



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: SWL-2019-00214-1

Date: January 7, 2020

Comments Due: February 3, 2020

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, Cynthia Blansett, 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: Cynthia.W.Blansett@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. Stephen Cain
Arkansas Electric Cooperative Corporation (AECC)
1 Cooperative Way
Little Rock, Arkansas 72209

has requested authorization for the placement of dredged and fill material in waters of the United States associated with filling of a pond and stream. The proposed project is located in a jurisdictional pond and an unnamed tributary of Sulphur Creek, in section 13, T. 10 N., R. 10 W., Cleburne County, Arkansas.

The project purpose is to construct a transmission line switching station. The project is not water dependent.

AECC proposes to construct a new switching station south of the existing Heber Springs North substation. Activities for construction of the switching station include earthwork (cut and fill) necessary for the establishment of a switching station pad, installation of switching infrastructure, and connection of the switching station to the transmission line (T-Line). To accomplish the project, a 0.57-acre jurisdictional pond located within the proposed switching property will be filled during construction of activities. Approximately 2,758.8 cubic yards of clean, earthen fill, B-stone and concrete will be used. Approximately 100 feet of stream, an ephemeral unnamed tributary of Sulphur Creek, flows into the pond. The ephemeral stream will also be filled and re-routed by the construction of the switching station.

AECC proposes to upgrade an existing approximately 25.6 mile T-Line and build a new T-Line. The T-Lines will coexist within the same right-of-way (ROW) in a double circuit configuration. The ROW for the T-Line spans from the Partain substation, between Pine Knot Court and East Clifton Drive in Cleburne County to the existing Heber Springs North substation. The T-Line project is currently being evaluated under the Nationwide Permit process.

The applicant has investigated other alternative project sites in proximity to the proposed site. However, the proposed site is the best available option offering the closest proximity to the existing substation to minimize the length of additional T-Line necessary for the tie-in connection.

Compensatory mitigation requirements for impacts to waters of the United States (WOUS) would be assessed utilizing the 2002 Charleston Method with the Little Rock Addendum and the 2011 Little Rock District Stream Method. The applicant proposes to mitigate for unavoidable impacts by purchasing wetland and stream credits from an approved mitigation bank that services the area.

The location and general plan for the proposed work are shown on the enclosed sheets (Sheets 1-3 of 3).

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 Code of Federal Regulations (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 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 **February 3, 2020**. 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.

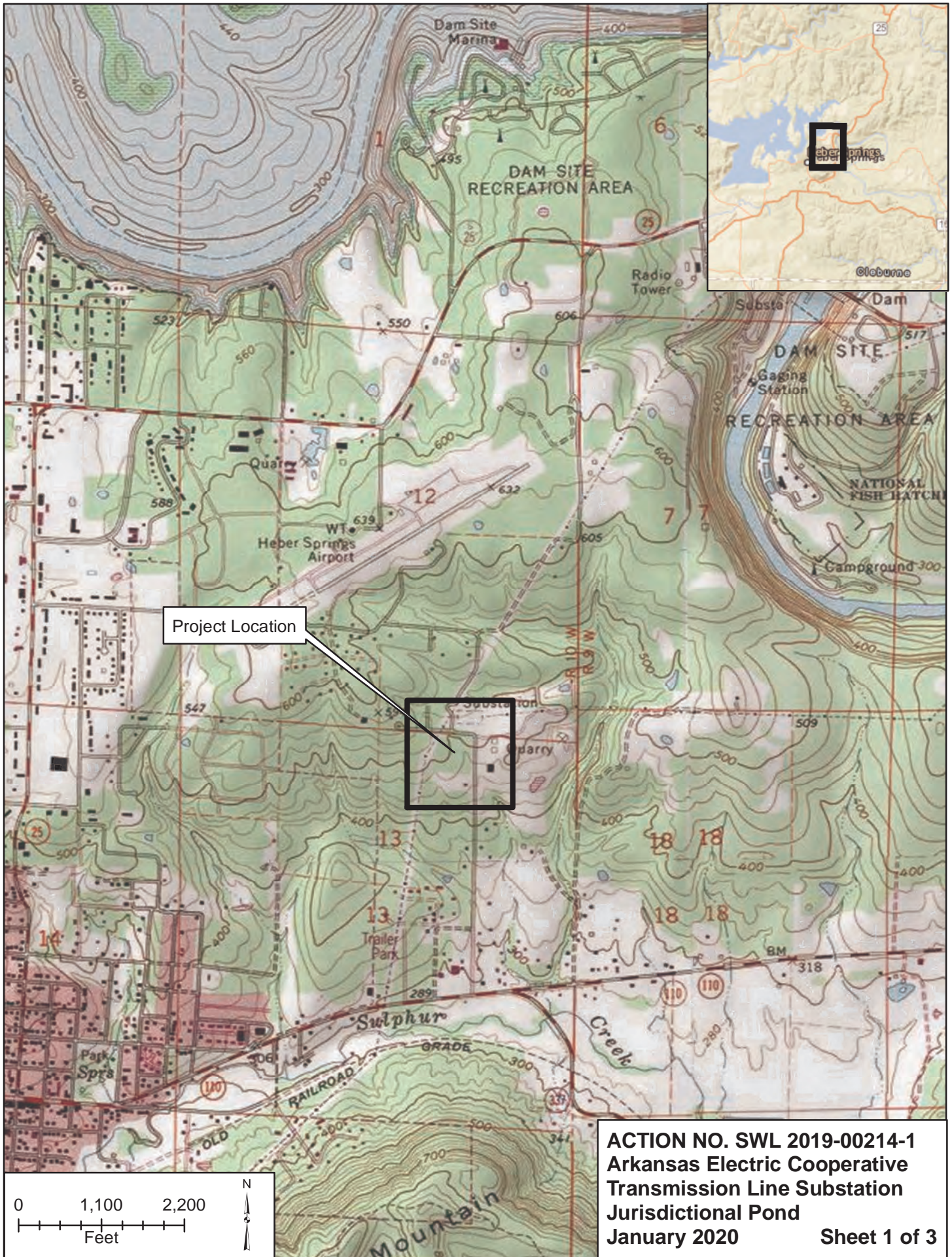
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please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

