



Public Notice

U.S. Army Corps
of Engineers
Tulsa District

Reply To:

U.S. Army Corps of Engineers
ATTN: Regulatory Office
2488 E 81st Street
Tulsa, OK 74137

SWT-2021-00201
Public Notice No.

April 27, 2022
Public Notice Date

May 26, 2022
Expiration Date

PURPOSE

The purpose of this public notice is to inform you of a proposal for work in which you might be interested and to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest.

SECTION 10

The U.S. Army Corps of Engineers is directed by Congress through Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition, or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404

The U.S. Army Corps of Engineers is directed by Congress through Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharges of dredged and fill material into all waters of the United States. These waters include lakes, rivers, streams, mudflats, sandflats, sloughs, wet meadows, natural ponds, and wetlands adjacent to other waters. The intent of the law is to protect these waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical, and biological integrity.

NOTICE TO PUBLISHERS

This public notice has been provided as a public service and may be reprinted at your discretion. However, any cost incurred as a result of reprinting or further distribution shall not be a basis for claim against the Government.



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4290

Application No. SWT-2021-00201

PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS (30-DAY COMMENT PERIOD)

Interested parties are hereby notified that the District Engineer (DE) has received an application for a Department of the Army (DA) permit pursuant to Section 404 of the Clean Water Act (CWA).

Applicant: Mr. Russell Schreiber
City of Wichita Falls, Texas
1300 7th Street
Wichita Falls, TX 76301

Agent: Mr. Michael Votaw
Freese and Nichols, Inc.
801 Cherry Street, Suite 2800
Fort Worth, TX 76102

Location: The proposed project is located along an unnamed tributary to Sikes Lake (locally known as Quail Creek) immediately upstream of Sikes Lake and Midwestern Parkway, in the City of Wichita Falls, Wichita County, Texas. The project site can be found on the USGS, 1:24,000-scale, Lake Wichita and Wichita Falls West, Texas 7.5-minute Quadrangles, at North Latitude 33.871371 and West Longitude 98.527718.

Project Description: The proposed Quail Creek Drainage Improvements Project consists of five components: Quail Creek channel, Kemp Boulevard to Maplewood Avenue culvert, Midwestern Parkway culvert enhancement, North Quail Creek channel, and Gladney channel. A project location map is provided in Figure 1. A plan view and cross section exhibit depicting the proposed improvements is provided in Figure 2. A waterbody impacts map is provided in Figure 3.

Purpose: The basic purpose of this work is flood reduction. There are no special aquatic sites on the project. A water dependency determination is not necessary since no special aquatic sites are located within the project site.

The overall project purpose is to reduce the flooding of residences, businesses, and public infrastructure by increasing the efficiency of the stormwater conveyance system located between Kemp Boulevard and Midwestern Parkway in Wichita Falls, Texas.

Summary Table of Impacts:

Original Proposal					
Number or Location	Impact Activity	Type of Water	Type of Fill Material	Qty of Material below OHWM	Footprint (ac and/or lf)
Quail Creek Channel	Open water impoundment to concrete lined stream conversion	Impoundment	Earthen, gravel, concrete	3,915 cubic yards	1.34 acres open water impoundment (would be converted to 1,243 linear feet of concrete lined stream)
Quail Creek Channel	Concrete line previously channelized stream	Ephemeral Stream	Earthen, Gravel, Concrete	640 cubic yards	455 linear feet
Kemp Boulevard to Maplewood Avenue Culvert	Open water impoundment to concrete culvert stream conversion	Impoundment	Gravel, Concrete	1,025 cubic yards	0.2 acre open water impoundment (would be converted to 465 linear feet of concrete culvert stream)
Kemp Boulevard to Maplewood Avenue Culvert	Concrete culvert of previously concrete culvert stream	Concrete culvert ephemeral stream	Gravel, Concrete	525 cubic yards	305 linear feet
Midwestern Parkway Culvert Enhancement	Concrete culvert of previously concrete culvert stream	Concrete culvert ephemeral stream	Earthen, Gravel, Concrete	40 cubic yards	31 linear feet

