



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200250048

Date: November 1, 2002

Comments Due: December 1, 2002

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit (after-the-fact) under authority of Section 404 of the Clean Water Act and water quality certification from the State of Nevada under Section 401 of the Clean Water Act for the discharge of dredged and fill material in the Las Vegas Wash, as shown in the attached drawings.

APPLICANT: City of Henderson
Attn: Mr. Curt Chandler
240 Water Street
Henderson, Nevada 89015

APPLICANT'S AGENT: Ms. Mary B. Peters
PBS&J
901 North Green Valley Parkway, Suite 100
Henderson, Nevada 89074
(702) 939-6101

LOCATION: The project site is located on Las Vegas Wash, Section 29, Township 21 South, Range 63 East, UTM Zone 11, 682561.59 North, 3995538.52 East.

PURPOSE: The purpose is the construction of a flood control channel for the C-1 watershed. The activity requiring a Department of the Army permit is the discharge of material at the connection of the channel to Las Vegas Wash. The proposed terminal segment is the northernmost segment of the drainage system which conveys stormwater from the C-1 watershed to Las Vegas Wash. According to the applicant, the facility is needed to ensure that stormwater is safely transported from the watershed to the wash, while minimizing the potential adverse impacts to public health and safety associated with adjacent developments.

PROJECT DESCRIPTION: The work at the connection of the C-1 channel with Las Vegas Wash began before obtaining a permit from the Corps of Engineers. The applicant states that the terminal segment of the channel was excavated to accommodate test water being discharged upstream in the C-1 channel by the Southern Nevada Water Authority. The applicant further states that the Tuscany Hills golf course would have been flooded by the discharges if the terminal segment connection to the wash had not been excavated. The Sacramento District

directed a work stoppage and decided to accept an after-the-fact permit application to complete the project. Approximately 3,000 cubic yards of earthen material have been excavated below the ordinary high mark of the wash, an area of approximately 0.34 acre. Approximately 1,200 cubic yards of stone riprap will be placed within the C-1 channel below the ordinary high water mark of Las Vegas Wash. The terminal segment of the flood control channel is on the Tuscany Hills Master Planned Community and land administered by the U.S. Bureau of Reclamation. Approximately 2,670 feet of the facility will be concrete-lined rectangular channel with a bottom width of 40 feet. Channel sides would be 11.5 feet high. The remaining 2,573 feet of channel would be riprap-lined, 10 feet deep, have a bottom width of 120 feet, and side slopes of 3:1. The overall project is part of the Clark County Regional Flood Control District's Flood Control Master Plan Update of the Las Vegas Valley, Volumes 1 and 2 (1997), and the Final Environmental Impact Statement, Flood Control Master Plan, Clark County Regional Flood Control District (1991). The C-1 channel is designed for about 7,800 cubic feet per second (100-year flow) with velocities in the concrete channel ranging from 20 to 38 feet per second (fps) and velocities in the riprap channel ranging from 7.5 to 9.3 fps.

AREA DESCRIPTION: The Las Vegas Valley's flows drain into Lake Mead and the Colorado River system. Elevations in the valley range from 11,918 at Charleston Peak in the Spring Mountains to about 1,500 feet at the eastern edge of the valley. The valley is drained to the southeast by the Las Vegas Wash and its tributaries. The wash has four major flow components, highly treated wastewater, urban runoff, shallow ground water and stormwater. An average of 153 million gallons of water per day flow through the Las Vegas Wash into Lake Mead. Erosion is a problem in the wash due to increased daily flows and larger storm events. Efforts are on-going to stabilize the wash channel and recover wetlands acreage. An example is the existing grade control structure constructed by the South Nevada Water Authority that is located immediately upstream of the C-1 channel junction with the Las Vegas Wash. The vicinity of the permit area has been bladed and graded for residential and golf course development. Vegetation does not exist in the C-1 channel or on the channel banks. Vegetation occurring near the vicinity of the Las Vegas Wash confluence is dominated by tamarisk and includes saltbush, common reed, cocklebur, and dock.

ALTERNATIVES: In addition to the no action or permit denial alternative, the applicant provided analysis of several alternative configurations. This information is too lengthy to include in this notice. Contact the applicant's agent for more information about the applicant's alternatives analysis.

ADDITIONAL INFORMATION: The applicant will need to obtain water quality certification, or a waiver thereof, in accordance with Section 401 of the CWA from the Nevada Division of Environmental Protection, Bureau of Water Quality Planning, 333 West Nye Lane, Suite 138, Carson City, Nevada 89706-0851. Contact Mr. Glen Gentry at (775) 687-4363 for more information.

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are not any places either listed or recommended as eligible which would be affected. While the project is located in an area designated as having high archaeological sensitivity, an intensive pedestrian survey led to the discovery of one isolated find, a jasper flake fragment associated with the preliminary stages of stone tool manufacture.

No further cultural resources review is warranted because the permit area has been extensively modified by previous work.

This activity would not affect any threatened or endangered species or their critical habitat. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **December 1, 2002**.

Personal information in comment letters is subject to release to the public through the Freedom of Information Act. 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 hearings shall state, with particularity, the reasons for holding a public hearing.

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; among those are 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 and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

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.

Written comments on this permit application should be submitted to the District Engineer at the letterhead address. Please furnish a copy of your written comments to Mr. Grady L. McNure, St. George Regulatory Office, Corps of Engineers, Sacramento District, 321 North Mall Drive, Suite L-101, St. George, Utah 84790-7310. If additional information is required, please contact Mr. McNure at e-mail address, Grady.McNure@usace.army.mil or telephone number (435) 986-3979.

Michael J. Conrad, Jr.
Colonel, Corps of Engineers
District Engineer

Enclosures: Drawings