US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2013-00106
Date: August 24, 2015
Comments Due: September 18, 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, Mr. 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 dredging and widening approximately 643 linear feet of Crooked Creek. The proposed project is located on Crooked Creek immediately upstream and downstream from the Interstate 30 (I-30) Bridge, in the SW 1/4 of section 8, T. 1 S., R. 13 W., Little Rock, Pulaski County, Arkansas.

The basic purpose of the project is to increase flow by creating a wider stream channel without obstructions. The overall purpose of the project is to reduce flooding on Interstate 30 between Vimy Ridge Road and the Saline County Line. The project is water dependent.

Crooked Creek is a perennial stream that flows from west to east along the south side of I-30, passes under I-30, and enters Fourche Creek approximately 500 feet downstream from the interstate. The proposed project would result in widening the final 643 linear feet of Crooked Creek from a 20-foot-wide channel to a 100-foot-wide channel and include the removal of approximately 8,728 cubic yards of earthen material. This project is part of a larger plan that includes the restoration of the flood plain upstream along with constructing a floodgate and small berm. The Crooked Creek channel at I-30 was previously widened to 100 feet in the mid-1990's. In recent years, the riparian buffer has revegetated and some natural stream restoration has occurred since there has been no ongoing maintenance.

The proposed project is located in the West Gulf Coastal Plains Ecoregion. The project area around the interstate is a mix of transportation and commercial uses. Crooked Creek is bordered by a corridor of flood plain forest. The AHTD hydraulic analyses have determined that Crooked Creek overtops the interstate either because heavy rainfall events in the Crooked Creek drainage

area cause flash flooding or because high water levels on Fourche Creek back its floodwaters into the Crooked Creek flood plain, and sometimes it is the combination of the two events happening simultaneously. Since 1978, there have been seven recorded roadway closures due to flooding and each closure lasted from 2 to 8 hours. Usually the flooding causes closure of I-30, the I-30 frontage roads, and State Highway 5. State Highway 5 is the only roadway, other than the interstate, connecting Little Rock to Bryant and Benton. Recent development in both the Crooked Creek and Fourche Creek flood plains has contributed to increasing flood water levels and flood frequency to the point where floodwaters will encroach on the I-30 eastbound lanes during a 5-year flood event under current conditions.

In December of 2014, the Federal Highway Administration and AHTD completed an environmental assessment (EA) for the project. The EA evaluated the No-Action Alternative and three build alternatives for reducing flooding along I-30. Alternative 1 would reconstruct 2,068 linear feet of Crooked Creek immediately upstream of I-30 to a 100-foot-wide flat-bottom channel and install a flood gate on the channel 2,600 feet west of the bridge to prevent water backing up into the frontage road ditches. This alternative would protect the interstate from a 25-year flood event. Alternative 2 would involve the same work as Alternative 1, with the addition of a 1,043-foot-long by three-foot-high berm constructed to prevent water from approaching I-30. This alternative would protect the interstate from a 50-year flood event. Alternative 3 would construct a flood gate and 1,873-foot-long by 3-foot-high berm, would remove most of the fill that has been placed in the flood plain by development, and would widen the final 643 linear feet of Crooked Creek to its confluence with Fourche Creek. The widened channel would be maintained annually. Alternative 3 would protect the interstate from a 50-year flood event. Raising the grade of the interstate was also briefly considered as an alternative, but costs and major disruptions to traffic eliminated this alternative from consideration.

Alternative 3 was selected as the Preferred Alternative. This alternative reduces the flood frequency and severity on I-30, minimizes impacts to Crooked Creek, restores some of the natural flood plain, and reduces long-term maintenance costs. Alternative 3 would cost $3.1 million, require 14.4 acres of right-of-way and relocate five businesses. The EA and Finding of No Significant Impact (FONSI) are available for viewing and located at the AHTD central offices in Little Rock. The AHTD proposes to mitigate for the adverse impacts to 643 linear feet of stream channel at a site located adjacent to Fourche Creek and approximately 0.5-mile north of the Crooked Creek project site.

The location and general plan for the proposed work are shown on the enclosed sheets 1 through 7 of 7.

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.

