



US ARMY Corps
Of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2014-00083-1

Date: December 22, 2014

Comments Due: January 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, Jim Ellis, 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: Jim.D.Ellis@usace.army.mil.

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

**City of Conway
1201 Oak Street
Conway, Arkansas 72032**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with construction of a four-lane overpass spanning Interstate 40 (I-40) and connecting Elsinger Boulevard to 6th Street in Conway. The four-lane overpass is part of improvements proposed to Highway 64 (Oak Street), intersecting ramps of I-40, and several city roads near I-40 in Conway, Arkansas. The proposed project would impact (fill) and relocate approximately 850 linear feet of a jurisdictional intermittent tributary to Little Creek and fill approximately 0.07 acres of two jurisdictional wetlands for a total impact of 0.27 acres of waters of the United States. Water enters the project area through a jurisdictional channelized intermittent tributary to Little Creek that originates in a residential subdivision located west of the project area. The channelized intermittent stream flows eastward through the project area under I-40 via culverts; turns southeast between the west bound lanes of I-40 and Amity Road as a concrete-lined channelized intermittent stream; and then flows east under Amity Road into an existing stormwater detention basin. From the stormwater detention basin, water flows into Little Creek, Palarm Creek, Lake Conway and finally into the Arkansas River in Faulkner County. The proposed project is located near Exit 127 on I-40, in the NE 1/4 of section 7, T. 5 N., R. 13 W., and the NW 1/4 of section 8, T. 5 N., R. 13 W., Conway, Faulkner County, Arkansas.

The basic purpose of the project is to provide additional access from I-40 into the city. The overall purpose of the project is to enhance access to the Cantrell Field Airport redevelopment area as well as improve traffic flow and relieve congestion on Highway 64 (Oak Street) in Conway, Arkansas. The project is not water dependent.

To accomplish the project (four-lane overpass), Amity Road, Elsinger Boulevard, and 6th Street will be realigned and/or extended. The road construction and realignment will require the

replacement of the existing 750 feet of concrete-lined intermittent stream located immediately west of Amity Road with a 750-linear-foot double 8-foot-wide by 6-foot-high reinforced concrete box culvert. In addition, a new road (Central Landing Boulevard) will cross the same concrete-lined intermittent stream near 8th Avenue and require replacement of approximately 100 linear feet of the concrete-lined intermittent stream with 94 feet of a single 10-foot-wide by 8-foot-high reinforced concrete box culvert. The project improvements including the proposed four-lane bypass are to be constructed in four phases beginning in the spring of 2015, with construction completion scheduled for the fall of 2016.

The applicant has investigated one alternative route (realignment) due to site specificity of the project. The applicant selected the proposed route because it avoids direct impacts to a city park (5th Avenue Park) and avoids and minimizes disturbance to the natural channel of the intermittent stream to the maximum extent possible. Compensatory mitigation requirements for impacts were assessed utilizing the Little Rock District Stream Method for stream impacts and the 2002 Charleston Method for wetland impacts. These methods determined that 3,280 stream credits and 0.47 wetland credits would be required to offset the impacts of the proposed project. The applicant proposes to purchase credits from the Cadron Creek Mitigation Bank.

Typical best management practices such as silt fencing and other construction methods will be used to mitigate impacts to water quality and other resources.

The project location, general plan for the proposed work and stream locations and photographs of the streams and adjacent wetlands are shown on the enclosed Sheets 1 through 7 of 7. Sheet Numbers 3 through 6 illustrate the locations of the streams and culvert designs related to each location. Sheet Number 6 contains representative photographs of the impacted streams and adjacent wetlands.

Water Quality Certification. By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality (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 **January 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.

