



US Army Corps
of Engineers®
Little Rock District

PUBLIC NOTICE

CORPS OF ENGINEERS

Application Number: SWL-2024-00091

Date: March 22, 2024

Comments Due: April 16, 2024

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

**Arkansas Department of Transportation (ArDOT)
PO Box 2261
Little Rock, AR 72203**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with the relocation of a 2.4-mile section of State Highway 113. The proposed project is located in western sections 6 and 7, T. 5 N., R. 16 W., Oppelo, Conway County, Arkansas.

The project purpose is to improve traffic and economic conditions in the Town of Oppelo.

The project will be completed under the ArDOT Job number 080711 and would expand and relocate a 2.4-mile section of Highway 113 to facilitate the expansion of the Green Bay Packaging facility, located in Oppelo. ArDOT proposes to move the roadway approximately one-half mile to the west and expand the roadway from two 11-foot-wide travel lanes with 6-foot-wide paved shoulders to 12-foot-wide travel lanes with 6-foot-wide paved shoulders.

The project would adversely impact approximately 820 liner feet of streams, 4.75 acres of wetlands and a 0.54-acre of pond through filling for new roadway embankment permanently installing culverts. Specifically, within unnamed streams that drain to the Arkansas River, ArDOT plans to install a 42-inch-wide by 86-foot-long double pipe culvert with riprap splash pad, a 36-inch-wide by 96-foot-long double pipe culvert with riprap splash pad, and a 9-foot-wide by 9-foot-high by 114-foot-long box culvert with bottom and wings. Also, within wetlands and ponds that drain to the Arkansas River, ArDOT proposes to permanently fill 5.29 acres for embankment construction.

The project is located within Cypress Creek and Portland Bottoms-Arkansas River watershed and will require the acquisition of approximately 43 acres of new right-of-way. Direct land use changes would primarily be the conversion of forest and pastureland with scattered low-density

residential development to a maintained right-of-way for transportation use. The overall roadway improvement project will convert approximately 22.2 acres of Prime Farmland and 7.8 acres of Farmland of Statewide Importance to roadway right-of-way, which has been coordinated with the United States Department of Agriculture, Natural Resources Conservation Service.

The applicant has made noise predictions for this project using the Federal Highway Administration (FHWA) Traffic Noise Model Version 2.5. The model indicated one noise sensitive receptor would experience noise impacts under both existing and future build conditions. No additional receptors were identified along the proposed realignment section. The applicant determined a noise barrier would not be warranted, constructable or cost-effective. There are no relocations, environmental justice issues, hazardous materials, underground storage tanks or cultural resources impacts associated with this project. The relocation of Highway 113 will allow for access points by private drives to be reduced by 50 percent, travel lane widths to be increased and reduced potential for interactions between commercial vehicles and passenger vehicles.

ArDOT proposes to minimize impacts to aquatic resources by crossing wetlands and waters in a perpendicular manner to the maximum extent that is practicable. Additionally, ArDOT proposes to utilize compensatory mitigation credits from an approved mitigation bank within the same watershed for unavoidable impacts to 5.29 acres of wetlands and ponds, and 1,386 linear feet (0.12-acre) of streams. The location and general plan for the proposed work are shown on the enclosed sheets 1 through 8 of 8.

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. ArDOT staff archeologists have reviewed topographic maps, the National Register of Historic Places, and completed a Cultural Resources Phase II Study for the project area. The FHWA has completed coordination with all associated Native American Nations and tribal governments. The District Engineer invites responses to this public notice from 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. ArDOT determined that the project may affect but is not likely to adversely affect the federally listed Eastern Black Rail. Additionally, ArDOT has determined the proposed project would have no effect on the Federally listed Piping Plover, Red Knot, Indiana Bat and Northern Long-eared Bat. Lastly, ArDOT determined the project may impact but will not jeopardize the continued existence of the proposed threatened Alligator Snapping Turtle or Tricolored Bat. 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. The Corps has determined that the project will impact a Special Flood Hazard Area Zone AE. 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 **April 16, 2024**. 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:

