



**US Army Corps
of Engineers**
Louisville District ®

Public Notice

Public Notice No.
LRL-2021-00537-tmb

Date:
03 May 2022

Closing Date:
02 Jun 2022

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Tré M. Barron, CELRL-RDS
6855 State Route 66
Newburgh, Indiana 47630

Phone: (812) 853-9713

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act:

APPLICANT: Evansville Water and Sewer Utility
1 NW Martin Luther King Jr. Blvd, Room 104
Evansville, IN 47708

AGENT: CHA Consulting, Inc.
201 N. Illinois Street, Suite 800
Indianapolis, IN 46204

LOCATION: The proposed project is located at 3300 Harlan Avenue in
Evansville, Vanderburgh County, Indiana

Latitude: 38.010286°
Longitude: -87.548896°
7.5 Minute Quad: Evansville North

PURPOSE: To replace the existing Pfeiffer Road Lift Station and associated
interceptor and force main sewer lines.

DESCRIPTION OF WORK: The Evansville Water & Sewer Utility is proposing to replace the existing Pfeiffer Road Lift Station and associated interceptor and force main sewer lines. The project would necessitate the discharge of excavated material into “waters of the United States (WOUS)” for the installation of sewer lines. A total of 0.659 acres of Wetland A and 0.422 acres of Wetland B will be permanently impacted from vegetation clearing, installation of sewer lines using the open cut trench method and excavation (55,600 cubic yards of material) that will be backfilled with original soil and restored to emergent wetlands. In addition, 126 linear feet of UNT 3, an intermittent stream and 40 linear feet of Pigeon Creek, a perennial stream, would occur. Approximately 392 cubic yards of fill would be placed below the ordinary high-water mark of Pigeon Creek to cover the sewer line and open-cell articulated concrete mat and 24” A-Jacks would be installed for bank stabilization. The applicant will directionally bore Little Pigeon Creek and UNT 1 and 2, so impacts are not anticipated.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: The proposed project

has been designed to minimize impacts to wetlands and streams to the greatest extent possible while accomplishing the overall project purpose and need. The applicant reviewed alternative routes; however, other alternatives were markedly more expensive and would impact a secure access to the adjacent county jail. Directional boring was used where feasible, which eliminated impacts to Little Pigeon Cree, UNT 1 and 2 as well as reducing impacts to Wetland B. Best Management Practices would also be utilized throughout construction of the project. The applicant proposes to mitigate for all unavoidable impacts to WOUS including wetlands, through the purchase of credits from the Corps approved in-lieu fee program and a mitigation bank.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied. A DA permit, if otherwise warranted, will not be issued until a State of Indiana Water Quality Certification or waiver is on file at this office. In order to comply with Section 401 of the Clean Water Act, the applicant must apply for State certification from the Indiana Department of Environmental Management (IDEM).

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. The Endangered Species Act (ESA, 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) requires federal agencies to consult with the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7(a) 2 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered, or any designated critical habitat. A copy of this notice is being furnished to the USFWS for their review. Per this notification, we request comments from the USFWS concerning potential impact to threatened and/or endangered species that may occur within the project area. After receipt of comments, the USACE will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat and initiate consultation with USFWS, if required.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, pre-Columbian, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 – Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact 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

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South Branch
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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; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

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. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. 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 statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <https://www.lrl.usace.army.mil/Missions/Regulatory/Public-Notices/>. All comments regarding this proposal should be addressed to Ms. Tré M. Barron, CELRL-RDS at the address noted above and should refer to the Public Notice Number LRL-2021-00537-tmb.

If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2021-00537-tmb.

Example:

Subject: LRL-2021-00537-tmb

- b) Provide your physical mailing address and telephone number.
- c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil
- d) If you are sending attachments greater than 10 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

EVANSVILLE WATER AND SEWER UTILITY

LLOYD WINNECKE, MAYOR

WANSFORD YARD LIFT STATION PROJECT - PHASE 1 DIVISION "B"