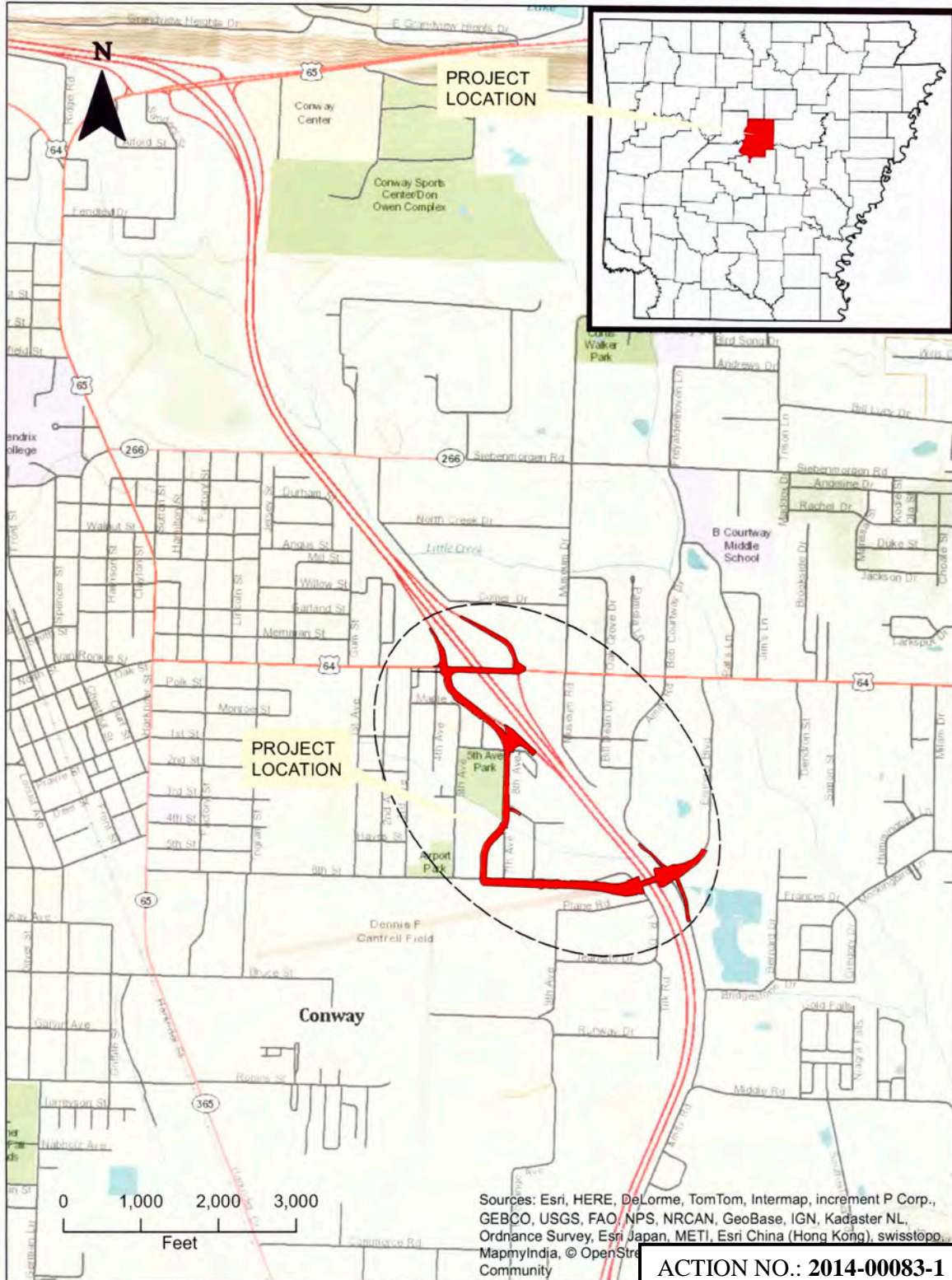
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

