



US Army Corps
of Engineers®
Little Rock District

PUBLIC NOTICE

CORPS OF ENGINEERS

Application Number: MVK 2012-01056

Date: 18 October 2012

Comments Due: 19 November 2012

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 Bayou Meto Mitigation Bank prospectus can be viewed on the Little Rock District's homepage at <http://www.swl.usace.army.mil/regulatory/notices.html> or a hard copy 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 Bayou Meto 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 made up 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, enhance and protect streams and wetlands, and the associated uplands.

The proposed project is located just upstream of the confluence of Little Creek and Bridge Creek in section 31, T. 4 N., R. 11 W., approximately 5 miles north of Jacksonville in Pulaski County, Arkansas. The site is approximately 60 acres in size and is bounded by pastureland on the east and west sides, Batesville Pike on the south side and a partially wooded corridor on the north side. Little Creek is a perennial stream with a watershed of approximately 4,000 acres. Bridge Creek is also a perennial stream with a watershed of approximately 8,000 acres at this location. The stream substrates are a mix of clay, silt loam and rock. The reaches of each stream would generally be characterized as pool/run complexes. From the confluence of Bridge Creek and Little Creek, Bridge Creek flows for approximately one more mile and then into Bayou Meto. Bayou Meto flows into the Arkansas River near the town of Gillett. The mitigation site receives its hydrology from rainfall and overtopping of Little Creek and Bridge Creek when Bayou Meto is full.

The site is currently used for hay production, and to graze cattle and horses. The natural landform has only been slightly altered with little or no land leveling. The streams show some evidence of incision and bank instability, but

very little channelization has occurred. The property has been designated as a Special Flood Hazard Area (Zone A, areas of 100-year flood) by the Federal Emergency Management Agency.

Soils on the site are listed as Guthrie-Leadvale and Rexor. Guthrie-Leadvale Complex is described as a complex of Guthrie and Leadvale soils in valleys, depressions, on the top of low mountains, and on the coastal plain. Guthrie soils are found on the level areas between mounds and the Leadvale soils are on low, rounded mounds. Small areas of Amy soils are included in the mapping unit. Guthrie soils are poorly drained and Leadvale soils are moderately well drained.

Available water capacity is medium for Guthrie and Leadvale. Rexor soils are frequently flooded and well drained, and are usually found on floodplains of local drainage ways. The flooding hazard is severe, with floods likely to occur several times per year. The available water capacity is high for Rexor soils.

Current vegetation on the site is primarily herbaceous except for a narrow strip of woody vegetation along each stream. The vegetation is dominated by perennial ryegrass (*Lolium perrene*), Bermuda grass (*Cynodon dactylon*) and fescue (*Festuca arundinacea*).

The AHTD proposes to restore approximately 5 acres of wetlands and approximately 30 acres of riparian buffers by removing all agriculture operations, and reforesting the area with an appropriate mix of bottomland hardwoods. Some minor excavation and berm construction might be performed in order to enhance wetland hydrology. Approximately 6,765 linear feet of stream will be preserved and enhanced by the removal of an at-grade crossing on Little Creek, as well as the removal of cattle, horses and the associated agriculture practices from the property. Non-native vegetation will be removed where appropriate. 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 Bayou Meto 8-digit hydrologic unit code (HUC) as classified by the U.S. Geological Survey (USGS). The AHTD proposes that this bank site serve as mitigation for wetland and stream impacts occurring in the following HUC's: Bayou Meto, Lower Arkansas, Lower Arkansas Maumelle, Cadron and Lake Conway Point Remove. These HUC's lie within the Arkansas River and Lower Mississippi Alluvial Plain eco-regions.

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 10 of 10.

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 **19 November 2012**. 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. 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, flood plain 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.

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.

