



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: SWL 2015-00269

Date: September 29, 2015

Comments Due: October 26, 2015

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, 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, email address: Johnny.L.McLean@usace.army.mil

Project Information. Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) and Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Arkansas Highway and Transportation Department (AHTD)
PO Box 2261
Little Rock, Arkansas 72203-2261**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with rehabilitating 8.9 miles of U.S. Highway 64 and replacing the bridges over Glaise Creek, Cut-off Creek and two relief channels. The proposed project is located on U.S. Highway 64 between the Cities of Bald Knob and Augusta, in sections 17, 20, 21, 22, T. 8 N., R. 5 W., and in sections 27, 28, 29 and 30, T. 8 N., R. 4 W., White County, Arkansas.

The basic purpose of the project is to rehabilitate 8.9 miles of U.S. Highway 64 and replace four structurally deficient bridges. The overall purpose of the project is to upgrade the roadway and make it safer for motor vehicle traffic in the White County area. The project is not water dependent.

The proposed project would construct four replacement bridges on existing alignment, construct four temporary detour bridges, widen the roadway embankment shoulders from two feet to eight feet, and extend one box culvert. The construction would discharge approximately 37,945 cubic yards of earthen material into wetlands adjacent to the highway. Approximately 11.2 acres of wetlands would be permanently filled and approximately 3.3 acres of wetlands would be temporarily cleared or filled. Impacts to Glaise Creek, Cut-off Creek, and the two relief channels would be temporary and less than 300 linear feet at each crossing.

The proposed project is located in the Mississippi Alluvial Plains Ecoregion. Land use within the project area is dominated by row crop agricultural land. Forested tracts are limited to areas within the floodplain that are too low to be farmed. Glaise Creek is a perennial stream that flows into the White River approximately 10 miles south of U.S. Highway 64. Cut-off Creek is a perennial stream that flows into Glaise Creek near U.S. Highway 64. The two relief channels

flow intermittently from Cut-off Creek and into Big Clear Lake, and eventually into Glaise Creek. The majority (13.9 acres) of impacted wetlands are fully functional bottomland hardwoods. These wetlands are dominated by Southern bald cypress (*Taxodium distichum*), water tupelo (*Nyssa aquatica*) and willow oak (*Quercus phellos*). The remaining (0.6 acres) impacted wetlands are slightly impaired scrub-shrub wetlands dominated by swamp smartweed (*Persicaria hydropiperoides*), black willow (*Salix nigra*) and common buttonbush (*Cephalanthus occidentalis*).

The Federal Highway Administration approved this project as a categorical exclusion (CE) on February 3, 2015. There are no relocatees, environmental justice issues, cultural resources, or prime farmlands associated with the project. The project lies within the current known range of the Federally endangered Northern Long-eared Bat (*Myotis septentrionalis*). The AHTD will prohibit clearing activities during the active period of the bat in Arkansas from April 1 to October 15, or a professional biologist will perform a habitat assessment to ensure that no Northern Long-eared Bats are present prior to any clearing activities. The project lies within Zone A-Special Flood Hazard Area, as designated by the National Flood Insurance Program, and shown on Panels 325 and 350 of the White County Flood Insurance Rate Map. The AHTD has determined that the project will not support incompatible use and development of the flood plain and adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project. The least environmentally damaging most practicable alignment for the project was selected. Wetlands line both sides of the highway at this location; therefore, complete avoidance was not possible. Moving the project off existing alignment would impact more than 14.5 acres of wetlands. The AHTD proposes to mitigate for the unavoidable impacts to 14.5 acres of wetlands with 160 credits (46 acres) at their Glaise Creek Mitigation Bank which is located approximately 0.5 mile northeast of the project site.

The location and general plan for the proposed work are shown on the enclosed sheets 1 through 11 of 13.

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. The project lies within the current known range of the Federally endangered Northern Long-eared Bat. 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 other 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. 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 **October 26, 2015**. 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, 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. 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.

