

## JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2014-00046 Date: June 23, 2014 Comments Due: July 18, 2014

## TO WHOM IT MAY CONCERN: **Comments are invited on the work described below. Please see the <u>Public Involvement</u> section for details on submitting comments.**

<u>Point of Contact</u>. If additional information is desired, please contact the project manager, Christopher Davies, 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: <u>Christopher.G.Davies@usace.army.mil</u>.

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

Mr. David Meghreblian Deltic Timber Corporation # 7 Chenal Club Boulevard Little Rock, Arkansas 72223

has requested authorization for the placement of dredged and fill material in waters of the United States associated with a road expansion project. The proposed project is located in three wetlands and two unnamed tributaries of the Little Maumelle River, in section 30, T. 2 N., R. 13 W., Little Rock, Pulaski County, Arkansas.

The basic purpose of the project is to facilitate higher traffic flow. The overall purpose of the project is to widen the road to improve traffic flow in this area of west Little Rock and to prepare the property on the east side of the road for future development. The project is not water dependent.

The project entails road widening and commercial development encompassing a 62-acre area on the east side of Rahling Road in Little Rock, Arkansas. Mechanized land clearing, grading, parking lot and road construction, and building construction will take place using suitable equipment. An estimated 4,364 feet of jurisdictional waters and 0.65 acres of jurisdictional wetland area will be impacted by development activities. Approximately 3,194 feet of intermittent stream will be culverted, in a 4-foot by 4-foot box culvert, and filled over with earth to grade. An additional 1,170 feet of stream will be impounded to form two stormwater detention ponds. The proposed wetland fill area is forested with dominant vegetation consisting of American Elm, Sweetgum, White Oak, and Bitternut Hickory.

The property is a forested area surrounded on all sides by an urban matrix that includes a twolane asphalt road (that experiences frequent heavy traffic) to the west, residential areas to the north, east, and south, three ephemeral channels and one intermittent stream that confluences with the main stream channel that runs parallel to Rahling Road. The main intermittent stream channel consists of gently meandering riffle-pool complexes with cobble and gravel substrate, and it braids into several areas throughout the reach.

Local traffic volume has increased on Rahling Road, requiring that it be widened to meet city standards. This area is in the heart of development in west Little Rock and receives a high volume of commuter and commercial traffic. Expansion of this existing development would allow avoidance of more natural areas.

Compensatory mitigation will include enhancement/restoration of approximately 1,127 feet of the channel immediately north and south of Pebble Beach Drive, preservation of the most northern of the main intermittent channel (1,462 feet of stream channel), and preservation/ enhancement of riparian buffers (2,589 feet) on the entire northern portion of the channel extending approximately 377 feet south of Pebble Beach Drive. Natural channel design techniques will be utilized in developing the restoration of the stream.

An additional stream site will provide the remaining required compensatory mitigation. Stream and riparian buffer preservation is planned on approximately 2,317 feet of stream channel located approximately 1.5 miles to the northwest.

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

<u>Water Quality Certification</u>. 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.

<u>Cultural Resources</u>. 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.

<u>Endangered Species</u>. 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.

<u>Flood Plain</u>. 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.

<u>Section 404(b)(1) Guidelines</u>. 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.

<u>Public Involvement</u>. Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **July 18, 2014**. 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.