North Quail Creek Channel	Open water impoundment to concrete stream conversion	Impoundment	Earthen, Gravel, Concrete	285 cubic yards	0.1 acre open water impoundment (would be converted to 190 linear feet of concrete lined stream)
North Quail Creek Channel	Concrete lined previously channelized concrete lined & earth ditch	Ephemeral ditch	Gravel, Concrete	1,980 cubic yards	1,340 linear feet
Gladney Channel	Concrete lined previously channelized concrete lined & earth ditch	Ephemeral ditch	Gravel, Concrete	155 cubic yards	405 linear feet
ordinary high water mark (OHWM)					

Description of Work:

Quail Creek Channel: The proposed Quail Creek channel improvements (Section C; Figure 2) generally consist of a rectangular channel with a concrete lined channel bottom and segmental concrete block walls with a wall height varying from three to eight feet (ft) along each side for approximately 1,750 linear feet (lf) of channel between Midwestern Parkway and Maplewood Avenue. The proposed vertical alignment of 0.2% would be a straight grade between the project extents, which requires minor changes by cut and fill in various locations. The horizontal alignment is generally along the centerline of the existing 80 ft wide drainage and utility easement and would vary between 45 to 55 ft wide. These improvements would result in permanent impacts to approximately 1.34 acres of existing open water impoundment. The proposed improvements would also concrete line approximately 455 lf of the previously channelized section of Quail Creek located downstream of the Glenwood Avenue Dam.

Kemp Boulevard to Maplewood Avenue Culvert: Proposed improvements to Section E consist of enclosing the section in four 10 ft by 6.5 ft concrete box culverts. Section E, including the replacement of the existing culverts at Kemp Boulevard and Maplewood Avenue would total approximately 770 lf. Placing this portion of the channel in culverts, and replacing the existing culverts, would improve stormwater conveyance rates and would eliminate the woody vegetation maintenance issues.

Midwestern Parkway Culvert Enhancement: The proposed Midwestern Parkway culvert enhancement (Section C; Figure 2) is limited to the area immediately upstream of Midwestern Parkway at Quail Creek. The existing five barrel concrete culvert would be extended upstream approximately six lf and would include the addition of concrete wing walls and a concrete apron, which extends upstream approximately 25 lf.

North Quail Creek Channel: The existing box culvert at the north end of the North Quail Creek channel and Kemp Boulevard would be replaced with three 10 ft by six ft box culverts. Downstream of the Kemp Boulevard culvert, the proposed North Quail Creek channel improvements include concrete lining of the channel with both a trapezoidal and rectangular section extending approximately 1,340 lf to the confluence with Quail Creek. The proposed rectangular section with seven to nine ft high walls would extend approximately 305 lf downstream of the Kemp Boulevard culvert before transitioning to a trapezoidal section. The trapezoidal section, with a 12 ft bottom width and 25 to 42 ft top width, would then extend approximately 1,030 lf to near the confluence with Quail Creek. While the proposed horizontal alignment would largely remain the same as the existing one, the proposed vertical alignment would be approximately two ft deeper than the existing one at the upstream end. The North Quail Creek channel improvements would also include the removal of an existing six inch sanitary sewer line that is located within the impounded segment near the confluence with Quail Creek.

Gladney Channel: The proposed Gladney Channel improvements include a 10-ft wide rectangular concrete lined channel from Gladney Ln to Quail Creek, which is approximately 405 lf.

Avoidance and Minimization Information: The applicant provided the following statement with regard to how avoidance and minimization of impacts to aquatic resources was incorporated into the project plan:

As part of the alternatives analysis, the City of Wichita Falls evaluated alternatives that could avoid and minimize impacts to waters of the U.S. (WOTUS). This effort included analyzing a “No Action” alternative as well as an offsite alternative (Alternative A). Although these alternatives would avoid impacts to WOTUS, it was determined that the “No Action” alternative would fail to meet the purpose and need of the project and would result in the continued flooding of residences, businesses, and public infrastructure in the project area. As such, it was removed from further consideration. As part of the practicability test conducted for Alternative A, which included the proposed construction and expansion of upstream detention structures, it was found that this alternative was not available to the City and that exorbitant costs would be required to implement this alternative. Under Alternative A, it would require the City to purchase

(or condemn) and demolish approximately 44 structures, including a new hotel, multiple single family residences, several businesses, and a church. In addition, the costs to implement Alternative A were found to be exorbitant in comparison to Alternatives B and C, with estimated costs being approximately two times more than these alternatives. Because of these factors, it was determined that this alternative is not practicable. As a result, the avoidance of loss of WOTUS was determined to not be practicable.