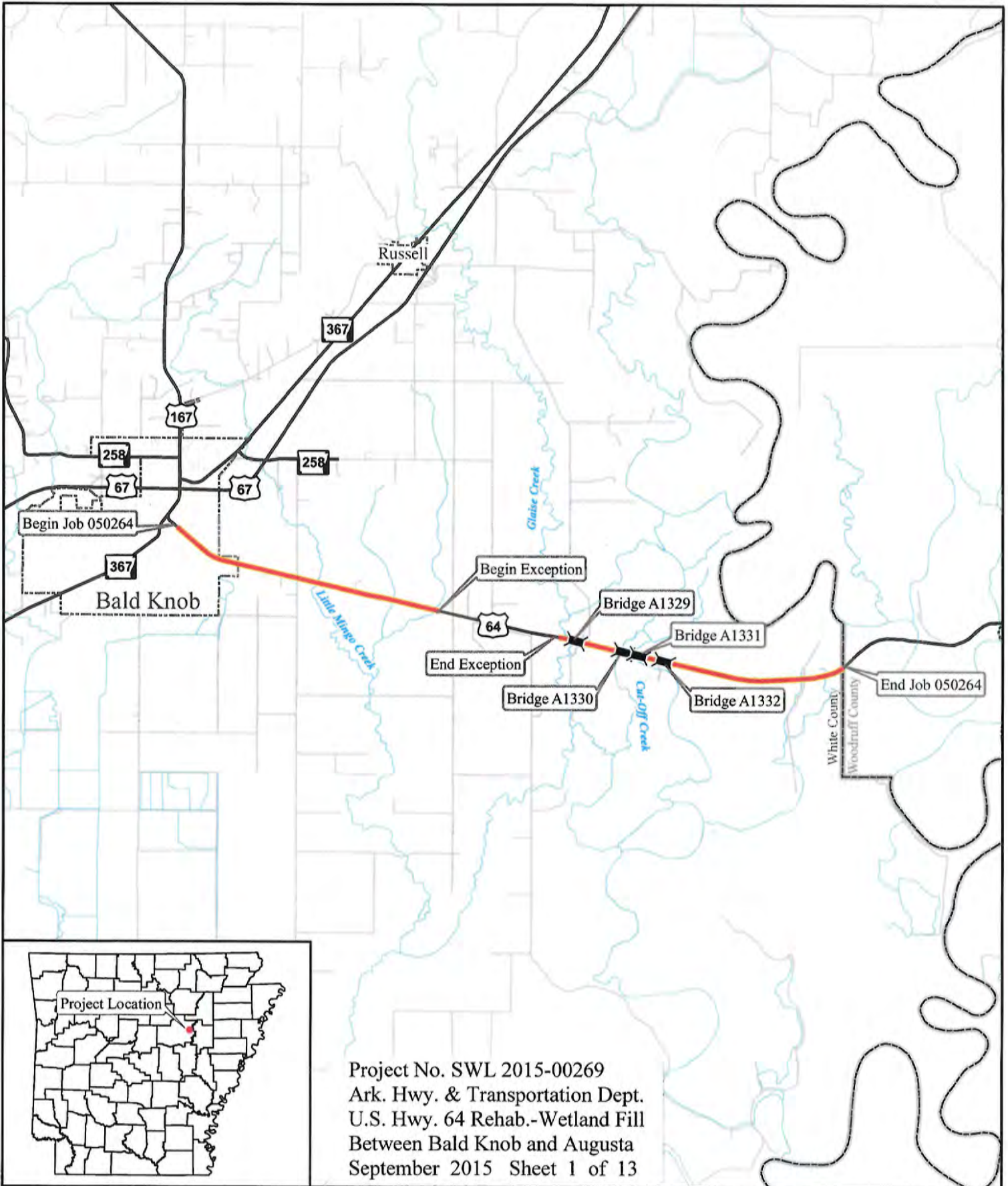
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

Enclosures

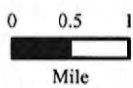
Approximate Coordinates of Project Center

Latitude: **35.29076** Longitude: **-91.47242**

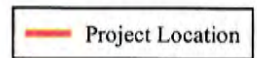
UTM Zone: **15** North: **3906357** East: **638904**



Project No. SWL 2015-00269
 Ark. Hwy. & Transportation Dept.
 U.S. Hwy. 64 Rehab.-Wetland Fill
 Between Bald Knob and Augusta
 September 2015 Sheet 1 of 13



