



US Army Corps
of Engineers®
Little Rock District

PUBLIC NOTICE

CORPS OF ENGINEERS

Application Number: SWL-2005-20347

Date: August 4, 2021

Comments Due: August 30, 2021

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, Rocky Presley, telephone number: (501) 340-1390, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: Rocky.L.Presley@usace.army.mil

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

**Crystal Bridges Museum of American Art
600 Museum Way
Bentonville, Arkansas 72712**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with expansion of the existing museum and creation of two permanent pools within the proposed facilities. The proposed project is located in Town Branch, in the NW 1/4 of section 29, T. 20 N., R. 30 W., Bentonville, Benton County, Arkansas.

The project purpose is to expand the museum facilities for patrons, including providing additional exhibit areas and expanded outdoor space with landscaping.

The museum expansion would include construction of new buildings on the north side of the museum extending downstream along each side of Town Branch. The proposed east building would abut and partially cover the right stream bank resulting in fill placement along 150 linear feet of the stream. The project also includes installation of two weirs to create permanent pools that would extend between the proposed buildings and continue downstream through landscape areas. The two weirs would result in impoundments of 275 and 404 linear feet of stream channel. Additional proposed site features would consist of a courtyard, walkways, two bridges, and various stream bank treatments including retaining walls, stacked rock, and plantings.

The west half of the proposed expansion area includes the northern lawn of the museum, which has been generally improved with manicured lawns and paved walking trails. The eastern portion of the expansion area consists of an existing stream mitigation area supporting riparian and upland forested communities along Town Branch, a perennial tributary to McKissic Creek. These riparian areas were previously enhanced as part of the on-site, permittee-responsible mitigation for the original 2006 permit authorization of the museum development. The applicant is now requesting authorization to develop this mitigation area for the expansion and replace the previously required compensatory mitigation by purchasing stream credits from an approved

mitigation bank. The applicant also proposes to purchase stream credits to provide mitigation for the stream impacts associated with the currently proposed museum expansion and creation of pools.

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. The applicant submitted a certification request to the Water Quality Planning Branch of the Arkansas Department of Energy and Environment, Division of Environmental Quality (certifying authority) with copy to the Corps on July 7, 2021. In accordance with Certification Rule Part 121.6, the Corps has determined the reasonable period of time for the certifying agency to act upon the certification request is 60 days. 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.

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 **August 30, 2021**.

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

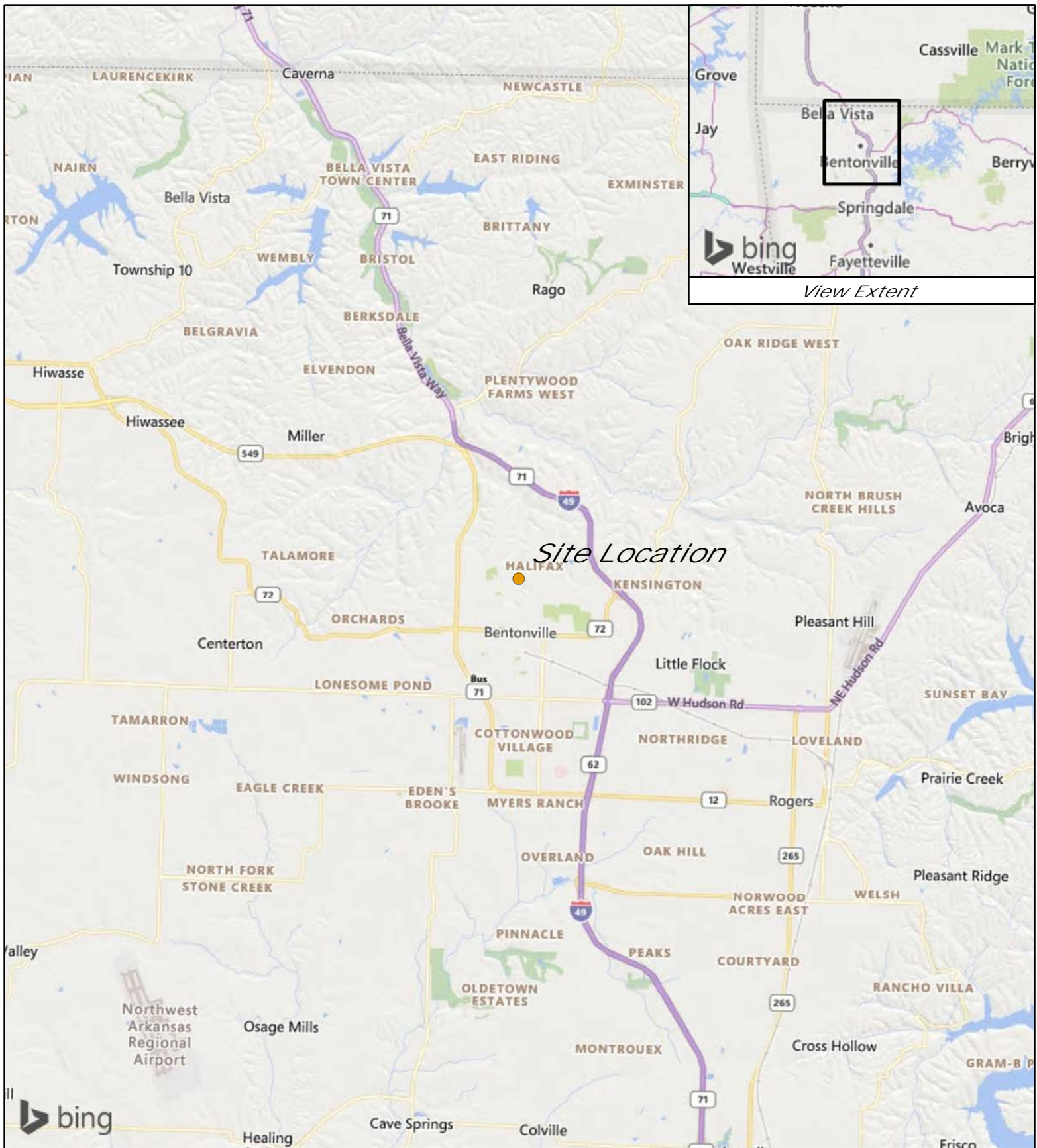
Approximate Coordinates of Project Center