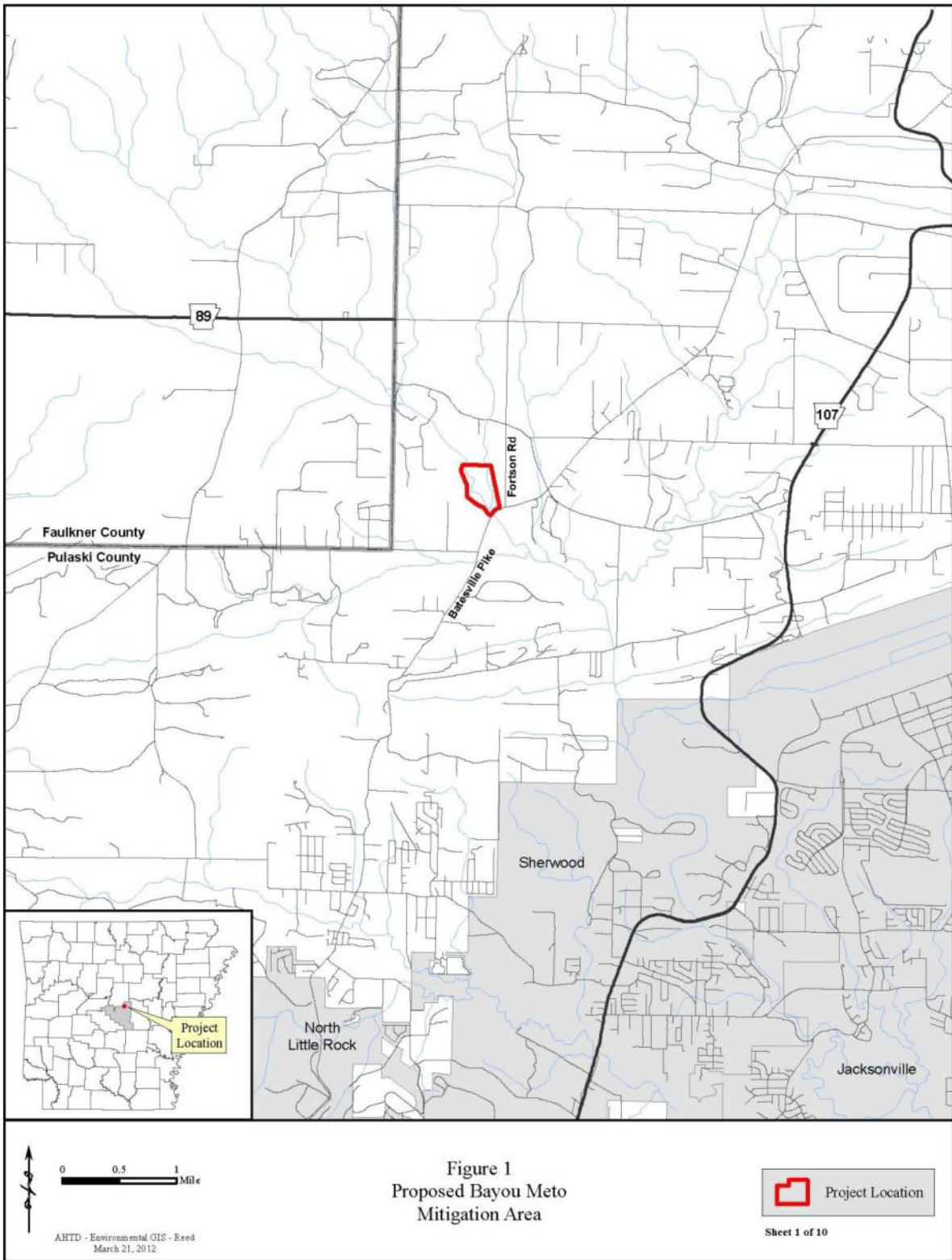
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

