

PUBLIC NOTICE



**US Army Corps
of Engineers
Kansas City District**

**Permit No. NWK-2011-124
Issue Date: January 14, 2013
Expiration Date: February 4, 2013**

21-Day Notice

This public notice is issued jointly with the Kansas Department of Health and Environment. The Department of Health and Environment will use the comments to this notice in deciding whether to grant Section 401 water quality certification. Commenters are requested to furnish a copy of their comments to the Kansas Department of Health and Environment, Bureau of Water - Watershed Management Section, 1000 SW Jackson Street, Suite 420, Topeka, Kansas 66612-1367.

APPLICANT: City of Lawrence, Kansas
606 East 6th Street
Lawrence, Kansas 66044

PROJECT LOCATION (As shown on the attached drawings): Extension of 31st Street east of Haskell Avenue to O'Connell Road. The project is located in Sections 8 and 17, Township 13 south, Range 20 east, Douglas County, Kansas.

[USGS QUAD: Lawrence, East]
[Latitude: 38.9267 - Longitude: -95.2125]

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344).

ACTIVITY (As shown on the attached drawings): Proposed: Construction of approximately 1 mile of new roadway, including sidewalks, box culvert drainage structures and a water distribution line. The project will involve the placement of fill materials within wetlands and tributaries adjacent to the Wakarusa River. The roadway will be constructed on top of an embankment constructed from excavated local soils and measuring approximately 290 feet wide at the base and approximately 50 feet wide at the roadway crest. Fill material for the elevated roadway will consist of grading mostly on-site soils and consist of approximately 82,000 cubic yards of material. An estimated 37,500 cubic yards of additional fill materials will also be imported to the project site for roadway fill and grading purposes.

The proposed 31st Street roadway would consist of a divided 2-lane roadway with storm water curb and gutter on the interior sides of the roadway and a 16-foot wide grassed median. The exterior shoulder of both roadways will consist of a 46-foot graded and vegetated shoulder with sidewalks constructed along both sides of the roadway.

Two new box culverts will be installed through the placed fill to convey storm water under the new road embankment. The western-most culvert is designed as a 10' x 10' x 173' long, reinforced concrete box culvert. A concrete apron will extend an additional 16.5 feet at the inlet

and outlet of this culvert for a total structure length of 206 feet. Rock will be placed at the downstream end of the culvert for erosion protection, impacting an additional 30 feet of wetland. Tributary flows for this drainage area were previously redirected to a ditch located along the west side of the existing wetland. The proposed work will return tributary flows closer to the historic channel. The eastern-most storm water culvert is designed as an 8' x 5' x 185' long, reinforced concrete box culvert. Due to existing stream channel alignment, the amount of stream impact for this culvert installation is estimated at 270 linear feet of tributary channel.

WETLANDS/AQUATIC HABITAT: An estimated 3.46 acres of forested/scrub-shrub wetland would be impacted by the construction of the roadway along the proposed alignment.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The project avoids impacts to 7.5 acres of existing wetlands located adjacent to the roadway alignment corridor. Stream impacts of the project have been minimized by utilizing the shortest road culvert length necessary and leaving the remaining stream channels on the project site in an open and free-flowing condition. Impacts of the project to wetlands and streams will be mitigated as required.

ADDITIONAL INFORMATION: Additional information about this application may be obtained by contacting Brian Donahue at U.S. Army Corps of Engineers, Kansas City Regulatory Office, 601 East 12th Street, Kansas City, Missouri, 64106, by telephone at (816) 389-3703, by FAX at (816) 389-2032 or by email at brian.t.donahue@usace.army.mil. All comments to this public notice should be directed to the above address. Please reference Permit No. NWK- 2011- 124 in all comments and/or inquiries relating to this project.

STATE AUTHORIZATION: The applicant has or will apply for a permit from the Kansas Department of Agriculture pursuant to Kansas Statutes Annotated 82a-301 to 305 as required.

CULTURAL RESOURCES: Kansas City District will comply with the National Historic Preservation Act of 1966 and 36 CFR 800. We have checked the National Register of Historic Places and the Federal Register and no property listed in the Register or proposed for listing is located in the permit area. This is the extent of our knowledge about historic properties in the permit area at this time. However, we will evaluate input by the State Historic Preservation Officer, Tribal Historic Preservation Officers (or Tribe designated representative) and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area to check for unknown historic properties, if warranted.