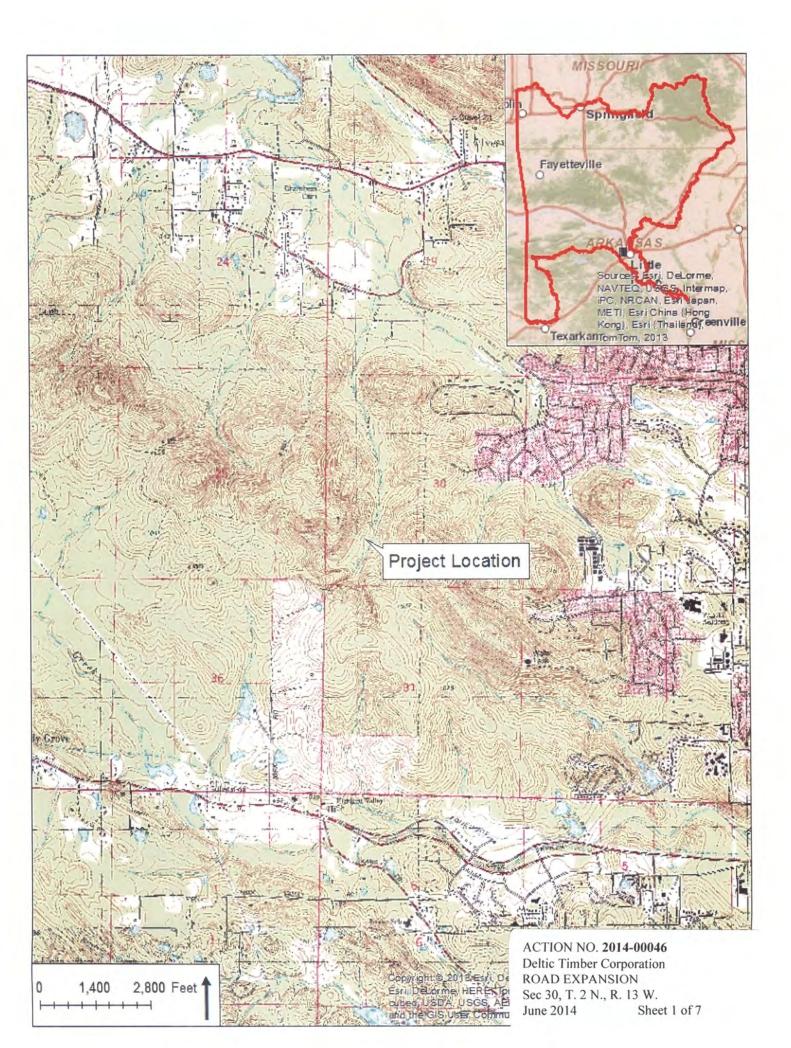
**NOTE:** The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

Enclosures

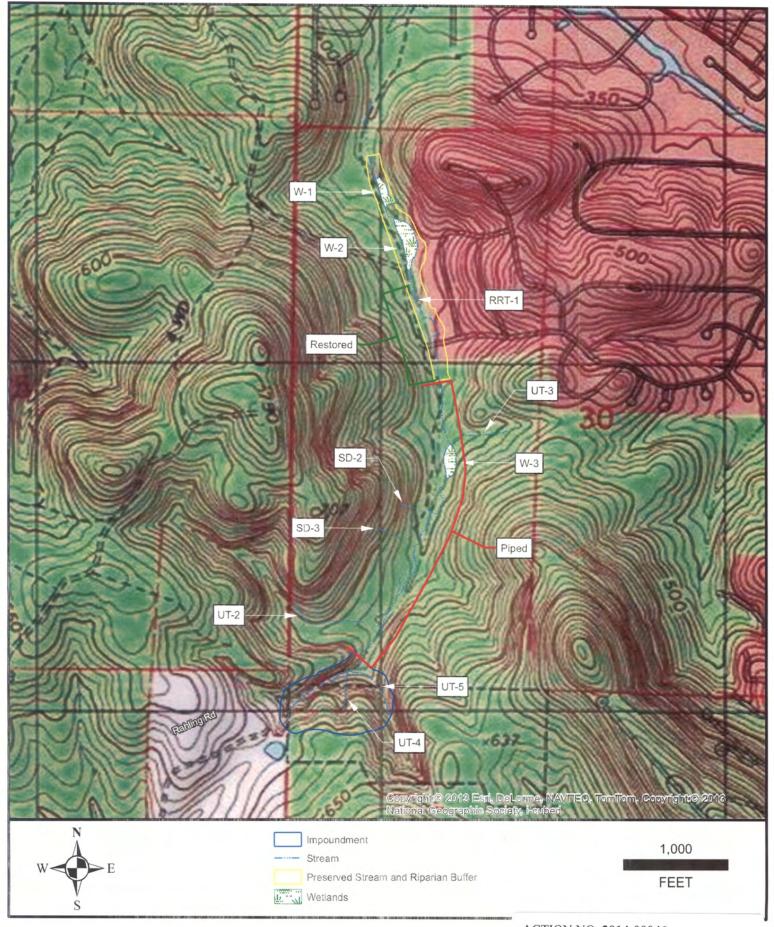
## Approximate Coordinates of Project Center

