



US ARMY Corps  
Of Engineers®  
Little Rock District

# JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: **MVK 2012-00272**

Date: **June 18, 2013**

Comments Due: **July 18, 2013**

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**TO WHOM IT MAY CONCERN: Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.**

Point of Contact: If additional information is desired, please contact the project manager, Mr. Johnny McLean, telephone number: (501) 324-5295, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, e-mail address: [Johnny.L.McLean@usace.army.mil](mailto:Johnny.L.McLean@usace.army.mil). An electronic copy of the proposed Little Bayou de Loutre Mitigation Bank prospectus can be obtained from the Corps of Engineers through the contact information listed above.

Project Information: Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344); notice is hereby given that the Arkansas Highway and Transportation Department (AHTD) has submitted their completed Little Bayou de Loutre Mitigation Bank prospectus. The prospectus outlines the AHTD's proposal for developing and operating the bank which is known as the banking instrument. After public comments are received and any issues resolved on the prospectus, the AHTD will submit a draft banking instrument to the District Engineer of the Little Rock District. The District Engineer will distribute the draft banking instrument to the Interagency Review Team (IRT), which is comprised of the Corps and the pertinent State and Federal resource agencies. The IRT will review the banking instrument and coordinate with the AHTD on any issues until a final banking instrument is completed. Finally, the District Engineer will review the final instrument and make a decision to approve or not approve.

The purpose of this bank is to mitigate for stream and wetland impacts resulting from highway construction and maintenance. The bank would be used for unavoidable impacts to wetlands and streams authorized under Section 404 of the Clean Water Act. The stated goal of the bank is to restore wetlands, stream buffers, and associated uplands.

The proposed project is located approximately six miles southwest of Strong and two miles north of the Arkansas/Louisiana state line, in sections 22 and 27, T. 19 S., R. 13 W., Union County, Arkansas. The site is approximately 160 acres in size. The surrounding properties are primarily established pine plantations with scattered areas of oak-hickory-pine forests. Little Bayou de Loutre is a perennial stream that begins about five miles north of the proposed bank site. The Bayou enters the bank site on the north side and flows across the site in a southeasterly direction. There are several intermittent stream channels located on the property. The mitigation site receives its hydrology from rainfall and overtopping of Little Bayou de Loutre, and the associated stream channels. The site is frequently flooded. From the bank site, Little Bayou de Loutre flows southward into Louisiana for approximately 15 miles to where it enters Bayou de Loutre. Bayou de Loutre begins just south of El Dorado and flows for approximately 70 miles to where it enters the Ouachita River near Sterlington, Louisiana. Designated uses for the lower half of Bayou de Loutre include fish and wildlife propagation, and primary and secondary

contact recreation. The State of Louisiana also classifies Bayou de Loutre as an outstanding natural resource water. In 2008, impairments to the lower part of Bayou de Loutre included low dissolved oxygen and mercury in fish tissue.

Clearing the proposed bank site for commercial timber began in 2002, and the timber was thinned two more times between 2004 and 2010. Clearing included harvesting all of the marketable timber except for timber in the lowest (inundated) areas, and leaving all of the scrap timber on the ground.

Soils on the site are mapped into four soil units by the United States Department of Agriculture, Natural Resources Conservation Service. The predominant soil type identified on-site is Guyton Silt Loam. Guyton is a very deep, poorly drained, slowly permeable soil formed in thick loamy sediments. These soils are on Southern Coastal Plain stream floodplains and in depressional areas on late Pleistocene age terraces. The second soil type identified is Harleston Sandy Loam. Harleston is a deep, moderately well drained, moderately permeable soil formed in marine or stream deposits consisting of thick beds of sandy loam. These soils are located on terraces and uplands of the Southern Coastal Plain. The third soil type identified is Smithdale Sandy Loam. Smithdale is a deep, well drained, moderately permeable soil that formed in thick beds of loamy sediments. These soils are located on ridge tops and hillsides in dissected uplands of the Southern Coastal Plain. The fourth soil type identified is Warnock sandy loam. These soils are deep, moderately well drained and usually found on hilltops and hillsides.

