



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: SWL-2014-00164-1

Date: October 6, 2015

Comments Due: November 2, 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, Lisa Boyle, 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: Lisa.A.Boyle@usace.army.mil

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

**Little Rock School District
ATTN: Director of Facilities Management
3601 South Bryant Street
Little Rock, Arkansas 72204**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with construction of the proposed Katillus Road Middle School. The proposed project site is located in several unnamed tributaries to the Little Maumelle River, an associated pond, and associated wetlands, in the SW 1/4 of section 13, T. 2 N., R. 14 W., Little Rock, Pulaski County, Arkansas.

The basic purpose of the project is to construct a facility in which to provide education. The overall purpose of the project is to construct a middle school in the northwestern area of Little Rock. The project is not water dependent.

The project would include a 150,000-square-foot middle school with associated features to include a multi-use field, a football field, a field house, two gymnasiums, three parking lots, and associated drive and walkways. Impacts to waters of the United States would include the fill of approximately 3.6 acres of open water and of approximately 255 linear feet of ephemeral stream. Constructed drainages would be installed for water conveyance through the project area.

The project area is in a well-developed urban setting and is located just north of Cantrell Road approximately 4 miles west of Interstate 430. The ephemeral streams and associated pond are in the upper reaches of the watershed, and water from the site drains into the Little Maumelle River. Until very recently, several structures were present on the site; however, all buildings have been leveled and cleared away. A total of 0.69 acres of forested wetlands, 3.6 acres of open water, and 2,025 linear feet of ephemeral and intermittent stream have been identified as likely jurisdictional waters of the United States on the subject property.

The applicant proposes to mitigate either through an off-site permittee-responsible mitigation project or at a stream and wetland mitigation bank. Minimization of impacts to waters of the United States on the site has been accomplished by designing the facility such that the wetlands and intermittent stream present on the site are avoided. The Little Rock School District has determined that the presence of the pond within the school grounds would constitute a significant safety risk for students; therefore, the pond must be filled if the project is to be constructed. The applicant has considered alternate sites, but this is the only location found that is of sufficient size and is in the area where a new middle school is needed.

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

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 **November 2, 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, 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.

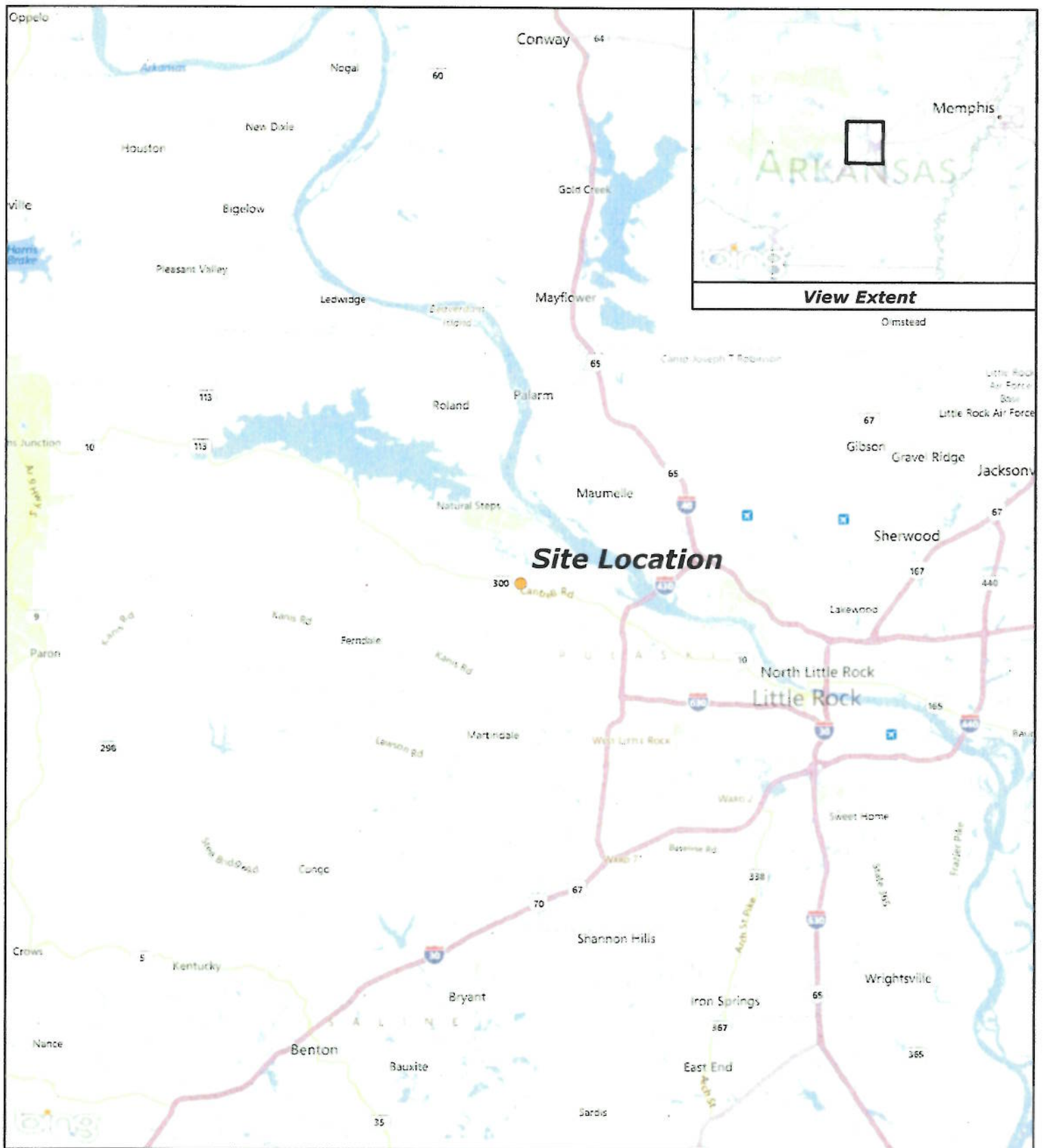
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please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