Project Maps

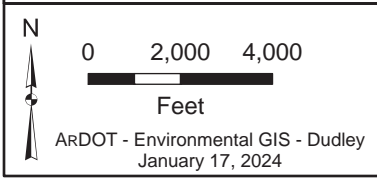
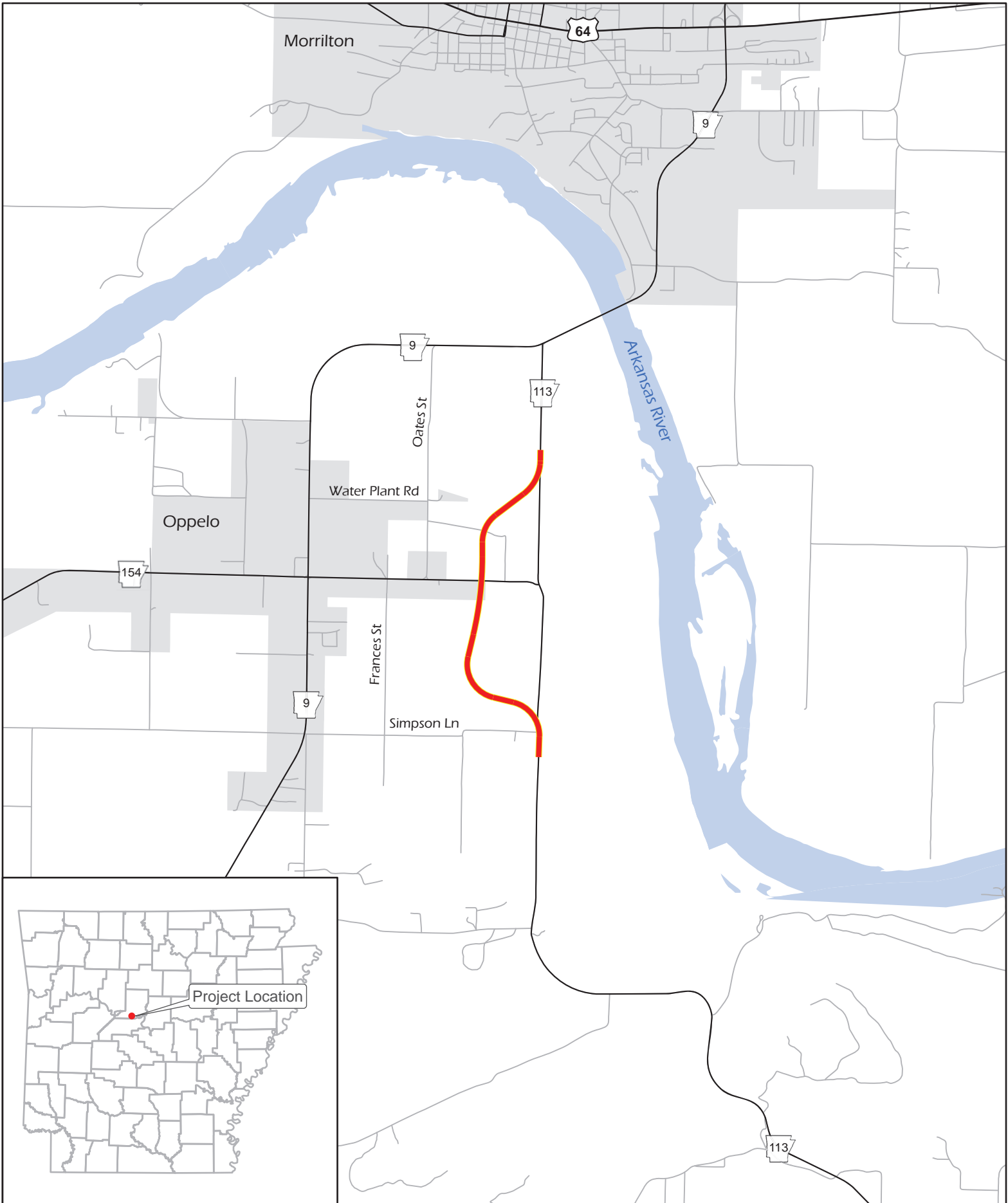
Approximate Coordinates of Project Center