Vegetation on the site consists of herbaceous and shrub species that have emerged since the property was logged. These species include sweetgum (*Liquidambar styraciflua*), green ash (*Fraxinus pennsylvanica*), cypress (*Taxodium distichum*), water tupelo (*Nyssa aquatica*), willow oak (*Quercus phellos*), American beech (*Fagus grandifolia*), iron wood (*Carpinus caroliniana*), deciduous holly (*Ilex decidua*), soft rush (*Juncus effusus*), wool grass (*Scirpus cyperinus*), dog fennel (*Eupatorium capillifolium*), broomsedge (*Andropogon virginicus*), plume grass (*Saccharum giganteum*), saltbush (*Baccharis halimifolia*), redvine (*Brunnichia ovata*), greenbrier (*Smilax rotundifolia*), cattail (*Typha* sp.), smartweed (*Polygonum* sp.), and various sedges (*Carex* spp).

The AHTD has preliminarily identified approximately 4,900 linear feet of perennial streams, 3,900 linear feet of intermittent streams, and 145 acres of wetlands on the property. There are approximately 15 acres of uplands scattered on the northeast side and southwest end of the property. The AHTD proposes to restore bottomland hardwood timber on the site and restore the riparian buffers along all stream channels. The site would be monitored for a minimum of five years to ensure hydrologic and revegetation success, and would be perpetually preserved.

The proposed bank site lies in the Lower Ouachita Bayou de Loutre 8-digit hydrologic unit code (HUC) as classified by the U.S. Geological Survey (USGS). This HUC is divided by the Arkansas/Louisiana state line. Major streams within the Lower Ouachita Bayou de Loutre HUC in Arkansas, include the Ouachita River, Bayou de Loutre, Little Bayou de Loutre, Lapile Creek, Frank Lapere Creek, and Snake Creek. The AHTD proposes to utilize the bank as a primary service area for projects located in the Lower Ouachita Bayou de Loutre HUC (08040202),

Bayou d'Arbonne HUC (08040206) and Lower Ouachita Smackover (08040201) HUC, and as a secondary service area for projects that fall within the Bayou Bartholomew HUC (08040205).

The IRT reviewed the draft prospectus and inspected the site. They agreed that the site was an acceptable area for development of a bank.

The location, general plan and photos for the proposed work are shown on the enclosed Sheets 1 through 11.

Cultural Resources: The National Register of Historic Places has been consulted; and it has been determined that there are no properties currently listed in the Register or eligible for inclusion therein, which would be affected by the proposed work. A Corps staff archeologist also will review topographic maps and data on reported sites in the area. If it is determined that further review is not warranted, these reviews will constitute the full extent of cultural resources investigation by this office unless we are made aware, as a result of comments received in response to this notice or by other means, of the existence of specific structures or sites which might be affected by the proposed work.

Endangered Species: Our preliminary determination is that the proposed activity will not affect listed Endangered Species or their critical habitat. A copy of this notice is being furnished to the U.S. Fish and Wildlife Service (USF&WS) and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Flood Plain: We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain Management.

Section 404(b)(1) Guidelines: Designation of the proposed disposal site for material associated with this Federal project shall be made through the application of guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), in conjunction with the Secretary of the Army. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

If these guidelines alone prohibit the designation of the proposed disposal site, any potential impairment to the maintenance of navigation, including any economic impact on navigation and anchorage which would result from the failure to use this disposal site, will also be considered.

Public Involvement: Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **July 18, 2013**. Substantive comments, both favorable and unfavorable, will be accepted and made part of the record and will receive full consideration in the review of this work. The review will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That review will reflect the national concern for both protection and utilization of important resources.

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. 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.

Any person may request in writing within the comment period specified in this notice that a public hearing be held in regard to this project. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

