



US Army Corps  
of Engineers®  
Little Rock District

# JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2001-17046-4

Date: April 25, 2016

Comments Due: May 20, 2016

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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, Rodney Kelley, telephone number: (501) 340-1380, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: [Rodney.Kelley@usace.army.mil](mailto:Rodney.Kelley@usace.army.mil)

Project Information. Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Mr. Chad Cox  
Echo Matrix, LLC  
PO Box 1860  
Bentonville, Arkansas 72712**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with the construction of a public use terminal building, taxiway, and parking lot for the Bentonville Municipal Airport. The building would include a restaurant, with an adjacent dock. The proposed project is located in an unnamed ephemeral stream, which flows into Lake Bentonville, and in two associated wetlands in a portion of section 6, T. 19 N., R. 30 W., Bentonville, Benton County, Arkansas.

The basic purpose of the project is to provide a public use terminal for airport operations. The overall purpose of the project is to provide a 40,000-square-foot parking area and a 60,000-square-foot area that includes the facility and taxiway for Bentonville Municipal Airport. The project is not water dependent.

The proposed project area is approximately 2.23 acres, which would be cleared and leveled. Impacts to waters of the U.S. include fill in approximately 253 linear feet of ephemeral stream and in two associated wetlands totaling approximately 0.64 acres.

The project area is at the northern end of Bentonville Municipal Airport, south of Lake Bentonville. The site consists of a maintained herbaceous field community including some upland fringe forest and a maintained herbaceous wetland community with sparse tree cover.

The applicant has provided an alternatives analysis, which includes the no-build alternative, and is stated as follows: Undeveloped property in the area is restricted from building construction due to Federal Aviation Administration regulations regarding the proximity of buildings to airport runways. Other available property farther away is considered inappropriate for the

project. As it is directly associated with the airport, the proposed project needs to be in close proximity to the airport. The location of the wetlands, which are generally in the central portion of the available parcel, made minimization of impacts by reconfiguration of the building and parking lot placement unfeasible.

The applicant proposes to compensate for unavoidable impacts to the wetlands by the purchase of credits from an approved mitigation bank.

The location and general plan for the proposed work are shown on the enclosed Sheets 1 through 4 of 4.

Water Quality Certification. By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality (ADEQ) in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the comment period and a public hearing, if held, a determination relative to water quality certification will be made. Evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit.

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 CFR Part 60 (Floodplain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Floodplain Management.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit, which involves the discharge of dredged, or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

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 **May 20, 2016**. 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