Job 050264
 Hwy. 367 - Woodruff Co. Line
 (Rehab.) (Hwy. 64)
 White County



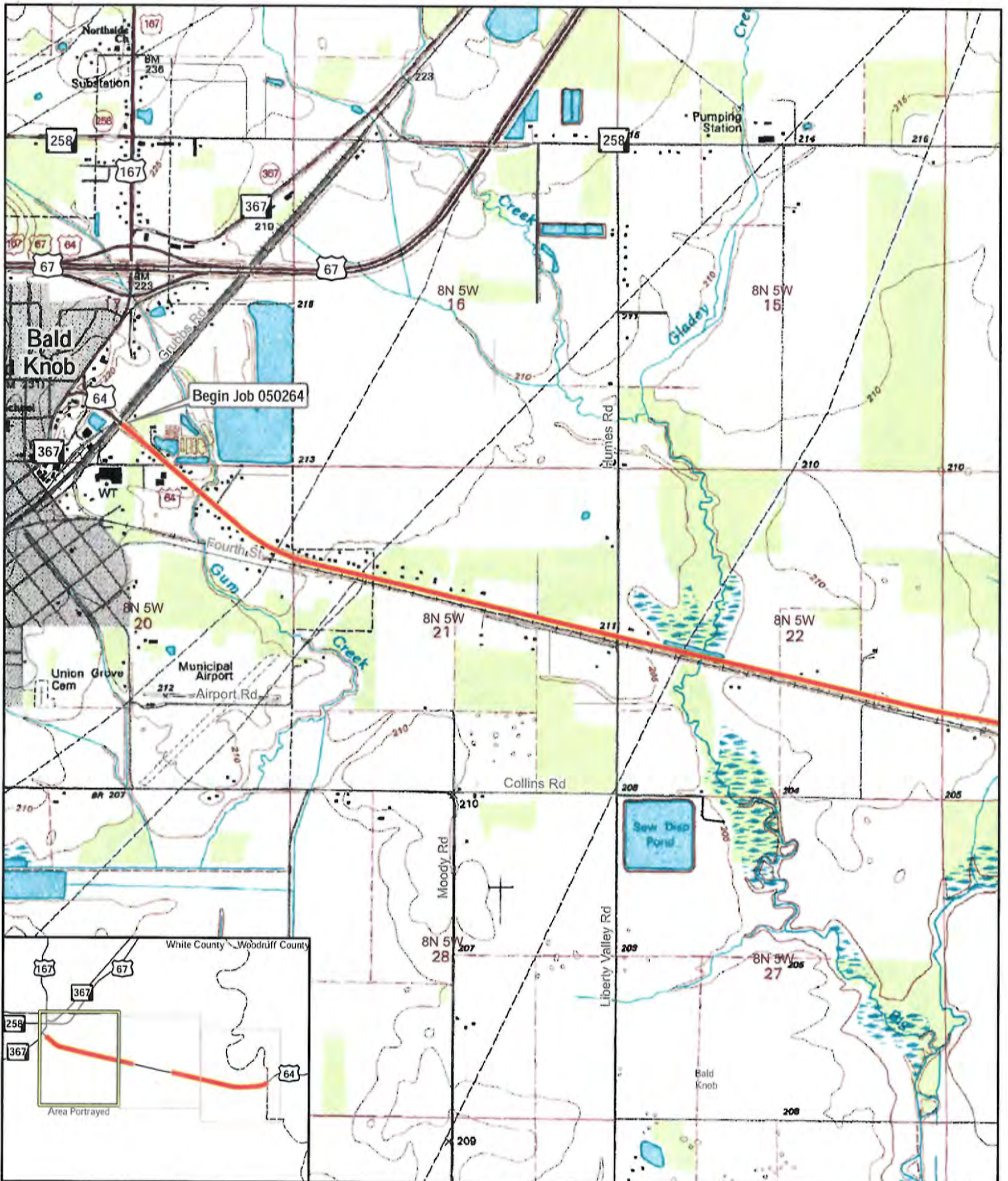


Figure 1a.
 Job 050264.
 Hwy. 367-Woodruff Co. Line
 (Rehab.) (Hwy. 64).
 White County.