Enclosures

Approximate Coordinates of Project Center

Latitude: **35.08407** Longitude: **-92.41442**

UTM Zone: **15** North: **3882522** East: **553381**

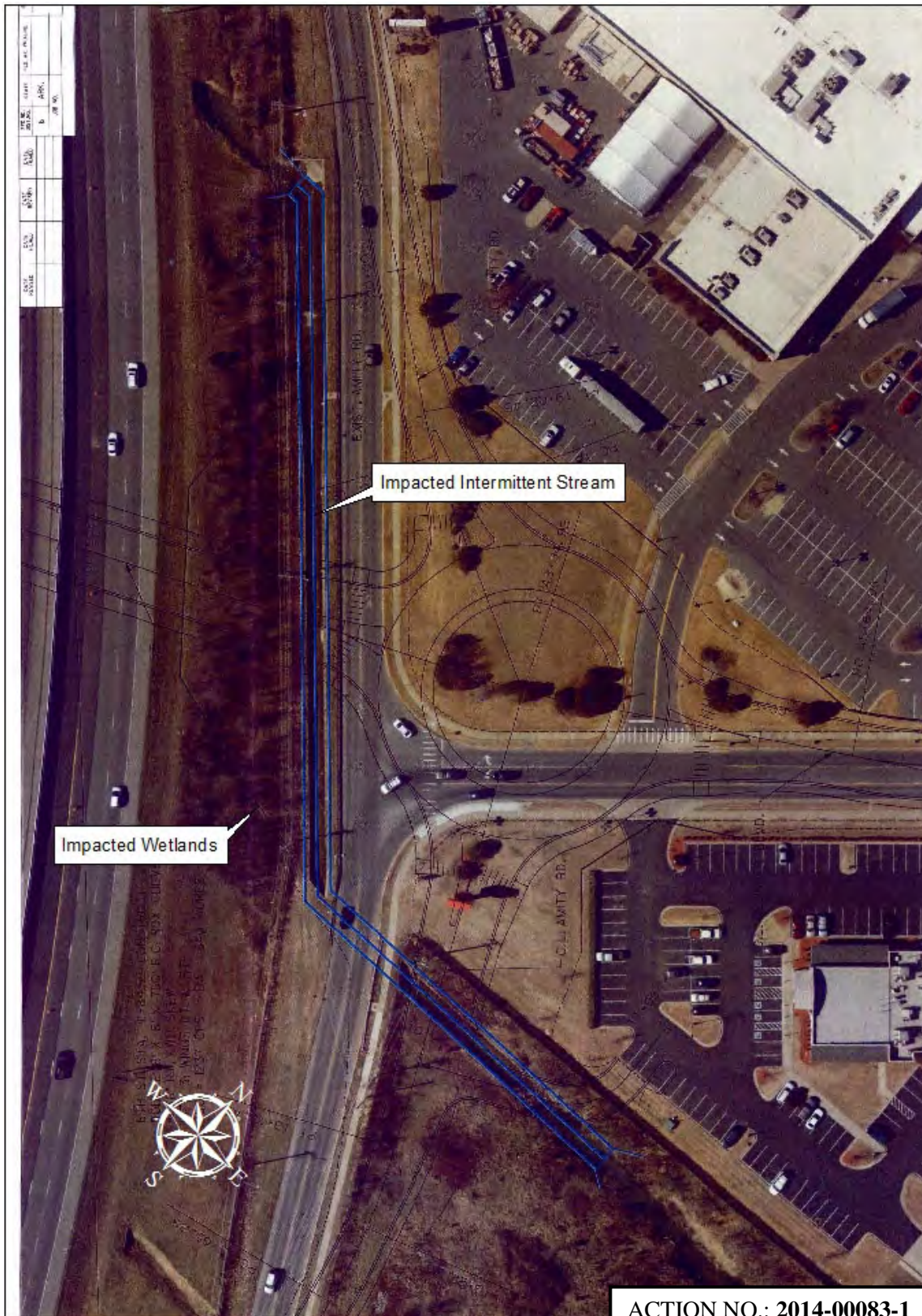


Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap Community

