



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200250268

Date: July 25, 2002

Comments Due: August 14, 2002

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act (CWA) and water quality certification under Section 401 of the CWA to discharge dredged and fill material in waters of the U.S. (Gold Strike Canyon Wash and several unnamed ephemeral washes), Arizona and Nevada, as shown in the attached drawings.

APPLICANT: Mr. F. Dave Zanetell, P.E., Project Manager
Federal Highway Administration
555 Zang Street, Room 259
Lakewood, Colorado 80228-
(303) 716-2157

LOCATION: The proposed Hoover Dam Bypass project is located in Clark County, Nevada and Mojave County, Arizona near Hoover Dam. The Colorado River crossing location is Latitude 36 degrees, 0 minutes, 44.0502 seconds and Longitude 114 degrees, 44 minutes, 27.6398 seconds, UTM Zone 11, 703587.14 North, 3987468.27 East.

PURPOSE: The project purpose is to reduce or eliminate through traffic across Hoover Dam to accomplish the following objectives:

- Minimize the potential for pedestrian-vehicle accidents on the dam and on the Nevada and Arizona approaches to the dam;
- Remove a major bottleneck to interstate and international commerce and travel in the west by reducing traffic congestion and accidents in this segment of the major commercial route between Phoenix and Las Vegas;
- Replace an inadequate Federally-owned highway river crossing with a new crossing that meets current roadway design criteria, and improves through traffic and truck capacity on U.S. 93 at the dam;
- Reduce travel time in the dam vicinity; and
- Protect Hoover Dam employees, visitors, equipment, power generation capabilities, and Colorado River waters while enhancing the visitors' experience at Hoover Dam by (1) safeguarding dam and power plant facilities and the waters of Lake Mead and the Colorado River from hazardous spills or explosions and (2) protecting the dam and power plant facilities from interruptions in electricity and water delivery, and (3) providing improved conditions for operating and maintaining Hoover Dam facilities.

The discharge of dredged and fill material in waters of the U.S. is for crossing various ephemeral washes in Nevada and Arizona. The proposed bridge over the Colorado River does not require a permit from the Corps of Engineers in accordance with Section 9 or 10 of the Rivers and Harbors Act. The U.S. Coast Guard authorizes bridges in navigable waters of the U.S. in accordance with the Department of Transportation Act of October 15, 1966, as applicable. The Colorado River bridge crossing also does not require a permit from the Corps of Engineers under Section 404 of the Clean Water Act since this crossing will not require a discharge of dredged or fill material in the Colorado River.

PROJECT DESCRIPTION: The project will involve the construction of 2.2 miles of a four-lane roadway approach in Nevada, a 1,900-foot long bridge across the Colorado River about 1,500 feet downstream of Hoover Dam, and 1.6 miles of a four-lane roadway approach in Arizona. The new roadway will consist of two 12-foot lanes in each direction that will be separated by a concrete barrier and will have 5-foot inside and 10-foot outside shoulders.

The proposed project will not impact any "live" streams or wetlands but will affect ephemeral washes that typically have upland vegetation. The project will require the discharge of dredged and fill material (native material backfill, riprap, and concrete) for new culvert construction in two sections of Gold Strike Canyon Wash and 13 other unnamed washes in Nevada. A small reach of Gold Strike Canyon Wash would be rechannelized. The area of impact is less than 0.1 acre in each location. In Arizona, the project will similarly impact 12 ephemeral washes, with impact areas of less than 0.1 acre in each of seven washes and impact areas ranging between 0.11 acre and 0.45 acre for five washes. The 0.45-acre impact in one wash will occur due to the placement of embankment fill associated with bridge construction and relocation of the U.S. 93 access road to Hoover Dam. This wash will be relocated to the toe of the new embankment slope. During construction, temporary impact of less than 0.2 acre are anticipated. The areas of temporary disturbance will be restored to their pre-construction conditions. Concrete box culverts and corrugated metal pipe culverts will be used to convey water beneath the roadway, and backfill (native material) will be used to maintain an acceptable grade to meet current roadway standards. Constructed channels will divert runoff parallel to the roadway and will be lined with riprap to provide erosion control. The native material for this project will be mined from adjacent cut slopes. Please refer to the attached written description, tables, and drawings for more specific information on the work in waters of the U.S. The applicant has identified a number of mitigation measures to avoid, minimize, and compensate impacts to the environment, including waters of the U.S. Please refer (website given below) to the FHWA's Record of Decision, and Chapters 3 and 6 of the Final Environmental Impact Statement (EIS).