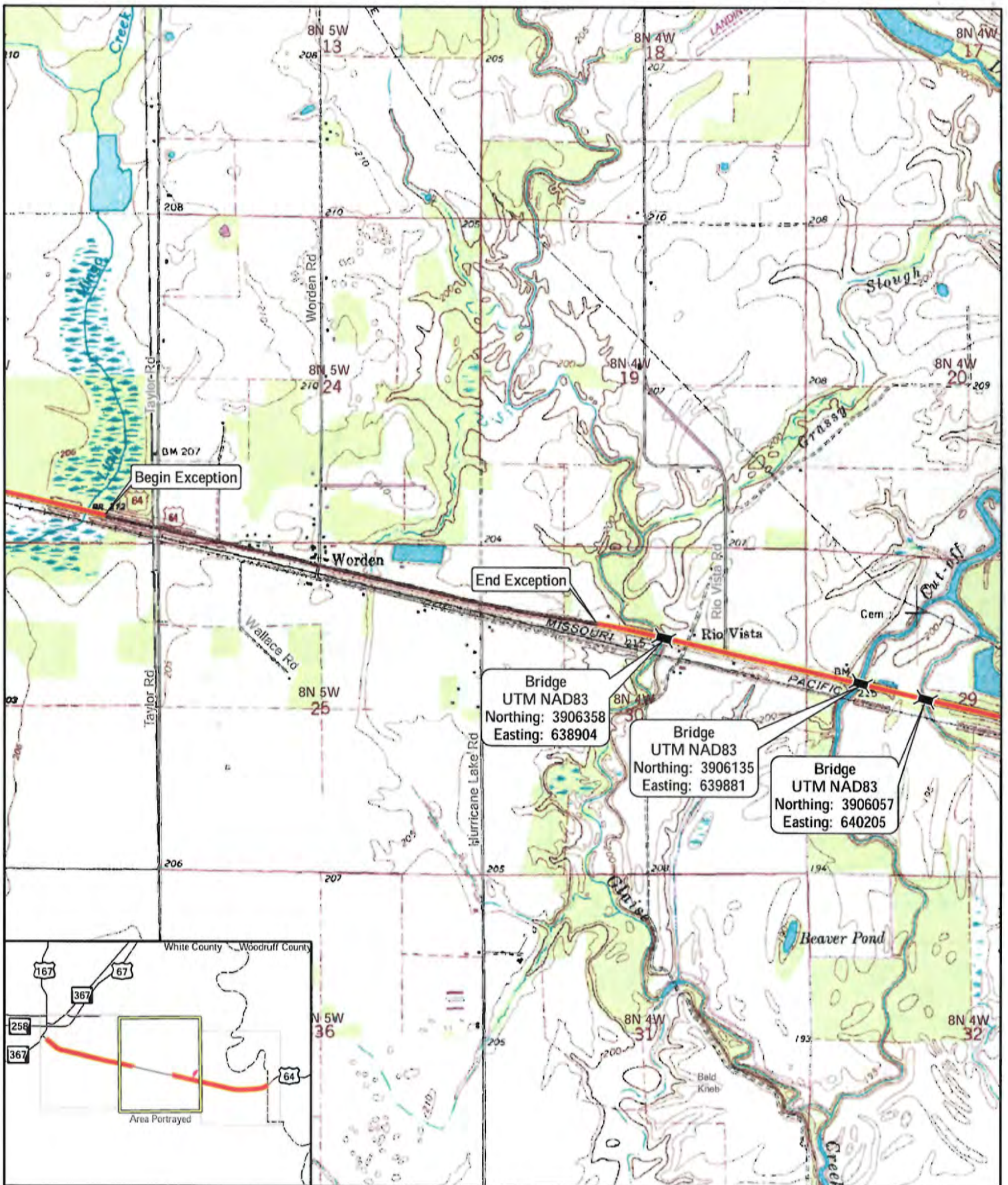


Figure 1b

Job 050264

Hwy. 367-Woodruff Co. Line
(Rehab.) (Hwy. 64)
White County

Sheet 3 of 13

Scale 1:24,000

AHTD-Environmental GIS-Hopkins
December 2, 2014

Project Location

USGS Topographic Map
Bald Knob 1994 & Augusta SW 1981



Figure 1c
 Job 050264
 Hwy. 367-Woodruff Co. Line
 (Rehab.) (Hwy. 64)
 White County

— Project Location

Scale 1:24,000

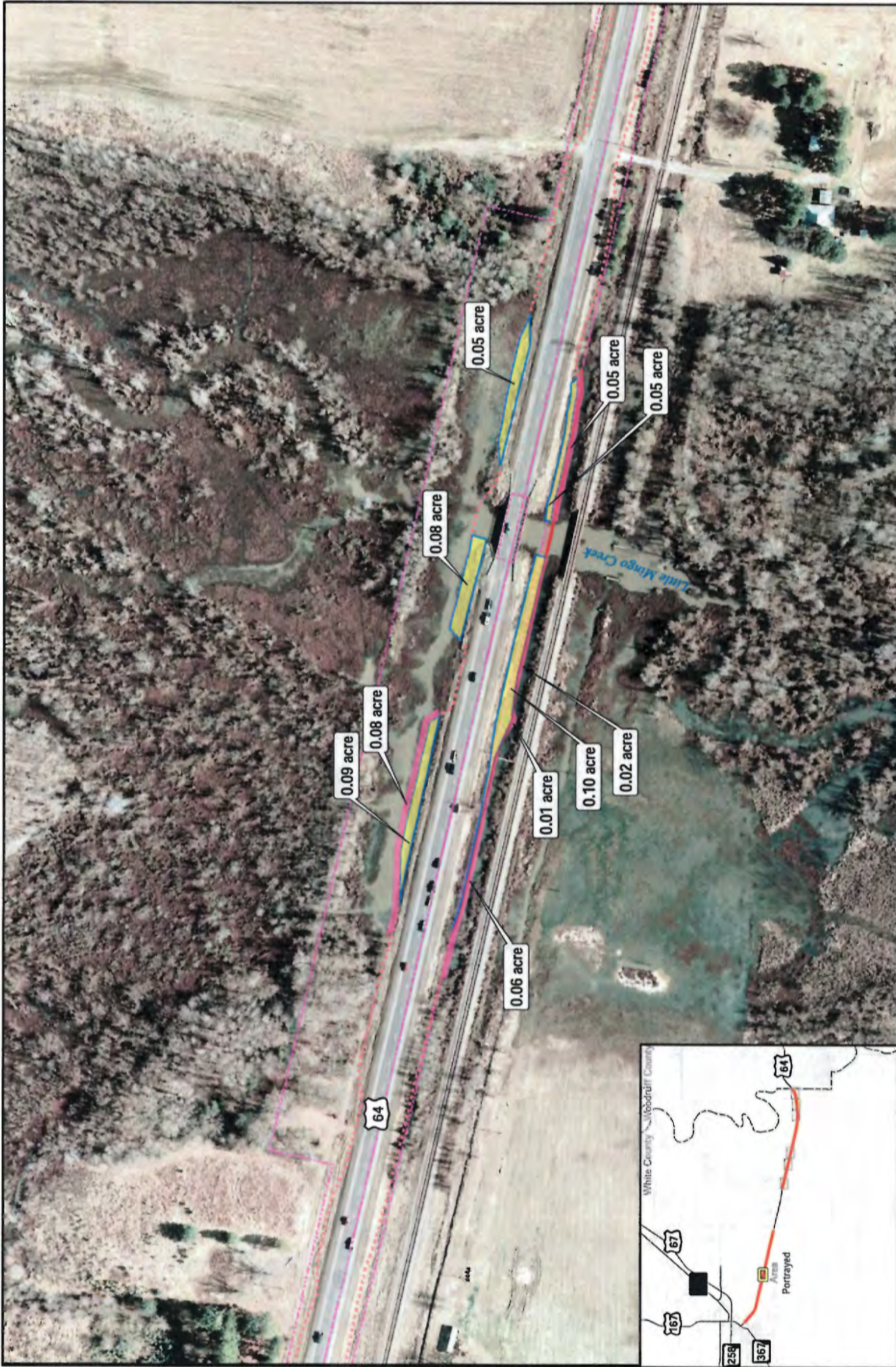


Figure 4a
Wetland Impacts
 Job 050264
 Hwy. 367 - Woodruff Co. Line
 (Rehab.) (Hwy. 64)
 White County