The remaining alternatives, Alternatives B and C, are both onsite alternatives and essentially require the same stormwater conveyance improvements, except that that Alternative B would be constructed with a grass-lined section of the Quail Creek channel and Alternative C would be constructed with a concrete-lined section of the Quail Creek channel. As part of the assessment of impacts to WOTUS for these alternatives, it was determined that implementation of either alternative would have approximately the same level of impacts. Both alternatives would result in the loss of 1.64 acres of open water, both would include the creation of 1,243 lf of new stream channel (one grass-lined and one concrete-lined), and both would result in a net gain in Texas Rapid Assessment Method (TXRAM) stream units. However, it was determined that Alternative C (preferred alternative) would provide a much more efficient stormwater conveyance system that would reduce flooding of residences, businesses, and public infrastructure, which addresses the need and meets the purpose of the project.

Mitigation: Furthermore, the applicant proposes the following as compensatory mitigation for the unavoidable impacts to aquatic resources expected from the proposed project:

As mentioned, implementation of Alternative C would result in the unavoidable loss of 1.64 acres of open water. This open water area is a man-made impoundment created by an on-channel dam of the Quail Creek channel. This feature is located within a highly urbanized area with businesses and private residences being located along its banks, which are mowed and maintained similar to a park-like setting. Open water features, such as this man-made impoundment, are not considered to be a rare or unique aquatic resource in terms of quality or function, and the loss of this area is not expected to have significant effects on the aquatic environment. As such, no mitigation is proposed for this unavoidable impact.

As part of the assessment of impacts to WOTUS, TXRAM for streams was used to evaluate the condition of the Quail Creek channel downstream of the Glenwood Avenue Dam. The assessment resulted in a TXRAM core element score of 48 out of a total possible score of 100. To calculate the number of TXRAM stream units, the core element score was first normalized by dividing the existing condition score of 48 by the

total possible score of 100, resulting in an index score of 0.48. The index score (0.48) was then multiplied by the length of this section of channel (455 lf), resulting in 218 baseline TXRAM stream units.

To assess potential stream impacts associated with the construction of Alternative C, an evaluation of the metrics used to develop the core element score within TXRAM were estimated, based on the proposed future condition with the concrete-lined channel in place. The estimated core element score for the concrete-lined channel was determined to be 22, or 0.22, resulting in a loss of 118 TXRAM stream units (218 baseline units – 100 future condition units = 118). However, as proposed, approximately 1,243 lf of new concrete-lined channel would be constructed from the Glenwood Avenue Dam upstream to Maplewood Avenue. This would create an additional 273 TXRAM stream units (1,243 lf x 0.22) and result in an overall net gain of 155 TXRAM stream units under Alternative C.

This mitigation plan is the applicant's proposal. The Corps has made no determination at this time with regard to the adequacy of the proposed mitigation relative to the federal mitigation rules and guidance, including Tulsa District's Mitigation and Monitoring Guidelines. Compensatory Mitigation for unavoidable impacts may be required to ensure that this activity requiring a Section 404 permit, if issued, complies with the Section 404 (b)(1) Guidelines. The Corps bears the final decision on the need for and extent of mitigation required if the project proposed herein is authorized.

