



PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT

BUILDING STRONG®

APPLICATION FOR PERMIT Northern Parkway; Dysart to 111th Avenue

Public Notice/Application No.: SPL-2012-00915-KAT

Project: Northern Parkway; Dysart to 111th Avenue, Tracs 000 MA MMA SZ046 01C

Comment Period: February 19, 2014 through March 20, 2014

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

Applicant

Ben Markert
Maricopa County Department of Transportation
2901 W. Durango St.
Phoenix, Arizona 85009

Contact

Anthony Horne
Arizona Department of Transportation
1611W. Jackson St., MD EM02
Phoenix, Arizona 85007

Location

The proposed project area is located within the Agua Fria River Watershed (HUC 15070102). The general project area is centered at 36.928728°N, -113.830539°W (NAD 83) along Northern Avenue from MP 4.50 to MP 7.00, with the Agua Fria River located at MP 6.02, and an unnamed wash at MP 5.20. This project is located in the Cities of El Mirage, Glendale and Peoria, Maricopa County, Arizona. The project is located within portions of Section 1, T2N, R1W. Refer to USGS 7.5' Quadrangle: El Mirage, Arizona (1982).

Activity

This activity would involve the discharge of dredged and/or fill material into 2.186 acres of waters within the Agua Fria River and unnamed wash to construct a bridge and place riprap (see attached drawings). 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 . Comments should be mailed to:

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 Programmatic Agreement that was executed in January 2009 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 he is otherwise unaware of the presence of such resources.

Endangered Species- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

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 discharge into a wetland 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 a high-capacity, west-east transportation corridor in the central portion of the West Valley to serve significant project population growth. This facility would provide better traffic flow and access to regional destinations via connections to the SR 303L and SR101L freeways and to US 60 (Grand Avenue). The purpose of the proposed bridge at the Agua Fria River is to provide a crossing with a long service life and minimal maintenance costs while meeting American Association of State Highway and Transportation Officials (AASHTO) requirements, and to allow continued traffic flows across Northern Parkway (existing Northern Avenue) during storm events. Additionally, the new bridge would be constructed with a five-span structure supported by columns on drilled shafts that would provide adequate scour protection for the new structures.

Additional Project Information

Baseline information- The project area is located in the Sonoran Desert in central Arizona at an elevation of approximately 1,150 feet. The terrain in the project area is relatively flat, except at the Agua Fria River dip crossing. Both the Agua Fria River and the unnamed wash at 127th Avenue are ephemeral, carrying water only during peak rainfall/runoff events, and running south through the project area, with the unnamed wash eventually draining into the Agua Fria River. The Agua Fria River floodway is approximately 2,900 feet wide at Northern Avenue, with existing soil cement bank protection along the western bank in the vicinity of Northern Avenue. The unnamed wash is estimated to be approximately 3 to 5 feet wide of jurisdictional waters. Project area soils generally consist of Aridisols and Entisols, and have a hyperthermic soil temperature regime and a typical aridic soil moisture regime. Deep, stratified, coarse to fine-textured soils occur in the floodplains and alluvial fans. Sediments consist of combinations of fluvial lacustrine, colluvial and alluvial deposits. The Agua Fria River Watershed is relatively flat, with 80.1% of its area at less than 5% slope.

Project description- MCDOT proposes to improve the Northern Parkway segment between Dysart Road and 111th Avenue. Northern Parkway is an Urban Principle Arterial with full access control. The proposed construction of a bridge over the Agua Fria River at milepost (MP) 6.02 and an embankment and drainage facilities at the unnamed wash at MP 5.20 to extend the 36-inch diameter pipe culvert from which the unnamed wash originates with a riprap-protected outlet would involve construction activities within designated “waters of the United States” (Waters). Construction activities within Waters at the Agua Fria River would include the placement of concrete and reinforcing steel for the construction of the abutments and drilled shafts, cement stabilized alluvium (CSA) for the guide banks for the bridge, and earthen fill. In addition, work at the unnamed wash within Waters would involve the placement of riprap and earthen fill. The proposed project includes the following:

- Construction of a temporary asphalt road within the Agua Fria River (MP 6.02) to allow traffic during the construction of the bridge.
- Construction of the eastbound and westbound structures of the bridge at the Agua Fria River which would consist of a 595-foot, five-span structure supported by four 48-inch diameter columns on drilled shafts in each east and west direction. Bridge abutments would be located behind the CSA guide banks with an 8-foot top width and 1:1 side slopes.
- Removal of the existing Northern Avenue roadway pavement and lowering the river bed beneath the new bridge by 5 feet to avoid low flow general scour.

- Construction of on/off ramps at Dysart Road and at El Mirage Road.
- Construction of eastbound and westbound frontage roads between Dysart Road and El Mirage Road.
- Construction of four lanes of Northern Parkway mainline between El Mirage Road and the Agua Fria River Bridge.
- Construction of interim four lanes of Northern Parkway between the Agua Fria River Bridge and 111th Avenue.
- Construction of improvements to Dysart Road and El Mirage Road, including Portland cement concrete pavement (PCCP) at the intersections.
- Construction of onsite and offsite drainage facilities.
- Installation of retaining walls, landscaping, traffic signals, Intelligent Transportation Systems (ITS) conduits, lighting and embankments at Dysart Road Traffic Interchange (TI) and El Mirage Road TI.

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 impacts to Waters during project construction was determined to not be possible in achieving the project purpose. The Northern Parkway alignment follows Northern Avenue and must cross the Agua Fria River and the unnamed wash. The proposed Northern Parkway alignment runs east west and the Agua Fria River and the unnamed Wash both flow southwards. Impacts to Waters cannot be avoided because engineering restraints require the proposed structures to be constructed within Waters.

The project has been designed and would be constructed to minimize adverse effects to Waters to the maximum extent practicable and maximizing potential benefits to the overall riverine system through the project area. At the Agua Fria River, Waters are located at the existing Northern Avenue at-grade crossing which is offset of the upstream and downstream gravel pits. Permanent impacts to Waters would include only the minimum area required to construct the roadway embankment, bridge abutments, piers and bank protection systems. The area under the bridge will be excavated to remove the existing Northern Avenue roadway pavement and lower the channel bed by about 5 feet in anticipation of a future channelization project by the FCDMC. This allows the upstream gravel pit and the bridge to form a more natural connection with the downstream gravel pit. Bank protection consisting of CSA will be constructed along both banks to protect the bridge and stabilize the channel location. The bank protection will be constructed with 20 foot-wide maintenance roadways for maintenance access across the Northern Parkway Project to avoid entering the channel bottom.

At the unnamed wash area, permanent impacts to Waters will consist of filling with roadway embankment and riprap protection. Flood flows currently cross the existing Northern Avenue roadway through an existing 36-inch diameter pipe culvert and then discharge into Waters at the unnamed wash. This culvert will be extended through the roadway embankment and have a headwall and riprap outlet protection. Flood flows will cross Northern Parkway in a box culvert

west of the Waters at the unnamed wash. A channel will be constructed from the box culvert to its confluence with the unnamed wash where riprap will be placed to dissipate energy and to stabilize the wash bed. Permanent impacts to Waters at the unnamed wash would include only the minimum area required for the roadway embankment and riprap protection.

Temporary impacts associated with construction of the Northern Parkway Project include site access, temporary detour roadways, temporary construction crossing and vegetation removal. Vegetation at the Agua Fria River is very sparse due to past mining activities and the impacts of maintaining the at-grade crossing of Northern Avenue.

To avoid further impacts to Waters, construction materials will be stored outside of areas considered Waters as identified in the preliminary jurisdictional delineation. Temporary impact areas will be minimized by designating access and detour roads to the minimum required for safe passage and limiting vegetation removal.