ENDANGERED SPECIES: In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

FLOODPLAINS: This activity is being reviewed in accordance with Executive Order 11988, Floodplain Management, which discourages direct or indirect support of floodplain development whenever there is a practicable alternative. By this public notice, comments are requested from individuals and agencies that believe the described work will adversely impact the floodplain.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act (33 USC 1341) requires that all discharges of dredged or fill material must be certified by the appropriate state agency as complying with applicable effluent limitations and water quality standards. This public notice serves as an application to the state in which the discharge site is located for

certification of the discharge. The discharge must be certified before a Department of the Army permit can be issued. Certification, if issued, expresses the state's opinion that the discharge will not violate applicable water quality standards.

PUBLIC INTEREST REVIEW: The decision to issue a permit will be based on an evaluation of the probable impact including the 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 benefits 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, esthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (33 USC 1344). 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 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.

COMMENTS: This notice is provided to outline details of the above-described activity so this District may consider all pertinent comments prior to determining if issuance of a permit would be in the public interest. Any interested party is invited to submit to this office written facts or objections relative to the activity on or before the public notice expiration date. Comments both favorable and unfavorable will be accepted and made a part of the record and will receive full consideration in determining whether it would be in the public interest to issue the Department of the Army permit. Copies of all comments, including names and addresses of commenters, may be provided to the applicant. Comments should be mailed to the address shown on page 2 of this public notice.

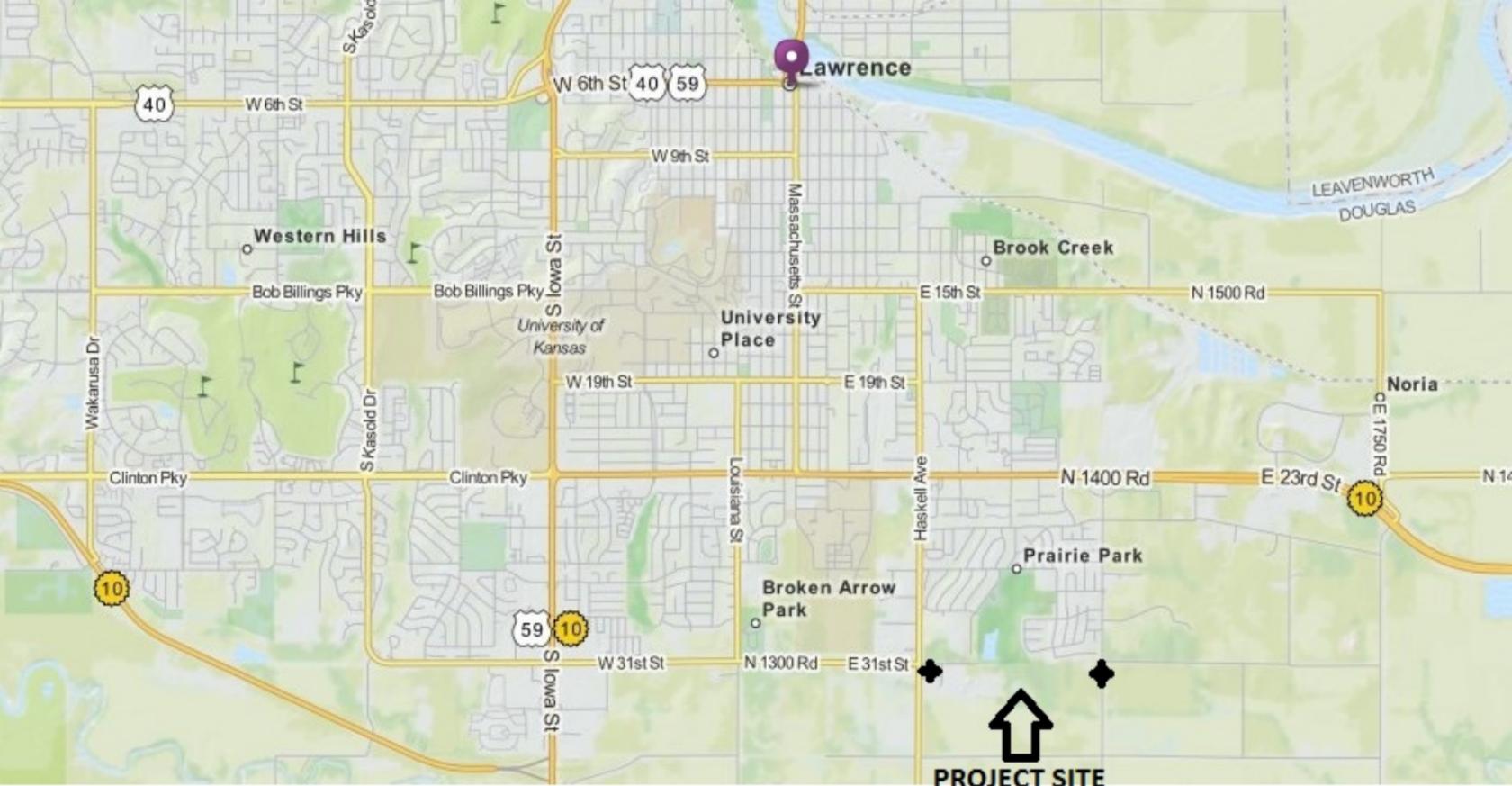
PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this application. Such requests shall state, with particularity, the reasons for holding a public hearing.

