



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2001-17226-3

Date: January 20, 2015

Comments Due: February 16, 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, Cynthia Blansett, 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: Cynthia.W.Blansett@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. Gilbert Collins
City of Little Rock Public Works
701 West Markham Street
Little Rock, Arkansas 72201**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with the construction of two earthen levees across Old Channel Fourche Creek. Dredged material from the remainder of the channel would be placed between the two levees. The proposed project would impact approximately 0.67 acres of waters of the United States and is located in the Old Channel Fourche Creek, on the right descending bank of the Arkansas River, at Navigation Mile 113.5, in the SE ¼ of section 9, T. 1 N., R. 11 W., Little Rock, Pulaski County, Arkansas.

The basic purpose of the project is to fill an existing shallow pool. The overall purpose of the project is to construct two levees, which would form a deep-water habitat and would eliminate the current conditions, which the applicant considers to be a shallow water breeding ground for mosquitoes and other nuisance species and vegetation, near a residential neighborhood in Little Rock, Arkansas. The project is water dependent.

To accomplish the project, two levees would be placed across Old Channel Fourche Creek. The north levee would be constructed of approximately 405 cubic yards of fill; the south levee would be constructed of approximately 830 cubic yards of fill. The fill material for the levees on both ends would be silty clay material found on the island adjacent to the channel. Current plans do not include armoring the ends of the levees. Approximately 11,537 cubic yards of material would be dredged from the remainder of the channel, between 231.0 feet mean sea level (msl) and 234.0 feet msl, and placed between the two levees. The fill area would be graded to drain and is not intended to act as a weir. The resultant channel would be deeper and the upstream connection to the Arkansas River would be filled.

Several alternatives were studied to avoid placing fill in the channel. These alternatives included dredging the sediment from the entire length of the channel, then placing the material in disposal areas on the land nearby and dredging the sediment. The project has been designed to fill the minimum amount of the channel to allow for dredging of the remaining channel to the desired channel depth.

Typical best management practices will be used to minimize impacts to water quality and other resources. The project is designed to manage stormwater within the fill area. The applicant has not proposed mitigation for stream or wetland impacts.

The project 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 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 **February 16, 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: **34.72495** Longitude: **-92.18786**

UTM Zone: **15** North: **3842842** East: **574357**