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 **September 18, 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.

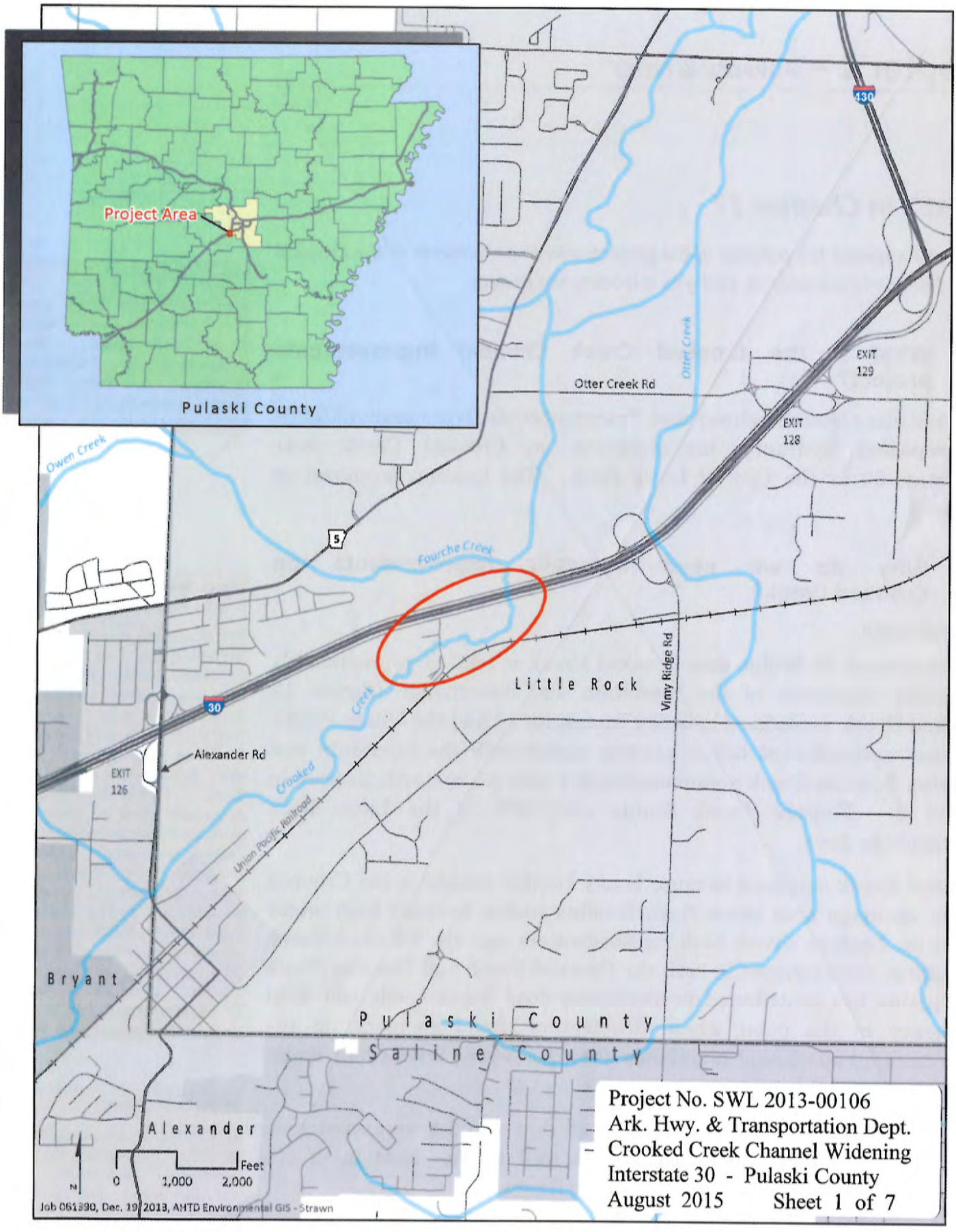
Enclosures