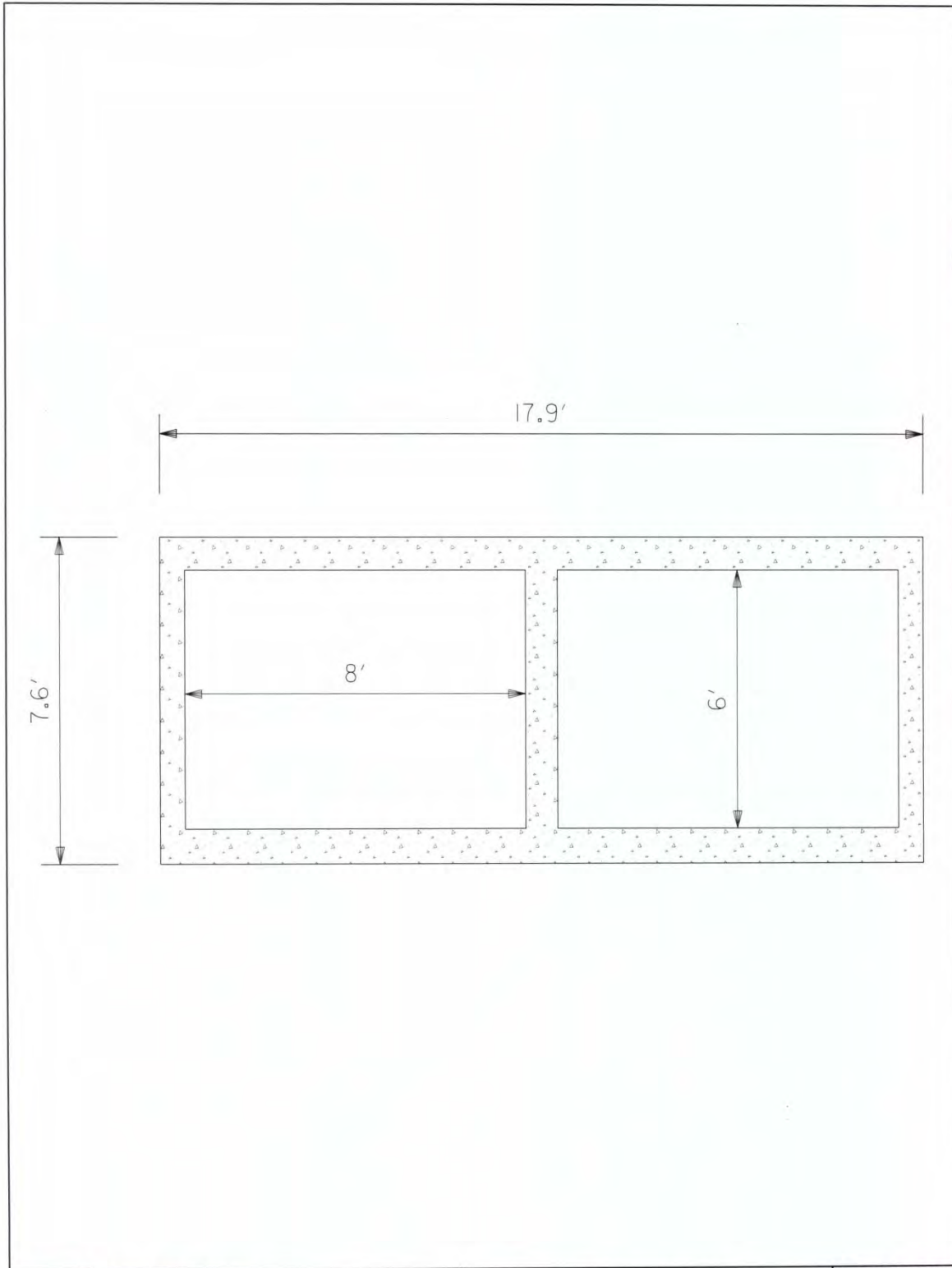
ACTION NO.: 2014-00083-1
 City of Conway, Arkansas
LINEAR TRANSPORTATION PROJECT
 Unnamed Tributaries to Little Creek and Adjacent Wetlands
 Sections 7 and 8, T. 5 N., R. 13 W.
 December 2014 Sheet 1 of 7