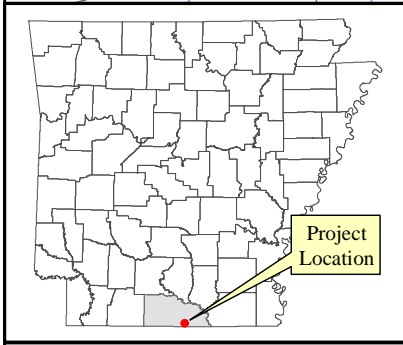
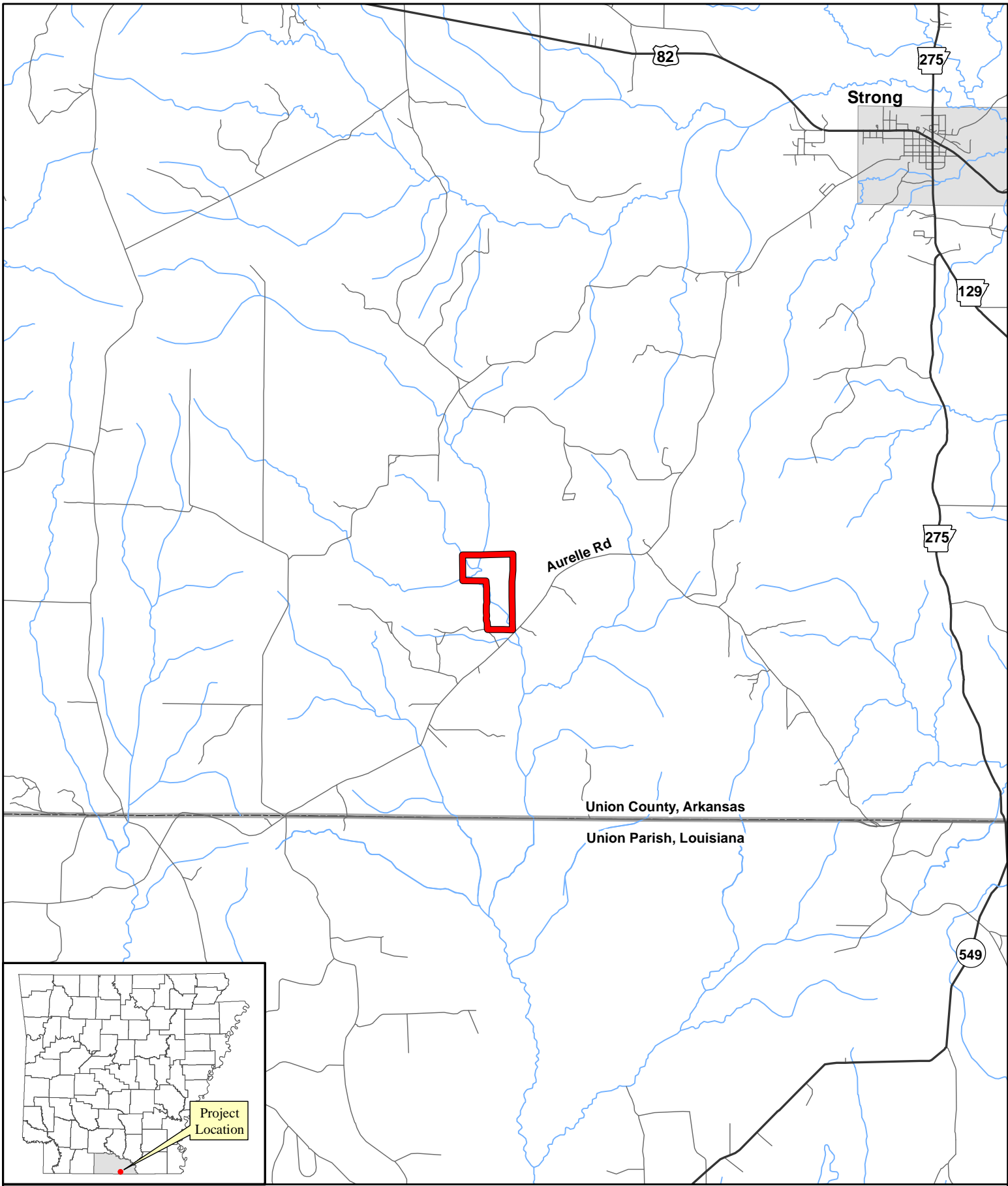
**NOTE:** The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