Clearing
 Permanent Wetland Impact
 Existing Right-of-Way
 Proposed Construction Limits
 Proposed Right-of-Way

N
 0 100 200
 Feet
 AHTD-Environmental GIS-Hopkins
 December 1, 2014

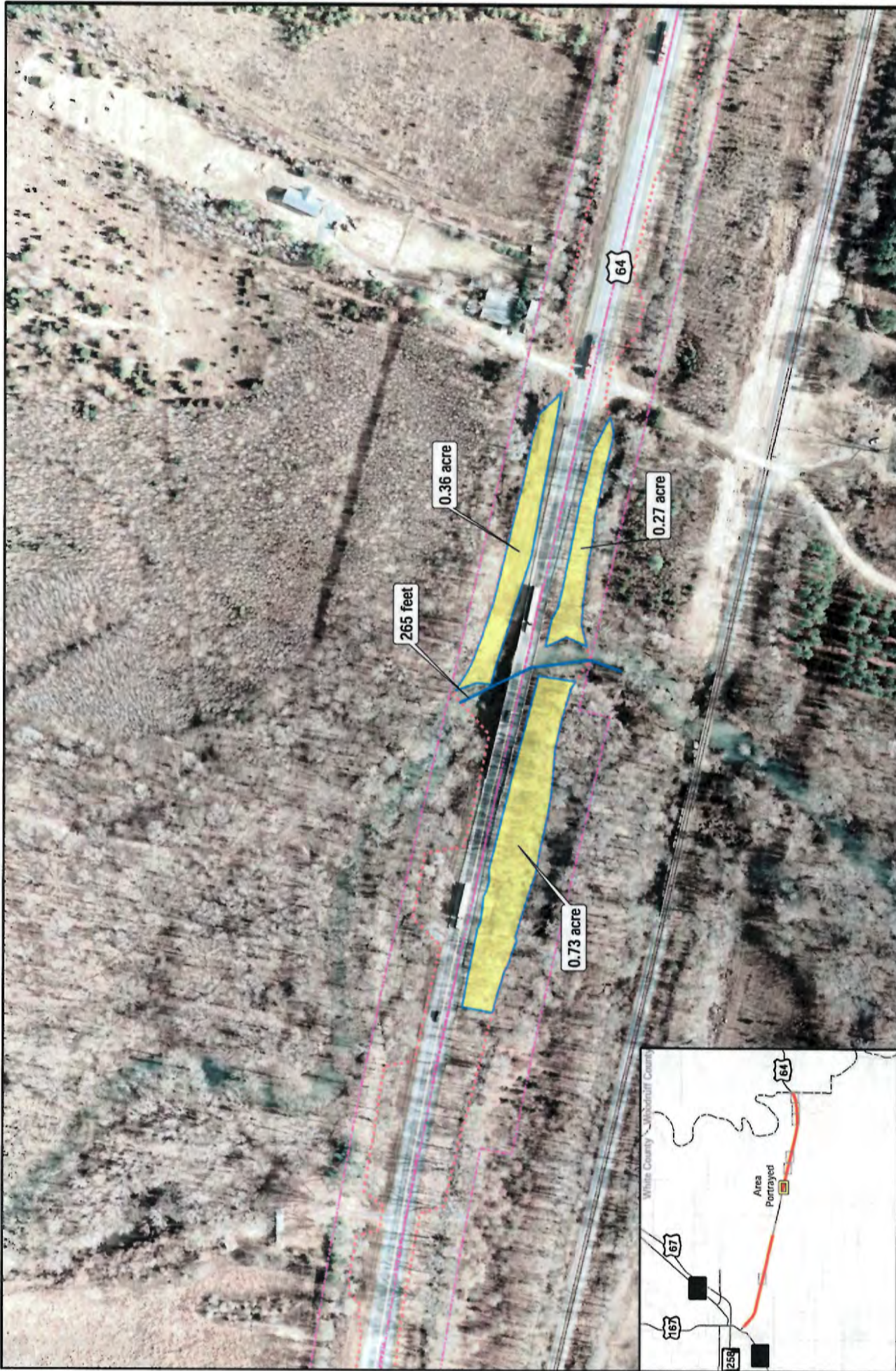


Figure 4b
Wetland Impacts
 Job 050264
Hwy. 367 - Woodruff Co. Line
(Rehab.) (Hwy. 64)
White County