Latitude: **36.38352**

Longitude: **-94.20326**

UTM Zone: **15N** North: **4027160**

East: **392077**



Crystal Bridges Expansion

2
Miles

● Site Location



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Background: Microsoft Corporation and its data suppliers

Figure 1. Vicinity Map

Action No. SWL-2005-20347
Crystal Bridges Museum
Expansion/Weirs
Bentonville, Benton County, Arkansas
August 2021 Sheet 1 of 7

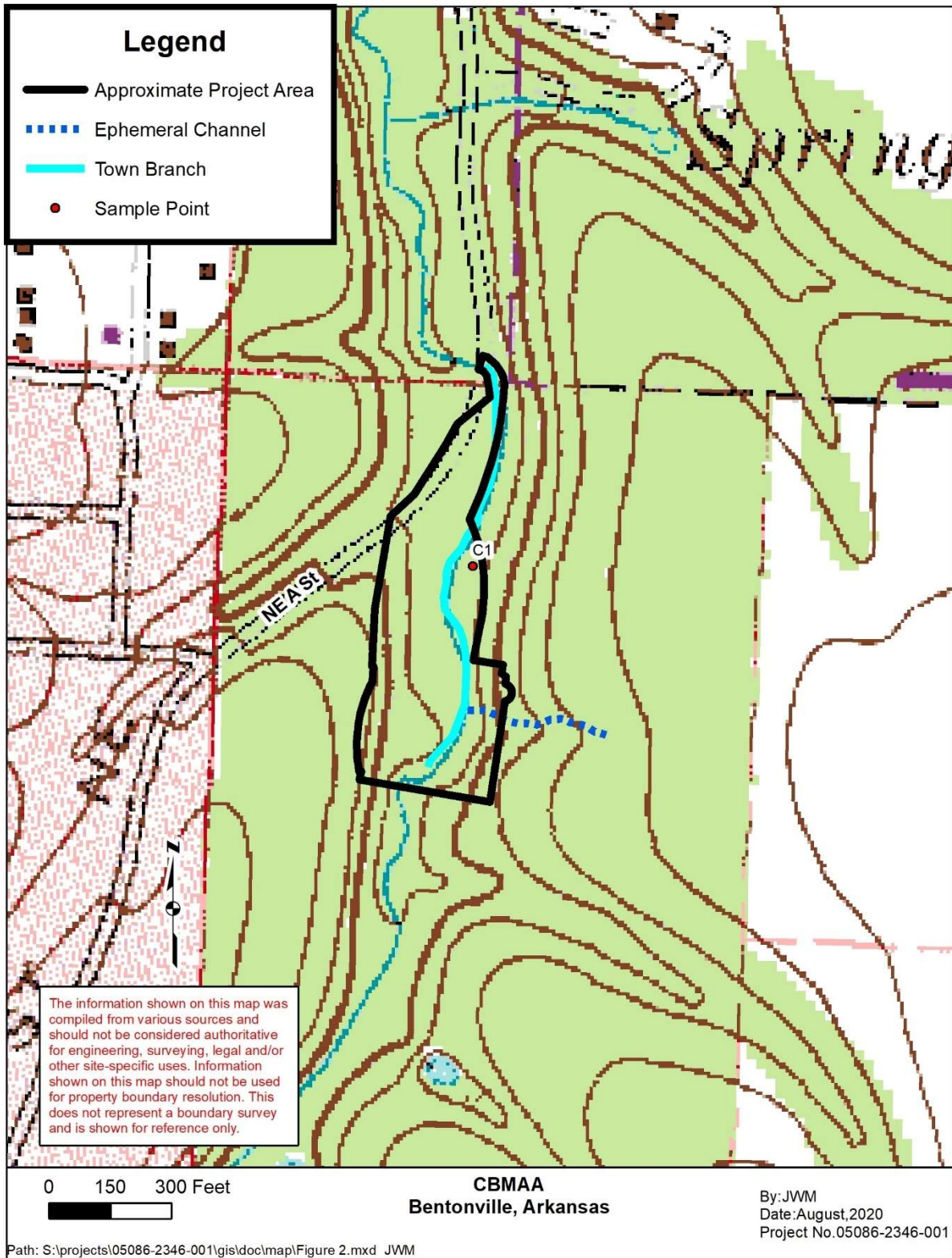


Figure 2. Map showing an overview of the project area based on USGS topographic quadrangle Bentonville North, AR (7.5-minute series).

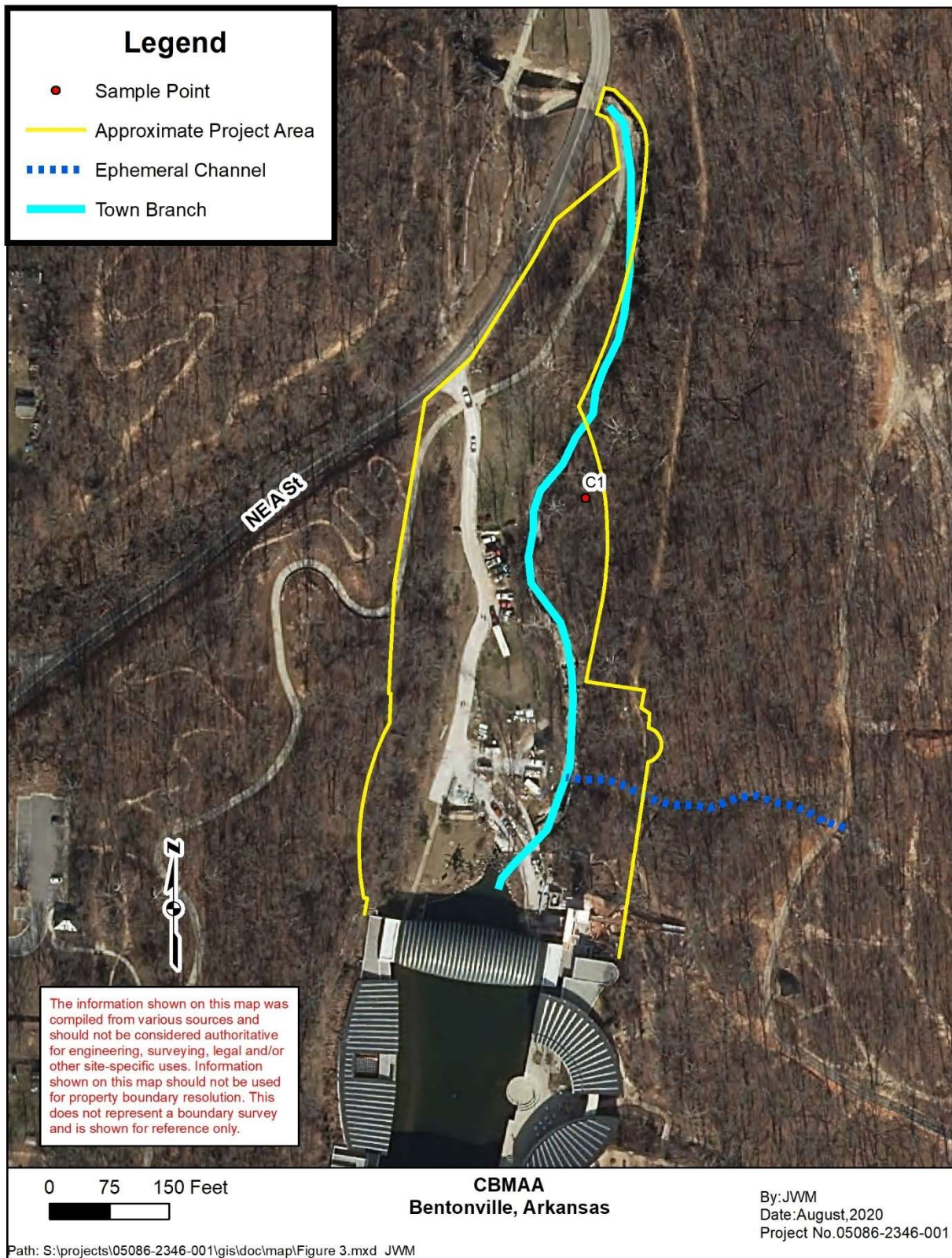


Figure 3. Aerial map showing project area details.