Enclosures

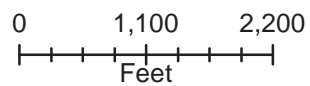
Approximate Coordinates of Project Center

Latitude: **35.50297** Longitude: **-92.01438**

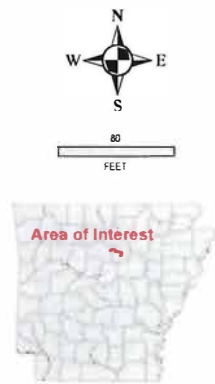
UTM Zone: **15N** North: **3929269** East: **589387**



Project Location



ACTION NO. SWL 2019-00214-1
Arkansas Electric Cooperative
Transmission Line Substation
Jurisdictional Pond
 January 2020 Sheet 1 of 3



- Streams
- Wetlands
- Ponds
- Transmission Line Right-of-Way

NO	DATE	REVISION	BY	CHK	APPR

DESIGNED BY	TLC
DRAWN BY	TLC
CHECKED BY	BJP
APPROVED BY	ALB

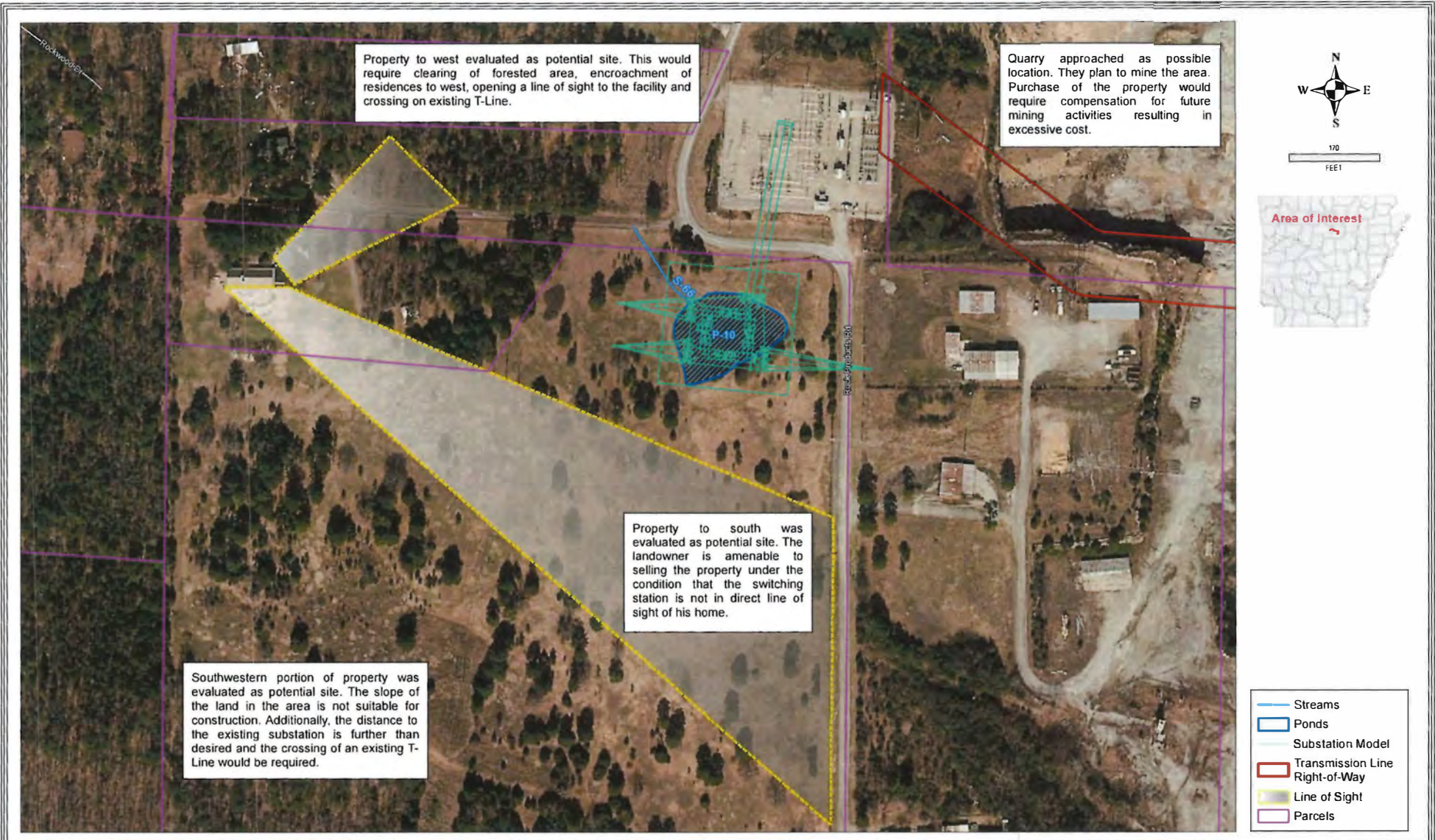


PROJECT TITLE
AERIAL DETAIL MAP #38

JOB NAME
 AECC PARTAIN TO
 HEBER SPRINGS NORTH TRANSMISSION LINE
 SECTION 404 PERMIT APPLICATION
 AECC
 VAN BUREN & CLEBURNE COUNTIES, ARKANSAS

PROJECT NO	3008-19-303	REV NO	
DATE	06/24/2019	DWG NO	
SCALE			S40

ACTION NO. SWL 2019-00214-1
Arkansas Electric Cooperative
Transmission Line Substation
Jurisdictional Pond
January 2020 **Sheet 2 of 3**

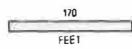


Property to west evaluated as potential site. This would require clearing of forested area, encroachment of residences to west, opening a line of sight to the facility and crossing on existing T-Line.