Approximate Coordinates of Project Center

Latitude: **34.64695°** Longitude: **-92.42536°**

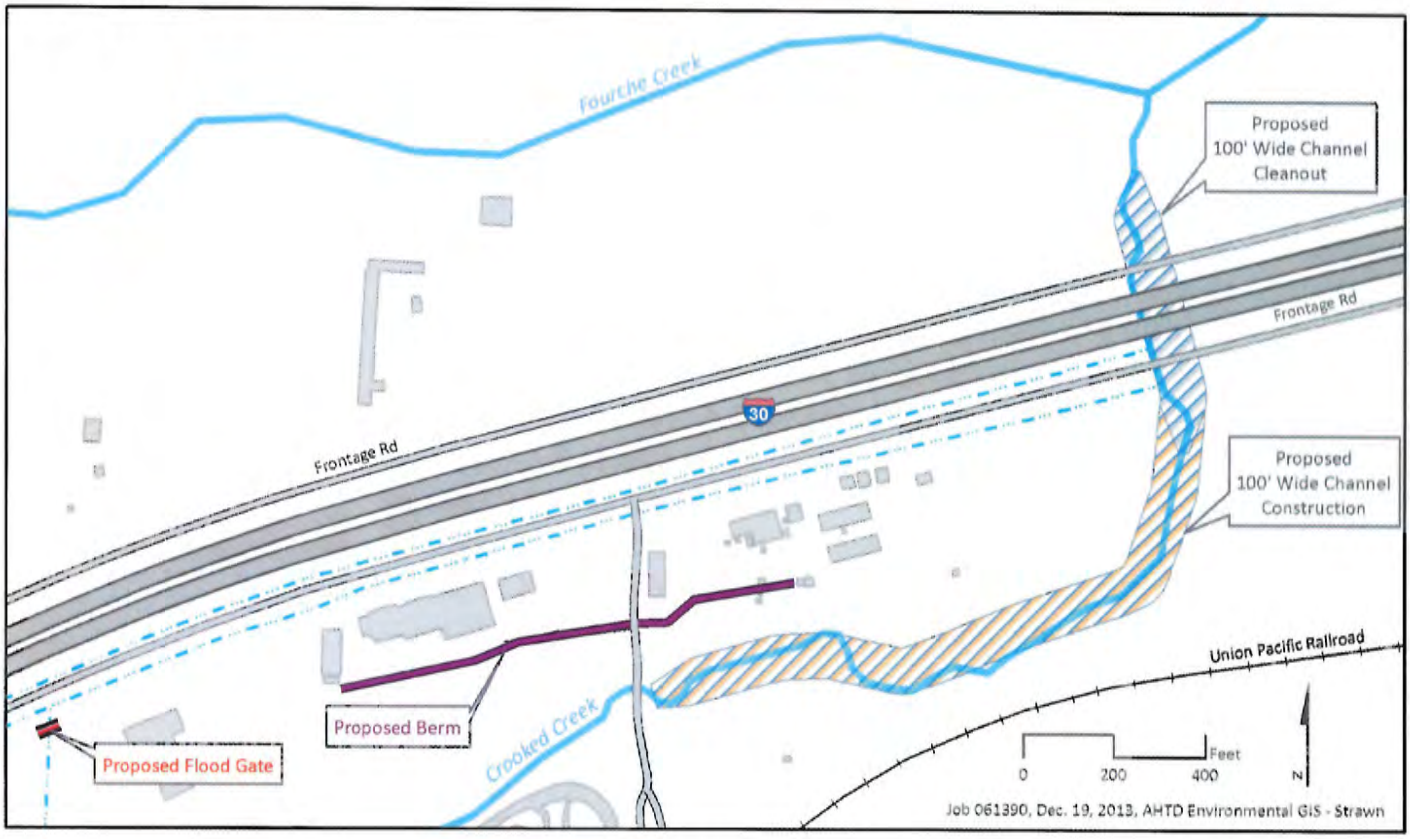
UTM Zone: **15** North: **3834043** East: **552661**