Compensatory Mitigation: The proposed action would result in permanent impacts of 2.127 acres to the Agua Fria River and 0.059 acre to the unnamed wash, which are both ephemeral. 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.

U.S. ARMY CORPS OF ENGINEERS – LOS ANGELES DISTRICT

3636 N Central Avenue, Suite 900

Phoenix, AZ 85012-1939

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Existing Improvements

New Right of Way (Survey Area)

NORTHERN AVENUE

APPROX 135TH AVENUE

New Right of Way (Survey Area)

SHEET 1 OF 6

TT347
 STP-MMA-0(239)F
 NORTHERN PARKWAY - DYSART ROAD TO 111TH AVENUE
 MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
 PLAN VIEW

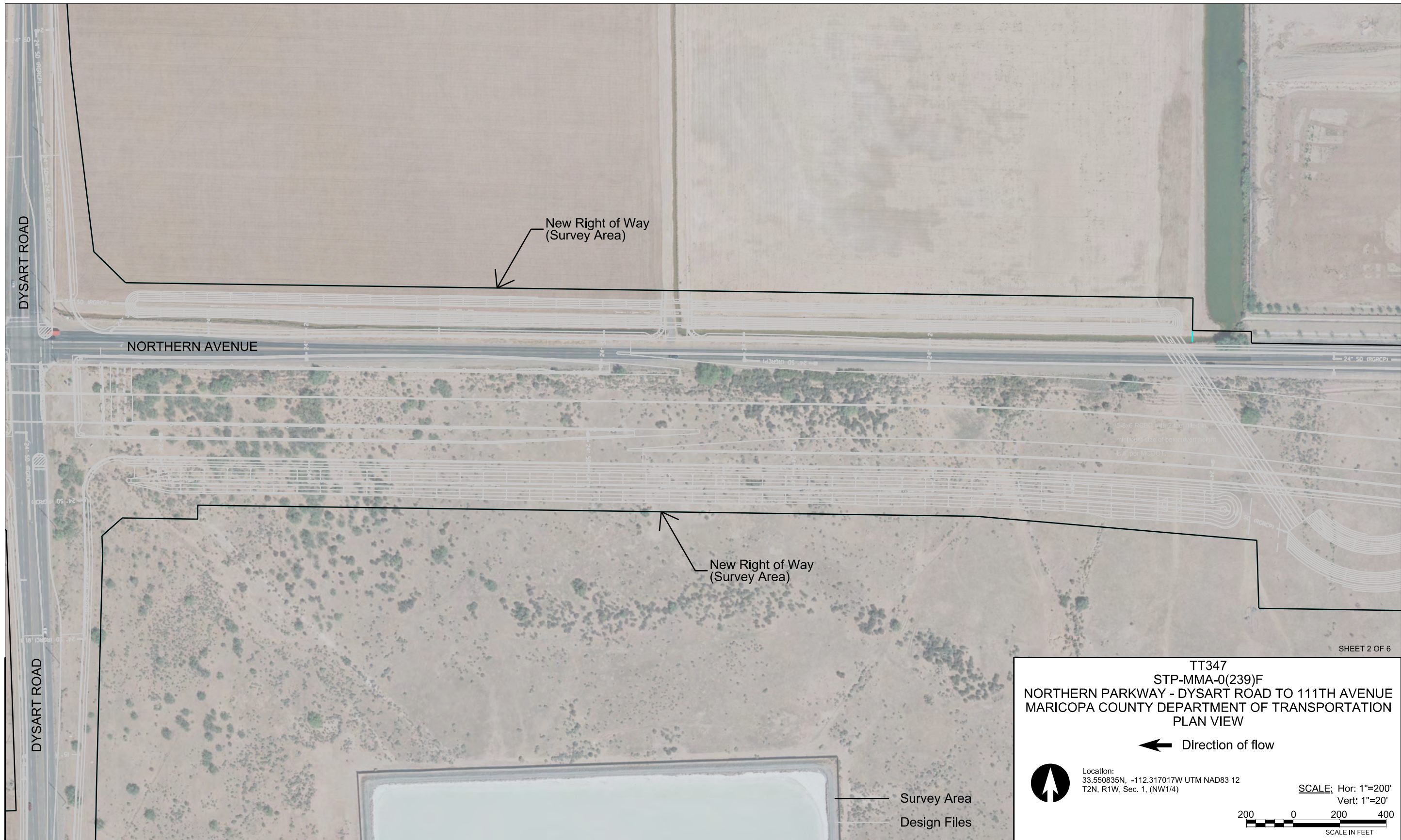
← Direction of flow

Location:
 33.550835N, -112.317017W UTM NAD83 12
 T2N, R1W, Sec. 1, (NW1/4)

SCALE: Hor: 1"=200'
 Vert: 1"=20'

200 0 200 400
 SCALE IN FEET

— Survey Area
 — Design Files



New Right of Way
(Survey Area)

NORTHERN AVENUE

DYSART ROAD

DYSART ROAD

New Right of Way
(Survey Area)

Survey Area
Design Files

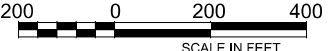
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NORTHERN PARKWAY - DYSART ROAD TO 111TH AVENUE
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PLAN VIEW