Project Setting: The project is located within the Environmental Protection Agency's Level III Central Great Plains ecoregion and the Level IV Broken Red Plains subregion. The soils of the Broken Red Plains ecoregion are red and tan clay and sand. Historically, the Broken Red Plains consisted of a transition between tallgrass and shortgrass prairie. Honey mesquite (*Prosopis glandulosa*), wolfberry (*Lycium spp.*), sand sagebrush (*Artemisia filifolia*), yucca (*Yucca spp.*), and prickly pear cactus (*Opuntia spp.*) can be mixed with the prairie grasses. Riparian vegetation includes eastern cottonwood (*Populus deltoides*), hackberry (*Celtis spp.*), cedar elm (*Ulmus crassifolia*), pecan (*Carya illinoensis*), and little walnut (*Juglans microcarpa*). Rivers flowing across the Broken Red Plains are meandering and generally turbid except near the outflow of regional dams. River levels follow drought and rainy cycles, but flow may be particularly reduced in river segments below dams, depending on the timing of regulated water releases

Existing Condition:

Quail Creek Channel: The existing stream in this portion of the project (Section C; Figure 2) is bisected by a concrete low head dam, known as Glenwood Avenue (Ave)

Dam, that was constructed prior to 1980. Presumably, the segment of stream within the project area was channelized prior to the dam's construction as the properties along Maplewood Avenue were developed and platted with dedication of an 80 ft wide drainage and utility easement. Approximately 1,765 lf of the Quail Creek channel is impounded by the dam with a crest of 967.5 feet above mean sea level (MSL), including an approximately 190 lf extension up the North Quail Creek drainage channel (Section B; Figure 2). This impoundment creates approximately 1.64 acres of open water with depths varying from approximately 0.5 to six ft. Below the dam, a short concrete apron extends the width of the stream and 35 ft downstream. Downstream of the concrete apron, the stream has been channelized and is now a trapezoidal channel with a bottom width between 15 and 25 feet (ft). The bottom of the channel has been lined with broken concrete, rock, and debris, extending approximately 455 linear ft to a culvert under Midwestern Parkway, which discharges directly into Sikes Lake. An existing 36-inch sanitary sewer line lies below or parallels Quail Creek for approximately 755 lf from Kemp Boulevard to the Midwestern Parkway culvert.

Kemp Boulevard to Maplewood Avenue Culvert: An approximately 455 lf, 20-ft wide section of Quail Creek, just downstream of Kemp Boulevard to the upstream side of Maplewood Avenue (Section E; Figure 2) is a channelized, upstream extension of the Glenwood Avenue Dam impoundment. This section is overgrown with woody vegetation, which slows stormwater conveyance and presents maintenance issues for the City. The existing culverts at Kemp Boulevard and Maplewood Avenue are under capacity and need to be replaced.

Midwestern Parkway Culvert Enhancement: The proposed Midwestern Parkway culvert enhancement (Section C; Figure 2) is limited to the area immediately upstream of Midwestern Parkway at Quail Creek. The existing five barrel concrete culvert would be extended upstream approximately six lf and would include the addition of concrete wing walls and a concrete apron, which extends upstream approximately 25 lf.

North Quail Creek Channel: The North Quail Creek channel (Sections A and B; Figure 2) is not mapped as a stream on USGS topographic maps and appears to be a manmade ditch constructed in uplands to convey stormwater from the surrounding development. The existing conditions in this portion of the project consist of a channelized trapezoidal channel with a bottom width between six to 15 ft that includes both concrete lined and unlined sections. An approximately 500 lf box culvert (Section F; Figure 2) extends north and west of Section A and crosses under Kemp Boulevard. The section immediately downstream of the Kemp Boulevard culvert is grass lined and extends downstream approximately 400 lf. Then, it is concrete lined for approximately 730 lf, which is where impounded backwater from the Glenwood Avenue Dam begins and extends approximately 190 lf to the confluence with Quail Creek.

Gladney Channel: The Gladney Channel is not mapped as a stream on USGS topographic maps and appears to be a manmade ditch constructed in uplands to convey stormwater from the immediate area into Quail Creek.

State Water Quality Certification: This proposed project will trigger review under Section 401 of the CWA. The Texas Commission on Environmental Quality (TCEQ) will review this application under Section 401 of the CWA in accordance with Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. If you have comments or questions on this proposed project's State water quality certification process, please contact 401certs@tceq.texas.gov. You may also find information on the Section 401 process here: <https://www.epa.gov/cwa-401/basic-information-cwa-section-401-certification>.