Enclosures

Approximate Coordinates of Project Center

Latitude: **33.04205** Longitude: **-92.43161**

UTM Zone: **15** Northing: **3656091** Easting: **553072**



0 0.5 1 Mile

Figure 1  
 Bayou De Loutre Wetland  
 Mitigation Bank



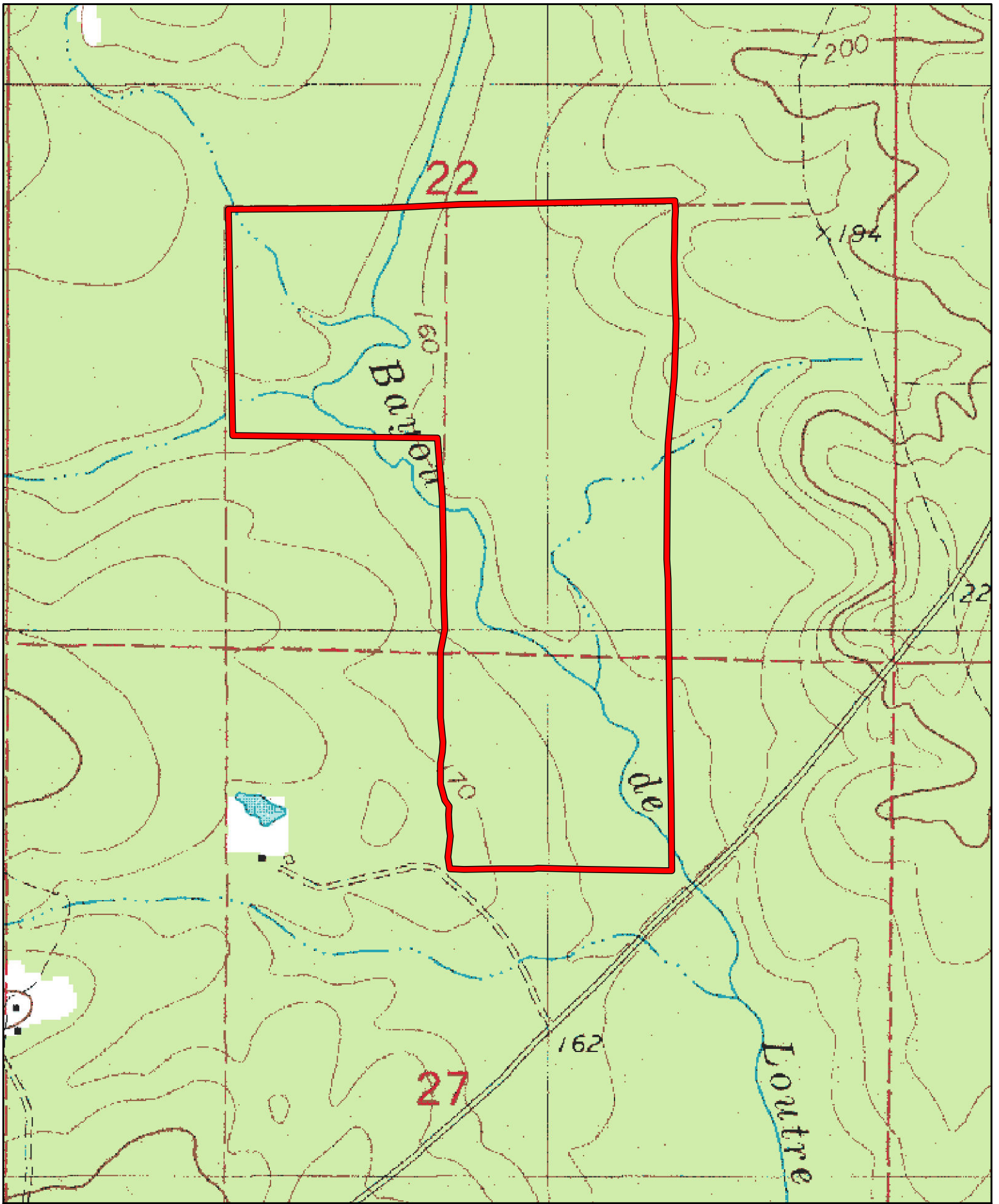
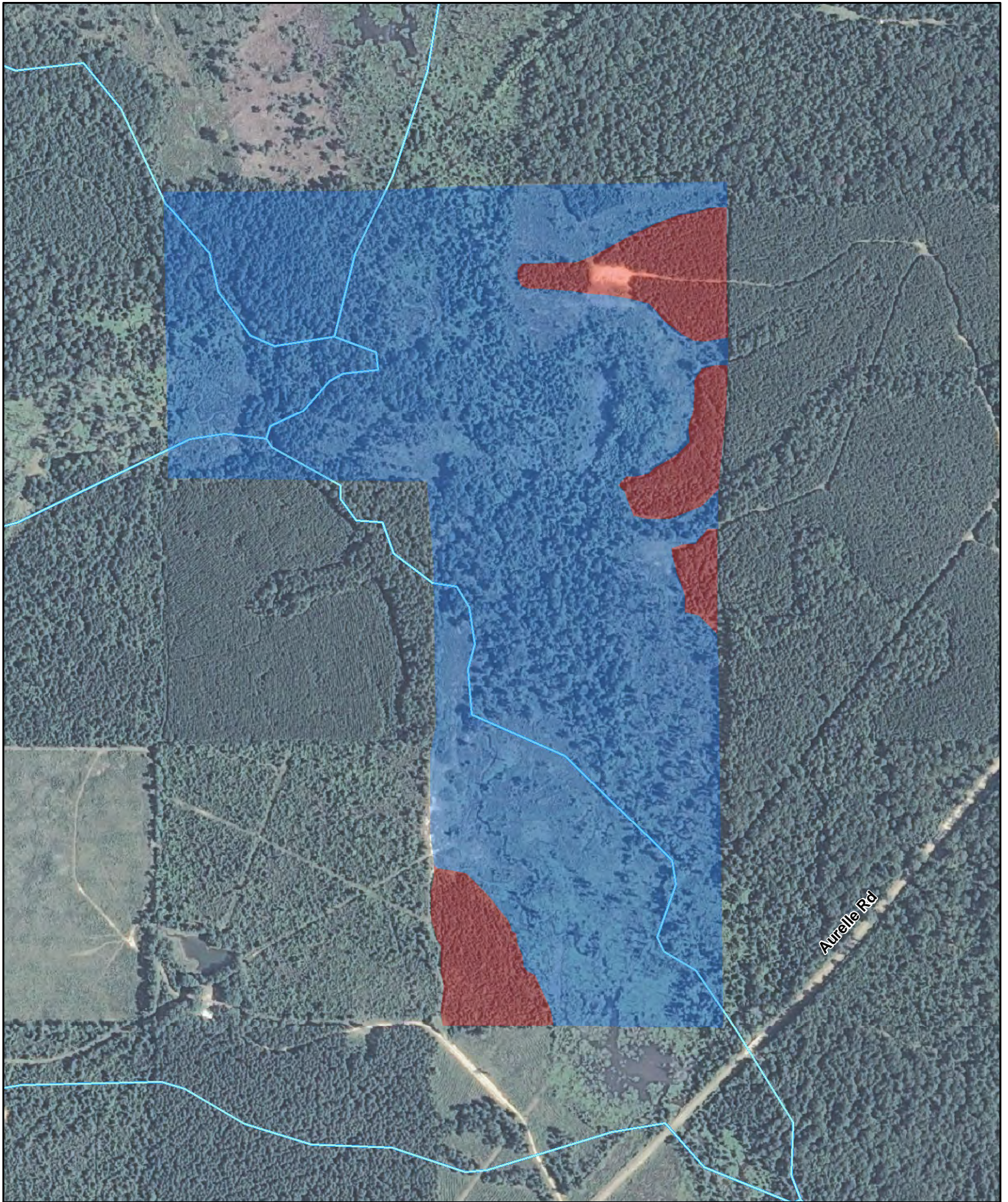


