



US Army Corps
of Engineers®
Little Rock District

PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: SWL-2000-16769-2

Date: October 8, 2019

Comments Due: November 7, 2019

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 regulator, Lisa Boyle, telephone number: (501) 340-1385, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: Lisa.A.Boyle@usace.army.mil. An electronic copy of the EGIS NWA Mitigation Bank prospectus can be viewed on the Little Rock District, Regulatory Division webpage at <http://www.swl.usace.army.mil/Missions/Regulatory/PublicNotices.aspx> 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

**EGIS, Inc.
314 South Main
Bentonville, Arkansas 72712**

has submitted their EGIS NWA Mitigation Bank prospectus. The prospectus outlines the proposal for developing and operating the bank, which is known as the banking instrument. After public comments are received and any issues are resolved on the prospectus, EGIS, Inc. will submit a draft banking instrument to the District Engineer of the Little Rock District. The District Engineer will then 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 EGIS, Inc. 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 primary purpose of this bank is to mitigate for unavoidable impacts to streams and wetlands authorized under Section 404 of the Clean Water Act. The project goals are to establish, restore, enhance, and protect streams and wetlands functions and values within the mitigation bank area.

The proposed bank is 100 acres in size and borders the Illinois River at US Highway 412, east of Siloam Springs, Benton County, Arkansas. There are a total of 24,050 linear feet of stream on the property, on which a mixture of preservation, enhancement, and reclamation activities are proposed. Riparian buffers will vary in width from 25 feet to 100 feet. Approximately 30 acres of wetland creation are proposed for this bank.

The proposed bank is immediately adjacent to an existing 35-acre tract of permittee-responsible mitigation, also managed by EGIS, Inc. The existing mitigation areas were largely developed in the early 2000s.

The 2002 Charleston Method with the Little Rock Addendum and the 2011 Little Rock Stream Method would be used as the functional assessment and credit generation mechanism for this bank.

The location and general plan for the proposed work are shown on the enclosed sheets.

Cultural Resources. A Corps staff archeologist will review topographic maps, the National Register of Historic Places, and other data on reported sites in the area. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area.

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 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.

Floodplain. We are providing copies of this notice to appropriate floodplain officials in accordance with 44 Code of Federal Regulations (CFR) Part 60 (Floodplain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Floodplain Management.

Regulatory Authority. Implementation of the proposed mitigation bank would require Department of the Army Authorization under Section 404 of the Clean Water Act. Based on preliminary evaluation by the USACE, it appears the proposed bank may be authorized by Nationwide Permit 27 for Aquatic Habitat Restoration, Establishment, and Enhancement Activities.

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 **November 7, 2019**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in the public interest. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity 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; among those are 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 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. 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.

Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. 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 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