← Direction of flow

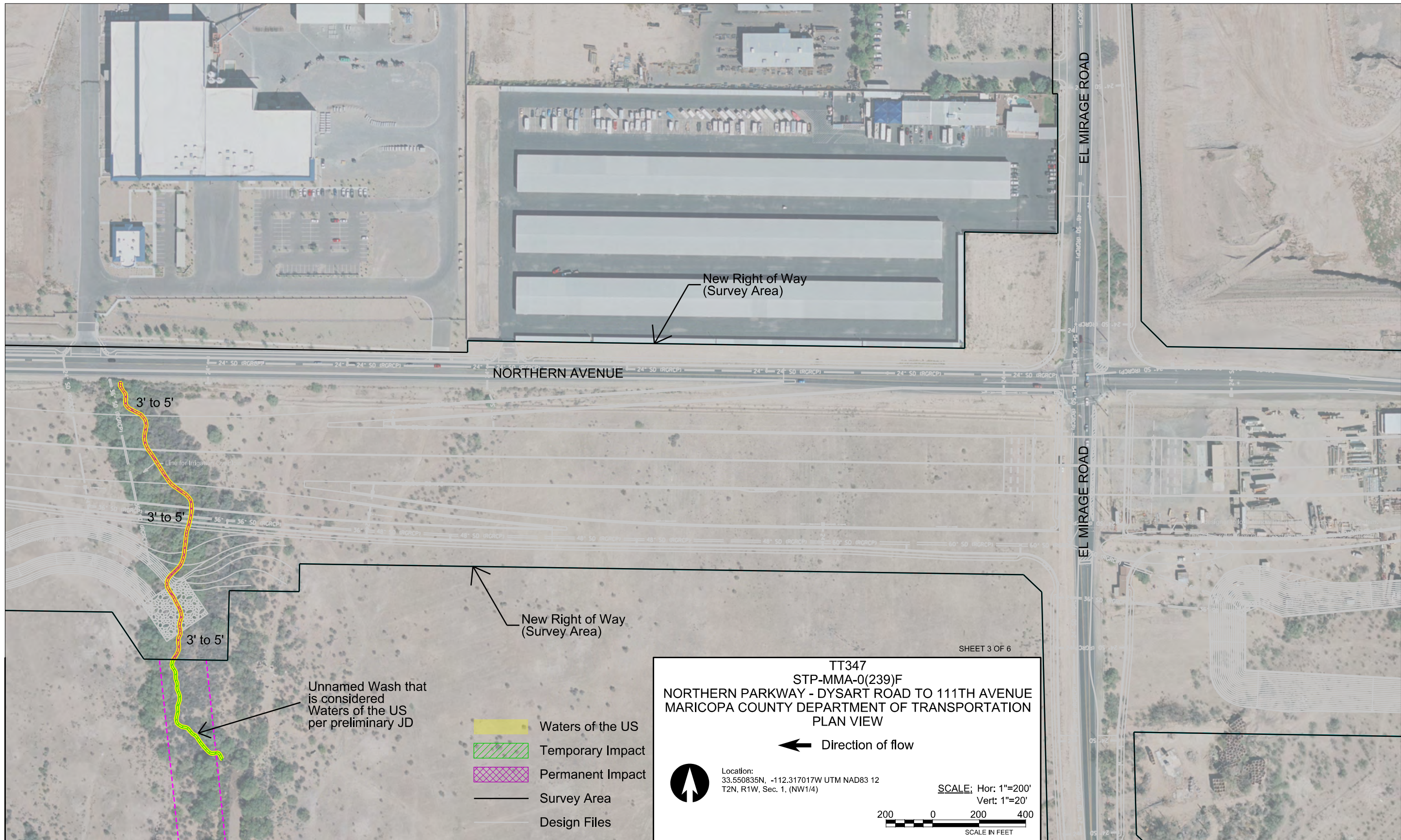


Location:
33.550835N, -112.317017W UTM NAD83 12
T2N, R1W, Sec. 1, (NW1/4)

SCALE: Hor: 1"=200'
Vert: 1"=20'



SHEET 2 OF 6



New Right of Way
(Survey Area)

NORTHERN AVENUE

EL MIRAGE ROAD

EL MIRAGE ROAD

3' to 5'

3' to 5'

3' to 5'

New Right of Way
(Survey Area)

Unnamed Wash that
is considered
Waters of the US
per preliminary JD

- Waters of the US
- Temporary Impact
- Permanent Impact
- Survey Area
- Design Files

SHEET 3 OF 6

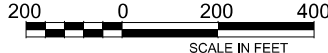
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MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
PLAN VIEW