ALTERNATIVES: In the Final EIS, the applicant considered four alternatives, including the no action alternative. The three build alternatives were the Sugarloaf Mountain, Promontory Point and Gold Strike Canyon alternatives. Numerous other alternatives were considered but eliminated from detailed impact evaluation. Please refer to Final EIS for more information (website given below).

AREA DESCRIPTION: The project lies entirely on Federal lands (Lake Mead National Recreation Area and the Hoover Dam Reservation Area). The project area consists of the Black Canyon of the Colorado River where it crosses the eastern Mojave Desert. The Black Mountains to the east and the El Dorado Mountains to the west dominate the area's topography. Plant communities and associated wildlife are typical of the Eastern Mojave Desert. Creosote bush and white bursage are the dominant plants in the project area. Desert washes provide relatively higher soil moisture than the creosote-bursage plant community. Species composition is similar to the creosote-bursage plant community, with the addition of catclaw acacia, and less occasionally, honey mesquite and desert willow. Well-defined drainage paths generally exist throughout most of the project area. One of the larger washes is Gold Strike Canyon Wash in Arizona. The major perennial water source is the Colorado River. No jurisdictional wetlands

were identified in the permit crossing areas. Please refer to the Final EIS for more detailed information about the existing environment.

ADDITIONAL INFORMATION: The applicant will need to obtain water quality certification, or a waiver thereof, under Section 401 of the Clean Water Act from the states of Arizona and Nevada. The responsible state agencies are:

Arizona Department of Environmental Quality
Attn: Mr. Andy Travers
Federal Permits Unit
1110 West Washington
Phoenix, AZ 85007
(602) 771-4502

Nevada Division of Environmental Protection
Attn: Mr. Glen Gentry
333 West Nye Lane, Suite 138
Carson City, NV 89706-0851
(775) 687-4363

The Federal Highway Administration (FHWA) prepared and coordinated an **Environmental Impact Statement** (EIS) on the Hoover Dam Bypass project in accordance with the National Environmental Policy Act. The Corps of Engineers was a cooperating agency in the preparation of the EIS. The Draft EIS was released for public review and comment on September 25, 1998 and the Final EIS was available on January 19, 2001. The applicant held Draft EIS public hearings in Kingman, Arizona, and Boulder City and Las Vegas, Nevada on successive evenings from October 13 to 15, 1998. The Federal Highway Administration approved a Record of Decision (ROD), selecting the Sugarloaf Mountain Alternative, on March 21, 2001. For more information, please access the applicant's website at <http://www.hooverdambypass.org>.

The applicant completed formal consultation with the Arizona and Nevada State Historic Preservation Officers (SHPOs) and Federal land-managing agencies to determine measures to minimize harm to historic and cultural National Register properties adversely affected by the proposed project. The FHWA developed a Programmatic Agreement (PA) in consultation with the Advisory Council on Historic Preservation, Arizona and Nevada SHPOs, interested Native American tribal governments, and other Federal and state agencies. The PA incorporates a Treatment Plan for avoidance, minimization, and mitigation of adverse effects to historic and cultural properties. For more information, refer to the FHWA's ROD and Final EIS. Presently unknown cultural resources may be located in the permit area.

In accordance with the Endangered Species Act, the applicant consulted with the U.S. Fish and Wildlife Service (USFWS) on the effects of the Hoover Dam Bypass Project on threatened or endangered species or their critical habitat. On June 3, 1999, the USFWS gave its Biological Opinion. The opinion covers the Mojave desert tortoise, bald eagle, American peregrine falcon, razorback sucker, bonytail chub, Devil's Hole pupfish, and southwestern willow flycatcher. Further Section 7 consultation by the Corps of Engineers with the USFWS is not necessary. Any permit issued by the Corps of Engineers would incorporate, by reference, any applicable measures identified to avoid and minimize effects to threatened and endangered species within the Corps' permit area of control and responsibility.

Interested parties are invited to submit written comments on or before **August 14, 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.

For activities involving Section 404 discharges, a permit will be denied if the discharge does not comply with the Environmental Protection Agency's Section 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines it would be contrary to the public interest.

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 appropriate documentation 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 the attention of Mr. Grady L. McNure, Chief, 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: Written discussion, Tables & Drawings