



**US Army Corps
Of Engineers**
Omaha District

PUBLIC NOTICE

Application Number: 2012-01733-KEA
Applicant: Platte River Recovery Implementation Program (Program)
Waterway: Platte River, wetlands adjacent to the Platte River
Issue Date: December 5, 2012
Expiration Date: December 26, 2012

21-DAY NOTICE

Reply To:
Kearney Regulatory Office
2214 2nd Avenue Kearney, NE 68847-5315
(308) 234-1403
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Nebraska.aspx>

JOINT PUBLIC NOTICE: This public notice is issued jointly by the US Army Corps of Engineers, Omaha District, and the Nebraska Department of Environmental Quality (NDEQ). The NDEQ, PO Box 98922, Lincoln, Nebraska 68509-8922, will review the proposed project for state certification in accordance with the provisions of Section 401 of the Clean Water Act. NDEQ hereby incorporates this public notice as its own public notice and procedures by reference thereto. For the purposes of NDEQ, this public notice will expire 30 days from the above issue date.

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

APPLICANT: Platte River Recovery Implementation Program (Program), 4111 4th Avenue Suite 6, Kearney, Nebraska 68845
Agent: EA Engineering, Science and Technology, Inc. 221 Sun Valley Blvd Suite D, Lincoln, Nebraska 68528

PROJECT LOCATION: NW¹/₄ Section 7, Township 8 North, Range 19 West, Dawson County, Nebraska

PROJECT DESCRIPTION: The applicant is proposing a pilot project in conjunction with the overall Platte River Recovery Implementation Program activities. The Program will monitor the effects of flow consolidation on Cottonwood Ranch. The pilot project is expected to continue for five years.

Currently, the Platte River channel splits into a main channel and a south channel just downstream of the Overton bridge. A small side channel also splits off of the main channel just downstream of an existing sand & gravel operation; it flows northeast, then east and confluences with Spring Creek about 1.4 miles downstream. This side channel receives water when the main river flow reaches approximately 2,500 to 2,700 cubic feet per second (cfs). In order to monitor the effects of the pilot project, the majority of the flows that would normally go into the side channel will be blocked to stay in the main channel. Consolidating flow into the main channel is hypothesized to aid in re-establishing a braided channel bed form though the Cottonwood Ranch reach of the river.

In order to accomplish the above, the applicant is proposing to construct a culverted berm across the small side channel. A six-foot high, 230-foot long sand/sediment berm will be constructed at the mouth of the small side channel. The berm will have a top width of approximately eight feet and a bottom width of 30-35 feet. The side slopes will be 2(h) : 1(v). It will be constructed of sand/sediment obtained from the immediate area. A 24-inch culvert will be installed through the berm to maintain some flow through the channel during flood events.

PROJECT PURPOSE: The applicant's purpose of the project is to enhance habitat for the threatened piping plover and the endangered whooping crane and least tern through flow consolidation and channel bed form manipulation.

SPECIAL AQUATIC SITES: Approximately .17 acre of channel wetland will be impacted by the berm.

MITIGATION: The impacts to wetlands have been avoided to the maximum extent. The unavoidable impacts have been minimized in the sense that this is a pilot project and the flow consolidation activity will be accomplished on a fairly small scale. Regarding compensatory mitigation, while there will be a functional loss of the .17 acres of wetland, there will be a functional gain due to the creation of habitat for target species and creation of an ecosystem that is more reflective of natural conditions.

CULTURAL RESOURCES: The Corps of Engineers, Omaha District will comply with the National Historic Preservation Act of 1966 and amendments and the procedures set forth in 33 CFR 325, Appendix C. We have checked the National Register of Historic Places, its current supplements and any available site database information and there are no known National Register sites in the vicinity. We will evaluate input by the State Historic Preservation Office, Tribes and the public in response to this public notice and we may conduct or require a survey of the permit area to check for unknown historic or prehistoric properties, if warranted.

ENDANGERED SPECIES: This project is in the known range of the threatened piping plover and the endangered least tern and whooping crane, as well as in whooping crane critical habitat. In compliance with the Endangered Species Act, a preliminary "may effect" determination has been made. Coordination with the US Fish & Wildlife Service and other interested agencies will be completed to determine the effects on critical habitat.

FLOODPLAIN: 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 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 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 whether to issue the Corps' permit will be based on an evaluation of the probable impacts 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 benefits, which reasonably may be expected to accrue from the proposal, must be balanced against their 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, historic properties, 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, considerations of

property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the work 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 (40 CFR Part 230).

COMMENTS: 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 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 project. 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 activity.

Anyone whose interests may be affected by the proposed/completed work is invited to submit favorable or unfavorable written comments to the **Kearney Regulatory Office 2214 2nd Avenue Kearney, NE 68847-6856** or **send an e-mail to barbara.j.friskopp@usace.army.mil**. The District Engineer is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic system's functional values, cumulative and secondary effects and endangered species. All comments received will be considered public information; copies of all comments, including names and addresses of commentors, may be provided to the applicant unless confidentiality is requested. Comments must be submitted on or before the expiration date (located at the top of the first page) of this notice to be considered in the subsequent actions on this application.

PUBLIC HEARING: Before the expiration date of this notice, anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state the reason(s) for holding a public hearing. If the District Engineer determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location.

ADDITIONAL INFORMATION: For additional information, please **call Mrs. Barb Friskopp at (308) 234-1403**.

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page one.

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting news stories. This notice is not a contract for classified display or advertising.

Site Map



Project Diagram