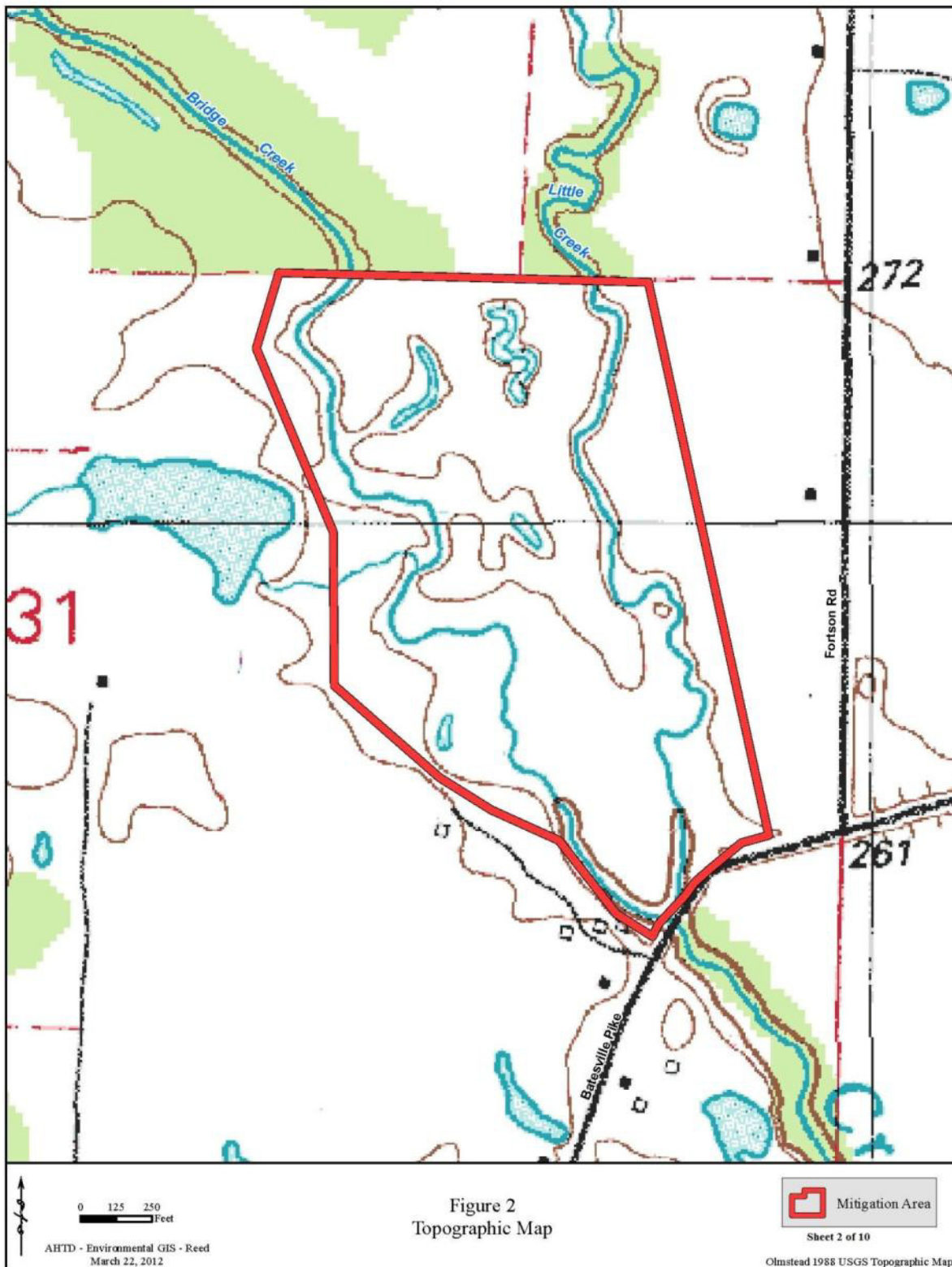
Enclosures

