



US ARMY Corps
Of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2015-00340

Date: October 28, 2015

Comments Due: November 23, 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, Mr. 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: <mailto: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 Highway and Transportation Department (AHTD)
PO Box 2261
Little Rock, Arkansas 72203-2261**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with relocating 1.1 miles of State Highway 25 between Interstate 40 (I-40) and Beaver Fork Lake. The proposed project is located on the north side of the City of Conway, in sections 26 and 35, T. 6 N., R. 14 W., Faulkner County, Arkansas.

The basic purpose of the project is to relocate 1.1 miles of State Highway 25 to connect directly to I-40 at the Highway 64 Spur interchange (Exit 124). The overall purpose of the project is to upgrade the roadway and make it safer for motor vehicle traffic by improving north-south travel on Highway 25 and reducing congestion at Exit 125. The project is not water dependent.

The proposed project would relocate the existing 1.1 miles of roadway approximately 0.5 mile to the west. Construction of the four-lane roadway would be on new location. The new highway would consist of four 11-foot-wide travel lanes, a 12-foot-wide grass median, two 4-foot-wide bicycle lanes and two 5-foot-wide sidewalks. The project would adversely impact a total of approximately 1,765 linear feet of streams through relocation, realignment and/or clearing. The streams consist of one perennial stream, Cypress Creek, one unnamed intermittent tributary and two unnamed ephemeral tributaries. Cypress Creek flows to the west for approximately five miles and into Cadron Creek. Two of the unnamed tributaries flow into Cypress Creek. One of the unnamed tributaries flows into Beaver Fork Lake. A 10-foot-wide by 8-foot-high by 206-foot-long box culvert would be constructed in Cypress Creek beneath the new roadway. The three unnamed tributary channels would be relocated and would parallel the new roadway as open roadside channels. All of the streams are moderately functional with forested riparian buffer. At the west end of Beaver Fork Lake, the existing Highway 25 roadway embankment will be widened, one box culvert will be extended and a 72-inch-diameter pipe culvert will be

installed. This work will adversely impact approximately 0.1 acre of scrub-shrub wetlands and 0.25 acre of shallow open water habitat.

The AHTD completed the environmental assessment (EA) for the project and the Federal Highway Administration (FHWA) approved it on June 14, 2012. The EA evaluated four alternatives including the no-action alternative, upgrade existing roadway alternative and two build alternatives (red and yellow) on new location. The no-action alternative and upgrade existing roadway alternative would not provide a direct connection between Highway 25 and I-40, and would not reduce congestion at Exit 125. The yellow alternative would be 0.6 mile longer, cost \$1.6 million more and impact four more residences and businesses than the red alternative. The red alternative would adversely impact approximately 1,765 linear feet of streams and the yellow alternative would adversely impact approximately 1,406 linear feet of streams. The red alternative was selected as the preferred alternative since it meets the project's purpose and need, balances the benefits versus the overall impacts, and provides the most direct route to I-40 while servicing the highest number of traveling motorists. This alternative would require three residential relocations and convert 1.7 acres of prime farmland and farmland of statewide importance to highway right-of-way. Beaver Fork Lake is in a Zone A floodplain; therefore, a floodplain permit would be required.

The AHTD proposes to mitigate for the unavoidable impacts to 1,765 linear feet of streams with 4,095.25 stream credits from an approved mitigation bank that services the project area. The stream credits required for mitigation were calculated utilizing the Little Rock District Stream Method. The AHTD proposes to mitigate for the unavoidable impacts to 0.35 acres wetlands and open water from an approved bank that services the project area. The credits required will be calculated utilizing the 2002 Charleston Method.

The location and general plan for the proposed work are shown on the enclosed sheets 1 through 5 of 8. The stream calculation worksheets are enclosed as sheets 6 and 7 of 8.