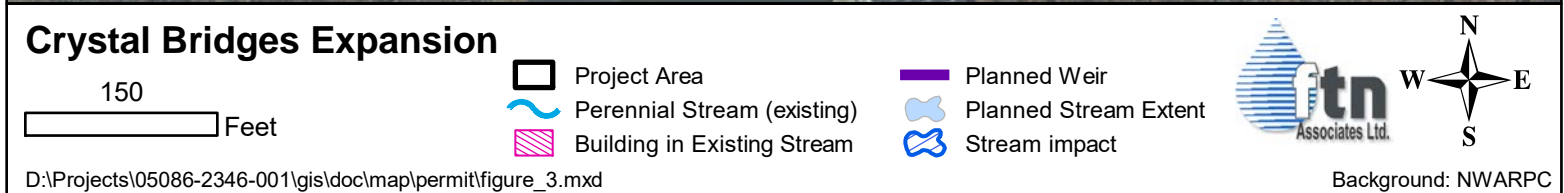
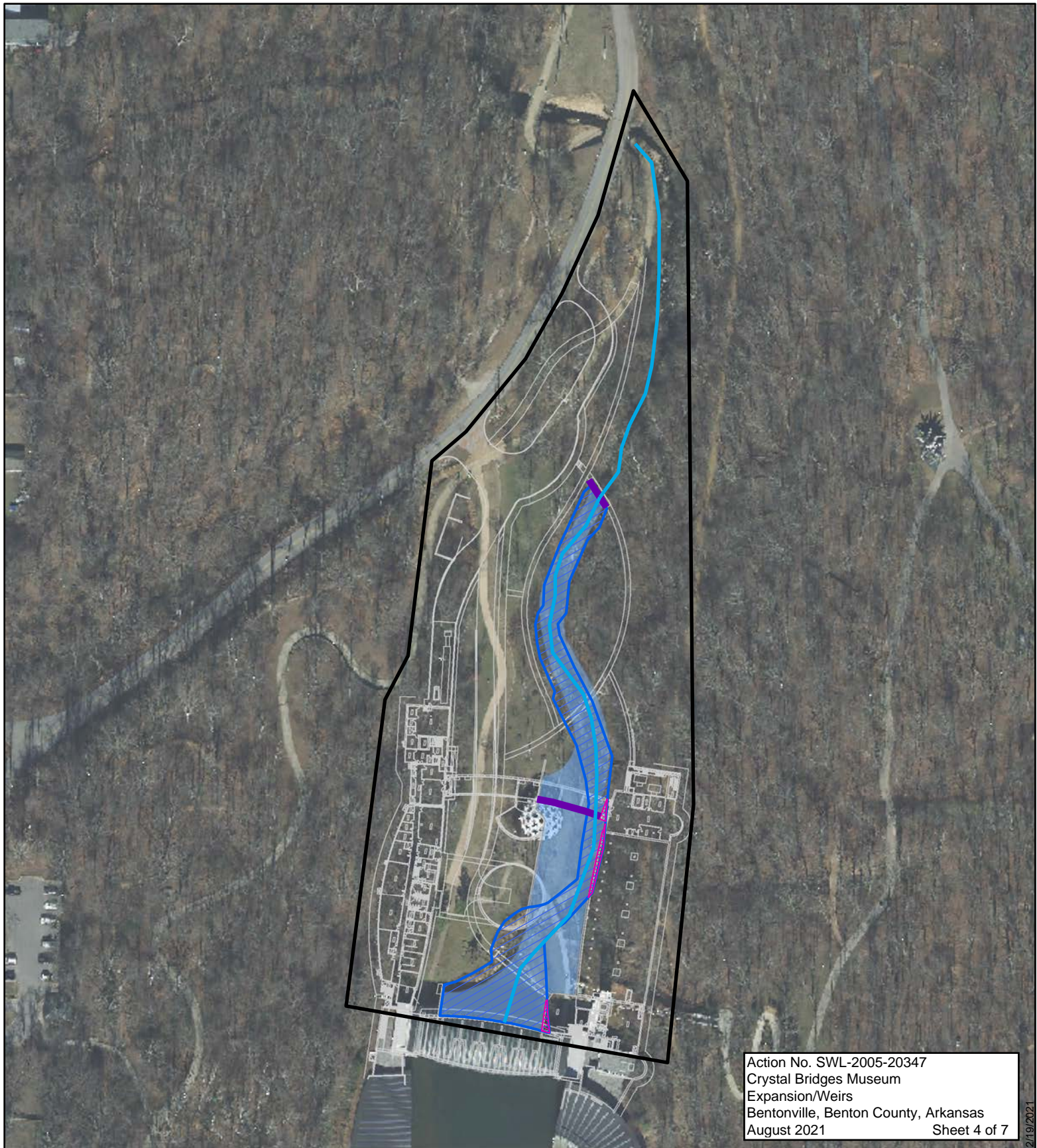


Figure 3. Map showing project area details overlaid on 2020 Northwest Arkansas Planning Commission imagery.