Enclosures

Approximate Coordinates of Project Center

Latitude: **33.34032** Longitude: **-92.39843**

UTM Zone: **15** North: **3851961** East: **549763**



Smith and Goodson PLLC 404 Proposed LRSD Development Project

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Miles

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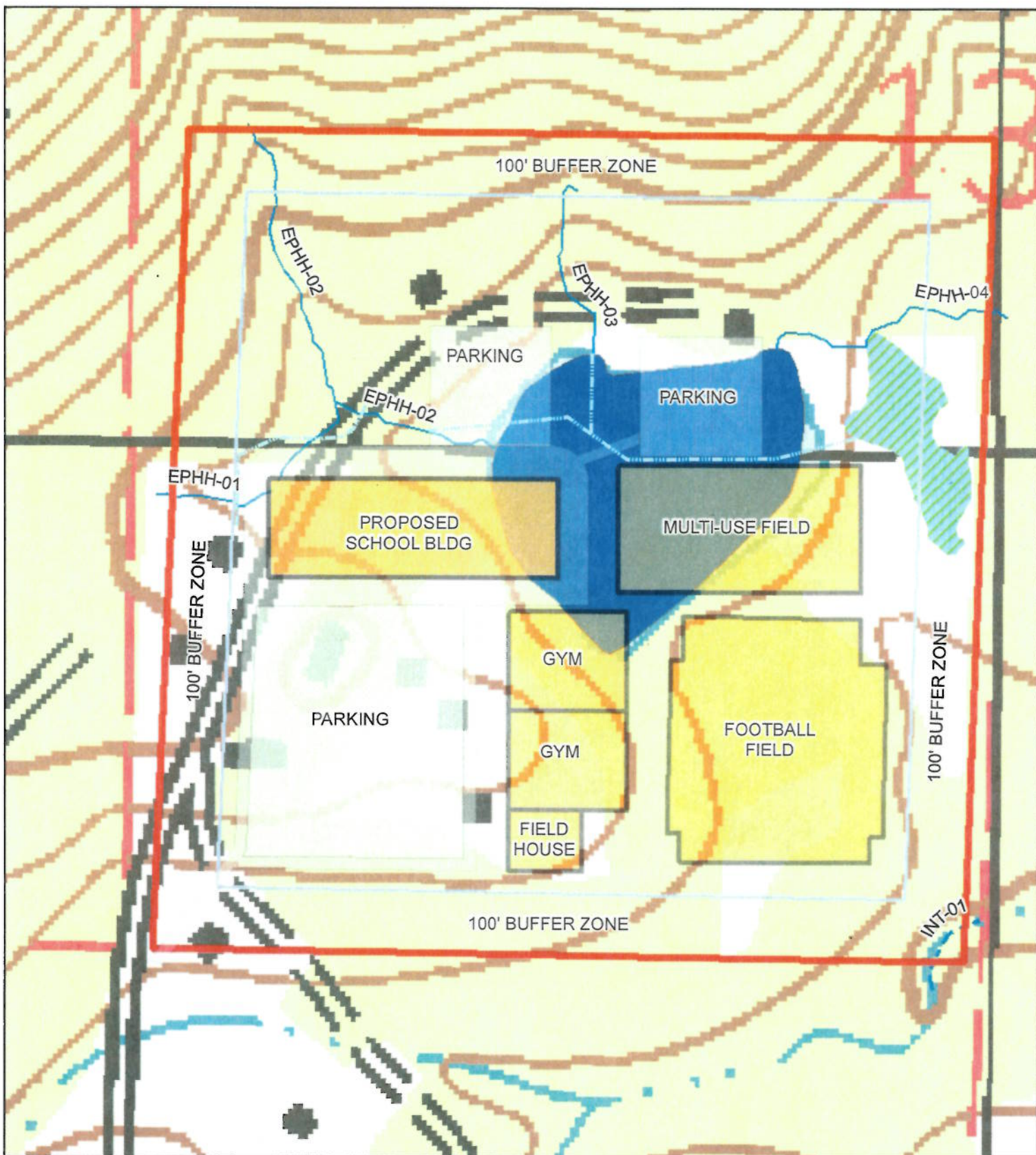
● Site Location
ACTION NO. 2014-00164-1
 Little Rock School District
 Katillus Road Middle School
 Sec 13, T. 2 N., R. 14 W.
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Figure 1. Vicinity Map



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Katillus Road Middle School
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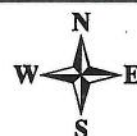
Smith and Goodson PLLC 404 Proposed LRSD Development Project

200

Feet

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- Project Area
- Buffer Zone
- Open Waters
- Project Wetlands
- Constructed Drainage



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Figure 2. Map showing project area details based on the USGS topographic (7.5-minute series).

Little Rock School District
Katillus Road Middle School
Sec 13, T. 2 N., R. 14 W.
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Smith and Goodson PLLC 404 Proposed LRSD Development Project

200

Feet

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Figure 3. Map showing overview of project area details based on 2010 Microsoft