Latitude: **35.106769°**

Longitude: **-92.746363°**

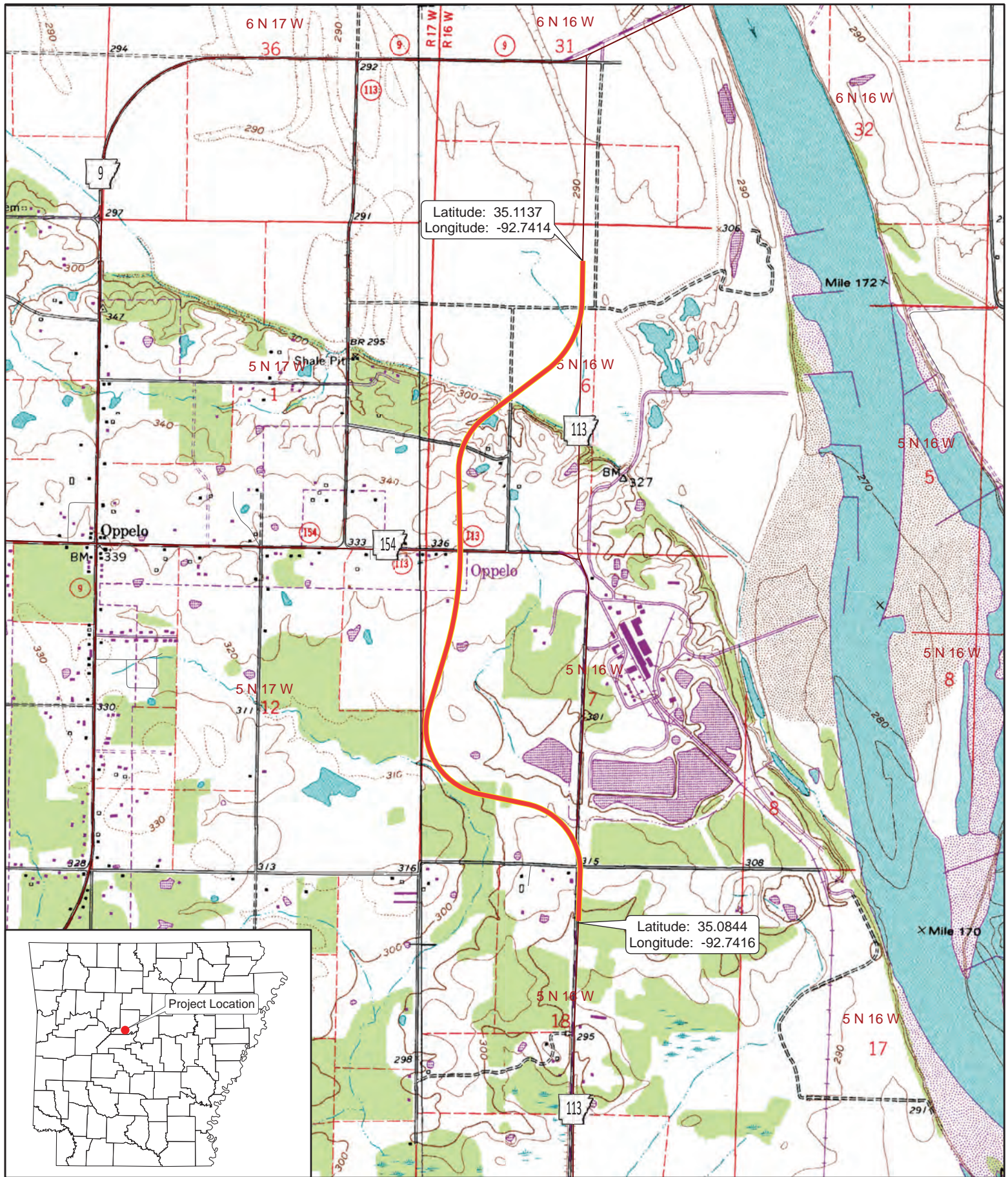
UTM Zone: **15N** North: **523114**

East: **3884912**



**SWL 2024-00091 ArDOT-State
Highway 113 Relocation-Conway Co.