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CITY OF CONWAY
 CONWAY, ARKANSAS
6TH STREET
OVER I-40

BOX CULVERT
6TH STREET A
 TYPICAL

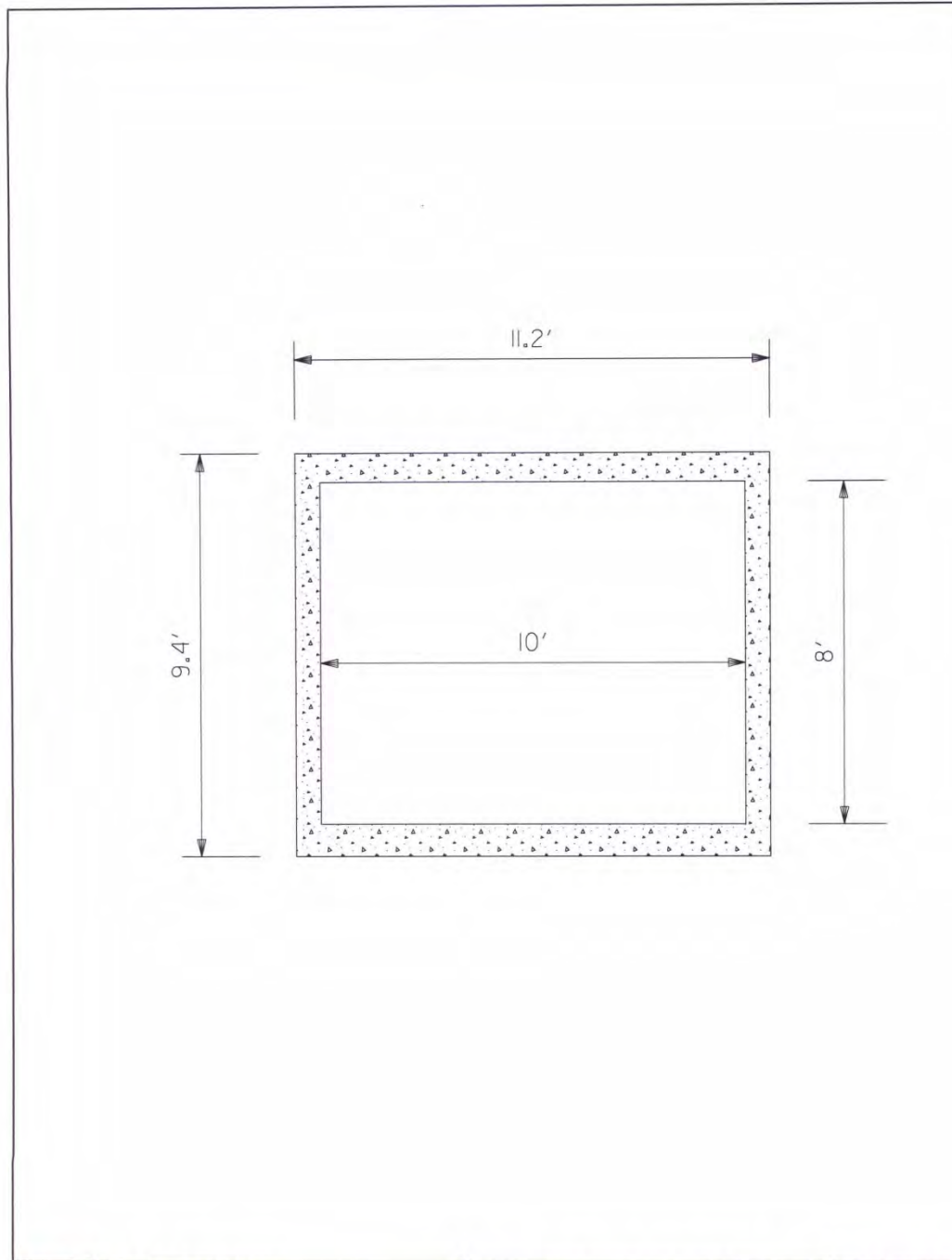
FIGURE NUMBER

ACTION NO.: 2014-00083-1
 City of Conway, Arkansas
LINEAR TRANSPORTATION
PROJECT
 Unnamed Tributaries to Little Creek
 and Adjacent Wetlands
 Sections 7 and 8 , T. 5 N., R. 13 W.
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DATE	12/22/14	TIME	10:15 AM	SCALE	AS SHOWN
DRAWN BY	JK	CHECKED BY	JK	DATE	12/22/14
PROJECT NO.	2014-00083-1	SHEET NO.	5	TOTAL SHEETS	7
CITY OF CONWAY, ARKANSAS					

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CITY OF CONWAY
 CONWAY, ARKANSAS
 I-40 AT HWY. 64
 INTERCHANGE IMPROVEMENTS

BOX CULVERT CROSSING
CENTRAL LANDING BLVD.

FIGURE NUMBER

SHEET

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Unnamed tributary to Little Creek facing northwest (east side of I-40)



Adjacent wetlands facing southeast (east of I-40)



Unnamed tributary to Little Creek facing west (west of I-40)

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