WANSFORD YARD LIFT STATION FORCE MAIN

PROJECT NO. S1315

APPROVED FOR LETTING

LANE T. YOUNG, UTILITY DIRECTOR

MICHAEL LABITZKE P.E.
DIRECTOR, PROGRAM MANAGEMENT OFFICE

APPROVED BY UTILITY BOARD

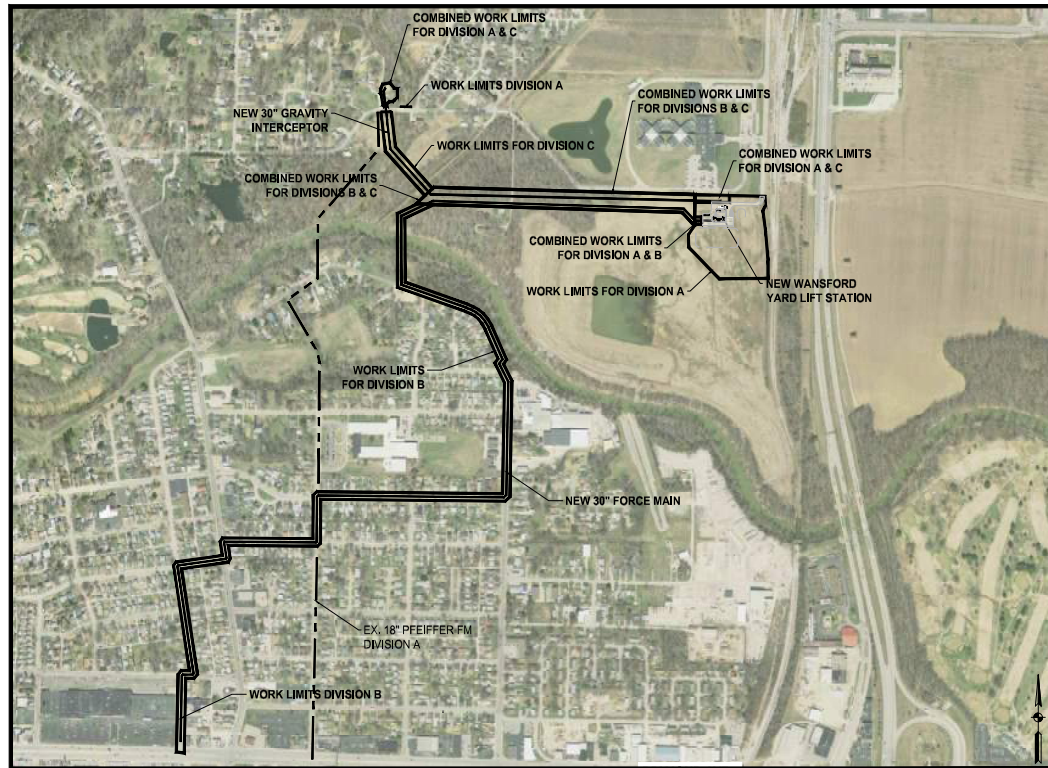
STEVEN R. HEIDORN, PRESIDENT

MICHAEL J. WEBER, VICE PRESIDENT

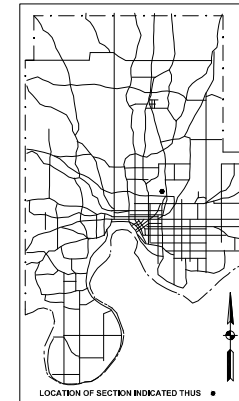
CONSTANCE ROBINSON, MEMBER

BARRY RUSSELL, MEMBER

CHRIS RUTLEDGE, MEMBER



LOCATION MAP
NO SCALE



PLANS PREPARED BY:

COMMONWEALTH ENGINEERS, INC.
420 NW. 5TH ST., SUITE 201
EVANSVILLE, IN 47708

RECOMMENDED FOR APPROVAL BY:

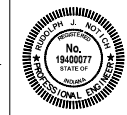
[Signature]
TOBY CHURCH, P.E.

