



US Army Corps  
of Engineers®  
Little Rock District

# PUBLIC NOTICE

*CORPS OF ENGINEERS*

**Application Number:** SWL-2012-00397-2

**Date:** September 25, 2023

**Comments Due:** October 25, 2023

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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, Lisa Boyle, telephone number: (501) 340-1385, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: [Lisa.A.Boyle@usace.army.mil](mailto:Lisa.A.Boyle@usace.army.mil). An electronic copy of the West Fork White River Umbrella Mitigation Bank additional site proposal can be viewed on the Little Rock District, Regulatory Division webpage at <http://www.swl.usace.army.mil/Missions/Regulatory/PublicNotices.aspx> or a hard copy can be obtained from the Corps of Engineers through the contact information listed above.

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

**Watershed Conservation Resource Center  
ATTN: Sandi Formica  
380 W. Rock St.  
Fayetteville, Arkansas 72701**

has submitted their West Fork White River Umbrella Mitigation Bank additional site proposal. The proposal outlines Area 2, which was largely identified within the original mitigation bank prospectus. Any relevant public comments received will be forwarded to the applicant to address within the mitigation plan. The Interagency Review Team (IRT), which is made up of the Corps and the pertinent state and Federal resource agencies, will review the mitigation plan and any comments received from the public. The IRT will coordinate with Watershed Conservation Resource Center on any issues until a final mitigation plan is completed. Finally, the District Engineer will review the final mitigation plan and decide to approve or not approve.

The primary purpose of this additional bank site is to mitigate for unavoidable impacts to streams and wetlands authorized under Section 404 of the Clean Water Act. The project goals are to restore and enhance streams and wetlands functions and values within the West Fork White River watershed.

Wetlands onsite will be restored and enhanced by restoring hydrology and improving the plant community. Wetland buffers will be improved through the removal of invasive plants and establishing native vegetation. Stream corridors will be restored or enhanced by creating floodplains, improving the channel pattern, installing structures, and/or improving the vegetation. The site outside of the mitigation areas will be the future home of The River Institute of Northwest Arkansas, which will support ecological restoration projects in the Ozark Region, as

well as a venue for outreach related to rivers, floodplains, wetlands, and native flora and fauna. The site will also create public access to West Fork White River to integrate the site ecology with culture, history, and science and promote an inclusive environment.

The 2002 Charleston Method with the Little Rock Addendum and the 2011 Little Rock Stream Method would be used as the functional assessment and credit generation mechanism for this bank.

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

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.

Regulatory Authority. Implementation of the proposed mitigation bank would require Department of the Army Authorization under Section 404 of the Clean Water Act. Based on preliminary evaluation by the USACE, it appears the proposed bank may be authorized by Nationwide Permit 27 for Aquatic Habitat Restoration, Establishment, and Enhancement Activities.

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 **October 25, 2023**. 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: **36.051574**

Longitude: **-94.116326**

UTM Zone: **15N**    North: **3990240**

East: **399456**