March 2024 Sheet 1 of 8**

 Project Location



SWL 2024-00091 Hwy. 113 Relocation Sheet 2 of 8

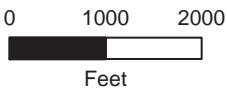
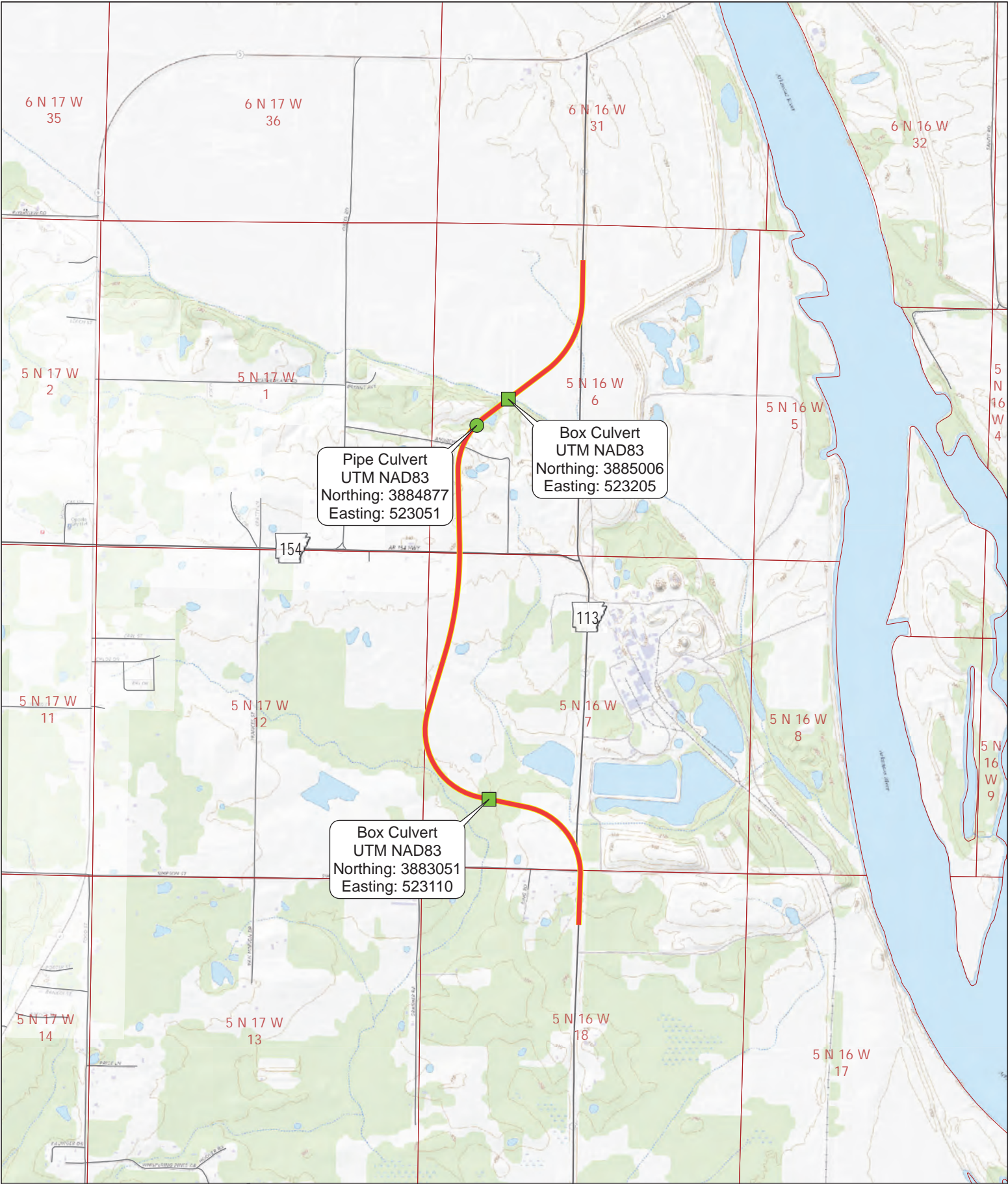