Latitude: **34.77969** Longitude: **-92.44098** 

UTM Zone: 15 North: 3848754 East: 551148

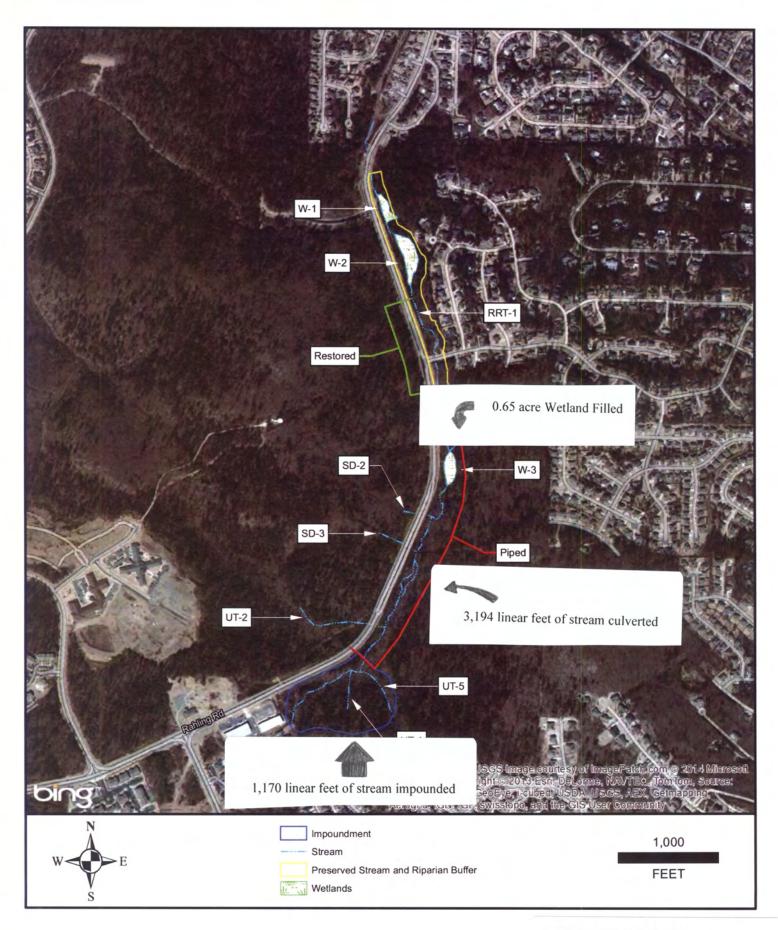






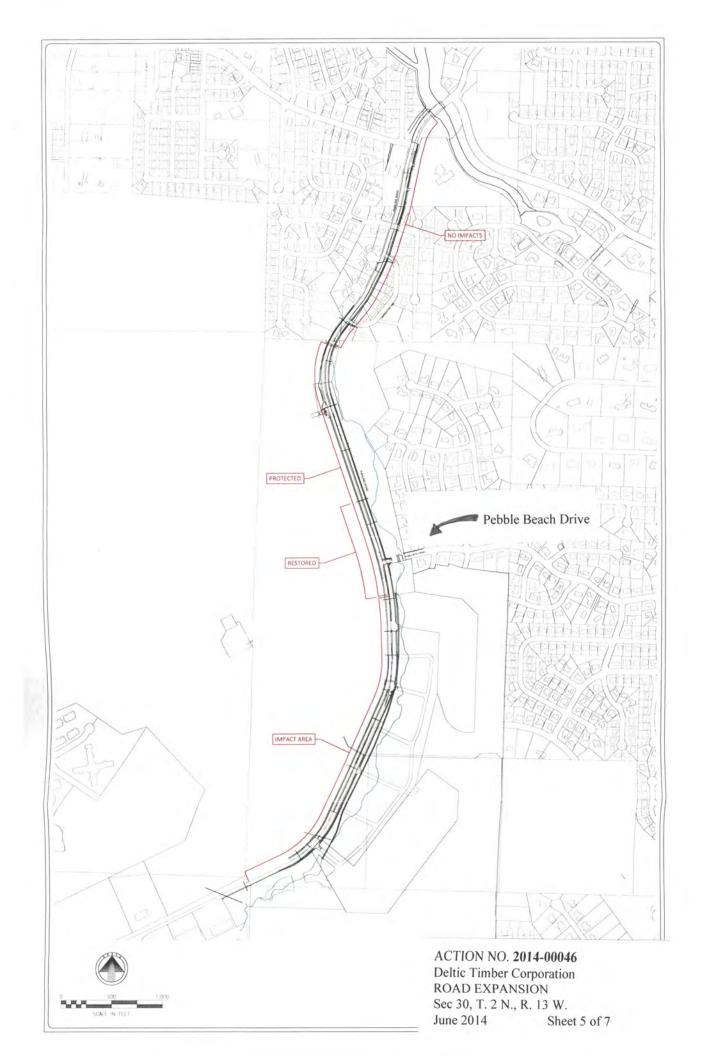
Stream impacted and preserved/restored.