CRYSTAL BRIDGES
EXPANSION

CRYSTAL BRIDGES
MUSEUM OF AMERICAN ART

600 Museum Way
Bentonville, AR 72712

CLIENT
Crystal Bridges Museum of American Art

DESIGN ARCHITECT
Sutcliffe Architects, LLC
100 Popple Way
Spartanburg, SC 29576-3740, USA
T 817.829.2100 F 817.629.2406

ARCHITECT OF RECORD
Hight Jackson Associates
3301 W Village Pkwy #300
Rogers, AR 72758
T 479.464.4965 F 479.464.8524

STRUCTURE/FACADE/WATERPROOFING/
SUSTAINABILITY ENGINEERING
Baro Haggard Engineering
11 Beacon St #400
Boston, MA 02108
T 617.419.2284

MEP/FIRE ENGINEERING/SECURITY
Baro Haggard Engineering
11 Beacon St #400
Boston, MA 02108
T 617.419.2284

LIGHTING DESIGN
LAM Partners
84 Sherman St
Cambridge, MA 02140
T 617.354.4002

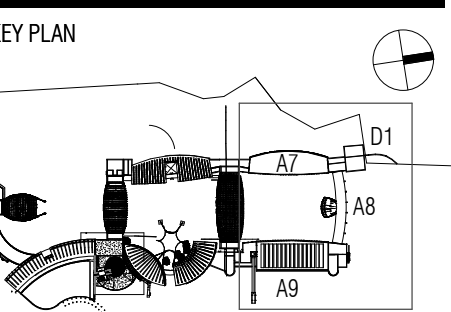
CIVIL & GEOTECHNICAL
LAM Partners
84 Sherman St
Cambridge, MA 02140
T 617.354.4002

LANDSCAPE ARCHITECT
COEN & PARTNERS
200 North Washington Ave, Suite 300
Minneapolis, MN 55403
T 612.541.8070

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SIGNATURE AND DATE IS AFFIXED, THIS
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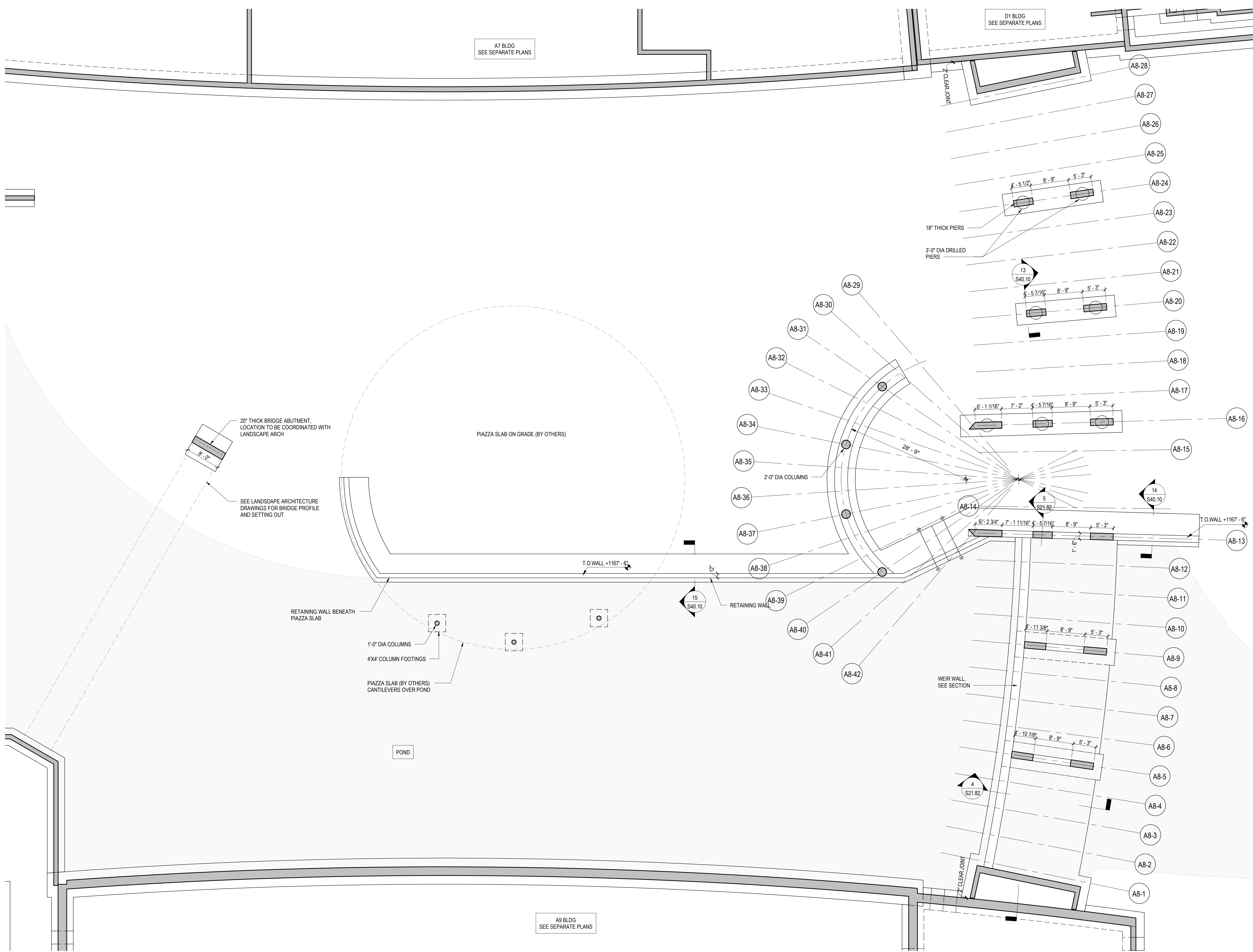
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Dated: 1/29/2021