← Direction of flow

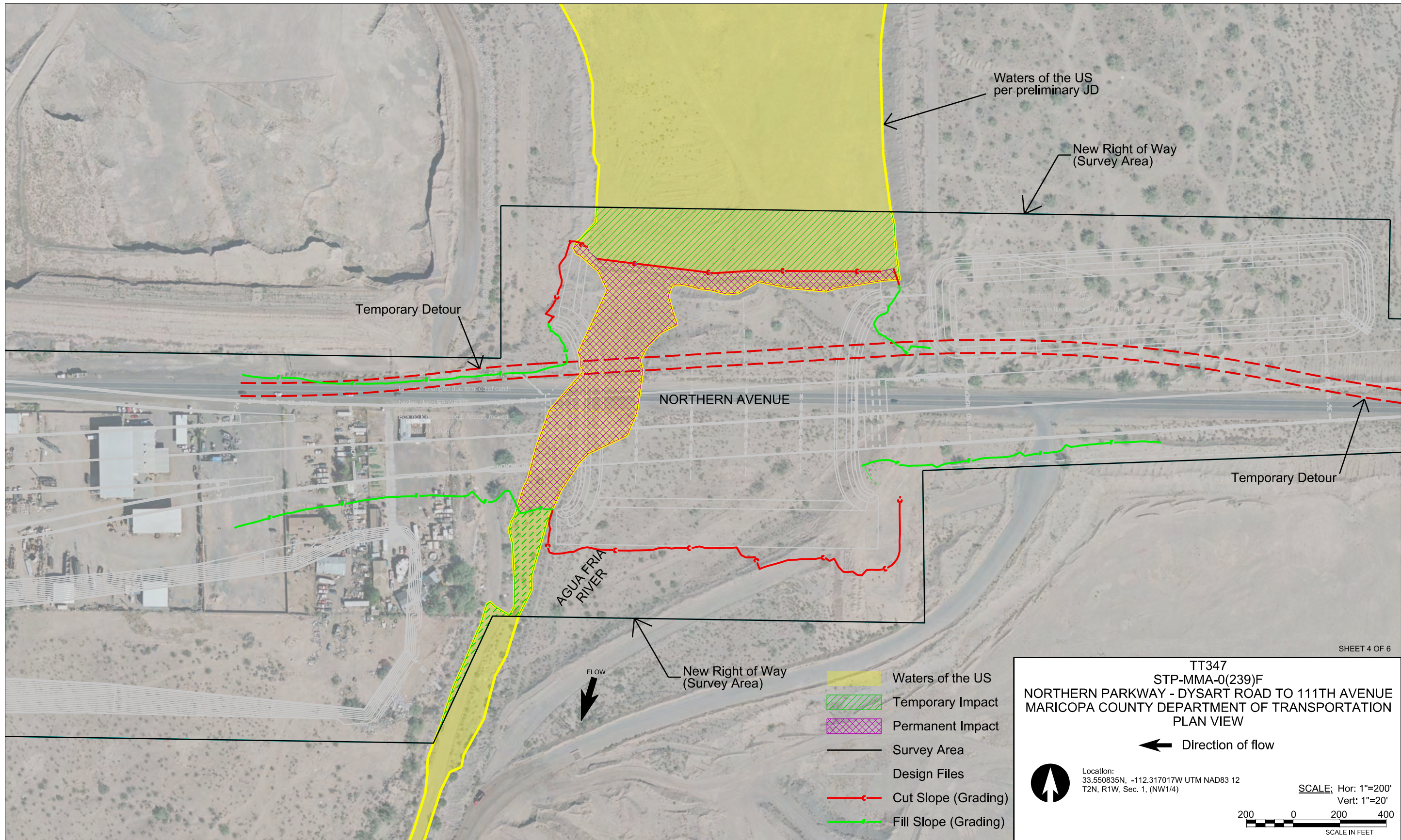


Location:
33.550835N, -112.317017W UTM NAD83 12
T2N, R1W, Sec. 1, (NW1/4)

SCALE: Hor: 1"=200'
Vert: 1"=20'



SCALE IN FEET



Waters of the US
per preliminary JD

New Right of Way
(Survey Area)

Temporary Detour

NORTHERN AVENUE

AGUA FRIA
RIVER

Temporary Detour

FLOW

New Right of Way
(Survey Area)

- Waters of the US
- Temporary Impact
- Permanent Impact
- Survey Area
- Design Files
- Cut Slope (Grading)
- Fill Slope (Grading)