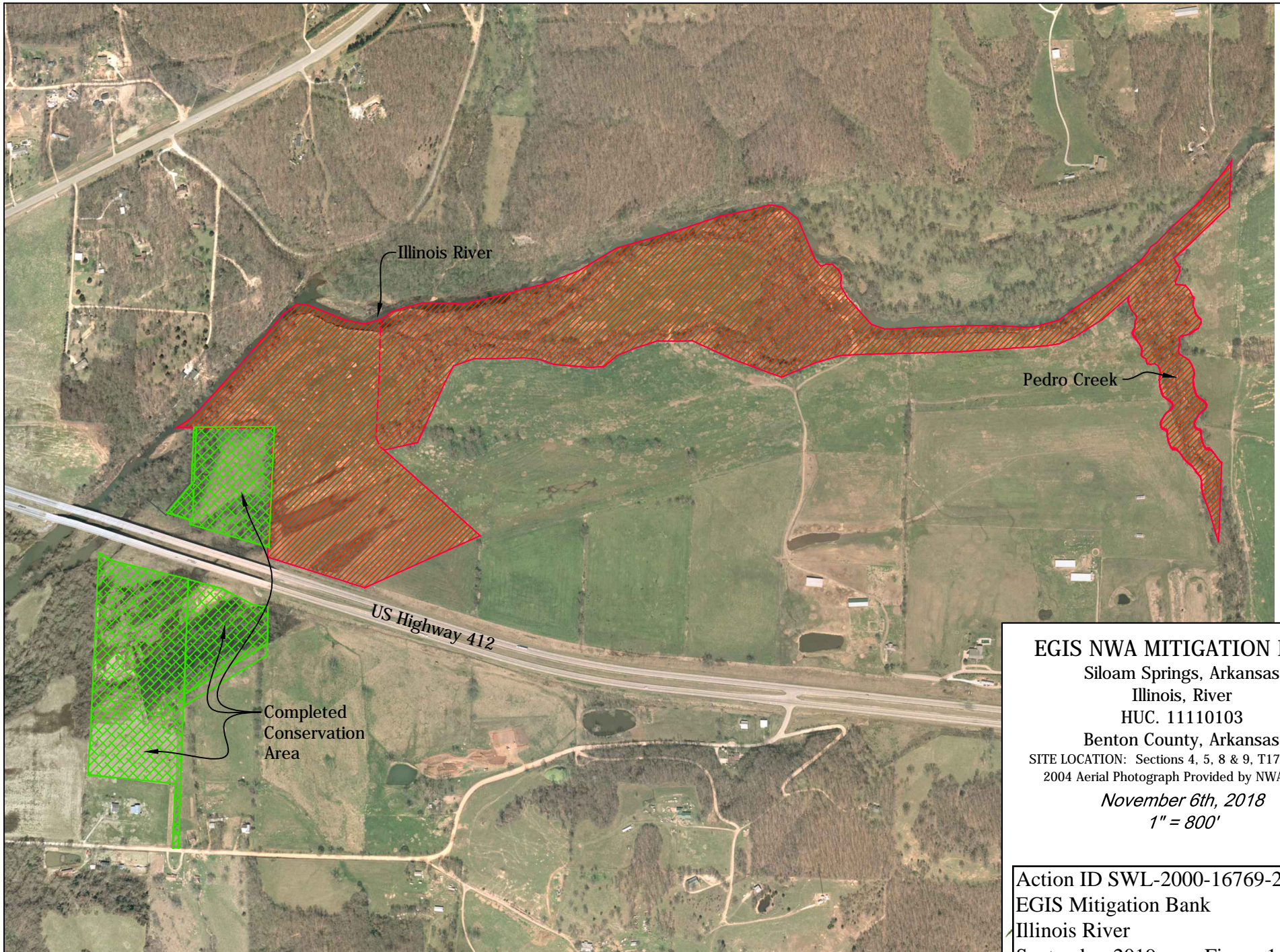
Approximate Coordinates of Project Center

Latitude: **36.174109**

Longitude: **-91.414025**

UTM Zone: **15N** North: **4004190**

East: **372822**



EGIS NWA MITIGATION BANK

Siloam Springs, Arkansas

Illinois, River

HUC. 11110103

Benton County, Arkansas

SITE LOCATION: Sections 4, 5, 8 & 9, T17N, R32W

2004 Aerial Photograph Provided by NWA Topo

November 6th, 2018

1" = 800'

