



PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT SR 86, Valencia Road to Kinney Road (Revised)

Public Notice/Application No.: SPL-2010-00041-KAT

Project: SR 86, Valencia Road to Kinney Road (TRACS 086 PM 159 H6806 01C)

Comment Period: June 12, 2014 through June 26, 2014

Project Manager: Kathleen Tucker; 602-230-6956; Kathleen.A.Tucker@usace.army.mil

Applicant

Roderick Lane, District Engineer
Arizona Department of Transportation
1221 S. 2nd Ave, MD T100
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Contact

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1221 S. 2nd Ave, MD T100
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Location

The proposed project impacts Black Wash and Snyder Hill Wash within the Brawley Wash watershed (HUC 15050304) of the Santa Cruz River basin (HUC 150503). The project is located within ADOT and Pima County right-of-way along State Route 86 (SR 86) between mileposts 159.1 and 166.6, southwest of the City of Tucson, in Pima County, Arizona. The project can be located on the U.S. Geological Survey Cat Mountain, AZ and Brown Mountain, AZ 7.5-minute topographic quadrangle maps, and is within: Sections 12 and 13 of Township 15 South, Range 11 East; Sections 3, 4, 7, 8, and 9 of Township 15 South, Range 12 East; and Sections 34, 35, and 36 of Township 14 South, Range 12 East.

Activity

This activity would now involve a discharge of fill material into 6.21 acres of waters (see attached drawings).

This activity previously would have involved the discharge of dredged and/or fill material into 5.98 acres of waters within the Black Hills Wash and Snyder Hill wash and 24 unnamed washes to widen the existing SR 86 roadway. For more information see page 3 of this notice.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). 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 support 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. Comments should be mailed to:

Attn: Kathleen Tucker, Regulatory Division
SPL-2010-00041-KAT
Los Angeles District, Corps of Engineers
3636 N Central Avenue, Suite 900
Phoenix, AZ 85012-1939

Alternatively, comments can be sent electronically to: Kathleen.A.Tucker@usace.army.mil

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

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

Water Quality- 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 that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers prior to permit issuance. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency.

Cultural Resources- There is a Memorandum of Agreement for this project. This document addressed potential adverse effects on historic properties as a result of this project. This review constitutes the extent of cultural resources investigations by the District Engineer, and she is otherwise unaware of the presence of such resources.

Endangered Species- There is a Biological Opinion dated July 2, 2008 issued by U.S. Fish and Wildlife. Compliance with the Biological Opinion will be a special condition of the permit.

Public Hearing- 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

Basic Project Purpose- 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 in to a special aquatic site (e.g., wetlands, pool and riffle complex, mudflats, coral reefs). This project will not discharge into a special aquatic site and the Corps has preliminarily determined that the basic project purpose is transportation. The project **is not** water dependent.

Overall Project Purpose- 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 is to provide adequate capacity for current and projected future traffic volumes along SR 86 between Kinney Road and Valencia Road, and provide functional drainage crossings along the improved route.

Additional Project Information

Baseline information- State Route 86 is currently a two-lane, 40-foot wide highway from the beginning of the project to approximately MP 165.9, just west of the Kinney Road intersection. Two-way left-turn lanes have been added in two sections of the roadway, and left-turn and right-turn lanes have been added at several intersections. Just west of the Kinney Road intersection, the roadway transitions to a four-lane divided highway. The highway traverses level terrain throughout the project area with a maximum vertical grade of 2.16 percent.

The land adjacent to SR 86 has numerous small, braided washes, and much of the area is within the FEMA 100-year floodplain. In the westerly section of the project area, a series of dikes exist on the south side of the highway to channel drainage to large culverts under the highway. From San Joaquin Road eastward, there are drainage channels that approximately parallel SR 86 on both the north and south sides of the highway. These channels are completely disturbed in nature, are traveled by off-road vehicles, and likely resulted from flows collecting along the highway.

Storm water runoff in the project area generally flows from the foothills of the Sierrita Mountains northwesterly towards SR 86. Drainage runoff along SR 86 east of Camino Verde flows southwesterly from Snyder Hill on the north side of SR 86, crosses under SR 86, where it turns westward to intersect the northwesterly flows of the area. Flows throughout the remainder of the project cross northwesterly under SR 86 through pipes, culverts, and bridge openings. The small washes that the SR 86 crossings outfall into east of Snyder Hill Wash and Black Wash ultimately drain to these major washes. Snyder Hill Wash and Black Wash then drain to Brawley Wash, which drains northwest to Los Robles Wash and into the Santa Cruz River. Bridges are located where Snyder Hills Wash and Black Wash cross the highway. Several concrete box culverts and pipe culverts pass flows from unnamed washes under the highway.

