



US Army Corps  
of Engineers®  
Little Rock District

# PUBLIC NOTICE

*CORPS OF ENGINEERS*

**Application Number: SWL 1987-00215-28**

**Date: November 7, 2022**

**Comments Due: December 2, 2022**

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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, Gerald Dickson, telephone number: (501) 340-1372, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: [Gerald.W.Dickson@usace.army.mil](mailto:Gerald.W.Dickson@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

**Mr. Bryan Day  
Little Rock Port Authority  
10600 Industrial Harbor Drive  
Little Rock, Arkansas 72206**

has requested a time extension of the maintenance dredging for DA Permit No. SWL 1987-00215-18, and a time extension associated with the completion of the general port facility for DA Permit No. SWL 1987-00215-18. The material would be removed from the Arkansas River by hydraulically pumping the material to retaining dikes for consolidation. The proposed project is located in the Arkansas River, between Navigation Miles 111.0 to 112.7, in Little Rock, Pulaski County, Arkansas.

The project purpose is to maintain the navigational capability of the Little Rock Port Facility and to obtain dredged material from the Arkansas River for use in the area of the Little Rock Port to raise the existing elevation above the FEMA Base Flood elevation for future commercial and/or industrial development at the Little Rock Port.

Discharge of dredged material from the Maintenance Dredging will be placed in an upland area and would not be authorized to be placed into a waters of the United States. Possible return water from the authorized dredge disposal areas will be evaluated and verified under a Nationwide Permit No. 16 Return Water From Upland Contained Disposal Areas.

Additionally, there would be ongoing discharge of riprap along the right descending bank of the Arkansas River between Navigation Mile 110.0 and 112.0 for the purpose of bank stabilization. Appropriate size riprap and quantities will be placed to ensure safe and effective bank stabilization is achieved.

The Little Rock Port Facility was first authorized on 21 March 1967 and has continually been developed to what it is today. The Slack Water Harbor was first authorized on 15 August 1980.

The continued operation of this facility is vital to the economy of the State and the surrounding communities.

The McClellan-Kerr Arkansas River Navigation System (MKARNS) is dredged for commercial uses and to maintain the navigation channel. Natural creation of sand deposits and commercial and maintenance removal of these deposits is an ongoing process for the life cycle of the Arkansas River since the construction of the MKARNS. The Little Rock District Regulatory Division does not typically require compensatory mitigation for dredging activities. Due to this established standard operating procedure and the minor impacts of the project, no compensatory mitigation would be required if the project is permitted.

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

Water Quality Certification. The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 Code of Federal Regulations (CFR) Part 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Arkansas Department of Energy and Environment, Division of Environmental Quality (certifying authority). In accordance with Certification Rule Part 121.6, once the applicant submits a certification request the Corps will determine the reasonable period of time for the certifying agency to act upon the certification and provide written notification. In accordance with Certification Rule Part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received the subject certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

Cultural Resources. A Corps staff archeologist will evaluate the proposal for compliance with Section 106 of the National Historic Preservation Act, including identification and evaluation of cultural resources potentially impacted by the proposal's implementation in waters of the United States. 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.

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 **December 2, 2022**. 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