Cultural Resources: The DE is responsible to ensure compliance with the National Historic Preservation Act of 1966 (NHPA) (Public Law 89-665), as amended, and other cultural resources laws and Executive Orders. A preliminary review of the state's records has been completed for the presence of sites included in, or eligible for, inclusion in the National Register of Historic Places. There are no known historic properties, as defined by the NHPA, in or within the vicinity of the proposed permit area. The Texas Historical Commission project review tracking number is 202207090.

Threatened and Endangered Species: The following federally listed species are known to occur in the vicinity or are listed for the county in which the proposed action is located: Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), and Whooping Crane (*Grus americana*). A copy of this notice is being furnished to the U.S. Fish and Wildlife Service (USFWS) and appropriate state agencies. The USFWS Information for Planning and Consultation project code number is 2022-0013407.

Our preliminary determination is that the proposed activity will not affect listed threatened or endangered species or their critical habitat.

Evaluation Factors: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use 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: 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,

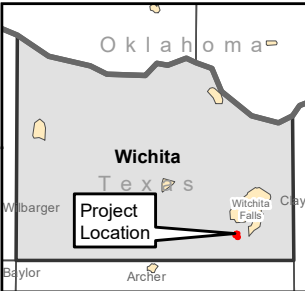
safety, food and fiber production, mineral needs, considerations of property ownerships, and, in general, the needs and welfare of the people. A permit will be denied if the discharge does not comply with the Environmental Protection Agency's 404(b)(1) Guidelines. Subject to the 404(b)(1) Guidelines and any other applicable guidelines or criteria, a permit will be granted unless the DE determines that it would be contrary to the public interest.

Plans and Data: Plans showing the location of the proposed activity and other data are enclosed with this notice. If additional information is desired, it may be obtained from Mr. David Carraway, Tulsa District Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137; or telephone 918-669-7400.

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 proposed activity. Any comments received will be considered by the Corps 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. Any comments on this proposal must be submitted to be received by the Corps by the expiration date of this public notice comment period. Comments received after this date will not be considered in our decision. You may submit comments to mailing address Tulsa District Corps of Engineers, ATTN: Regulatory Office, 2488 East 81st Street, Tulsa, OK 74137 or email CESWT-RO@usace.army.mil. Please include the public notice number SWT-2021-00201 in the subject line of your email message.

Andrew R. Commer
Chief, Regulatory Office

Enclosures



SWT-2021-00201
 City of Wichita Falls
 Quail Creek Drainage Improvements Project
 Enclosure 1 of 3



Limits of Construction

FREES & NICHOLS
 FREES AND NICHOLS, INC
 801 Cherry Street, Suite 2800
 Fort Worth, TX 76102
 Phone - (817) 735 - 7300