Figure 2  
Topographic Map





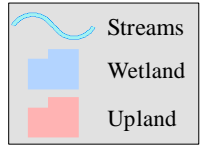
Aurelle Rd

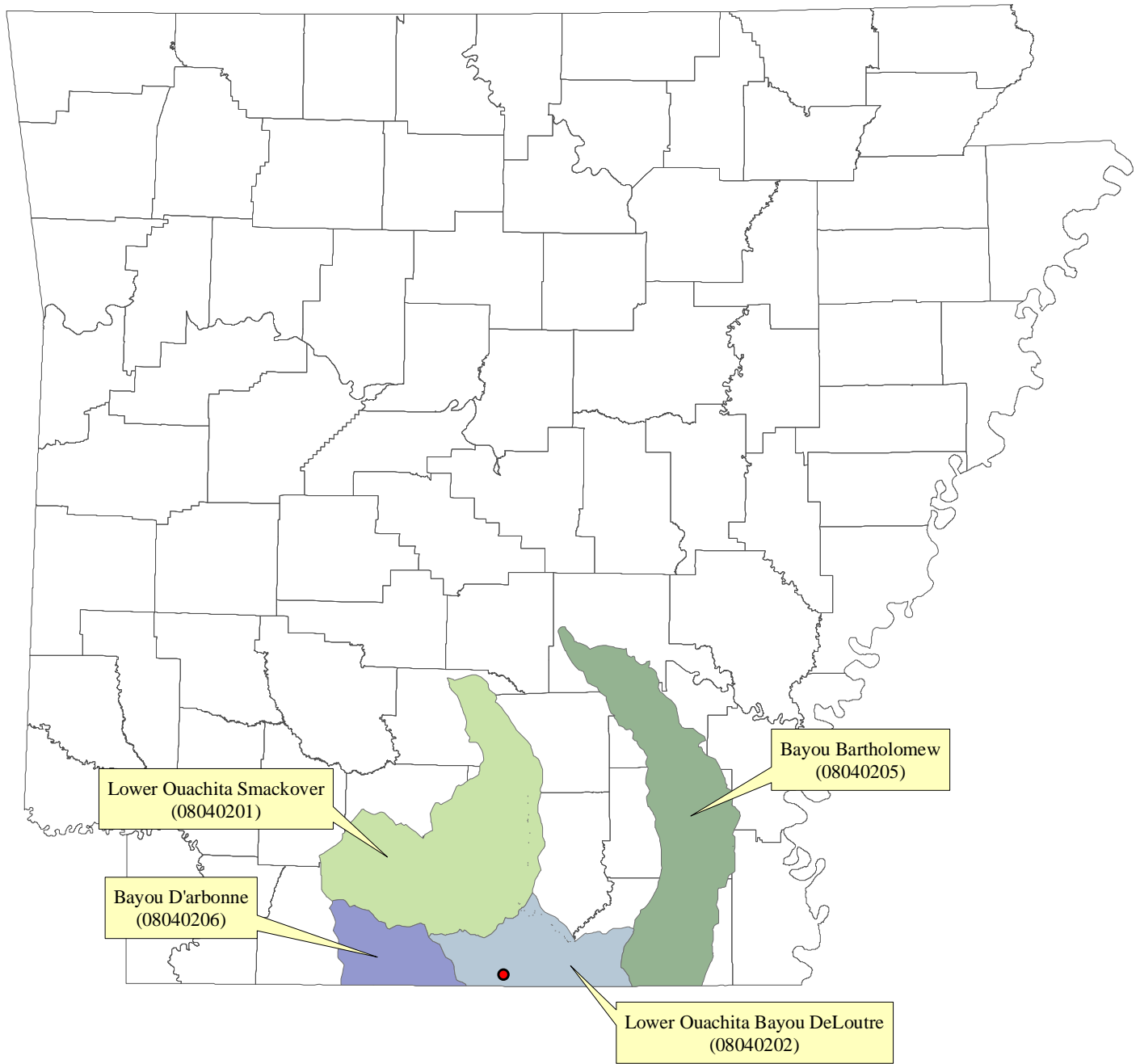


0 250 500 Feet

AHTD - Environmental GIS - Reed  
February 6, 2012

Figure 3  
Wetland and Stream Locations





Lower Ouachita Smackover  
(08040201)

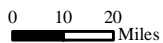
Bayou D'arbonne  
(08040206)

Bayou Bartholomew  
(08040205)

Lower Ouachita Bayou DeLoutre  
(08040202)