Legend:
 Permanent Wetland Impact (Yellow)
 Stream Impacts (Blue)
 Existing Right-of-Way (Dashed Pink)
 Proposed Construction Limits (Dotted Pink)
 Proposed Right-of-Way (Red)

Scale: 0 100 200 Feet

North Arrow

AHTD-Environmental GIS-Hopkins
 December 1, 2014

Sheet 6 of 13



Figure 4c
Wetland Impacts
 Job 050264
Hwy. 367 - Woodruff Co. Line
(Rehab.) (Hwy. 64)
 White County

- Permanent Wetland Impact
- Temporary Wetland Impact
- Stream Impacts
- Existing Right-of-Way
- Proposed Construction Limits
- Proposed Right-of-Way

N

0 100 200
 Feet

AHTD-Environmental GIS-Hopkins
 December 1, 2014

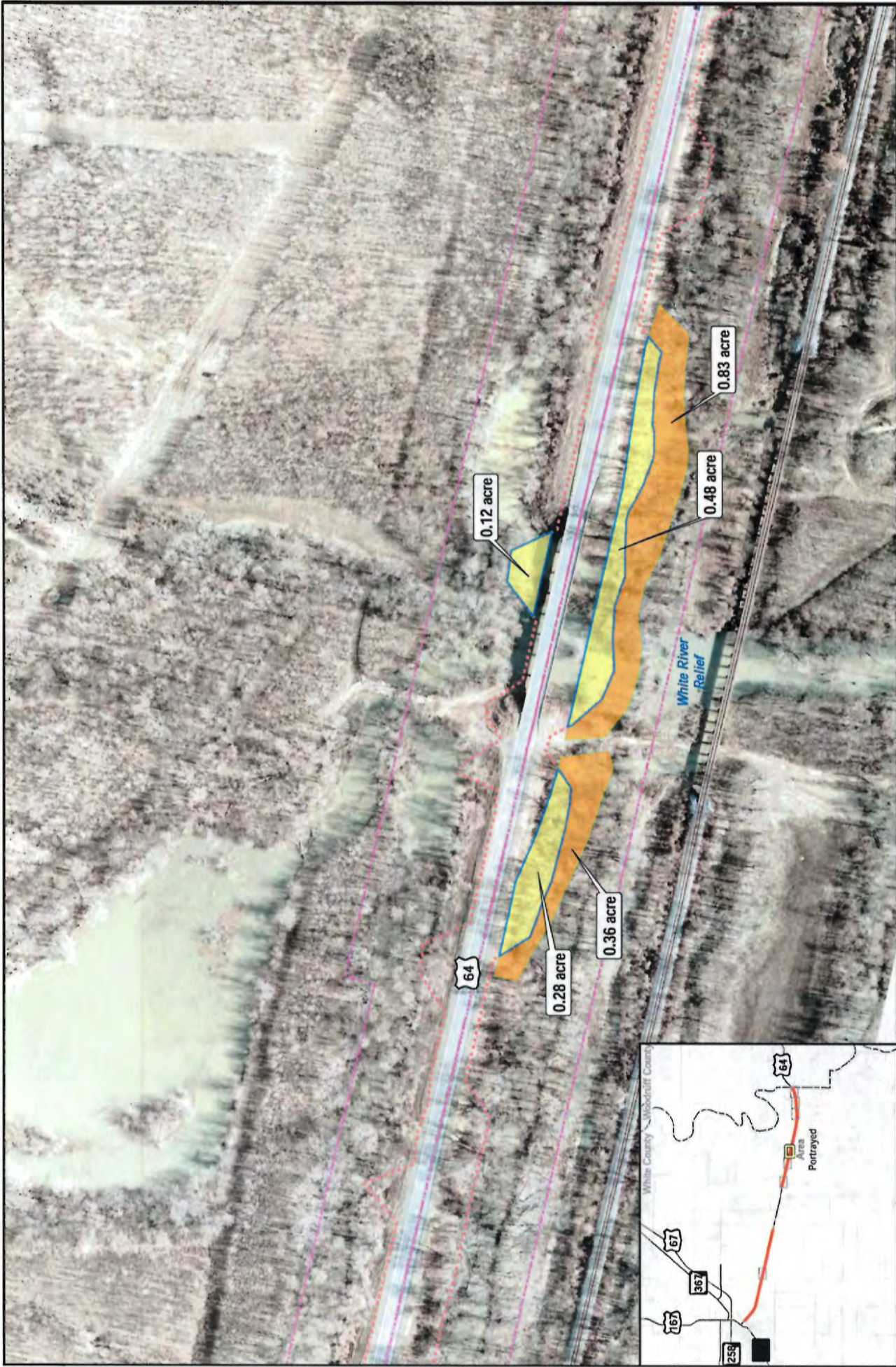


Figure 4d
Wetland Impacts
Job 050264
Hwy. 367 - Woodruff Co. Line
(Rehab.) (Hwy. 64)
White County