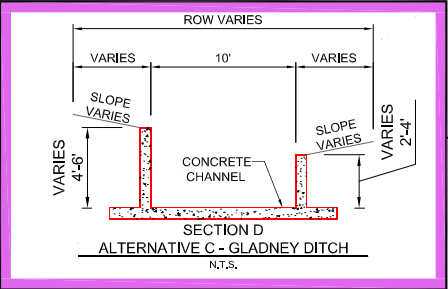
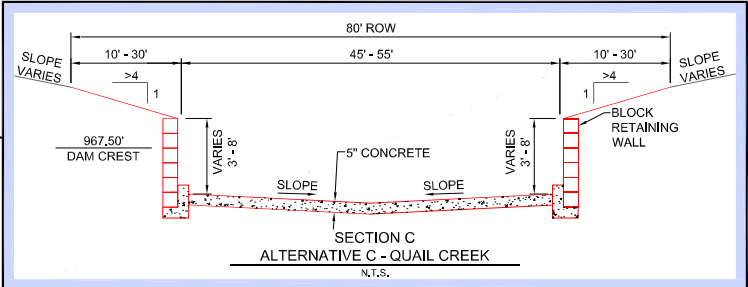
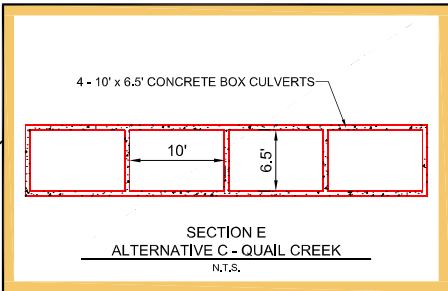
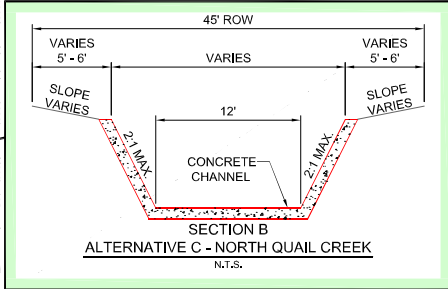