Figure 4  
8-Digit HUC Location Map

● Proposed Mitigation Bank





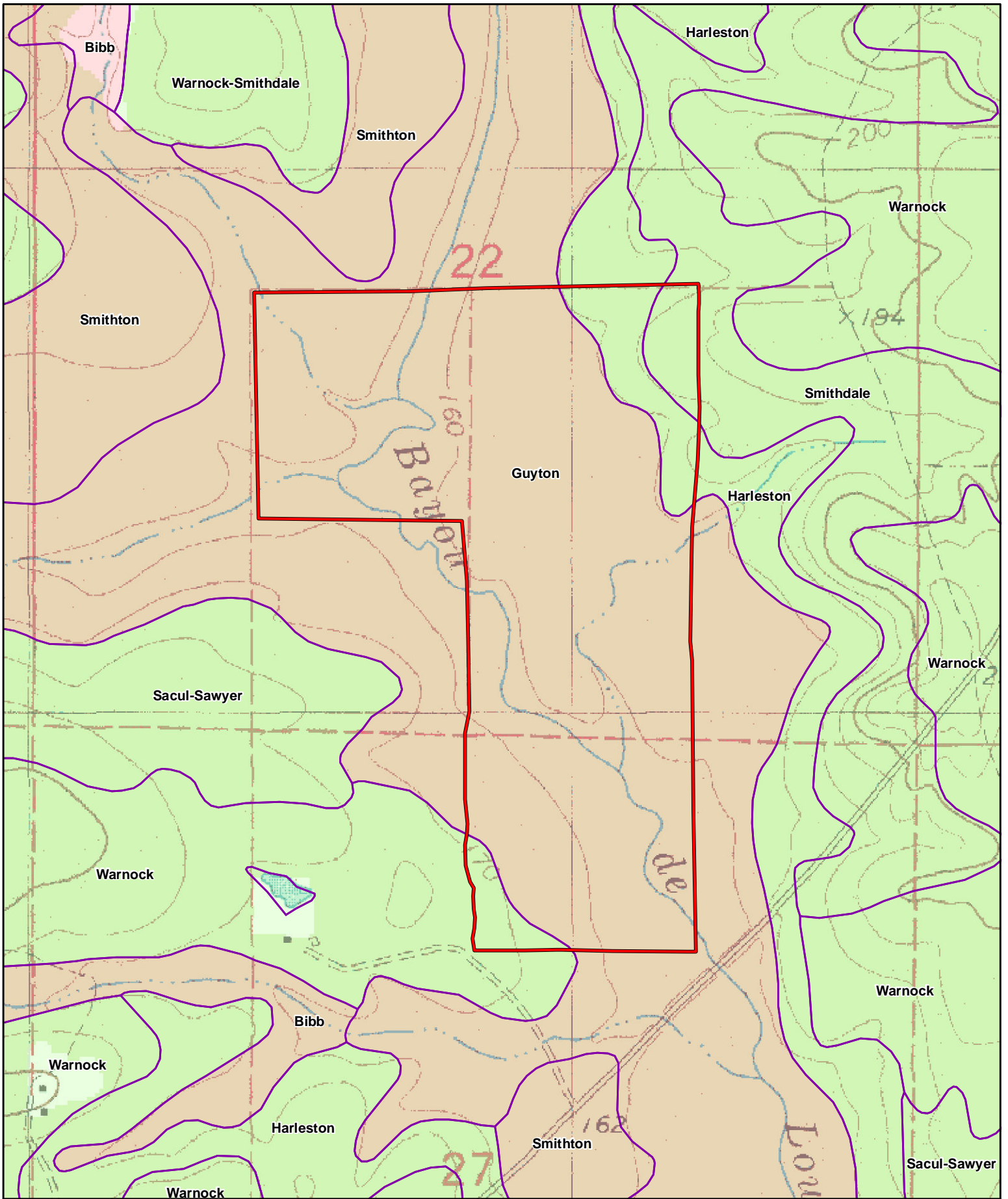





Figure 5  
Soil Map

	Mitigation Property
	Hydic
	Not Hydic



**Little Bayou de Loutre channel just upstream from where the channel enters the proposed bank site on the west side, 3/13/2013**



**Road crossing on Little Bayou de Loutre that will be replaced or removed, 3/13/2013**



**Little Bayou de Loutre channel immediately downstream from the road crossing in the previous photo, 3/13/2013**



**Unnamed intermittent stream on east side of property during a high-water event, 3/22/2012**



**Typical view of cleared wetlands on the site, 3/13/2013**



**Bottomland hardwood wetlands transitioning to pine forest on adjacent property west of the mitigation site, 3/13/2013**