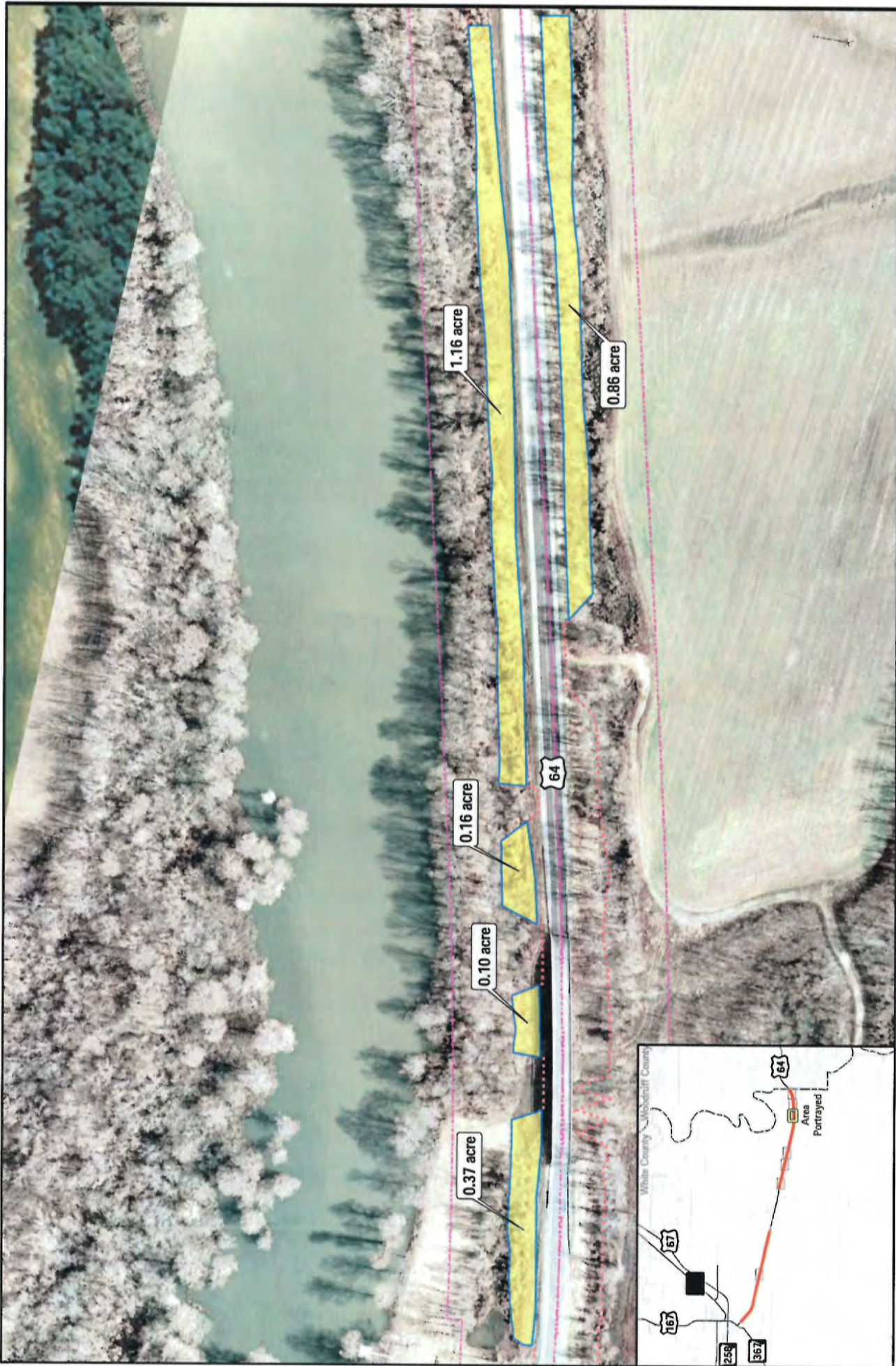


Figure 4e
Wetland Impacts
 Job 050264
Hwy. 367 - Woodruff Co. Line
(Rehab.) (Hwy. 64)
 White County



Figure 4f
Wetland Impacts
Job 050264
Hwy. 367 - Woodruff Co. Line
(Rehab.) (Hwy. 64)
White County