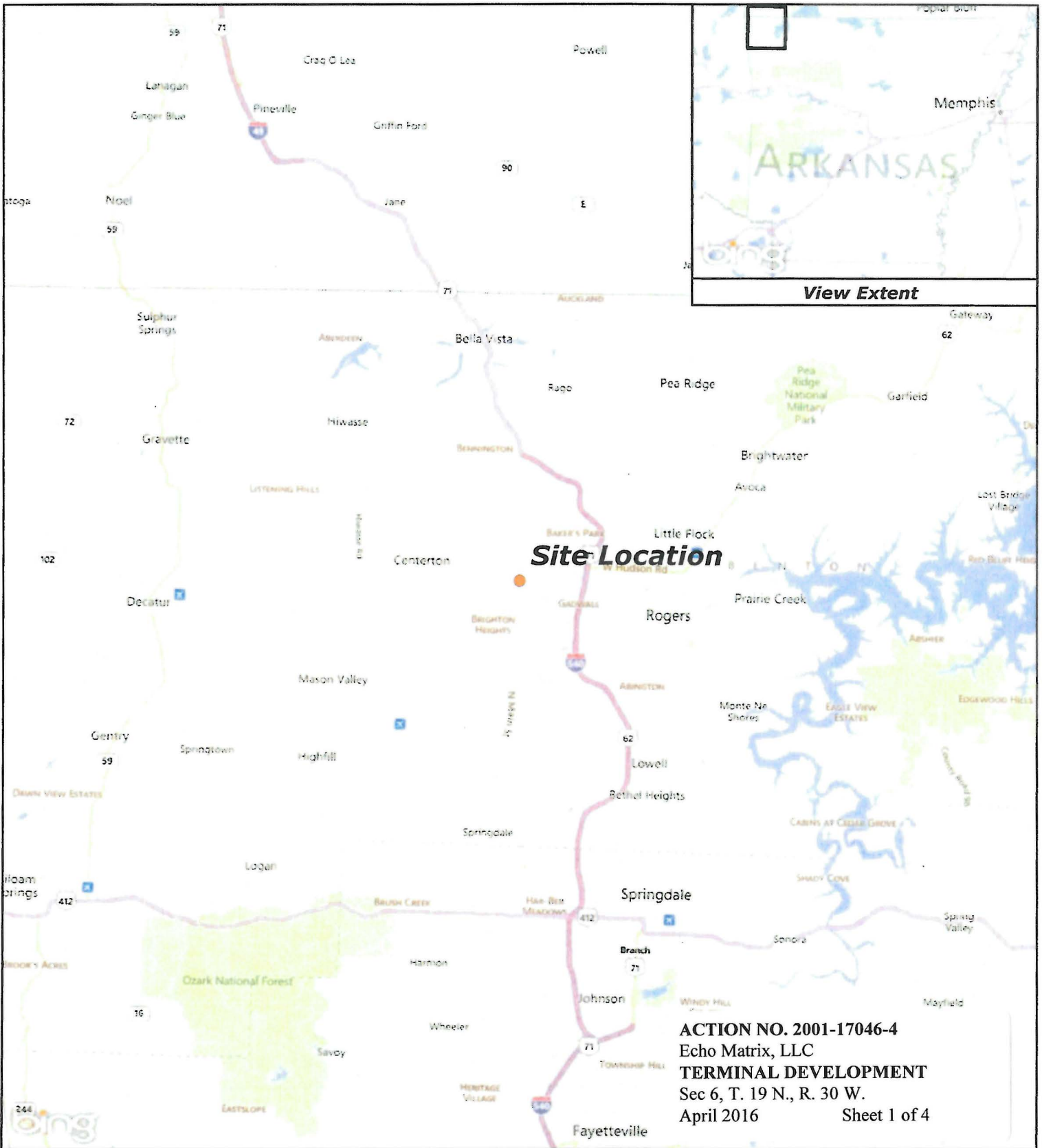
Latitude: **36.351**

Longitude: **-94.221**

UTM Zone: **15**

North: **4023572.6**

East: **390441.4**



**Bentonville Municipal Airport  
Proposed Development Project**

5

5 Miles

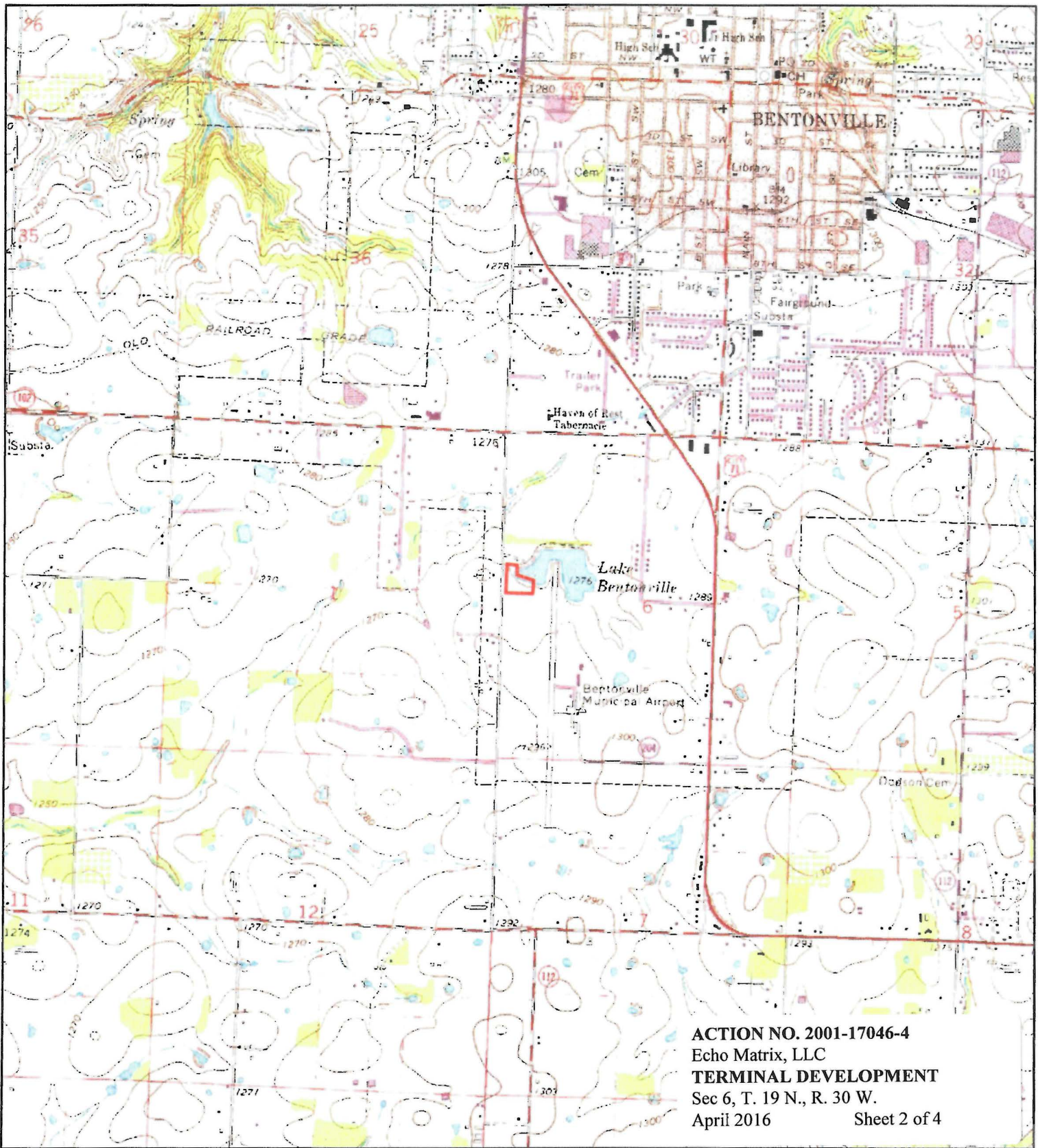
R:\projects\05300-0972-001\gis\doc\map\figure\_1.mxd

● Site Location



Background: BING (c) 2015 Microsoft Corporation and its data suppliers

Figure 1. Vicinity Map



**Bentonville Municipal Airport  
 Proposed Development Project**

2,000

Feet

R:\projects\05300-0972-001\gis\doc\map\figure\_2.mxd

 Project Area



Background: USGS 1:24,000 DRG

Figure 2. Map showing overview of project area based on the USGS topographic quadrangle Bentonville, AR (7.5-minute series).