9/30/21
DATE

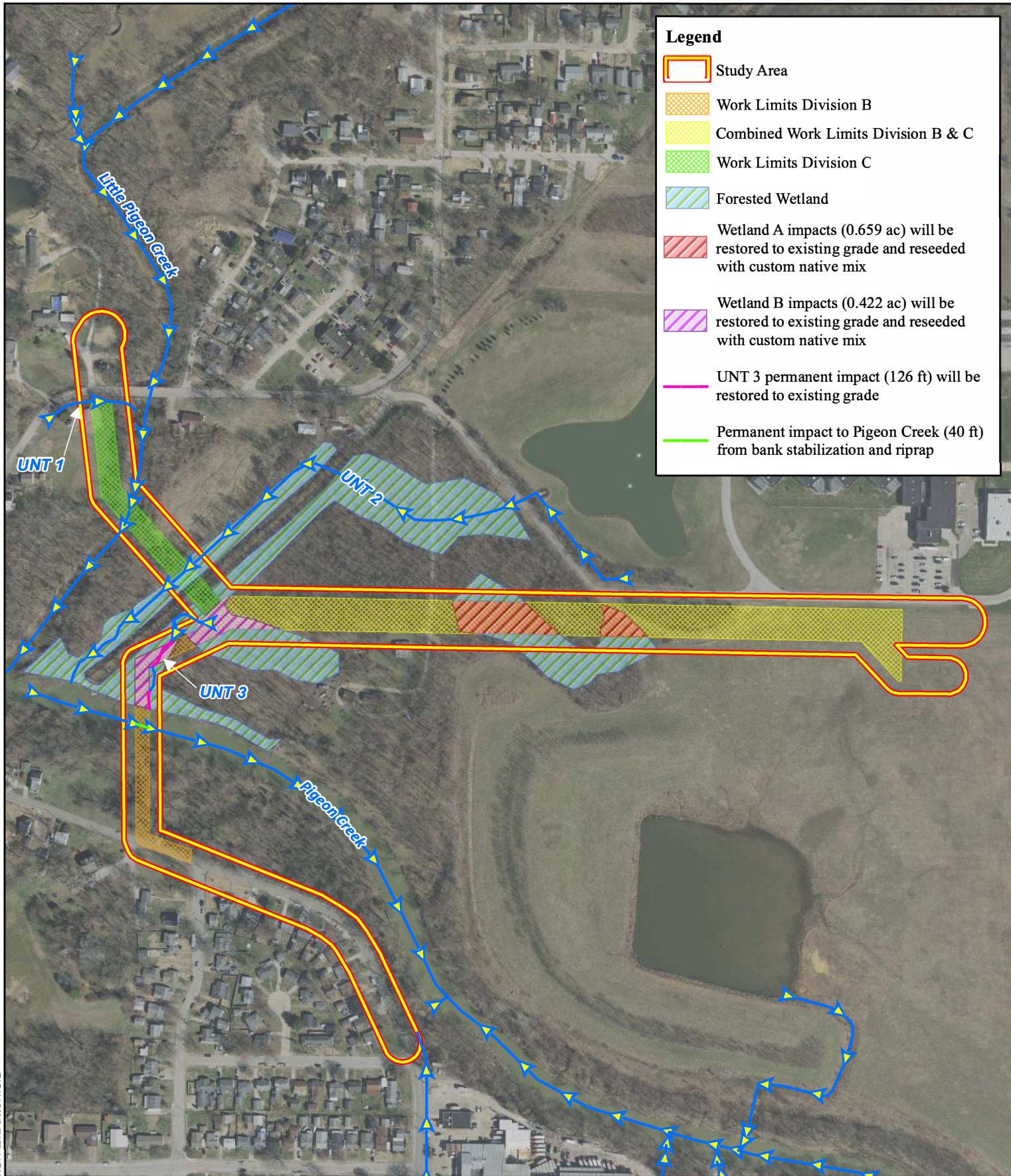
CERTIFIED BY:

[Signature]
RUDOLPH NOTICH, P.E.

9/30/21
DATE



DESIGNED	DATE	MARCH 2020
DRAWN	CHECKED	SCALE
APPROVED	TITLE	DATE
WANSFORD YARD LIFT STATION PROJECT - PHASE 1		
DIVISION B - WANSFORD YARD LIFT STATION		
FORCE MAIN		
TITLE SHEET		
COMMONWEALTH ENGINEERS, INC.		
Evansville		
REVISEMENTS		
DATE	DESCRIPTION	
EWSU PROJECT NO. S1315		
SHEET NO. G0-00		



Date Saved: 4/18/2022 • Author: E. Butterfield



CHA

Scale 1" = 350'

CHA Project No.
059820

Impacts and Restoration Map

Wansford Yard Lift Station
Evansville Water & Sewer Utility
Vanderburgh County, Indiana

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Figure 2 of 3