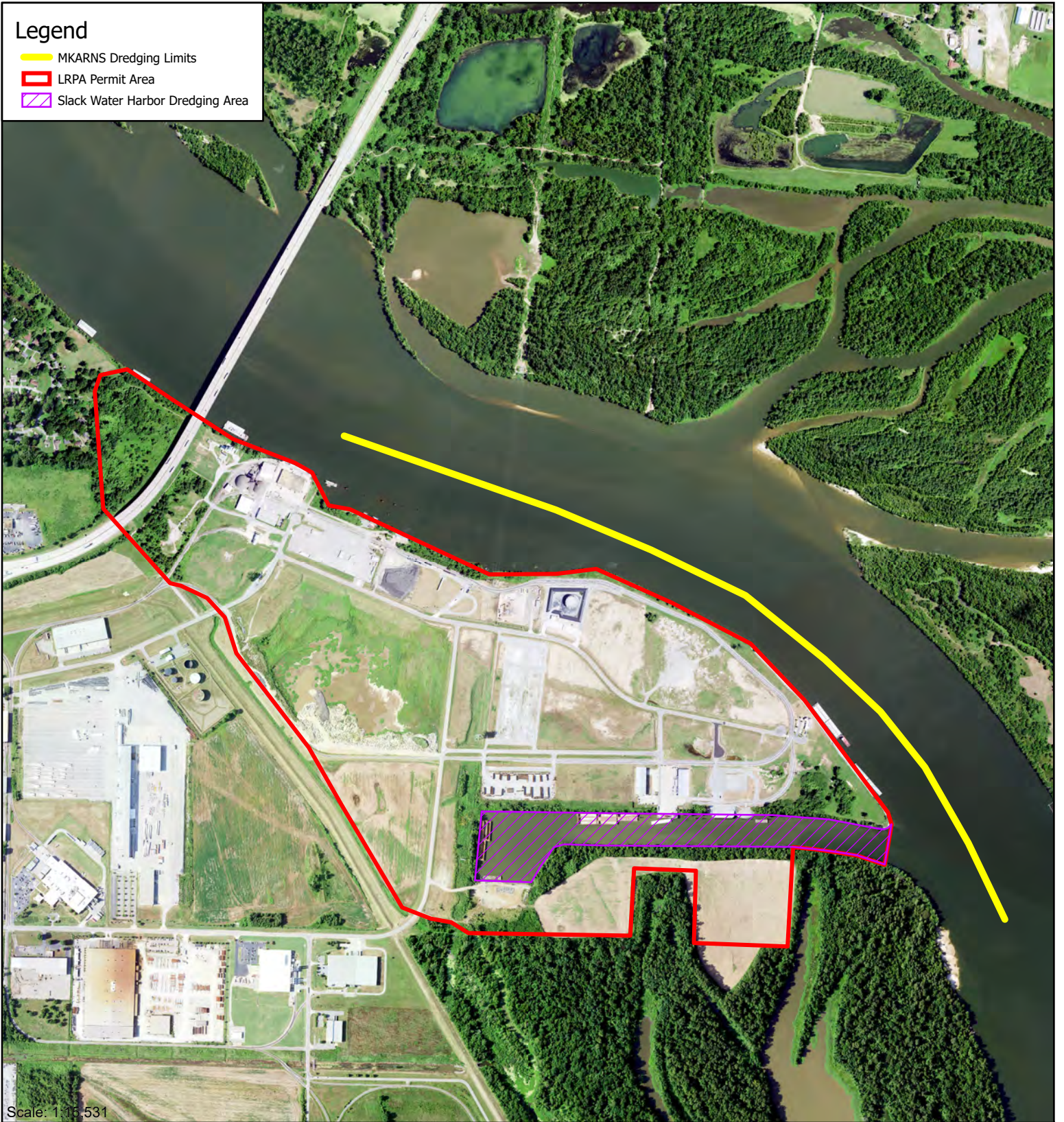
Approximate Coordinates of Project Center

Latitude: **34.716607°**                      Longitude: **-92.162477°**

Start - **Navigation Mile 111.0** End – **Navigation Mile 112.7**

**Legend**

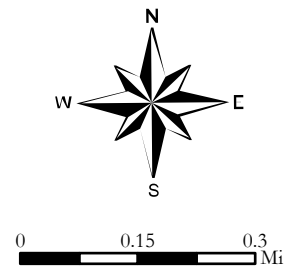
-  MKARNS Dredging Limits
-  LRPA Permit Area
-  Slack Water Harbor Dredging Area



Scale: 1:15,531



**ACTION NO. SWL 1987-00215-28  
Little Rock Port Authority  
LRPA Operation/Maint. Dredging  
Arkansas River, N.M. 111.0 - 112.7  
November 2022**