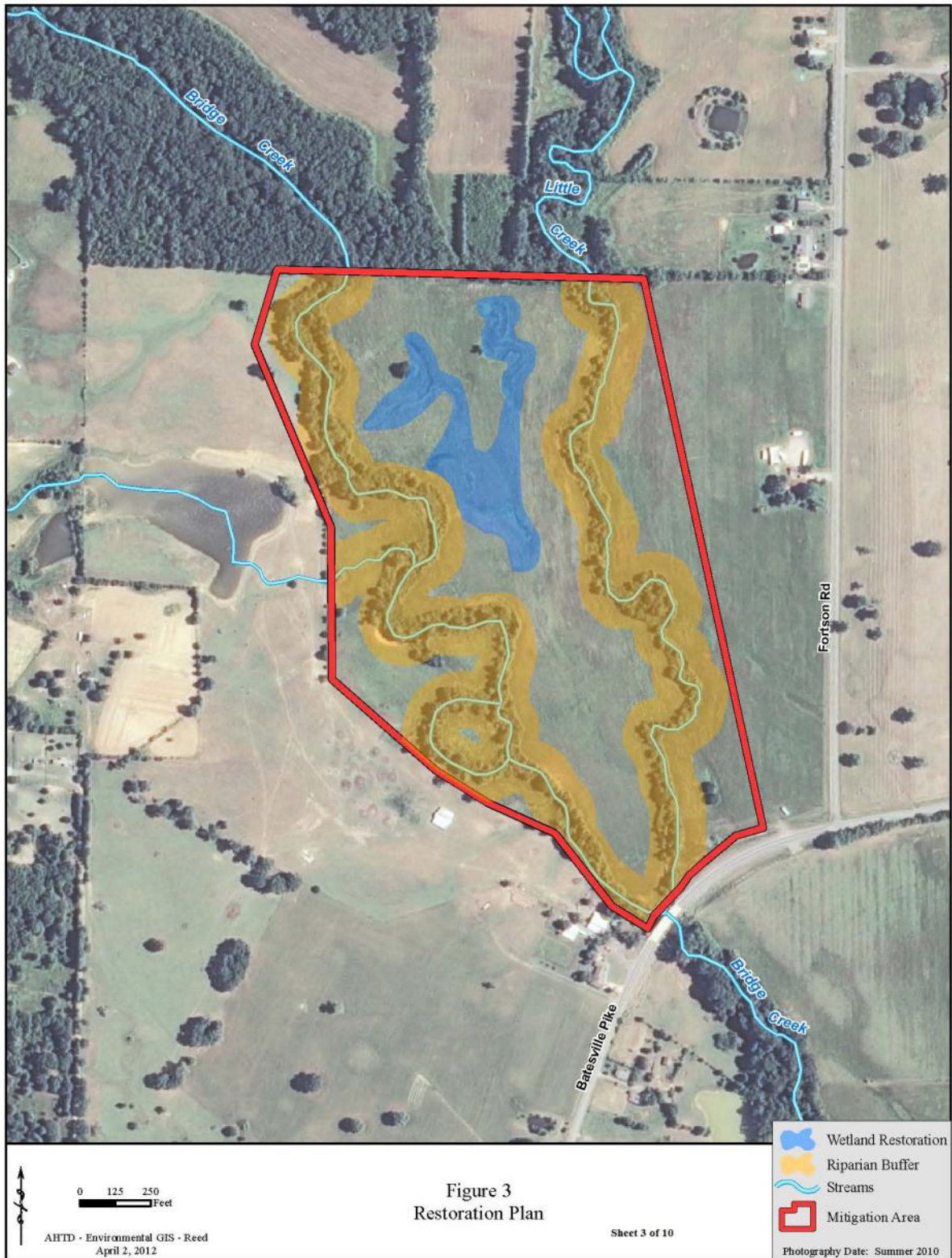
Approximate Coordinates of Project Center