Scale - 1:24,000

ARDOT - Environmental GIS - Hopkins
June 6, 2023

Project Location

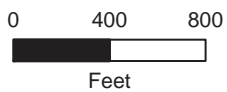
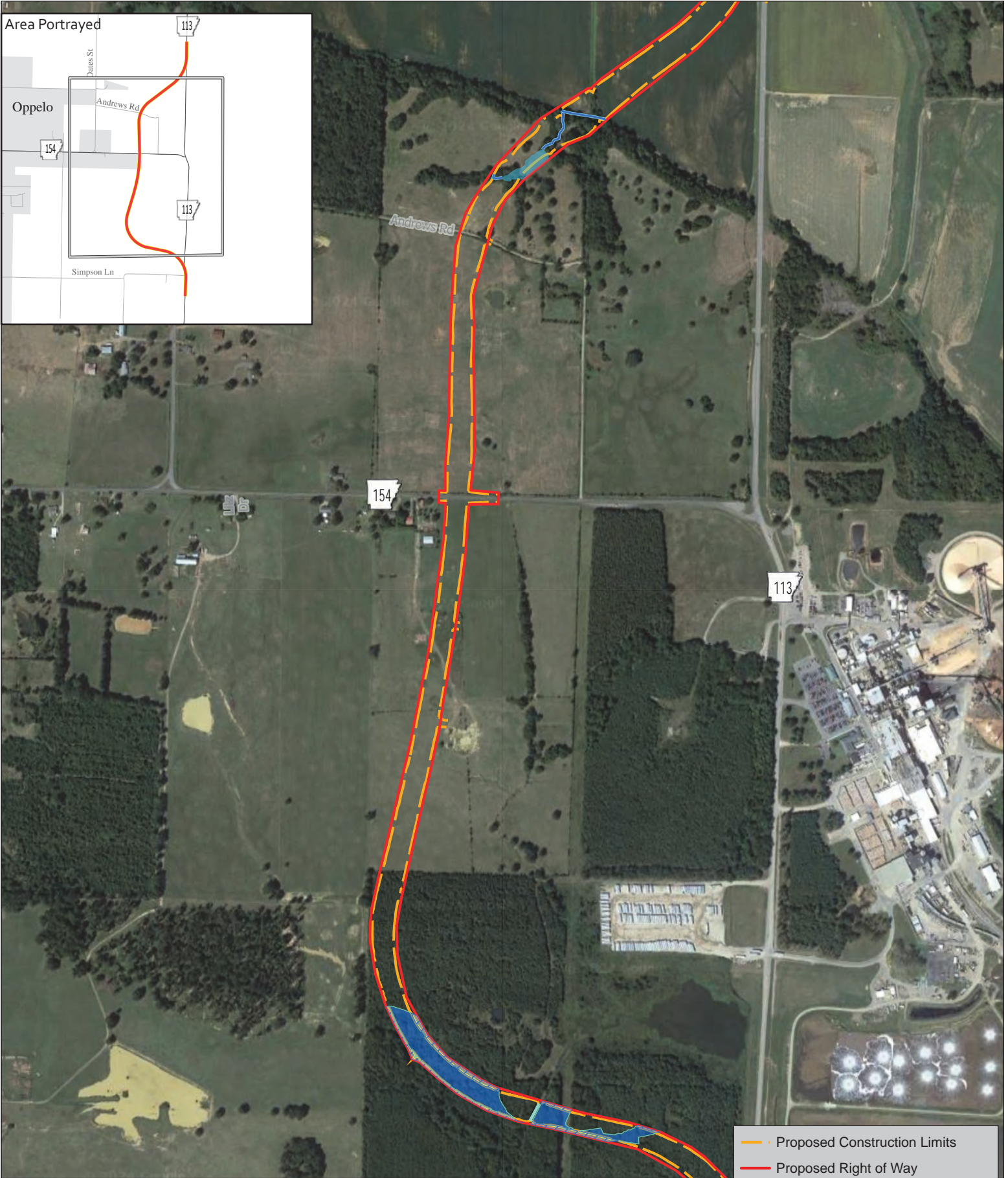
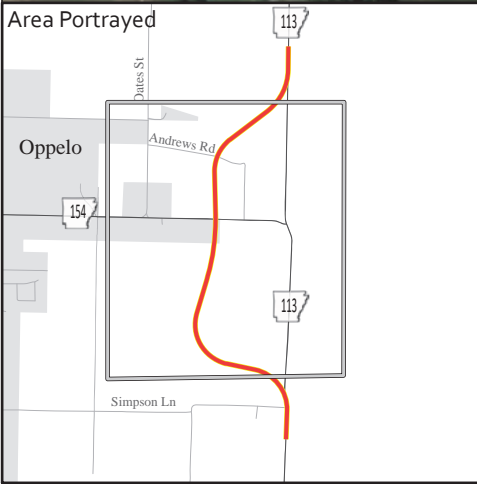
USGS Topographic Maps:
Houston 1995; Perryville 1995