**Bentonville Municipal Airport  
Proposed Development Project**

100 Feet

R:\projects\05300-0972-001\gis\doc\map\Site Construction\figure\_4.mxd

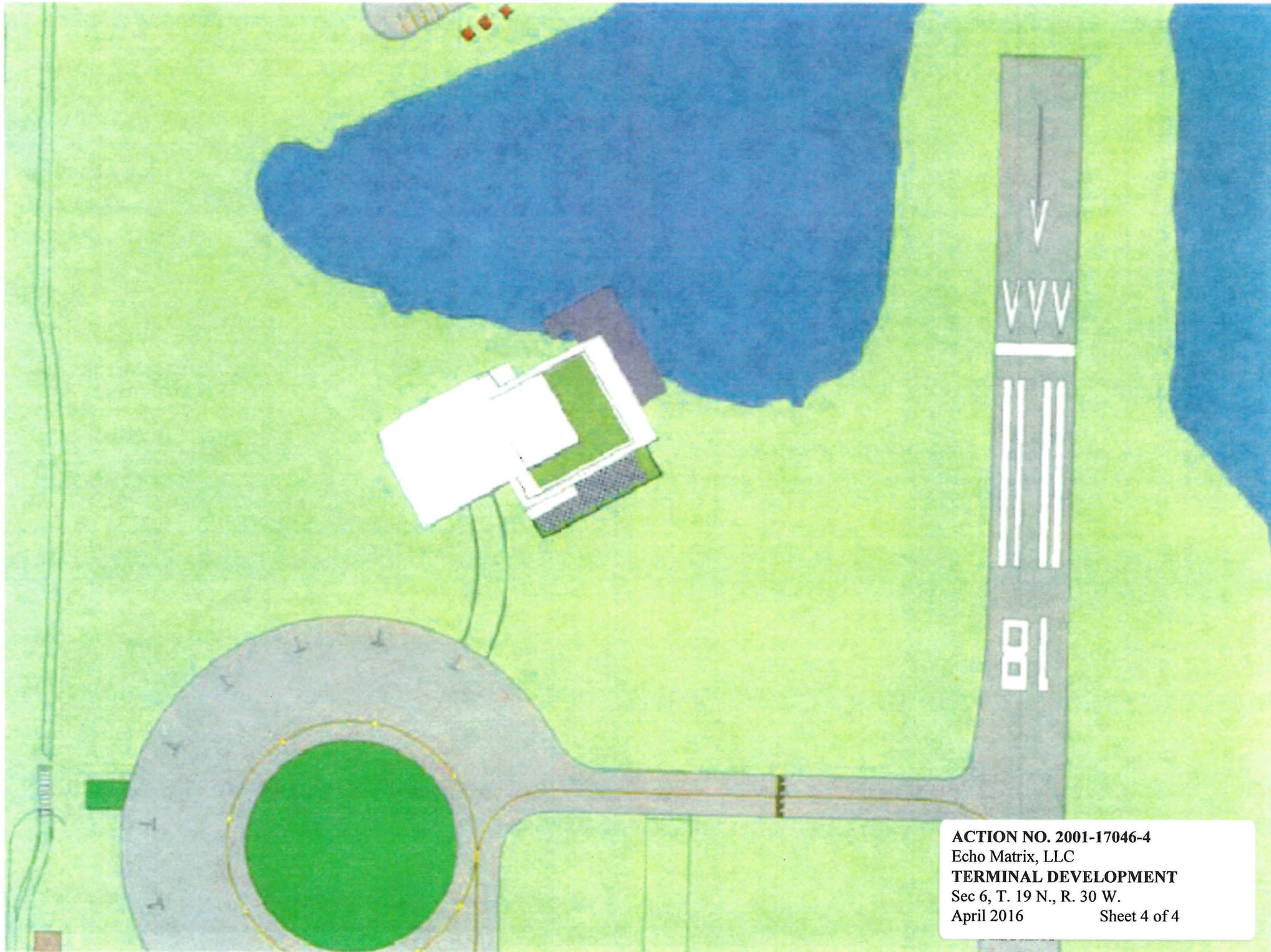
-  Ephemeral Channel with OHWM
-  Project Wetlands
-  Project Area

- Terminal Building**
-  Proposed Building
  -  Proposed Dock area in lake
  -  Proposed Parking
  -  Proposed Taxiway



Background: Microsoft (c) 2015

Figure 4. Map showing overview of project area details based on 2010 Microsoft(c) BING Imagery.



**ACTION NO. 2001-17046-4**  
Echo Matrix, LLC  
**TERMINAL DEVELOPMENT**  
Sec 6, T. 19 N., R. 30 W.  
April 2016      Sheet 4 of 4