Latitude: **34.93447** Longitude: **-92.21535**

UTM Zone: **15** Northing: **3866058** Easting: **571658**







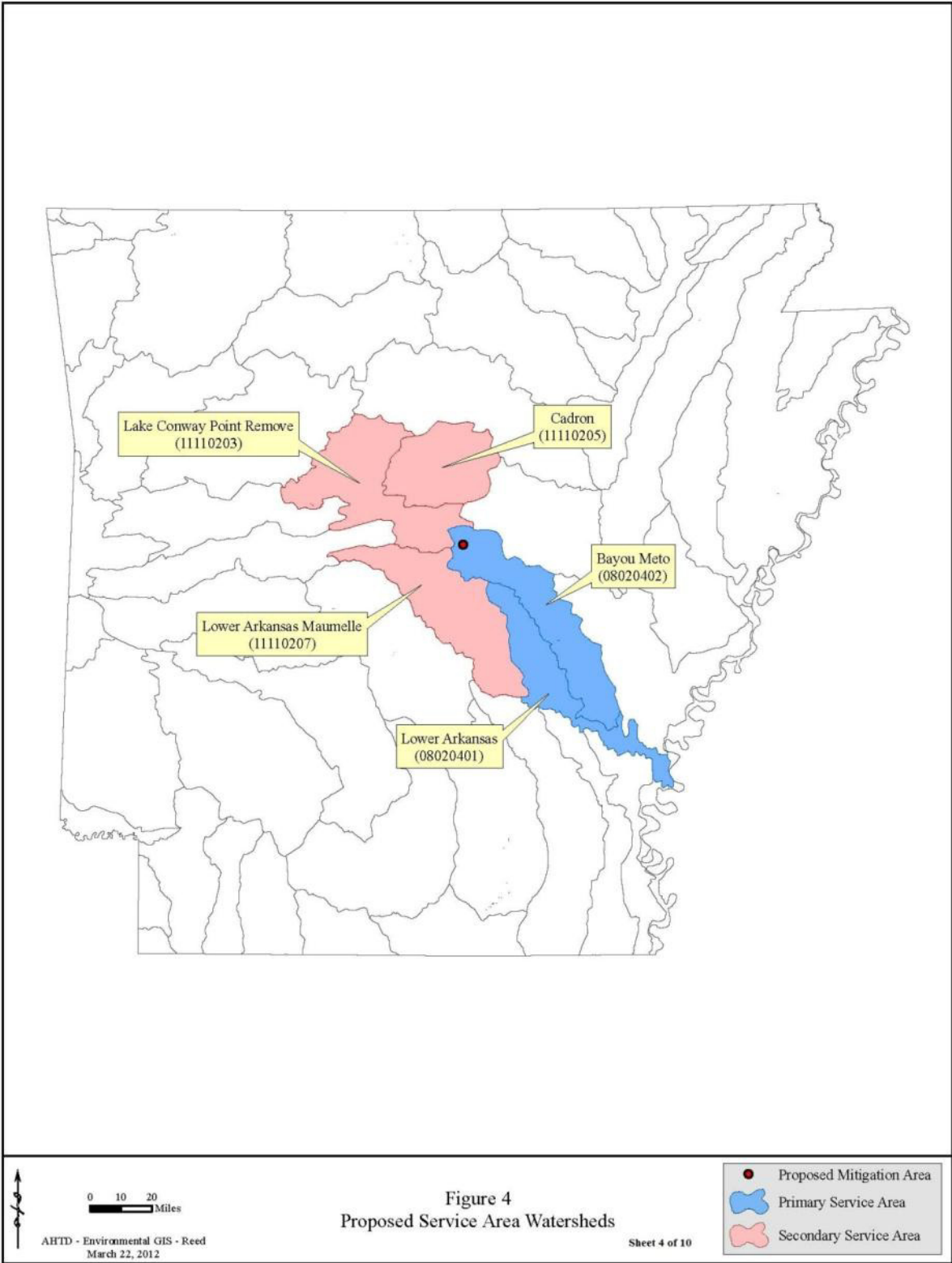
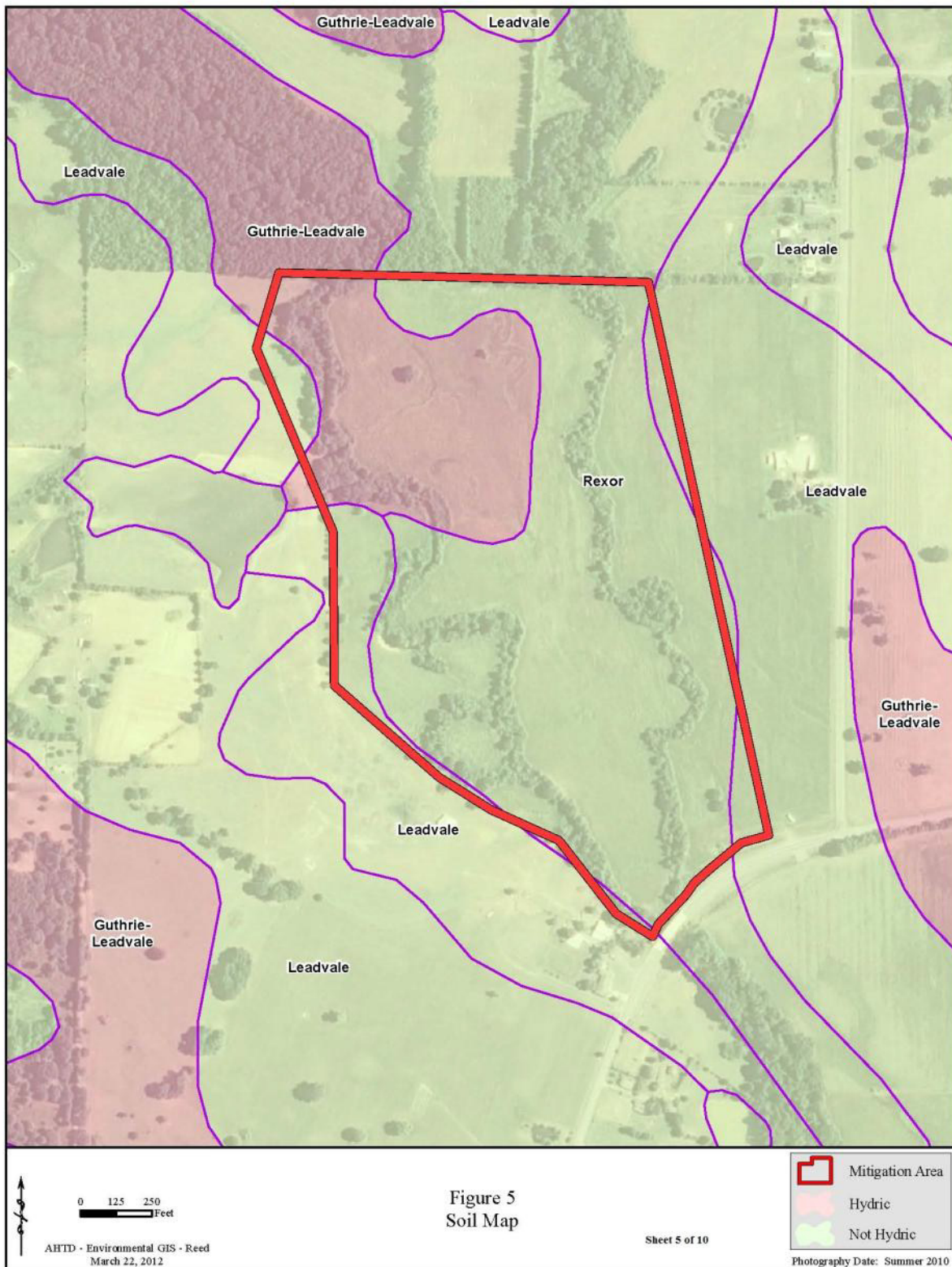


Figure 4
Proposed Service Area Watersheds



Eroding bank on Little Creek (April 2012)



Eroding bank on Little Creek (September 2012)



Typical view of lower segment of Bridge Creek on the site (April 2012)



Eroding bank on upper segment of Bridge Creek (September 2012)



Wetland pasture adjacent to the creek (April 2012)