N
 0 100 200
 Feet
 AHTD-Environmental GIS-Hopkins
 December 1, 2014

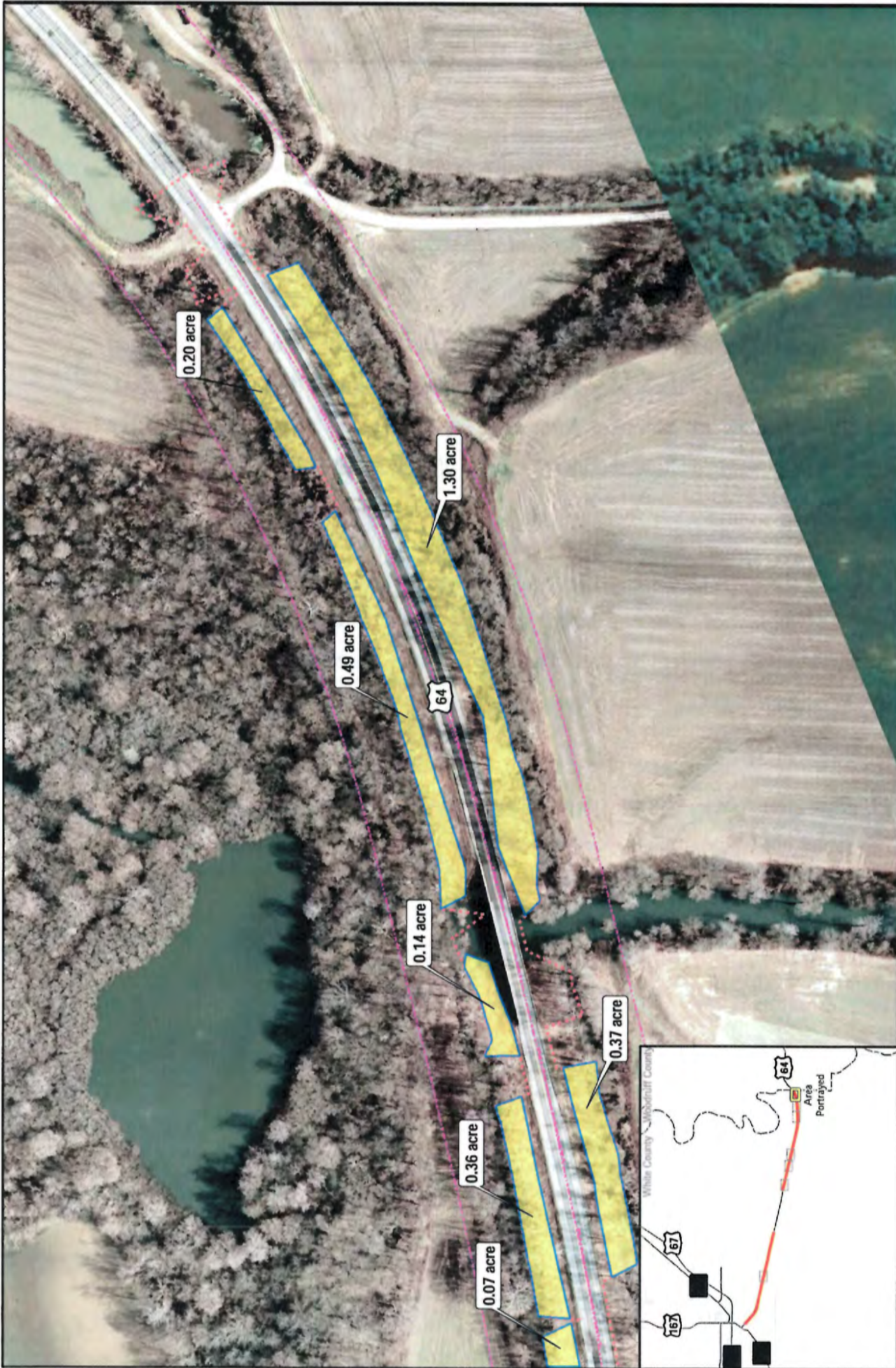


Figure 4g
Wetland Impacts
Job 050264
Hwy. 367 - Woodruff Co. Line
(Rehab.) (Hwy. 64)
White County

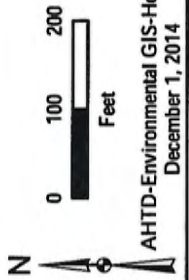




Figure 2. Typical View of Scrub-shrub Wetlands North of Hwy. 64.



Figure 3. Typical View of Forested Wetlands near Glaise Creek.

REQUIRED MITIGATION CREDITS WORKSHEET

Factor	Area 1 Scrub-Shrub	Area 2 Scrub-Shrub	Area 3 Bottomland Hardwood	Area 4 Bottomland Hardwood
Lost Type	Type B 2.0	Type B 2.0	Type A 3.0	Type A 3.0
Priority Category	Tertiary 0.5	Tertiary 0.5	Tertiary 0.5	Tertiary 0.5
Existing Condition	Slightly Impaired 2.0	Slightly Impaired 2.0	Fully Functional 2.5	Fully Functional 2.5
Duration	Over 10 2.0	Seasonal 0.1	3 to 5 1.0	Over 10 2.0
Dominant Impact	Fill 3.0	Clear 1.0	Clear 1.0	Fill 3.0
Cumulative Impact	0.8	0.8	0.8	0.8
Location	0.0	0.0	0.0	0.0
Sum of r Factors	R ₁ = 10.3	R ₂ = 6.4	R ₃ = 8.8	R ₄ = 11.8
Impacted Area	AA ₁ = 0.38	AA ₂ = 0.22	AA ₃ = 3.1	AA ₄ = 10.8
R x AA=	3.9	1.4	27.3	127.4

$$\text{Total Required Credits} = \sum (R \times AA) = 160$$

Credits at the Glaise Creek Mitigation Bank are 3.5 per acre; 160 credits would equal 46 acres. The equivalent acreage ratio is 3.1:1