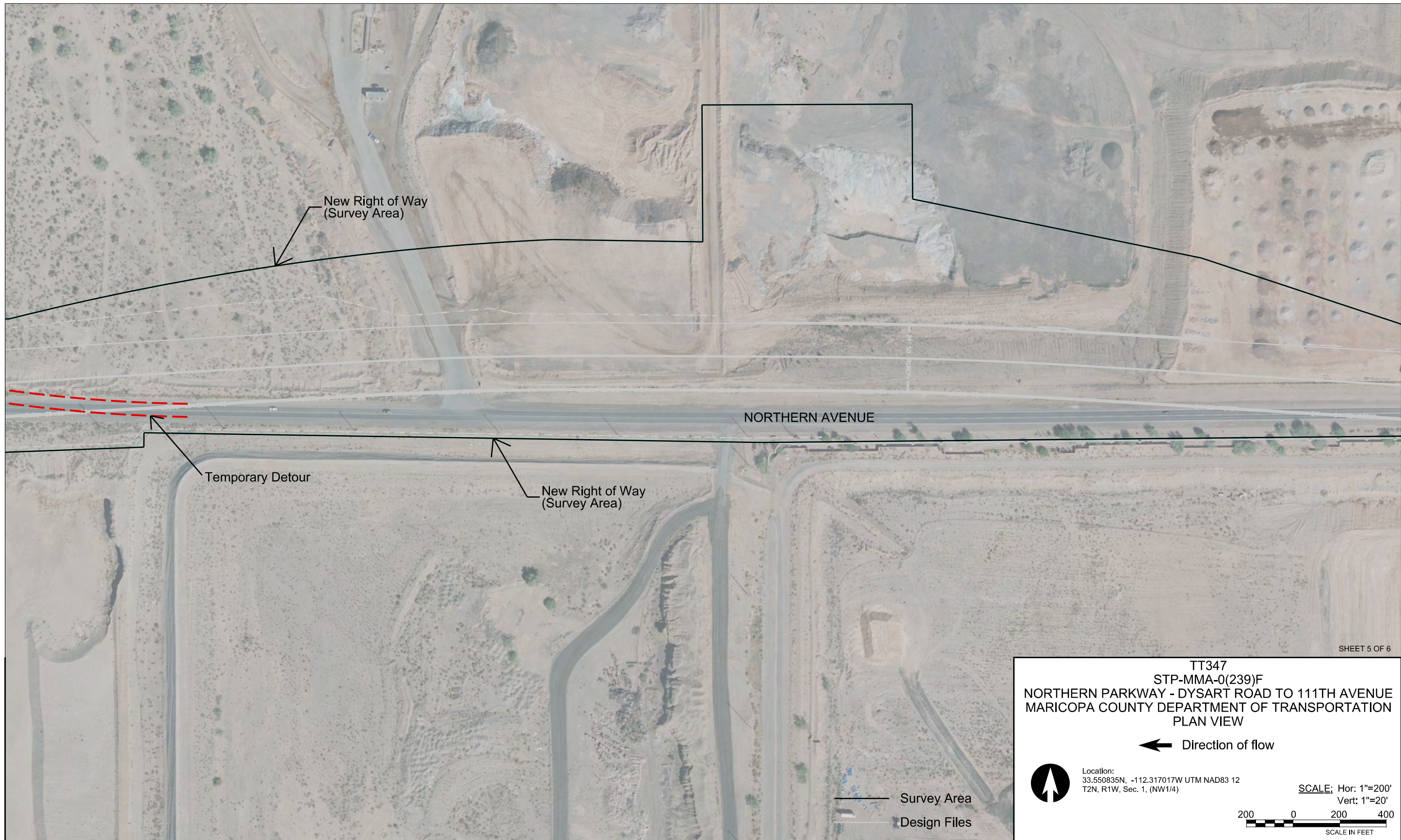
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PLAN VIEW

← Direction of flow

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T2N, R1W, Sec. 1, (NW1/4)

SCALE: Hor: 1"=200'
Vert: 1"=20'

SCALE IN FEET



New Right of Way
(Survey Area)

NORTHERN AVENUE

Temporary Detour

New Right of Way
(Survey Area)

Survey Area

Design Files

SHEET 5 OF 6

TT347
STP-MMA-0(239)F
NORTHERN PARKWAY - DYSART ROAD TO 111TH AVENUE
MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
PLAN VIEW

← Direction of flow

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T2N, R1W, Sec. 1, (NW1/4)

SCALE: Hor: 1"=200'
Vert: 1"=20'

200 0 200 400
SCALE IN FEET



New Right of Way
(Survey Area)

New Right of Way
(Survey Area)

112TH AVENUE

111TH AVENUE

110TH AVENUE

109TH AVENUE

NORTHERN AVENUE

110TH AVENUE

109TH AVENUE

Survey Area
Design Files



Location:
33.550835N, -112.317017W UTM NAD83 12
T2N, R1W, Sec. 1, (NW1/4)

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PLAN VIEW

SHEET 6 OF 6