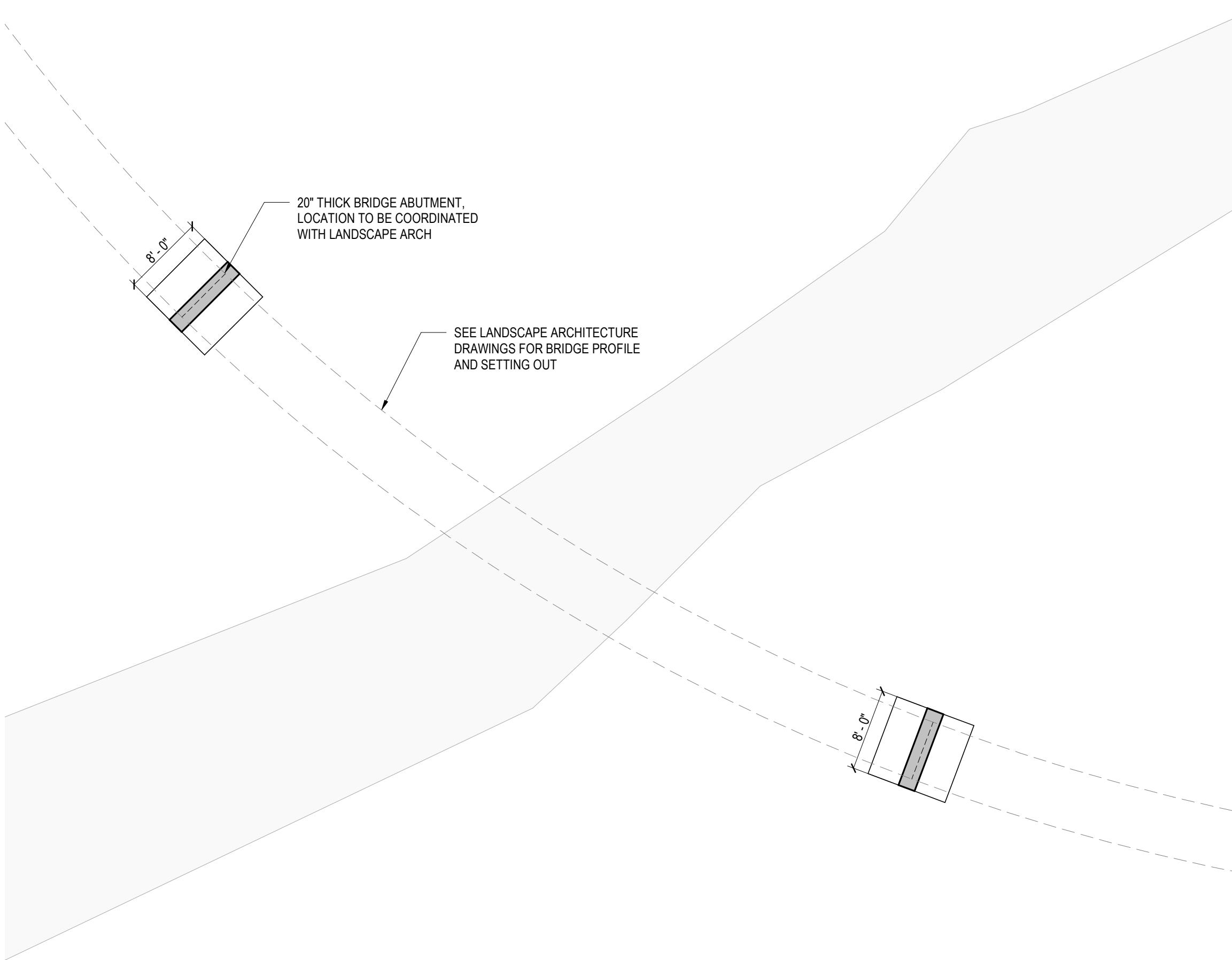
PROJECT NUMBER	DRIVEN BY
BK044800	Author
DATE	CHECKED BY
12/10/20	Checker
PHASE	50% DESIGN DEVELOPMENT
SCALE	As indicated