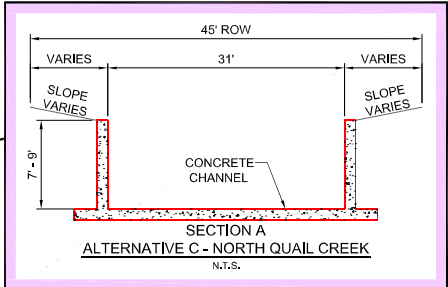
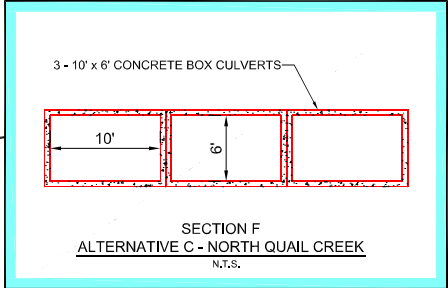
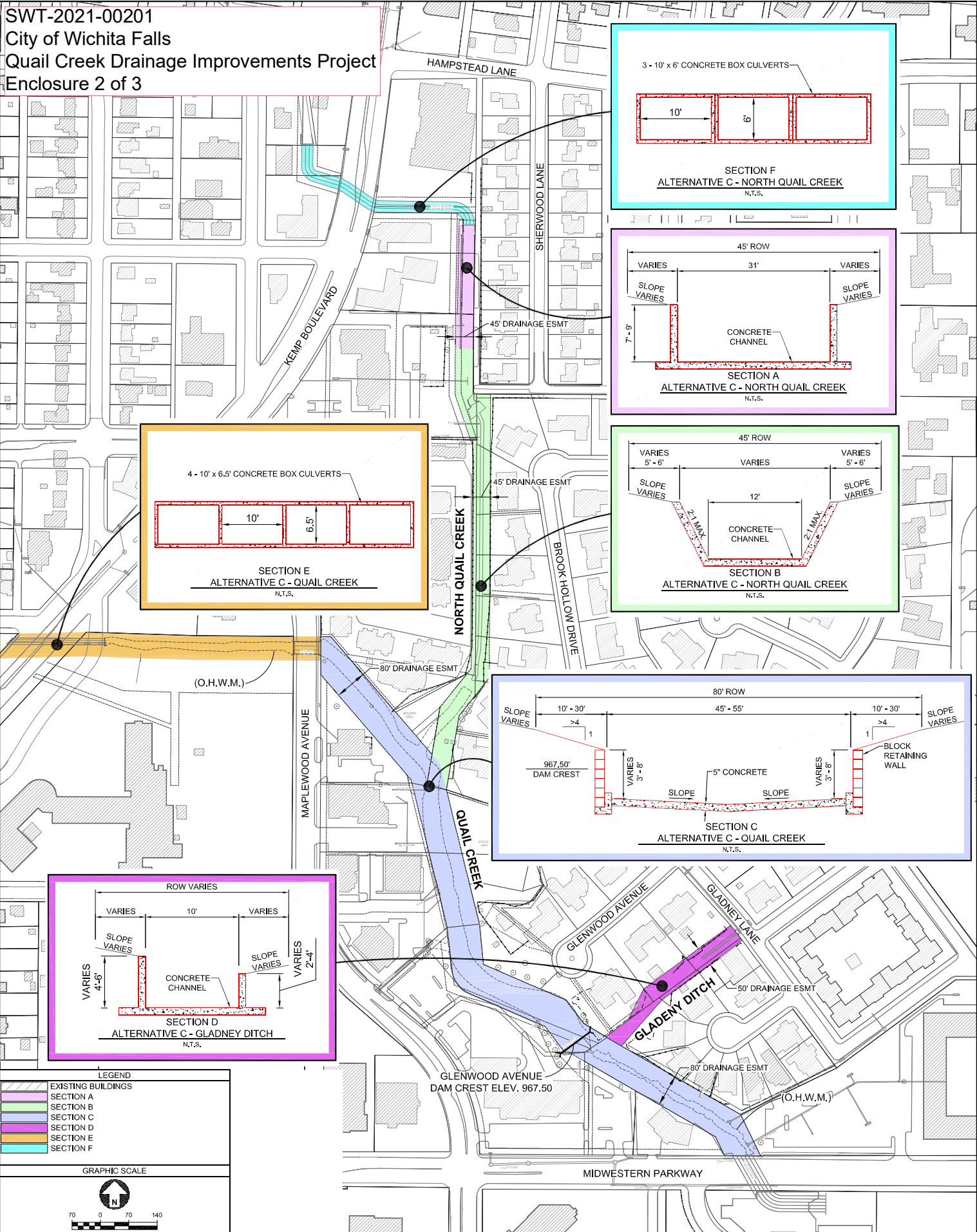


