

US Army Corps of Engineerso

Vicksburg District 4155 Clay Street Vicksburg, MS 39183-3435 www.mvk.usace.army.mil



## **Public Notice**

APPLICATION NO.: EVALUATOR: PHONE NO.: E-MAIL: DATE: EXPIRATION DATE: MVK-2020-114 Ms. Tarmiko Graham (601) 631-5540 Tarmiko.V.Graham@usace.army.mil August 31, 2020 September 21, 2020

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District is considering an application for a Department of the Army permit for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-RD, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Arkansas Department of Environmental Quality, are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-RD, at the above address, and the Arkansas Department of Environmental Quality, Post Office Box 8913, Little Rock, Arkansas 72219-8913, and must reach these offices by the cited expiration date.

<u>Law Requiring a Permit</u>: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged and/or fill material into waters of the United States.

<u>Name of Applicant</u>: Kevin Rice Union Pacific Railroad 1400 Douglas Street, Stop 0910 Omaha, Nebraska 68179 <u>Name of Agent:</u> Paige Anderson Olsson 601 P Street, Suite 200 Lincoln, Nebraska 68508

<u>Location of Work</u>: Section 18, Township 16S- Range 22W, Latitude 33.354668, Longitude -93.413921, within Bodcau Bayou Drainage Basin (8-digit USGS HUC 11140205) LaFayette County, Arkansas. **Description of Work:** (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit for the replacement of Union Pacific Railroad (UPRR) Bridge 380.22 in the Pine Bluff Subdivision. The purpose of this bridge replacement is to provide safe, more efficient and reliable railroad operations throughout this area in southwest Arkansas.

Presently, Bridge 380.22 consists of a 73-span, 854-foot long Timber Stringer Trestle- Ballast Deck (TST-BD) Bridge. The proposed replacement structure consists of a 34-span, 838-foot long Prestressed Concrete Box (PCB) Girder (30- inches deep). The existing bridge substructure (timber piles) would be cut off near ground level and new H-piles would be driven into place via an off-track crane.

UPRR is proposing to access Bridge 380.22 from the northeast, utilizing an existing private access off of Highway 82. The private access is rocked and well maintained until it ends abruptly at the delineated palustrine emergent seasonally flooded (PEMC) wetland. At this location, UPRR is proposing for the construction of a new, 40-foot wide access road south to their right-of-way (ROW). Once the access road reaches UPRR's ROW, it would turn west and follow along the north side of the track to Bridge 380.22. The construction area north of the bridge would extend 75-feet north and 200-feet past both ends of the bridge, with the exception of the cypress wetland area which would be restricted to 50-feet. The construction area south of the bridge and 100-feet east of the east end of the bridge. This construction area size is required to provide enough space for construction equipment use and material staging.

Access to Bridge 380.22 would require the use of a minimum maintenance road. This road would require improvements, including widening and placement of rock to allow for equipment to access the bridge. A 125-foot wide by 1,238-foot long construction area around the bridge is required which would allow for material staging and necessary equipment use throughout construction.

In order to access the entire length of the bridge, four temporary causeways would be utilized to cross the two waterways. Two temporary causeways would be required for each waterway (one on north side and one on south side of bridge). These temporary causeways would be built using Type I rock riprap (9 to 14-inch diameter) and Corrugated Metal Pipe (CMP) culverts, which would maintain flow, to allow for aquatic life movements, throughout construction. The temporary causeways would result in temporary impacts to the waterways. In order to replace the bridge, off-track access and construction methods are required causing impacts to Waters of the U.S. The proposed access route and construction area around the bridge would result in permanent impacts to forested wetlands (1.37 acres), temporary impacts to non-forested wetland (0.98 acres), temporary impacts to an intermittent waterway (135 linear feet/0.22 acre), and temporary impacts to a perennial waterway (100 linear feet/0.47 acre). Approximately 8,000 cubic yards of rock riprap would be placed to maintain flow.

Waterbody Type	Acres of Impact Permanent	Acres of Impact Temporary	Linear Feet of Impact Permanent	Linear Feet of Impact Permanent
Non-forested wetland		0.98		
Forested wetland	1.37			
Perennial stream		0.47		100
Intermittent stream		0.22		135
Total:	1.37	1.67		290

The vegetative communities within the wetland areas are Longspike tridens, Wool grass, Sedges, Common rush, Dwarf hairgrass, Dark green bulrush, Water oak, Sweet gum and Bald Cypress. Soils within the wetland areas consist of Sawyer silt loam and Guyton silt loam.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through a mitigation bank.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work would have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information would further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

<u>State Water Quality Permit</u>: The State Pollution Control Agency must certify that the described work would comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

<u>Cultural Resources</u>: The Regulatory Archaeologist has reviewed the latest published version of the <u>National Register of Historic Places</u>, state lists of properties determined eligible, and other sources of information. The Regulatory office is coordinating with the State Historic Preservation Officer, Federallyrecognized Tribes, and other interested parties regarding potential effects to historic properties that could result from the proposed activity. An historic properties review has been conducted within the permit area. No sites determined eligible for or listed on the National Register of Historic Places are within the permit area or affected area.

<u>Endangered Species</u>: Based on the Information and Planning Consultation (IPaC) for Endangered Species in Louisiana Agreement dated January 14, 2020 between the U.S. Army Corps of Engineers, Vicksburg District and the U.S. Fish and Wildlife Service, it has been determined that the proposed activity would have no effect on the following species: Eastern Black Rail, Piping Glover, Red Knot and Red-cockaded Woodpecker.

<u>Flood Plain</u>: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements. Portions of the project are within the 100 year floodplain.

<u>Evaluation Factors</u>: The decision whether or not to issue a permit would be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision would reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal would be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity would include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

<u>Public Involvement</u>: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments would be used to evaluate the impacts of this project. All comments would be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions,

and to help us determine the amount and type of mitigation necessary. This information would be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

<u>Opportunity for a Public Hearing</u>: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice would be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

<u>Notification of Final Permit Actions</u>: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <u>http://www.mvk.usace.army.mil/Missions/Regulatory.aspx</u>.

Jennifer A. Mallard Chief, Regulatory Division



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