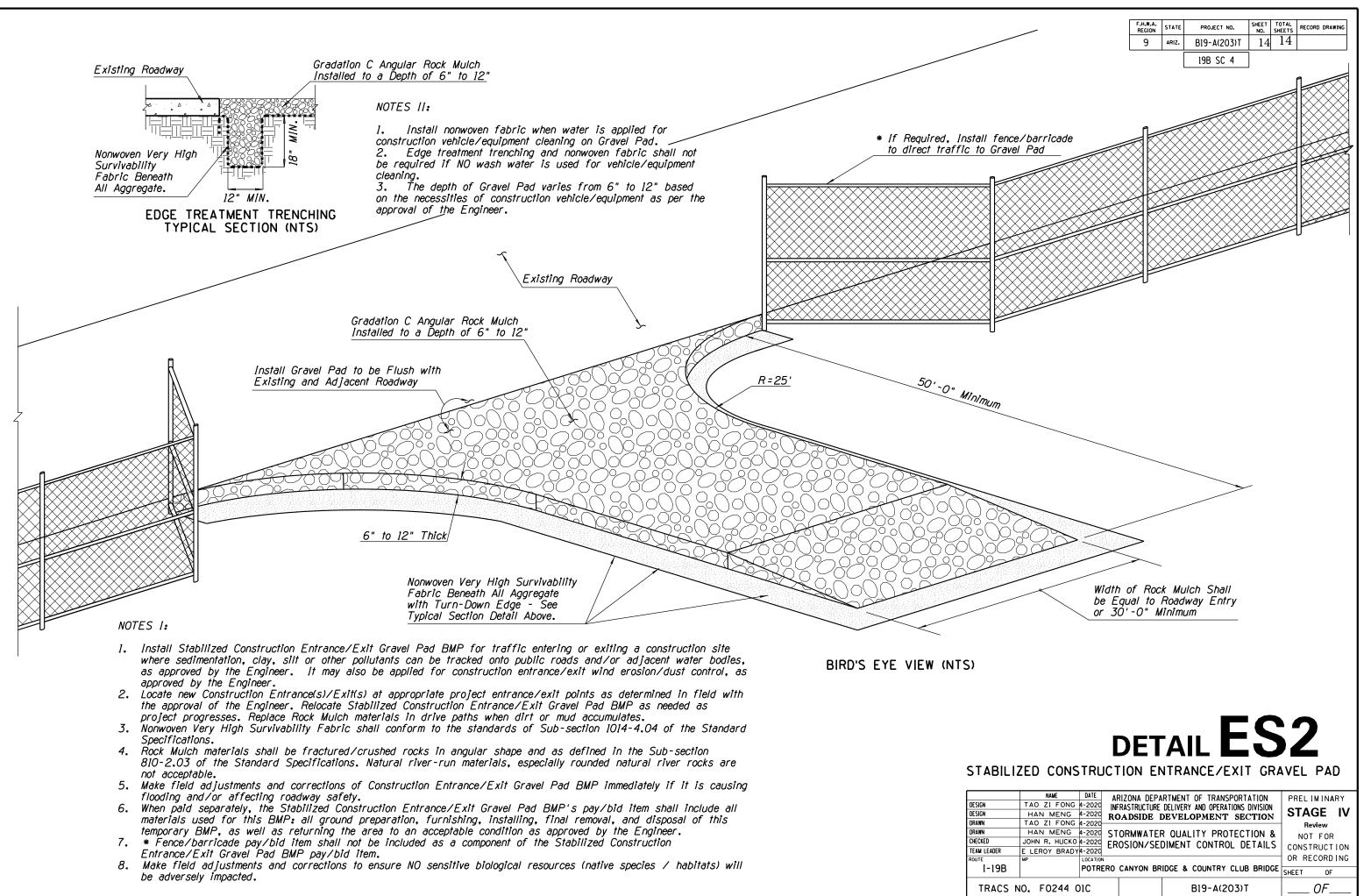


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	F.H.W.A.			SHEET	TOTAL							
	REGION	STATE	PROJECT NO. B19-A(203)T	NO.	sheets	RECORD DRAWING						
			19B SC 4	15	11							
				I								
Excavated Material To Be Tamped Against Upstream Side Of Sediment Wattles To Prevent Undermining. The Thickness Should Be No More mum* from Than 2" To Avoid Dramatic Reduction Of The Sediment Loading Capacity. 9" Dia. Wattle *** Note: Applicable only in the areas of												
ading / '	conc not	entra be li	ated flow - imited to roa	to ir dway	nclude v sag	e but 1 spots						
A BUILDUP <b>**</b> SECTION (NTS) and drop-off repair locations as per the direction of the Engineer.												
attles as slopes are con gineer. Select, install nanufacturers' specifica and in accordance with s shall be installed in r systems are employed hall be in continuous co lap wattle ends on top e from 2-3 rolled exce tles tightly against each d wattle at an angle top	and m ations th good urban ontact of eac elsior co n other	nainta to m free with h oth or st , Dr	ain in eet site cond gineering pra way medians, trench botto her. A 20" raw blankets ive the first	lition ctice , noi m ar Dia end	s. nd							
gullies promptly. Make field adjustments and title BMP immediately if it is causing flooding, fecting roadway safety. slopes 2:1 and steeper in soil and rock materials shall be constructed, whenever possible, by to Slope Minibenching BMP Detail. soil is not required where Minibenches are used. tillage shall be performed to form minor ridges el to new slope contours and as specified in Standard Specifications and these special provisions. un-on water from outside of the slopes to the pock riprap/rock mulch. Diversion dikes and/or matural undisturbed slopes beyond the top s to divert run-on water. Intenance of Sediment Wattle BMPs shall not affic safety, nor the designed function of roadway facilities.												
, 24-hour events. e BMP's pay/bid item	shall	inclu	de all materi	als								
: all ground preparation	n, furi	nishi.	ng, installing	1,								
removal, and disposal ( he area to an acceptab												
Specification Section 810-2.06(C) for Sediment cifications. ents and corrections to ensure NO sensitive biological vecies / habitats) will be adversely impacted.												
TAO ZI FONG 4-2020 INFRA	STRUCTURE	DELIVE	NT OF TRANSPORTA RY AND OPERATIONS LOPMENT SEC	DIVISION	۱   a	REL IM INARY TAGE IV Review						
HAN MENG 4-2020 JOHN R. HUCKO 4-2020 E LEROY BRADY 4-2020 MP LOCATION	SION/SE	DIMEN	ALITY PROTECT	ETAIL	<b>S</b> c	NOT FOR ONSTRUCTION R RECORDING						
	ANTUN BI		& COUNTRY CLUB	DKIDO	C SHE	ET I OF I						

B19-A(203)T

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/:\Roadside\RdsdDev\F0244_01D__B-19__Potero-Canyon-Bridge-Scour-Retrofit\F0244_ES2_Stabilized_Const_Entrance_Exit-2.dgn