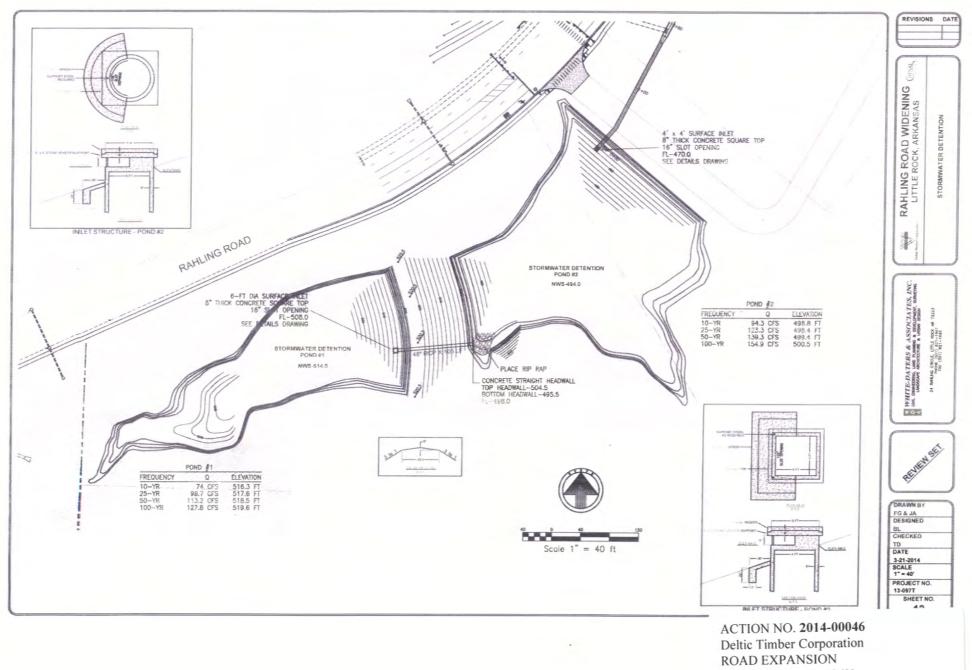
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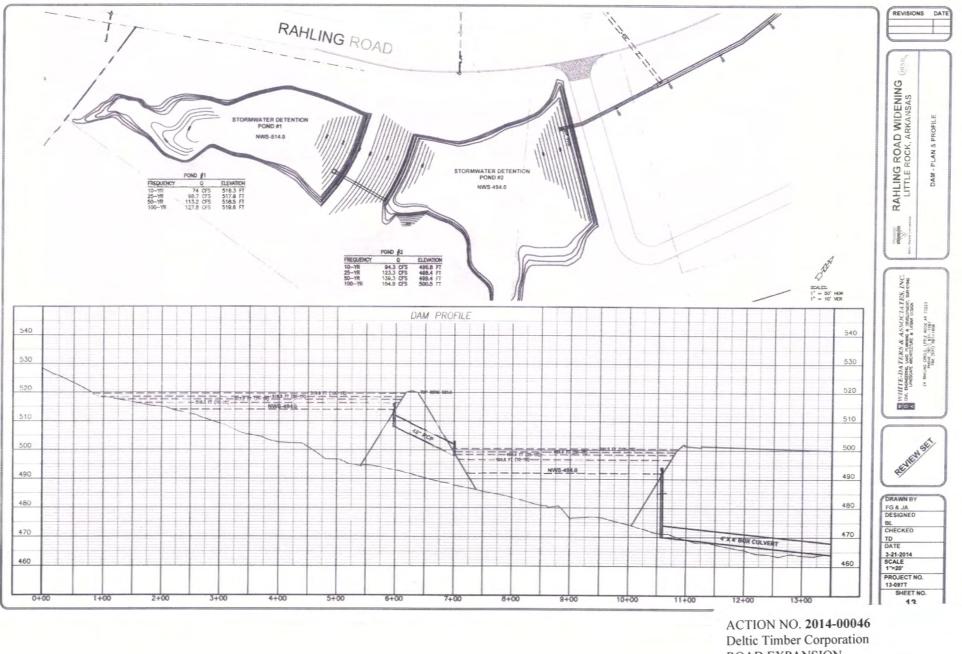
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