**SWL 2024-00091 Hwy. 113 Relocation
Sheet 3 of 8**



Area Portrayed

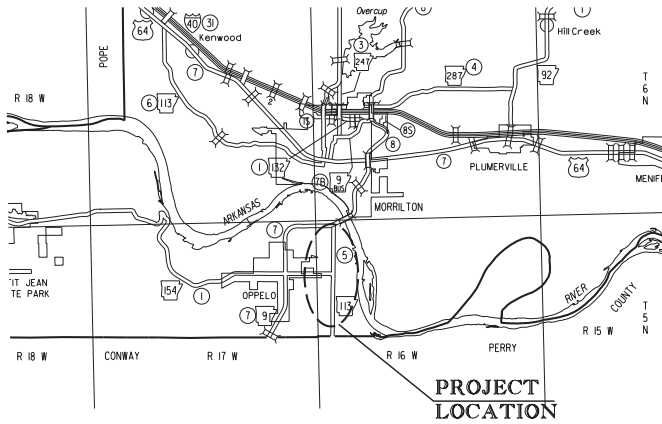


Job 080711

ARDOT - Environmental GIS - Hopkins
January 19, 2024

SWL 2024-00091 Hwy. 113 Relocation Sheet 4 of 8

- Proposed Construction Limits
- Proposed Right of Way
- ~ Intermittent Stream Impact (696 ft.)
- ~ Perennial Stream Impact (124 ft.)
- ▨ Wetland Clearing (1.12 acres)
- Wetland Fill (3.63 acres)
- Pond Fill (0.54 acre)



VICINITY MAP

ARKANSAS DEPARTMENT OF TRANSPORTATION
CONSTRUCTION PLANS



HIGHWAY 113 RELOCATION
(CONWAY CO.) (S)

CONWAY COUNTY
ROUTE 113 SECTION 5

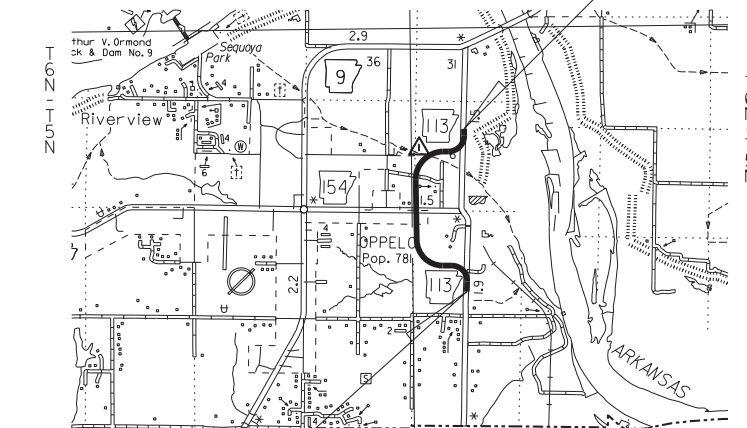
JOB 080711

FED. AID PROJ. STPR-0015(33)

NOT TO SCALE

R-17-W | R-16-W

STA. 229+00.00
END JOB 080711



STA. 104+00.00
BEGIN JOB 080711
LOG MILE 0.855

R-17-W | R-16-W

STRUCTURES OVER 20'-0" SPAN

- △ STA. 204+30.00 CONSTRUCT
TRI. 9' X 9' X 14' R.C. BOX CULVERT
WITH 3d WINGS LT. & RT.
WITH 35° RT. FWD SKEW
Q25=998 CFS D.A.= 2.67 SO. MI.
SPAN= 37.03'

ARKANSAS HIGHWAY DISTRICT 8

• DESIGN TRAFFIC DATA •

DESIGN YEAR	-----2044
2024 ADT	-----3400
2044 ADT	-----4200
2044 DHV	-----462
DIRECTIONAL DISTRIBUTION	-----0.60
TRUCKS	-----25%
DESIGN SPEED	-----60 MPH