STATE	PROJECT NO.	YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	23 U-2117-01	2010	1	1



APPLICATION NO. NWK-2011-124
 CITY OF LAWRENCE, KANSAS
 EXTENSION OF 31ST STREET
 DOUGLAS COUNTY, KANSAS
 SHEET 1 OF 6
 DATED 14 JANUARY 2013

Sh. No. 1



APPLICATION NO. NWK-2011-124
CITY OF LAWRENCE, KANSAS
EXTENSION OF 31ST STREET
DOUGLAS COUNTY, KANSAS
SHEET 2 OF 6
DATED 14 JANUARY 2013



Ponderosa Dr
Maverick Ln
Bonanza St

E 28th Terrace

Rawhide Ln

Mary's Lake

Whitmore Dr

Lankford Dr

Fenwick Rd

E 29th St

Bishop St

Prairie Ct

Goodell Ct

Ann Ct

E 28th St

Haskell Ave

E 31st St

EXISTING WATER FLOW

PROJECT AREA

© 2011 Google

E 1600 Rd

© 2012 Google

Image © 2012 GeoEye

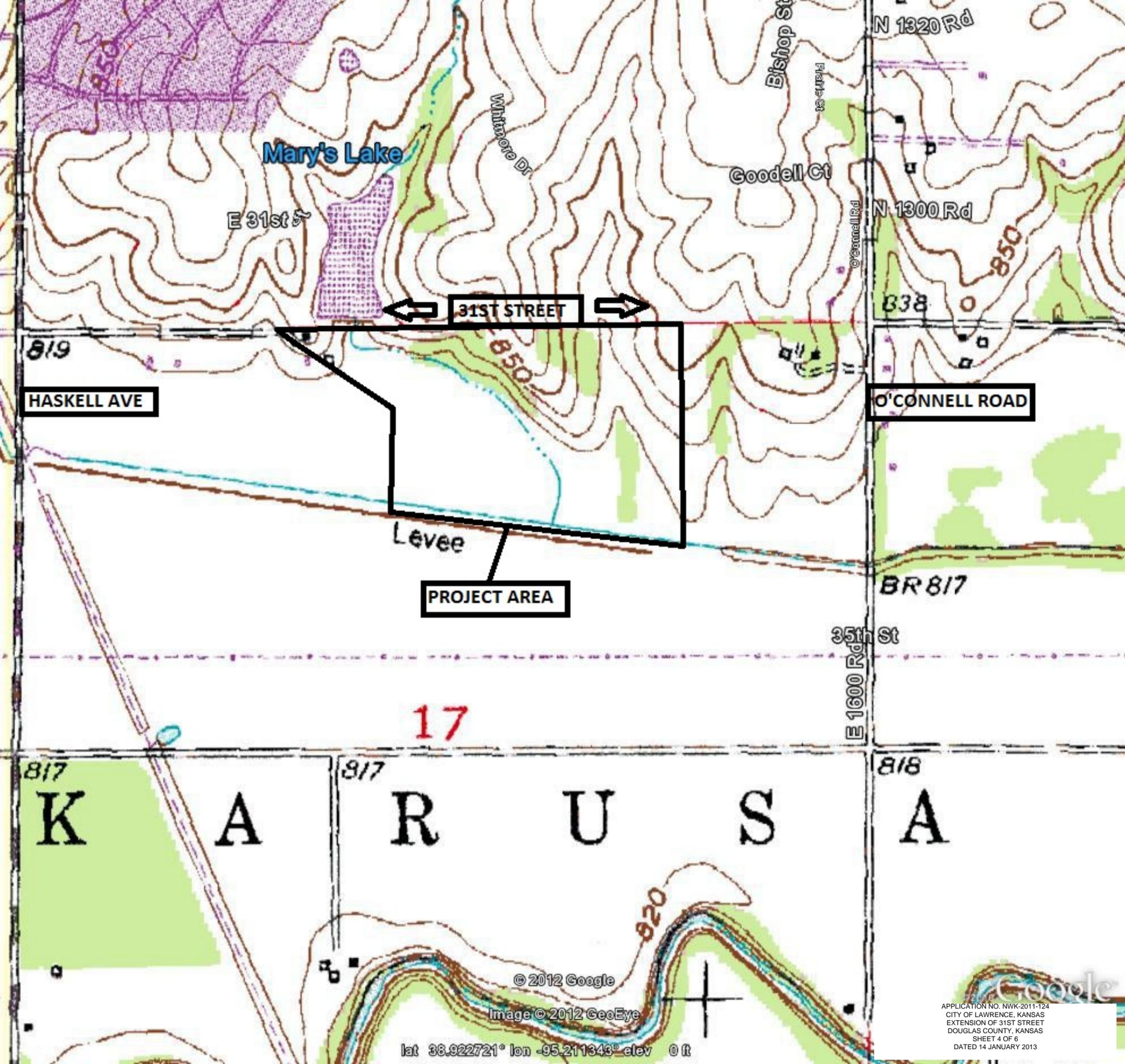
APPLICATION NO. NWK-2011-124
CITY OF LAWRENCE, KANSAS
EXTENSION OF 31ST STREET
DOUGLAS COUNTY, KANSAS
SHEET 3 OF 6
DATED 14 JANUARY 2013