Project Area



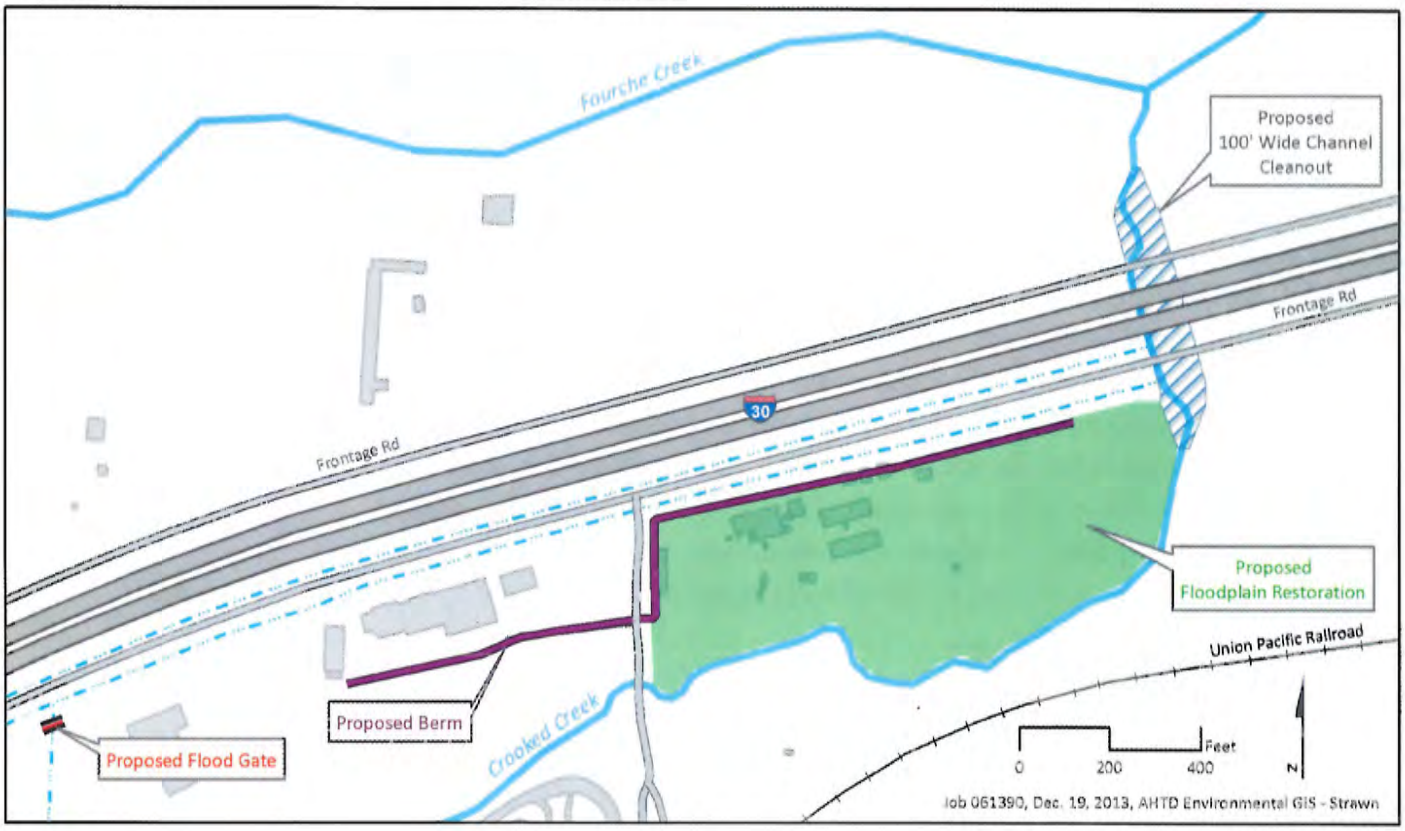
Project No. SWL 2013-00106
Ark. Hwy. & Transportation Dept.
Crooked Creek Channel Widening
Interstate 30 - Pulaski County
August 2015 Sheet 1 of 7

