



US ARMY Corps
Of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: MVK 2013-00451

Date: June 10, 2013

Comments Due: July 10, 2013

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. An electronic copy of the proposed Lower Saline River 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 Lower Saline River 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 and rehabilitate the historic bottomland hardwood ecosystem located adjacent to the Lower Saline River.

The proposed project is located approximately midway between Rison and Kingsland, northwest of U.S. Highway 79, and immediately adjacent to the Saline River, in section 28, T. 9 S., R. 11 W., Cleveland County, Arkansas. The site is approximately 240 acres in size and is bounded by the Saline River on most of the north side, and a mix of commercial pine and bottomland hardwoods on the other three sides. The mitigation site receives its hydrology from rainfall and overtopping of the Saline River. The property lies within the 100-year floodplain of the Saline River and is frequently flooded. The Saline River begins north of Benton where the North Fork, South Fork, Middle Fork and Alum Fork converge. The river flows out of the Ouachita Mountains south of Benton and flattens out as it enters the Coastal Plain in Grant County. The Saline River is approximately 200 miles in length and flows through the southern half of the state and into the Ouachita River at the Felsenthal National Wildlife Refuge near the Arkansas/Louisiana state line. It is one of the largest undammed rivers in the state.

The proposed mitigation site was cleared for commercial timber approximately three years ago and there have been no activities on the site since that time. Clearing included constructing road crossings across the slough channels, harvesting all the marketable timber except for timber in the lowest (inundated) areas, and leaving all the scrap timber on the ground.

The Lower Saline River is classified as an Ecologically Sensitive Waterbody, an Extraordinary Resource Water, and a Natural and Scenic Waterway. Several Federally threatened and endangered species of mussels are known to occur in the river, including the pink mucket (*Lampsilis abrupta*) and the winged mapleleaf (*Quadrula fragosa*). The pink mucket has been found in the stretch of river bordering this property. The rabbitsfoot (*Quadrula cylindrica*), is proposed to be listed as threatened. Other state mussel species of special concern and in need of conservation that are known to occur in this region, include the western fanshell (*Cyprogenia aberti*), the monkeyface (*Quadrula metanevra*), the pyramid pigtoe (*Pleurobema rubrum*), and the black sandshell (*Ligumia recta*).

Soils on the site are mapped into two soil units by the United States Department of Agriculture Natural Resources Conservation Service, Ochlockonee-Wehadkee association and the Wehadkee-Caddo association. The Ochlockonee-Wehadkee association occurs near the Saline River. It is approximately 65 percent Ochlockonee soils, 25 percent Wehadkee, and 10 percent Collins and Falaya soils. The soils of this association are poorly drained to well drained. They are subject to frequent flooding and the topography is undulating. The Wehadkee-Casso association also occurs near the Saline River. It is approximately 65 percent Wehadkee, 30 percent Caddo, and 5 percent Collins, Falaya, and Ochlockonee soils. These soils are frequently flooded and are poorly drained or somewhat poorly drained.

Native vegetation on the site consists of overcup oak (*Quercus lyrata*), cherrybark oak (*Quercus pagoda*), water oak (*Quercus nigra*), willow oak (*Quercus phellos*), sweetgum (*Liquidambar styraciflua*), sugarberry (*Celtis laevigata*), sycamore (*Platanus occidentalis*), green ash (*Fraxinus pennsylvanica*), cypress (*Taxodium distichum*), broomsedge (*Andropogon virginicus*), fleabane (*Erigeron philadelphicus*), witch grass (*Panicum capillare*), blackberry (*Rubus sp.*) and knotweed (*Polygonum sp.*).

The AHTD has preliminarily identified approximately 12,000 linear feet of streams, 46 acres of bottomland hardwood wetlands, and 36 acres of channel scar wetlands on the property. The AHTD proposes to restore and rehabilitate the bottomland hardwood ecosystem through reforestation, hydrology enhancement, and protection of wetlands and the associated uplands. Hydrology enhancement would be achieved primarily by removing all temporary road crossings and constructing small berms if needed. 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 Saline 8-digit hydrologic unit code (HUC) as classified by the U.S. Geological Survey (USGS). This HUC includes portions of Jefferson, Lincoln, Drew, Ashley, Bradley and Cleveland Counties. The Lower Saline watershed includes Hudgin Creek, Big Creek, Saline River and L'Aigle Creek. The AHTD proposes to utilize the bank as a primary service area for projects located in the Lower Saline HUC (08040204), and as a

secondary service area for projects that fall within the Lower Ouachita Smackover HUC (08040201), or 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 10, 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: **33.90183** Longitude: **-92.24894**