01-26-2024

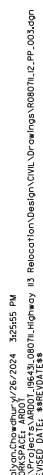
	BEGIN OF PROJECT	MID-POINT OF PROJECT	END PROJECT
LATITUDE	N 35°05'05"	N 35°05'53"	N 35°06'48"
LONGITUDE	W 92°44'30"	W 92°44'55"	W 92°44'29"

LENGTH COMPUTED ALONG C.L. HWY. 113 RELOCATION			
GROSS LENGTH OF PROJECT	12500.00	FEET	2,367 MILES
NET LENGTH OF ROADWAY	12462.97	FEET	2,360 MILES
NET LENGTH OF BRIDGES	37.03	FEET	0.007 MILES
NET LENGTH OF PROJECT	12500.00	FEET	2,367 MILES

STATE OF
ARKANSAS

LICENSED
PROFESSIONAL
ENGINEER

No. 20584
ROBERT B. DARRINGTON



DUMPED RIPRAP
STA. 198+00.00
STA. 198+00.00

SIDE
RT.
LT.

CU. YDS.
17
17

DUMPED RIPRAP
STA. 198+00.00
STA. 198+00.00

SIDE
RT.
LT.

CU. YDS.
17
17

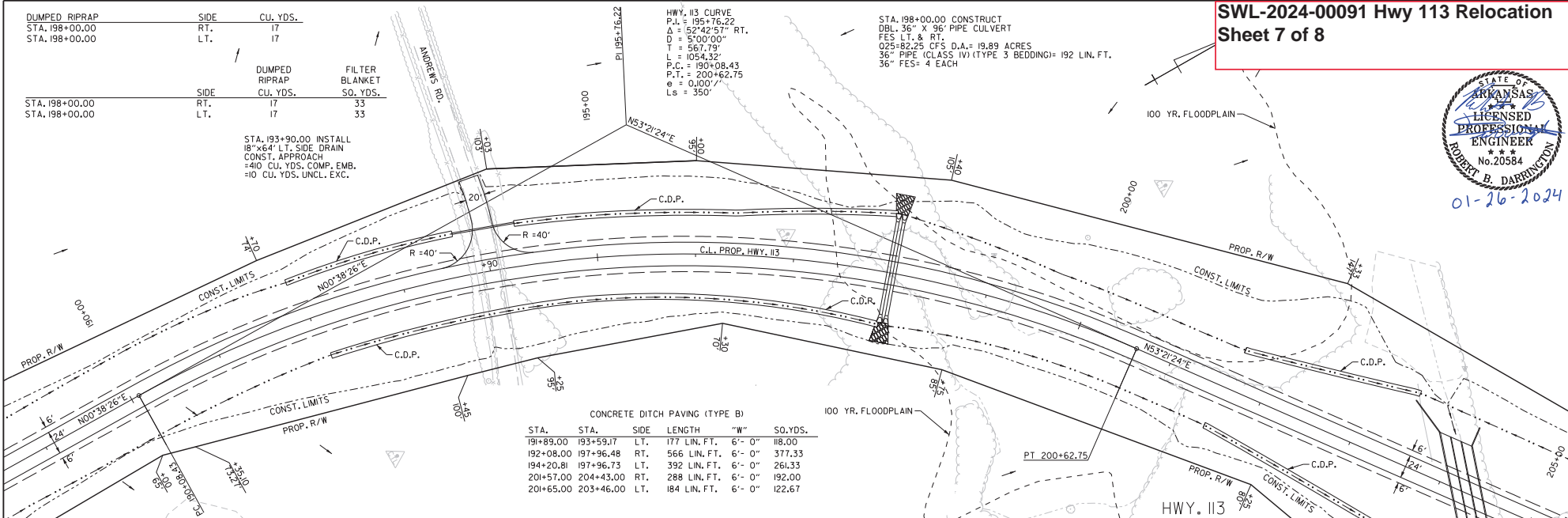
FILTER
BLANKET
SO. YDS.
33
33

STA. 193+90.00 INSTALL
18"x64" LT. SIDE DRAIN
CONST. APPROACH
=410 CU. YDS. COMP. EMB.
=10 CU. YDS. UNCL. EXC.