Action No. SWL-2005-20347
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Expansion/Weirs
Bentonville, Benton County, Arkansas
August 2021
Sheet 6 of 7



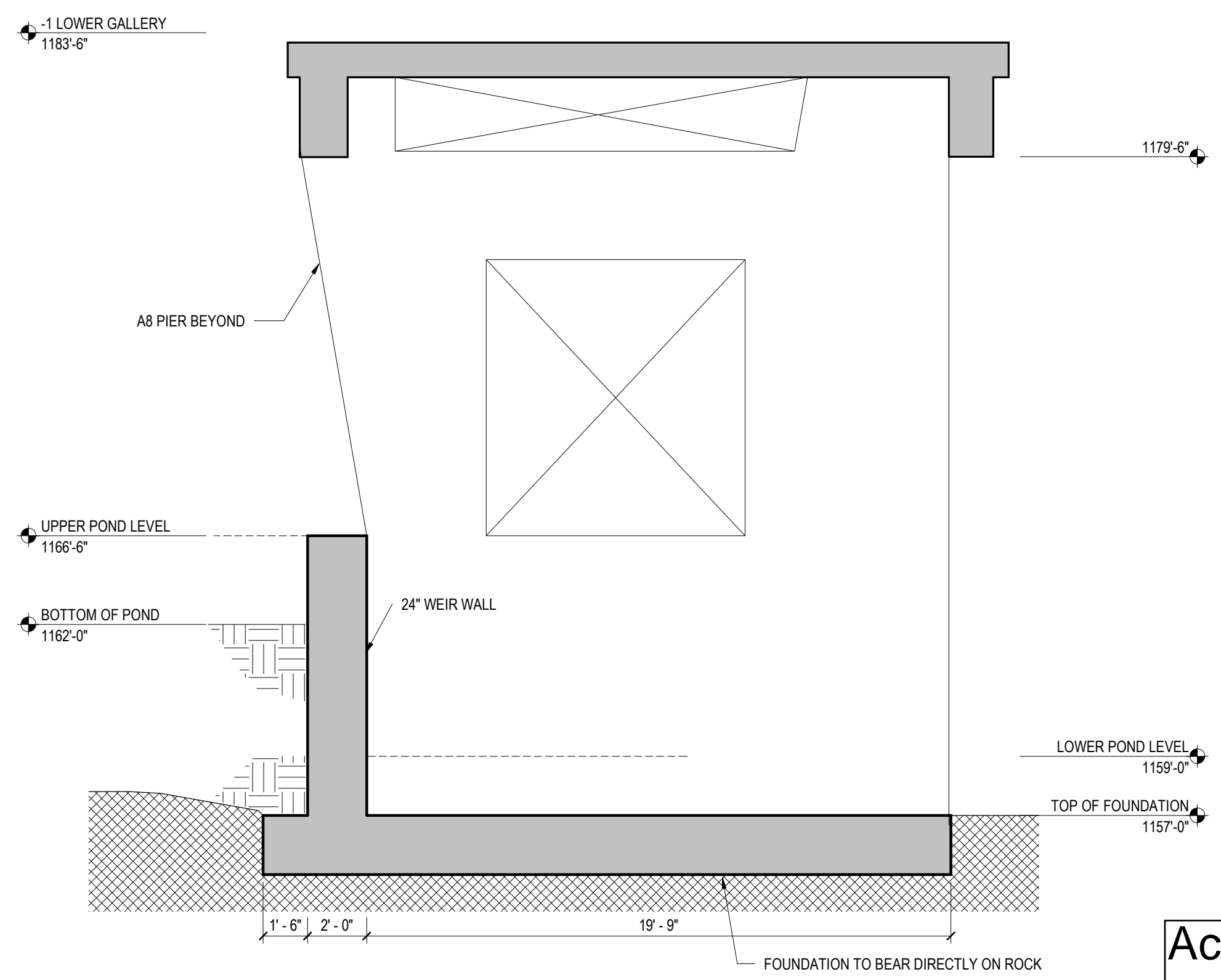
3 NORTH BOARDWALK BRIDGE ABUTMENTS DESIGN INTENT