UTM Zone: **15** Northing: **3751525** Easting: **569439**

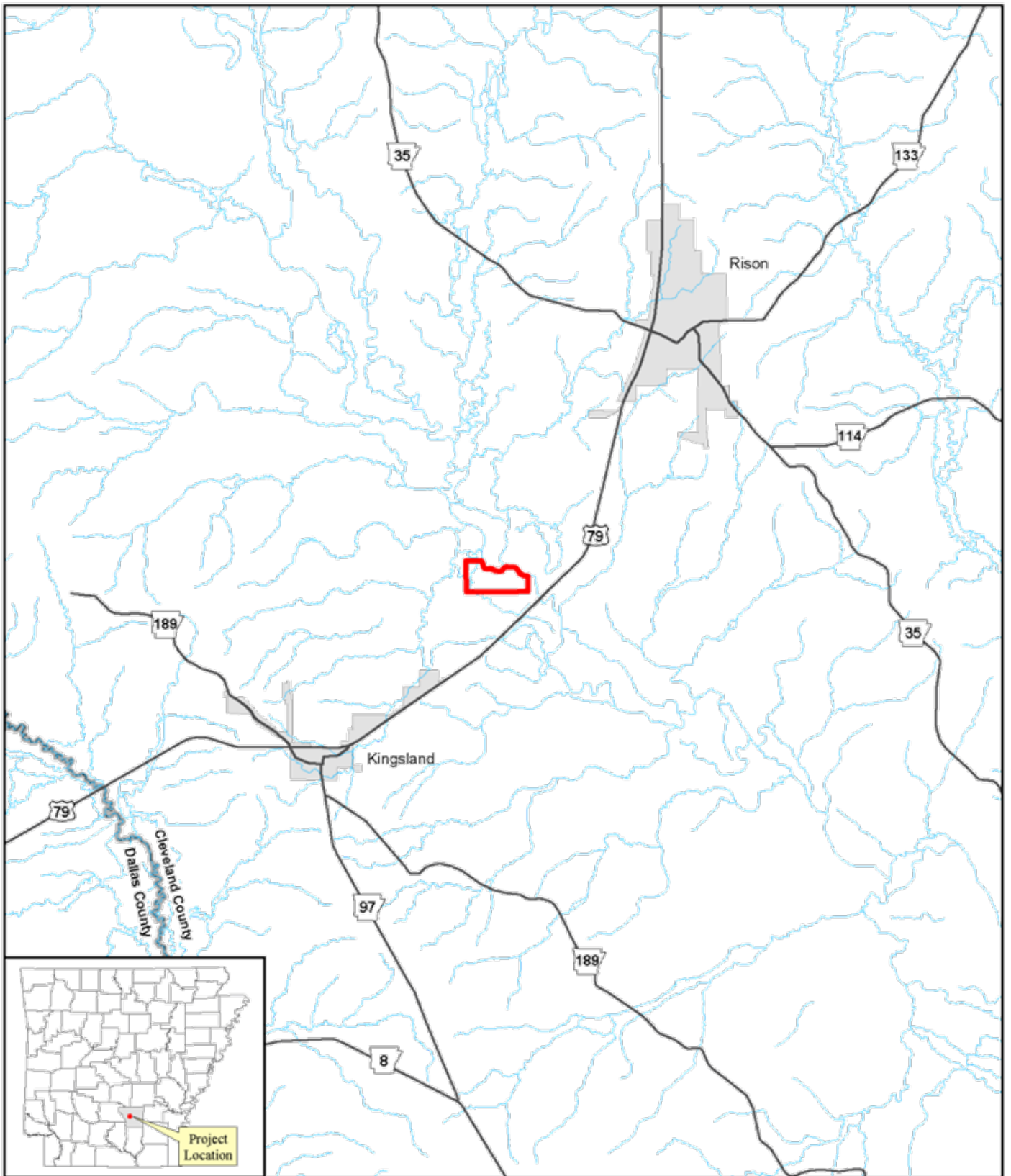
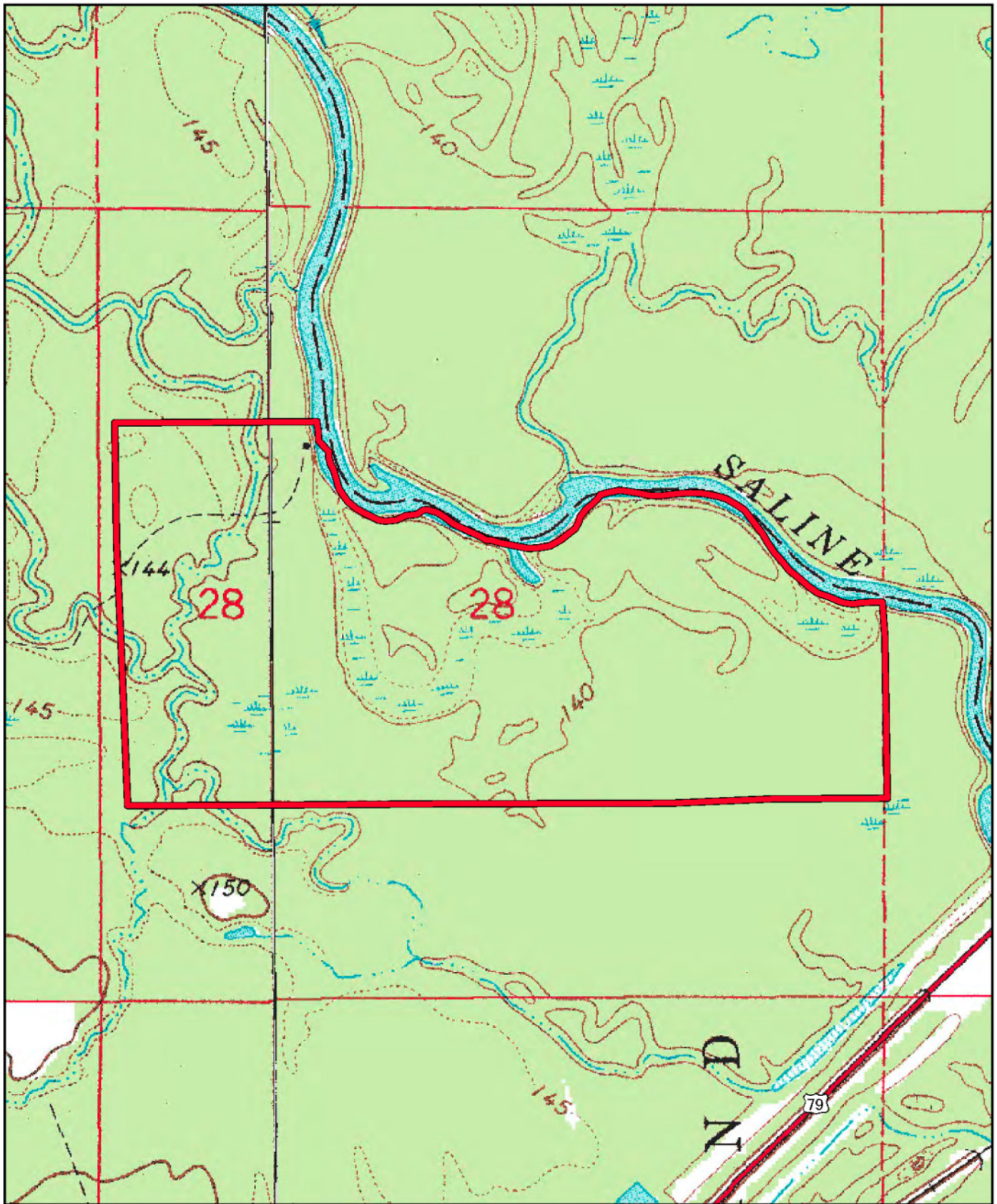