CITY OF WICHITA FALLS
Quail Creek Drainage Improvements
Project Location Map

FN JOB NO	BMI21205
FILE NAME	1_Location
DATE	3/18/2022
DESIGNED	MK
DRAFTED	MK

1
FIGURE

SWT-2021-00201
 City of Wichita Falls
 Quail Creek Drainage Improvements Project
 Enclosure 2 of 3



LEGEND

- EXISTING BUILDINGS
- SECTION A
- SECTION B
- SECTION C
- SECTION D
- SECTION E
- SECTION F

GRAPHIC SCALE

70 0 70 140

LEGEND

EXISTING BUILDINGS

SECTION A

SECTION B

SECTION C

SECTION D

SECTION E

SECTION F

LEGEND

EXISTING BUILDINGS

SECTION A

SECTION B

SECTION C

SECTION D

SECTION E

SECTION F

GRAPHIC SCALE

70 0 70 140

LEGEND

EXISTING BUILDINGS

SECTION A

SECTION B

SECTION C

SECTION D

SECTION E

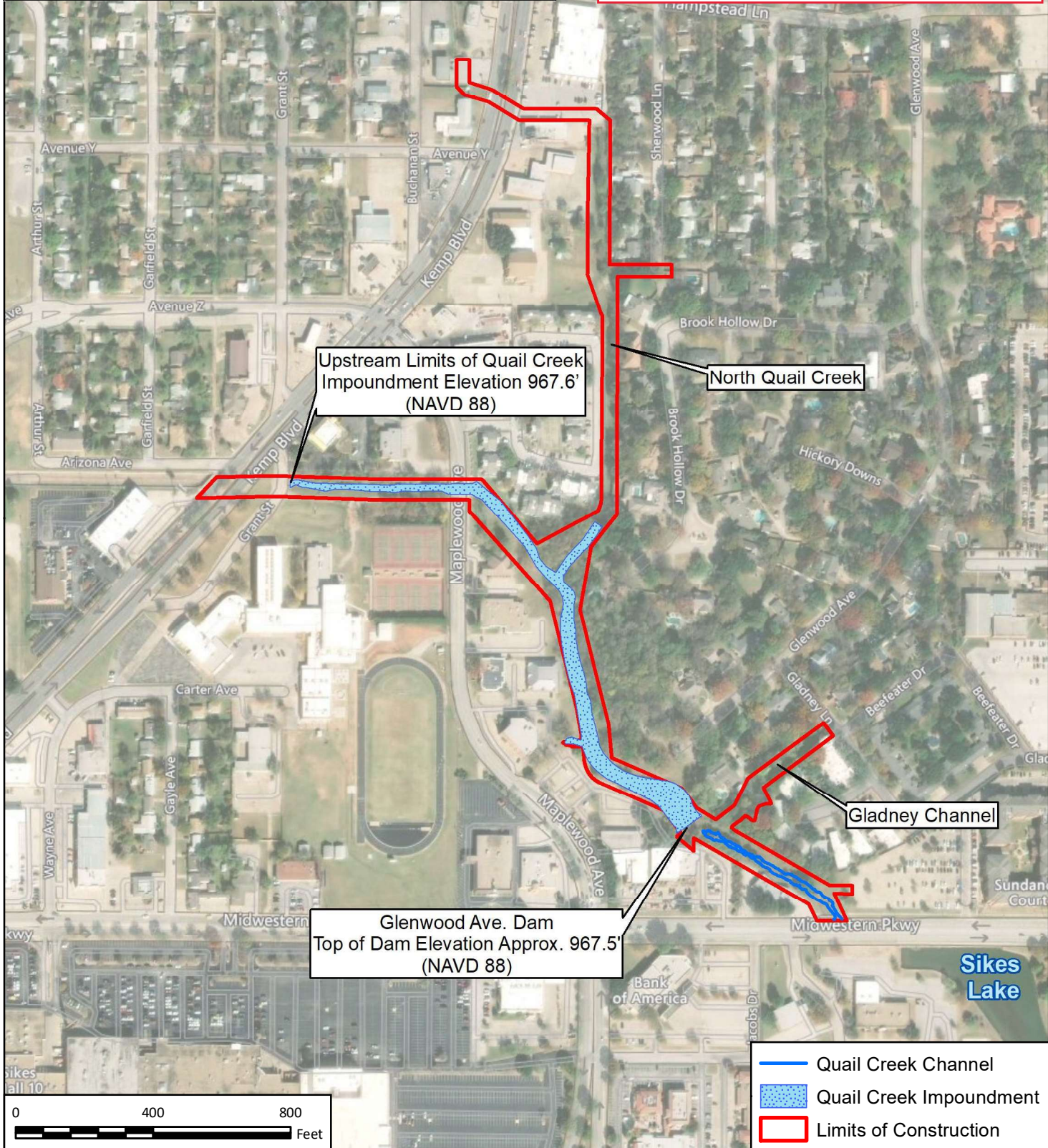
SECTION F

ALTERNATIVE C: PROJECT MAP
 QUAIL CREEK PHASE I DRAINAGE IMPROVEMENTS
 CITY OF WICHITA FALLS, TEXAS
 FEBRUARY 2022

DATE: 2/15/2022 10:52:30 AM PROJECT: SW-2021-00201-01 PROJECT MAP - ALTERNATIVE C - ENCLOSURE 2 OF 3
 DWG: 2022-02-15-10:52:30 AM PROJECT: SW-2021-00201-01 PROJECT MAP - ALTERNATIVE C - ENCLOSURE 2 OF 3
 DATE: 2/15/2022 10:52:30 AM PROJECT: SW-2021-00201-01 PROJECT MAP - ALTERNATIVE C - ENCLOSURE 2 OF 3

Feature Name	Type	Impact Acres	Impact Linear Feet
Quail Creek Impoundment	Open Water	1.64	NA
Quail Creek	Ephemeral	0.14	455

SWT-2021-00201
 City of Wichita Falls
 Quail Creek Drainage Improvements Project
 Enclosure 3 of 3



FRESE AND NICHOLS
 FRESE AND NICHOLS, INC.
 801 Cherry Street, Suite 2800
 Fort Worth, TX 76102
 Phone - (817) 735 - 7300



CITY OF WICHITA FALLS
Quail Creek Drainage Improvements
Waterbody Impacts

FN JOB NO	BMI21205
FILE NAME	3_WOTUS_8x11
DATE	3/21/2022
DESIGNED	MK
DRAFTED	MK

3
FIGURE