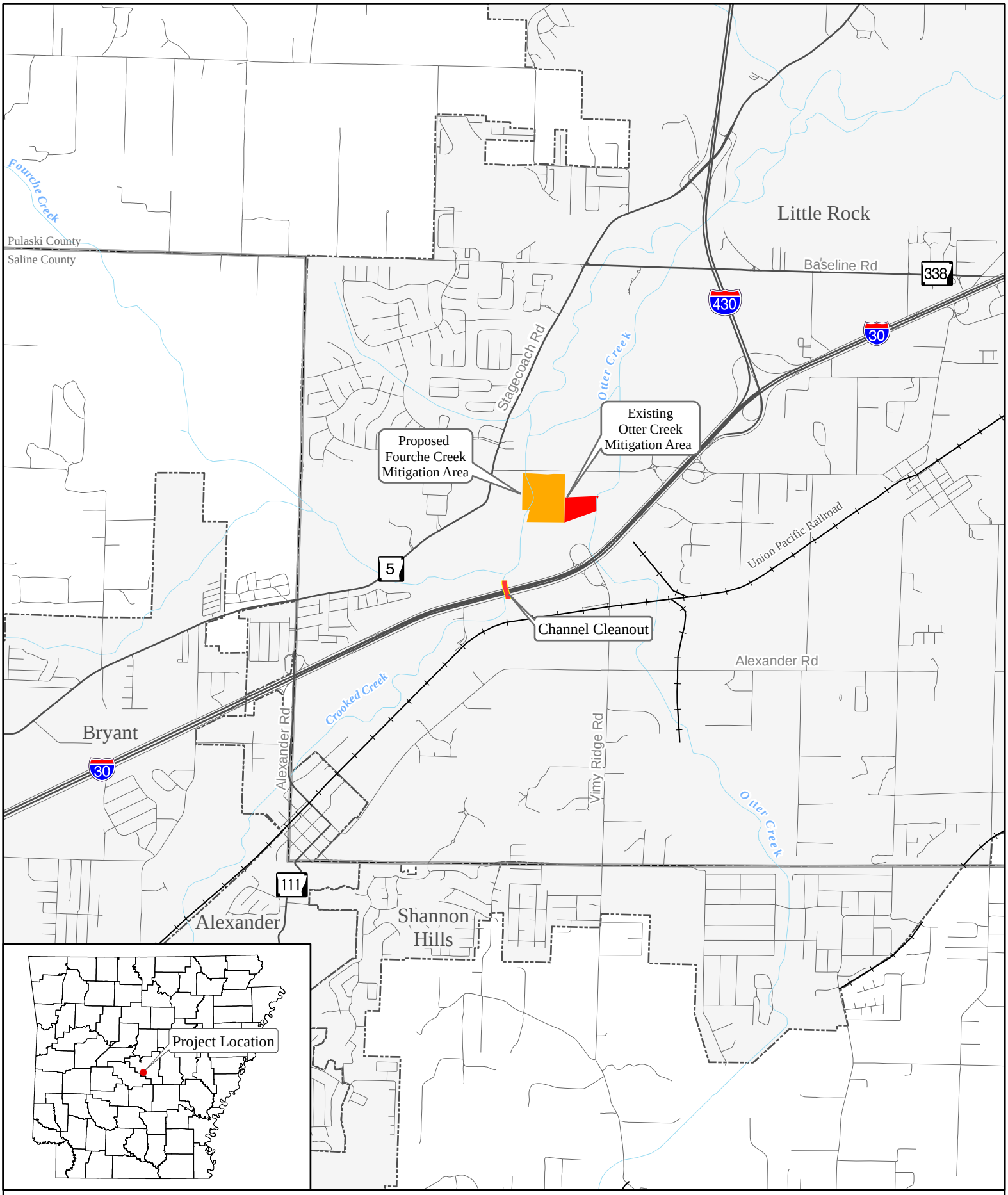
Alternative 2



*Note: Alternative 3 is the Preferred Alternative.