Coordinate System: NAD 1983 2011 UTM Zone 15N

ATTACHMENT 1  
ITEMIZED LIST OF WORK  
AUTHORIZED BY DEPARTMENT OF THE ARMY PERMIT NO. 1987-00215-18 (SUBJECT TO THE  
SPECIAL CONDITIONS OR ANY OTHER RESTRICTIONS FOUND IN THE PERMIT AND ON THE  
ATTACHED DRAWINGS)

May 2019  
Revised June 2022

**Ongoing Items:**

1. The discharge of approximately 500,000 cubic yards of dredged or fill material in approximately 330 acres of previously leveled and cleared industrial property, to raise the elevation above the FEMA Base Flood Elevation for future commercial/industrial development.
2. The dredging of approximately 6,000,000 cubic yards of sand and gravel from the Arkansas River between navigation mile 111.0 and 112.7.
3. The discharge of riprap along the right bank of the Arkansas River between navigation mile 111.0 and 112.0.
4. The maintenance dredging of the slackwater harbor and channel, including that area around the mouth of the channel, and an area in front of the authorized dock, fuel pier, and conveyor on the Arkansas River as required to maintain ingress, egress, and designed depths. Maintenance dredging waterward of the dock and dolphins shall be limited to a 2,500-foot long by 200-foot wide area extending from about 200 feet upstream of the upstream-most dolphin to about 200 feet downstream of the downstream-most dolphin.

6/22/2022 10:32:26 AM  
 WORKSPACE:Garver\_2012  
 C:\Users\cmc\OneDrive - LR Port Authority Services 2015\002 - Sales Maps and Miscellaneous\2019 USACE Standard Permit Renewal\Drawings\2022-06-22 Existing Infrastructure.dgn  
 REVISION DATE:



WORK ITEM	PROJECT STATUS
① DISCHARGE OF DREDGED FILL*	ONGOING
② DREDGING FOR FILL	ONGOING
③ RIPRAP PLACEMENT	ONGOING
④ MAINTENANCE DREDGING	ONGOING