The proposed project area is located along SR 86 within existing ADOT ROW corridor varying from 200 to 250 feet. Adjacent land uses consist of residential, commercial, and vacant lands, and include an airport (Ryan Air Field), and a water treatment plant. Adjacent property ownership is mixed, with approximately 30% owned by the USA, 25% in private ownership, 20% owned by the City of Tucson, 15% owned by the Arizona Board of Regents, and 10% owned by the State of Arizona. ADOT and Pima County will develop a Joint Project Agreement for improvements to Kinney Road and other local roads intersecting SR 86 where adjustments to the local roads extend outside the ADOT ROW.

Project description- SR 86 is a primary regional transportation route linking the metropolitan Tucson area to south-central Arizona and is experiencing increased local traffic as the Tucson urbanized area expands to the west. In 2005, ADOT and the Federal Highway Administration (FHWA) began engineering and environmental studies for potential improvements to SR 86 within the project limits. The purpose of the studies was to identify long-range planning needs for SR 86 and evaluate improvement options that could accommodate projected traffic demand in the year 2030. The results of the engineering studies are recorded in a Final Design Concept Report dated April 2010.

ADOT proposes to widen SR 86 between approximately Valencia Road (MP 159.1) and Kinney Road (MP 166.6) by providing a four-lane divided highway. The project proposes utilizing the existing two-lane roadway for one direction of travel through the majority of the length of the project, and adding a new two-lane roadway for the opposite direction of travel to either the north or the south of the existing alignment. Location of the new roadway segment will be determined based on existing ADOT corridor limits. Signalization and turn lanes will be constructed at major intersections. Local roads will be realigned at their intersections with SR 86, where required for safety. Utilities will be relocated where necessary.

Existing concrete box culverts will be extended in 11 locations along the route. New concrete box culverts will be added at 6 locations, primarily under realigned intersecting roadways. A new concrete-lined channel will be constructed south of SR 86 between Camino Verde and Tucson Estates Parkway, and north of SR 86 between San Joaquin Road and Kinney Road. Existing bridges at Black Wash and Snyder Hills Wash will remain in place and serve eastbound traffic, and new bridges will be added to the new westbound road segment.

Proposed Mitigation– 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 and Minimization – Complete avoidance of waters of the U.S. is not possible. In order to provide adequate capacity for current and projected future traffic volumes along SR 86 between Kinney Road and Valencia Road, the highway will be widened and drainage structures will be extended. Impacts to waters of the U.S., however, have been minimized to the maximum extent practicable. Permanent impacts have been minimized by constructing the minimum size of box culvert, pipe culvert, or bridge structure required to pass the flood flows under the highway. To avoid additional permanent impacts to waters of the U.S., all areas disturbed by construction will be re-contoured to preconstruction grade conditions following the completion of construction activities, wherever practicable. In addition, construction access for the project will utilize existing dirt roads where available.

Project activities will require the clearing of Semidesert Grassland biotic community with elements of Arizona Upland Sonoran Desertscrub vegetation and trees within waters of the U.S. and immediately adjacent uplands within the project limits. Vegetation in the project area is dense in some areas; therefore, vegetation removal will be extensive with salvage of four designated species. Vegetation removal will be only the minimum amount necessary to provide an adequate work zone and construction access. Disturbed, previously vegetated areas outside the OHWM will be seeded using an approved location-specific seed mix with species for the Sonoran desert biotic community in accordance with ADOT requirements. Erosion and sediment control will be provided in accordance with ADOT's standard specifications (*Arizona Department of Transportation Standard Specifications for Road and Bridge Construction*, Section 104.09 [2008 Edition] "Prevention of Landscape Defacement; Protection of Streams, Lakes and Reservoirs.") and the stormwater pollution prevention plan (SWPPP) for this project. Impacts will also be minimized by the use of construction materials that do not leach toxic pollutants (concrete, soil cement), and through implementation of the requirements of SWPPPs and 401 certification conditions during construction. Therefore, the proposed project is not expected to have significant impact on the vegetative cover occurring in the project area.

Compensatory Mitigation: The proposed action would result in permanent impacts of 3.68 acres to four unnamed washes. ADOT will provide compensatory mitigation through in-lieu fees. The Corps will include the payment of in-lieu fees as a special condition of the permit.

Proposed Special Conditions

To be developed.

For additional information please call Kathleen Tucker of my staff at 602-230-6956 or via e-mail at Kathleen.A.Tucker@usace.army.mil. 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.

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