Alternative 3





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0 2,000 4,000

Feet

AHTD-Environmental GIS-Hopkins

January 5, 2015

Job 061390

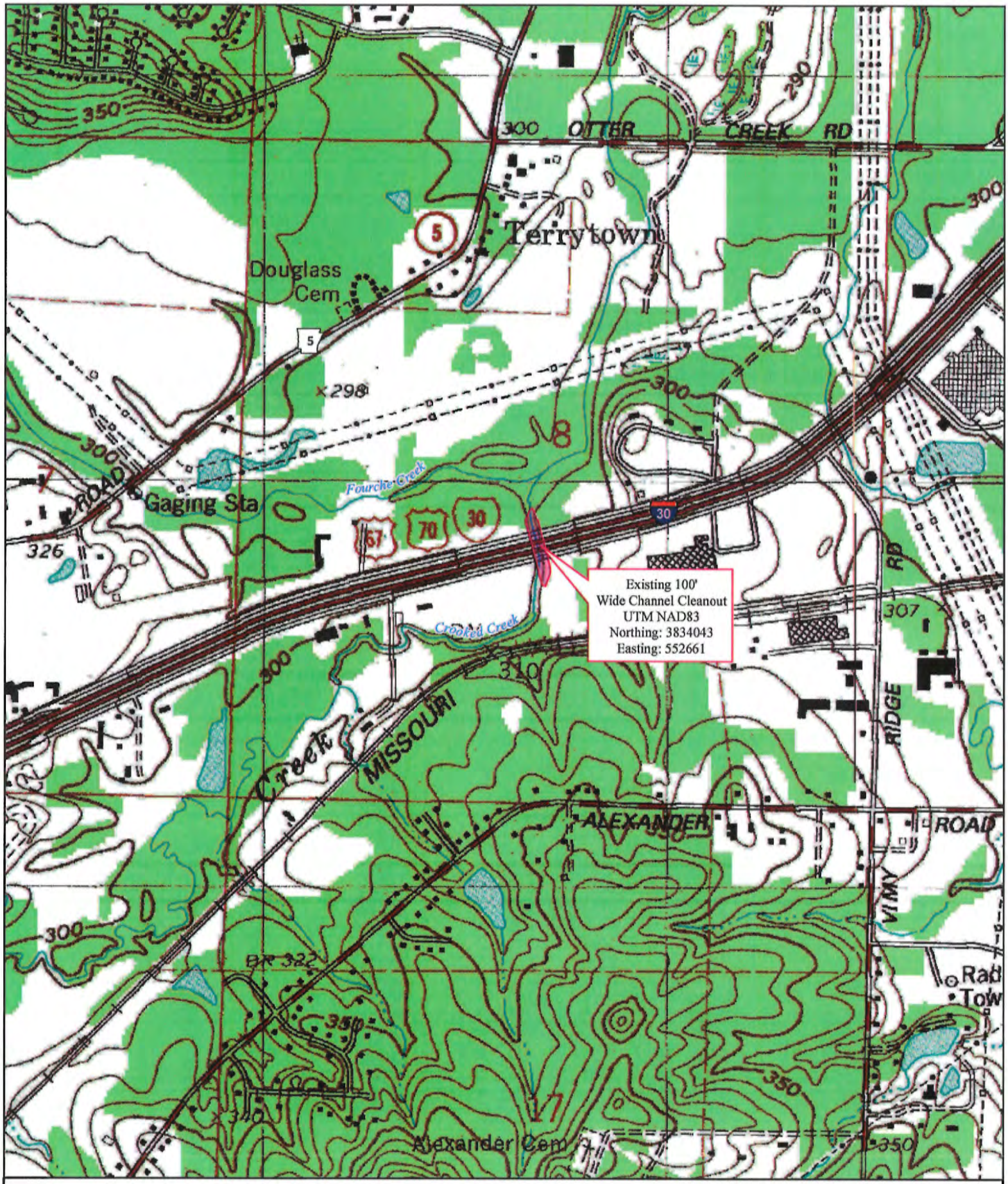
Crooked Creek Channel Impvts.

(I-30)

Pulaski County

Project Location

Sheet 3 of 7



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October 10, 2014
AHTD - Environmental GIS - Strawn

Job 061390
Crooked Creek Channel Impvts. (I-30)
Pulaski County

Sheet 4 of 7

0 500 1,000
Feet

Alexander 1988 USGS Topographic Map

Typical view of Crooked Creek downstream from the Interstate 30 Bridge (6/16/15)

Typical view of Crooked Creek downstream from the Interstate 30 Bridge (6/16/15)

Looking upstream at Fourche Creek at confluence with Crooked Creek (6/16/15)