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Imagery Date: 3/11/2009

lat 38.928024° lon -95.214171° elev 0 ft

Eye alt 4846 ft



Mary's Lake

E 31st

31ST STREET

HASKELL AVE

O'CONNELL ROAD

Levee

PROJECT AREA

17

K A R U S A

© 2012 Google

Image © 2012 GeoEye

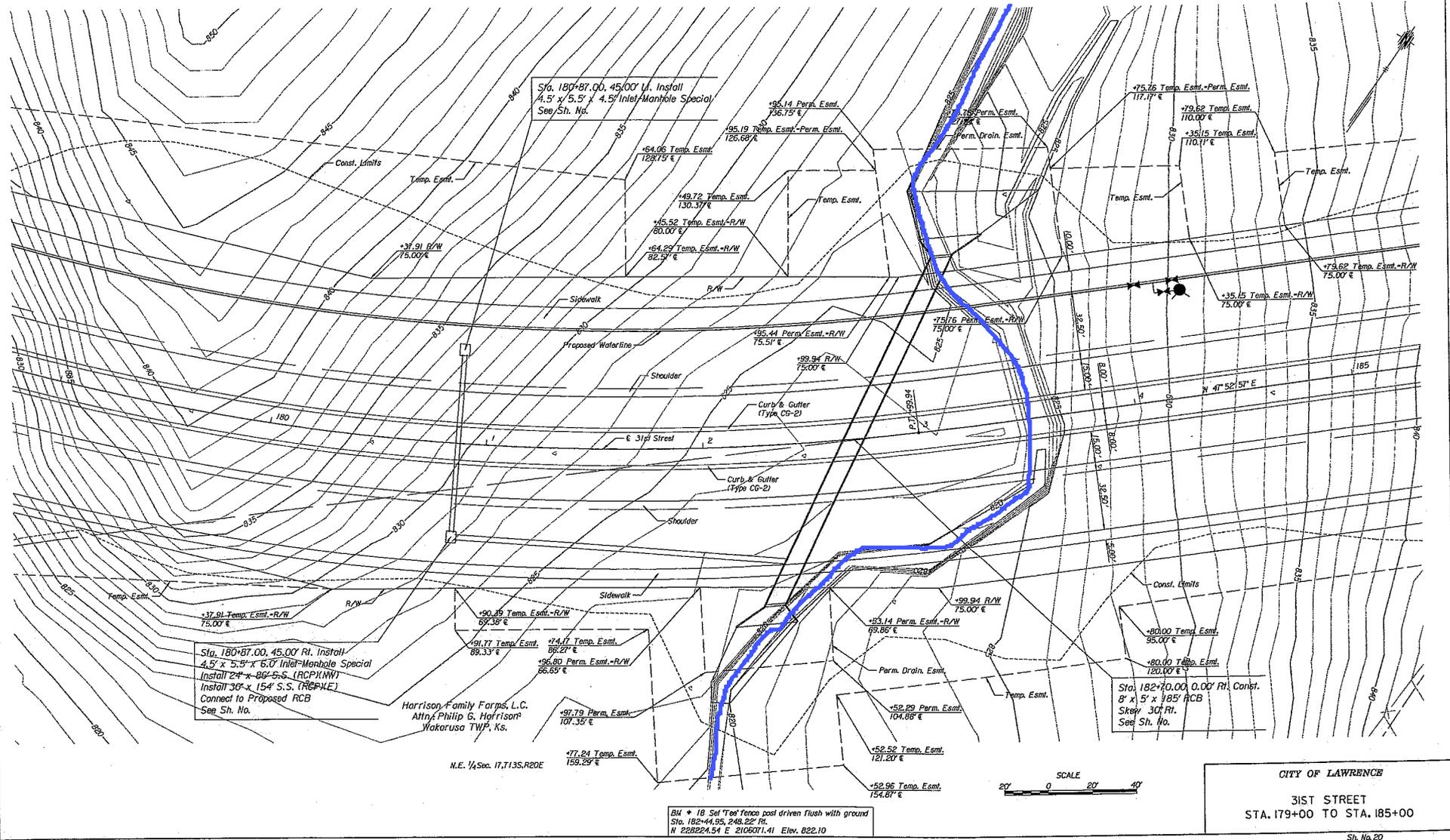
lat 38.922721° lon -95.211343° elev 0 ft

APPLICATION NO. NWK-2011-124
CITY OF LAWRENCE, KANSAS
EXTENSION OF 31ST STREET
DOUGLAS COUNTY, KANSAS
SHEET 4 OF 6
DATED 14 JANUARY 2013

East Culvert

P.T. Sta. 180+99.94, 31st Street
 N 228,452.52 E 2,105,956.55
 I. No Ties

STATE	PROJECT NO.	YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	23 U-2117-01	2010	20	119



Sta. 180+87.00, 45.00' L. Install
 4.5' x 5.5' x 4.5' Inlet/Manhole Special
 See Sh. No.

Sta. 180+87.00, 45.00' Rl. Install
 4.5' x 5.5' x 6.0' Inlet/Manhole Special
 Install 24" x 88'-5.5" (RCP)(NW)
 Install 30" x 154' S.S. (TRF)(KE)
 Connect to Proposed RCB
 See Sh. No.

Harrison Family Farms, L.C.
 Attn: Philip G. Harrison
 Wakarusa TWP, Ks.

N.E. 1/4 Sec. 17, T.13S, R.20E

BM + 18 Set 1" Tee fence post driven flush with ground
 Sta. 182+44.95, 248.22' Rl.
 N 228224.54 E 2106071.41 Elev. 822.10

CITY OF LAWRENCE
31ST STREET
STA. 179+00 TO STA. 185+00
 Sh. No. 20

APPLICATION NO. NWK-2011-124
 CITY OF LAWRENCE, KANSAS
 EXTENSION OF 31ST STREET
 DOUGLAS COUNTY, KANSAS
 SHEET 6 OF 6
 DATED 14 JANUARY 2013