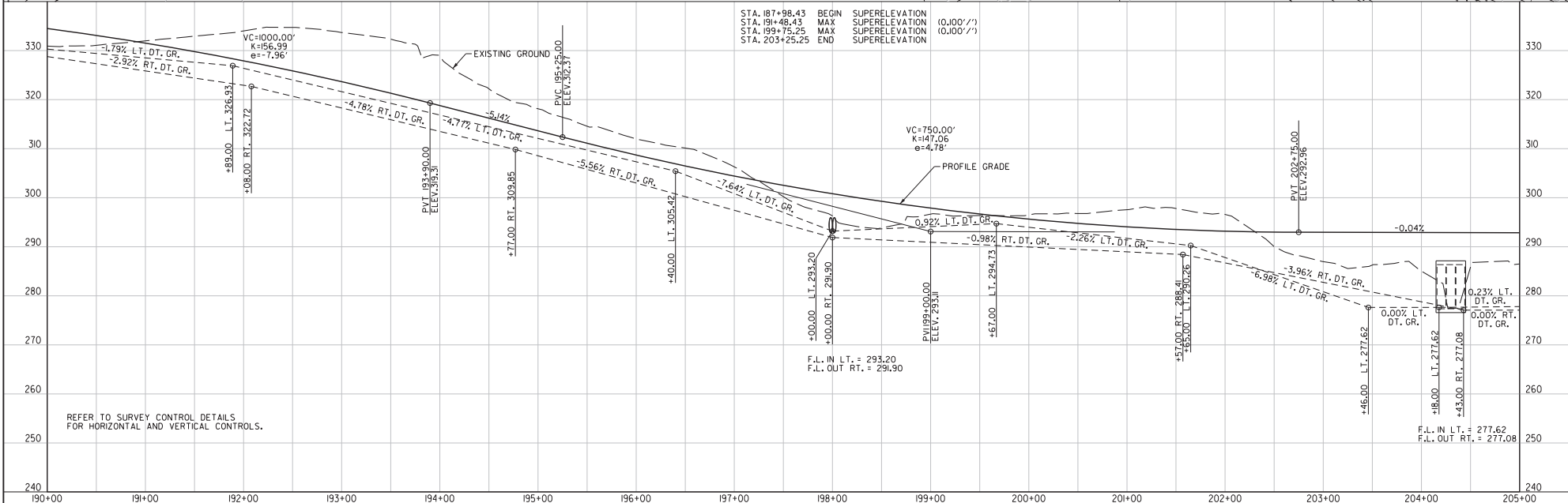
HWY. 113 CURVE
P.I. = 195+76.22
 $\Delta = 53^{\circ}42'57"$ RT.
D = 5700'00"
T = 567.79'
L = 1054.32'
P.C. = 190+08.43
P.T. = 200+62.75
 $e = 0.100'$
 $L_s = 350'$

STA. 198+00.00 CONSTRUCT
DBL 36" X 96" PIPE CULVERT
FES LT. & RT.
025=82.25 CFS D.A.= 19.89 ACRES
36" PIPE (CLASS IV) (TYPE 3 BEDDING)= 192 LIN. FT.
36" FES= 4 EACH

SWL-2024-00091 Hwy 113 Relocation Sheet 7 of 8



CONCRETE DITCH PAVING (TYPE B)					
STA.	STA.	SIDE	LENGTH	"W"	SO. YDS.
191+89.00	193+59.17	LT.	177 LIN. FT.	6'-0"	118.00
192+08.00	197+96.48	RT.	566 LIN. FT.	6'-0"	377.33
194+20.81	197+96.73	LT.	392 LIN. FT.	6'-0"	261.33
201+57.00	204+43.00	RT.	288 LIN. FT.	6'-0"	192.00
201+65.00	203+46.00	LT.	184 LIN. FT.	6'-0"	122.67



Revised: 01/26/2024 3:55:27 PM
PROJECT: ARDOT 19643.00071-Hwyway 113 Relocation-Design-Civil-Drainage-Roadway-PP-001.dgn
REVISION DATE: 01/26/2024

REFER TO SURVEY CONTROL DETAILS
FOR HORIZONTAL AND VERTICAL CONTROLS.

SWL-2024-00091 Hwy 113 Relocation
Sheet 8 of 8