Figure 1
Proposed Lower Saline River
Mitigation Area



ARTD - Environmental GIS - Reed
February 16, 2012



0 250 500 Feet
 AHTD - Environmental GIS - Reed
 February 16, 2012

Figure 2
 Topographic Map

 Mitigation Area

Fordyce NE 1985 and Rison 1982
 USGS Topographic Maps

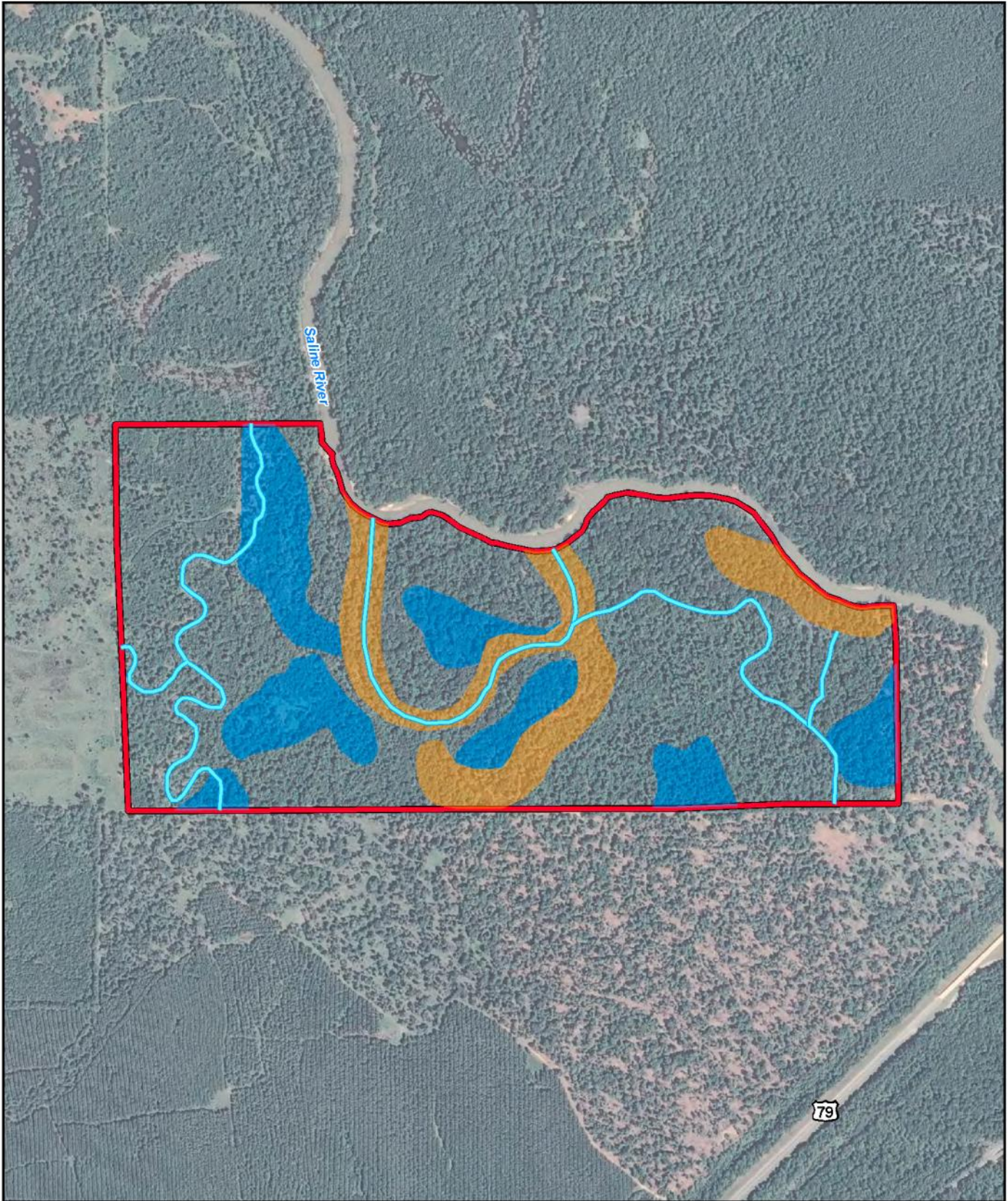





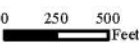


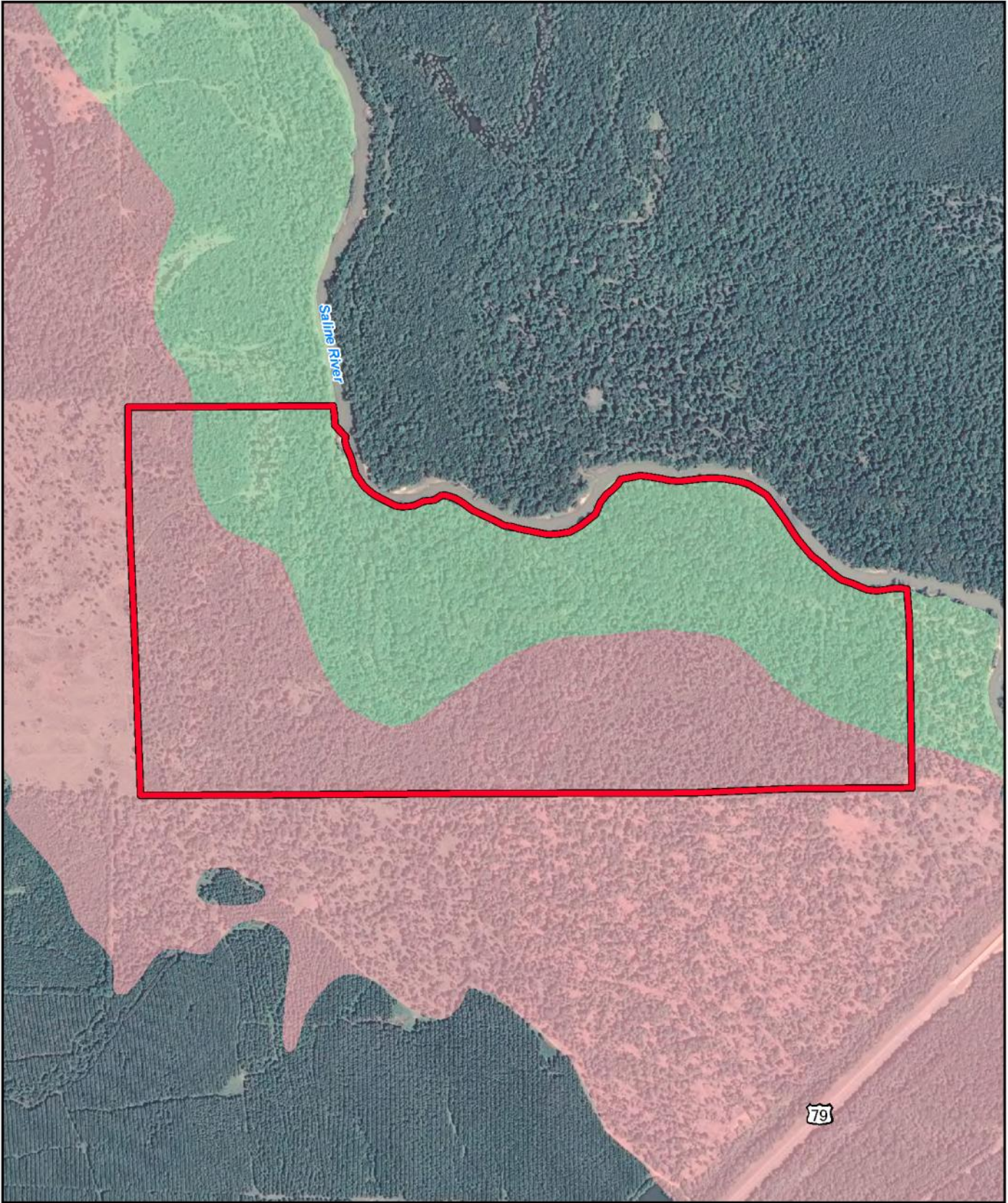
Figure 3
Stream and Wetland Location Map

-  Stream (12,385.4 feet)
-  Wetland (46.1 acres)
-  Channel Scar Wetland (35.7 acres)
-  Mitigation Area (241.3 acres)