Action ID SWL-2000-16769-2

EGIS Mitigation Bank

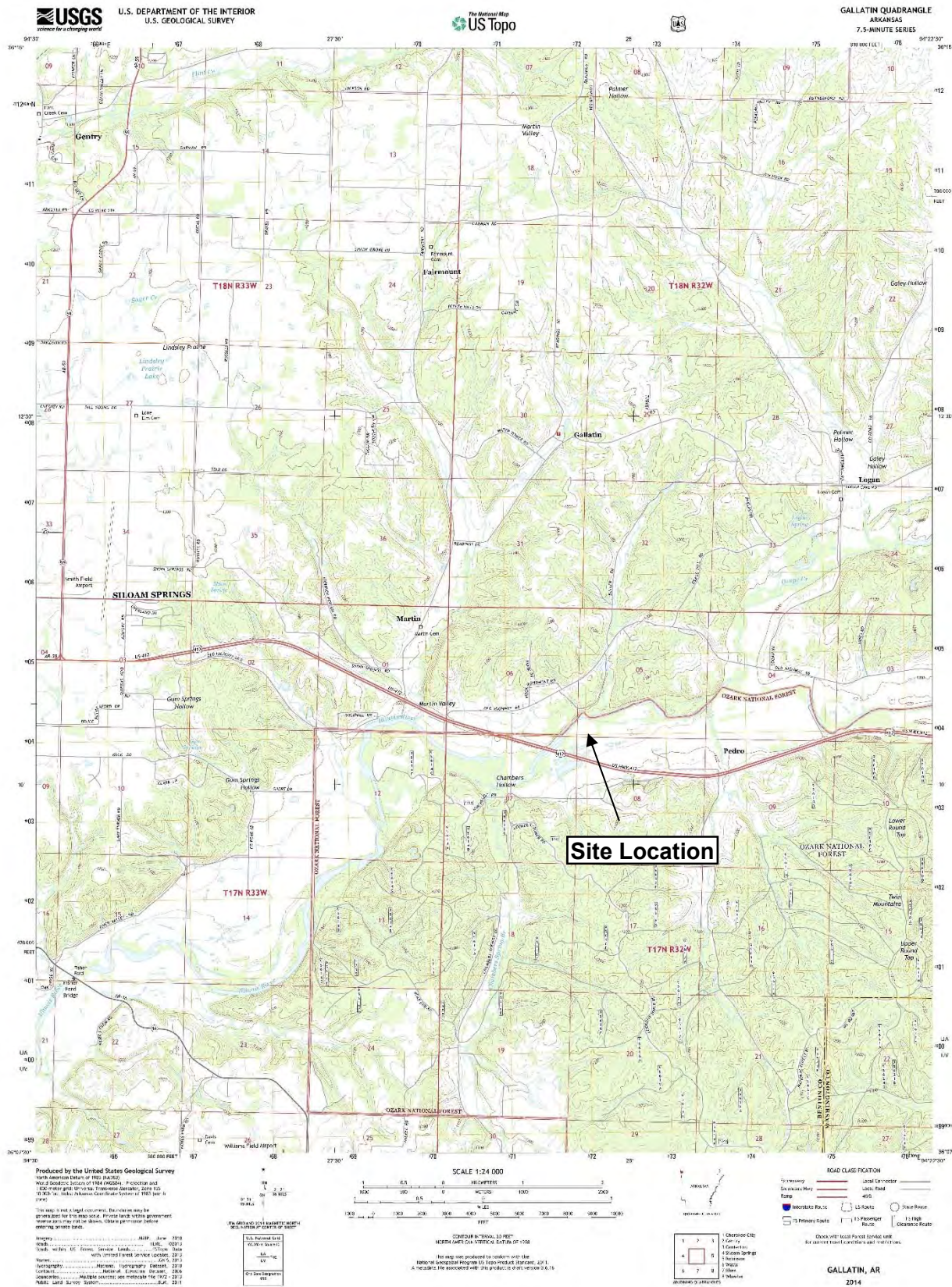
Illinois River

September 2019

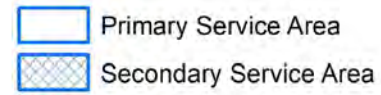
Figure 1 of 3

environmental

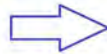
lting



Action ID SWL-2000-16769-2
 EGIS Mitigation Bank
 Illinois River
 September 2019 Figure 2 of 3



Lake O' The Cherokees
11070206



Robert S. Kerr Reservoir
11110104