1" = 10'-0"



2 NORTH LAWN BRIDGE ABUTMENTS DESIGN INTENT

1" = 10'-0"

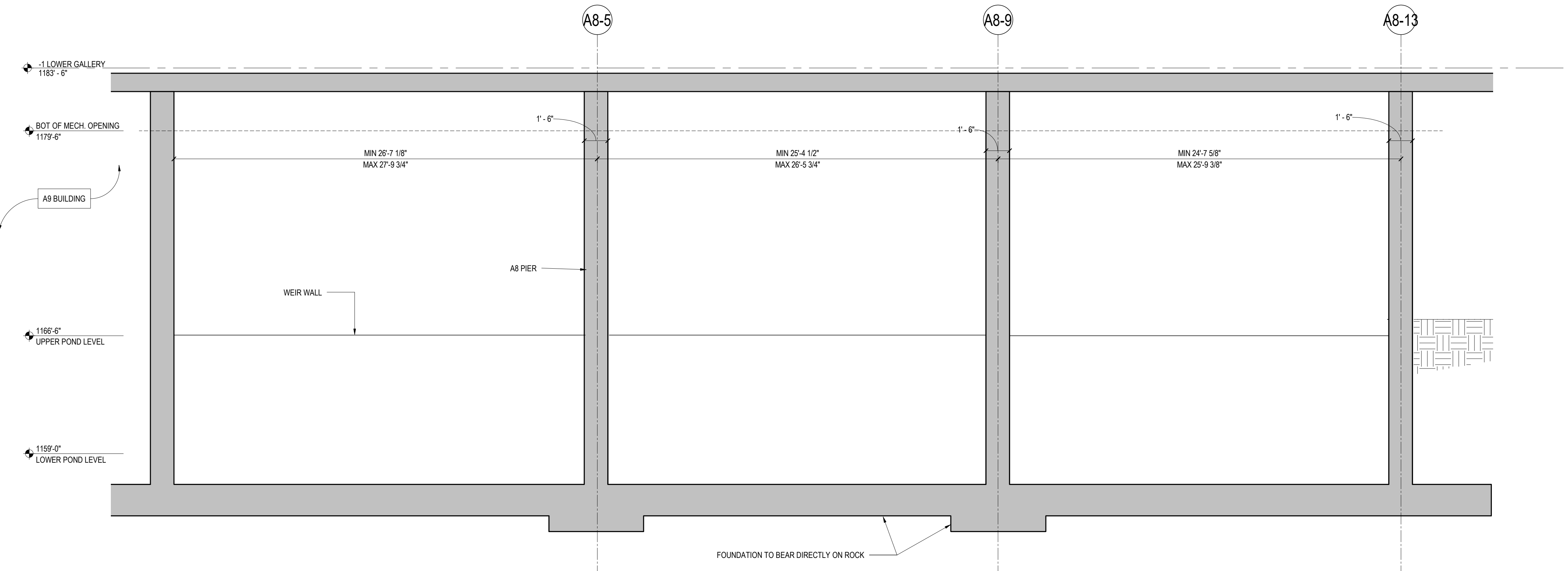


4 WEIR WALL SECTION DESIGN INTENT

1/4" = 1'-0"

1 SITE STRUCTURES DESIGN INTENT

1" = 10'-0"



5 WEIR WALL ELEVATION DESIGN INTENT

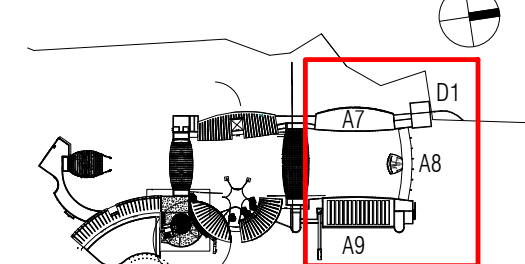
1/4" = 1'-0"

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KEY PLAN



02.02.2021

PROJECT NUMBER	DRAWN BY
2008	EM, KT
DATE	CHECKED BY
11/20/2020	FF

PHASE	DD 50%
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SCALE
1/4" = 1'-0"

NOTE: BRIDGE SECTIONS ARE PROVIDED TO CONVEY DESIGN INTENT AND RELATIONSHIP TO LANDSCAPE. BRIDGE STRUCTURE AND ABUTMENT DESIGN AND DOCUMENTATION BY OTHERS.

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