\*REFER TO EXHIBIT 2

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REV.	DATE	DESCRIPTION	BY

REV.	DATE	DESCRIPTION	BY

LITTLE ROCK PORT AUTHORITY  
 LITTLE ROCK, ARKANSAS

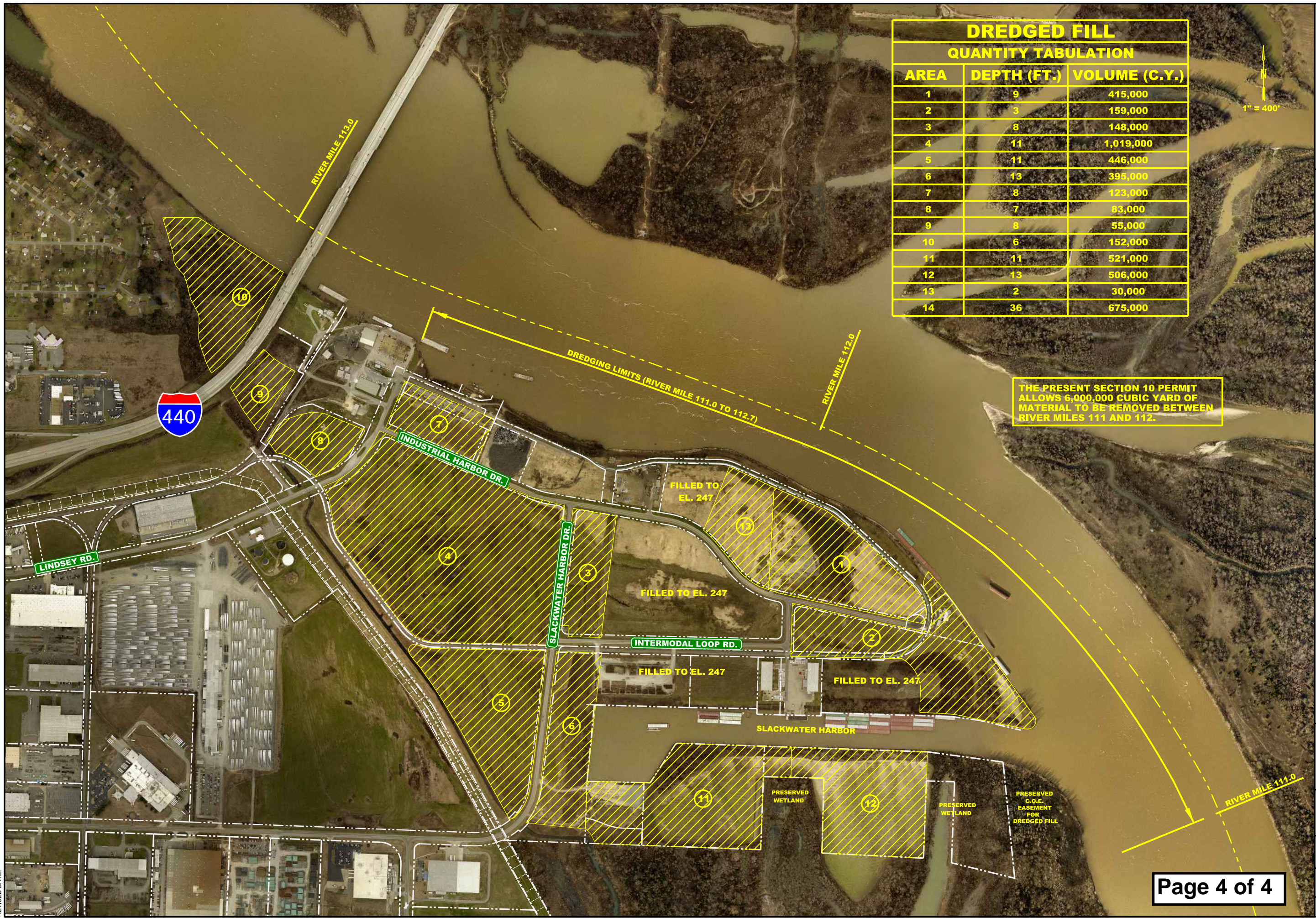
LRPA EXISTING INFRASTRUCTURE AND WORK ITEMS

JOB NO.: 15017240  
 DATE: JUNE 2022  
 DESIGNED BY: CMC  
 DRAWN BY: CMC

BAR IS ONE INCH ON ORIGINAL DRAWING  
 0 1" = 400'  
 IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER  
**EX-1**  
 SHEET NUMBER  
**1**

\$\$\$USER\$\$\$  
 WORKSPACE\$\$\$WORKSPACE\$\$\$  
 REVISED DATE:



DREDGED FILL QUANTITY TABULATION		
AREA	DEPTH (FT.)	VOLUME (C.Y.)
1	9	415,000
2	3	159,000
3	8	148,000
4	11	1,019,000
5	11	446,000
6	13	395,000
7	8	123,000
8	7	83,000
9	8	55,000
10	6	152,000
11	11	521,000
12	13	506,000
13	2	30,000
14	36	675,000

THE PRESENT SECTION 10 PERMIT  
 ALLOWS 6,000,000 CUBIC YARD OF  
 MATERIAL TO BE REMOVED BETWEEN  
 RIVER MILES 111 AND 112.



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REV.	DATE	DESCRIPTION	BY

LITTLE ROCK PORT  
 AUTHORITY  
 LITTLE ROCK, ARKANSAS

LRPA DREDGED FILL  
 AREAS AND VOLUMES

JOB NO.: 15017240  
 DATE: MAY 2019  
 DESIGNED BY: CMC  
 DRAWN BY: CMC

BAR IS ONE INCH ON  
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DRAWING NUMBER  
**EX-2**  
 SHEET  
 NUMBER **2**