Quarry approached as possible location. They plan to mine the area. Purchase of the property would require compensation for future mining activities resulting in excessive cost.

Property to south was evaluated as potential site. The landowner is amenable to selling the property under the condition that the switching station is not in direct line of sight of his home.

Southwestern portion of property was evaluated as potential site. The slope of the land in the area is not suitable for construction. Additionally, the distance to the existing substation is further than desired and the crossing of an existing T-Line would be required.



- Streams
- Ponds
- Substation Model
- Transmission Line Right-of-Way
- Line of Sight
- Parcels

NO.	DATE	REVISION	BY	CHK.	APPV.

DESIGNED BY	TLG
CHECKED BY	TLG
APPR. BY	BJP
DATE	ALB



SHEET 23 OF 23
BLOCK 23

PROJECT NAME: AECC PARTAIN TO HEBER SPRINGS NORTH TRANSMISSION LINE SECTION 404 PERMIT APPLICATION AECC VAN BUREN & CLEBURNE COUNTIES, ARKANSAS

PROJECT NO.	3008-19-300	DWG NO.	
DATE	05/24/2019	REV. NO.	S
SCALE	SHOWN		

ACTION NO. SWL 2019-00214-1
Arkansas Electric Cooperative
Transmission Line Substation
Jurisdictional Pond
January 2020 **Sheet 3 of 3**