Photography Date: Summer 2010

 AHTD - Environmental GIS - Reed
 March 28, 2012







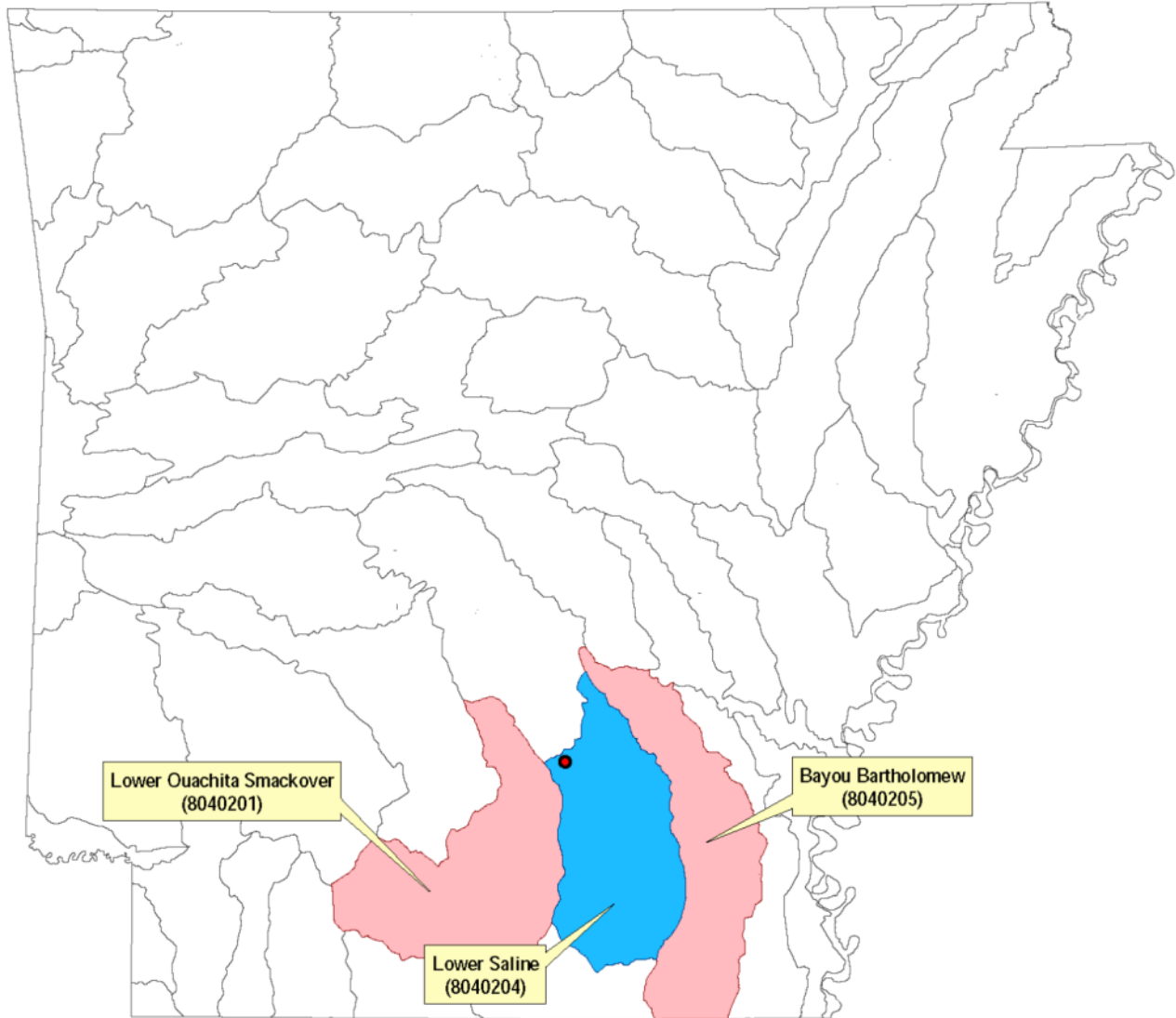

 0 400 800
 Feet
 AHTD - Environmental GIS - Reed
 February 21, 2012

Figure 4
Soil Map

	Mitigation Area
	Wehadkee-Caddo
	Ochlockonee-Wehadkee

Photography Date: Summer 2010



Lower Ouachita Smackover
(8040201)

Bayou Bartholomew
(8040205)

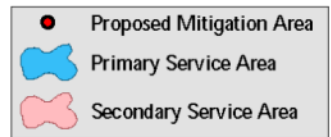
Lower Saline
(8040204)



0 10 20
Miles

AHTD - Environmental GIS - Reed
February 21, 2012

Figure 5
Proposed Service Area Watersheds





Saline River

79



0 250 500 Feet

AHTD - Environmental GIS - Reed
February 21, 2012

Figure 6
Site Location Map



Photography Date: March 2006



0 250 500
Feet

AHTD - Environmental GIS - Reed
February 21, 2012

Figure 7
Historic Aerial



Mitigation Area

Photography Date: March 25, 2001



Temporary road crossing left in place by Timber Company, 29 February 2012.



Typical view of wetlands after timber was harvested, 29 February 2012.



Timbered channel on west side of the site. Water was flowing from the Saline River through the channel on this date, 3-26/13.



One of the few remaining forested areas on the site, 3/26/13.