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. The AHTD staff archeologists have reviewed topographic maps, the National Register of Historic Places, and other data on reported sites in the area. The Federal Highway Administration 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. 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 other 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 **November 23, 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; 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: **35.12115** Longitude: **-92.45988**

UTM Zone: **15** Northing: **3886611** Easting: **549214**

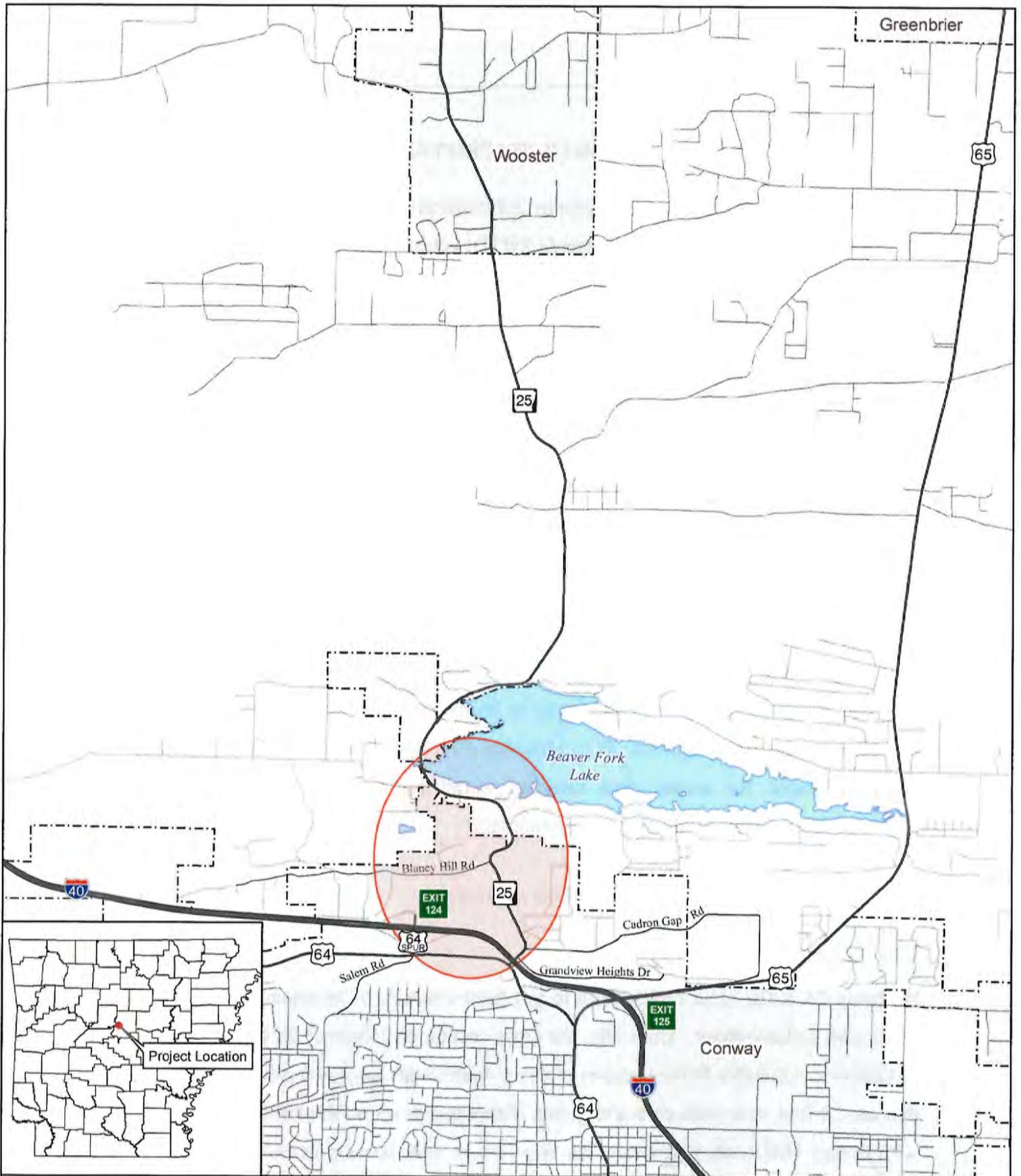


Figure 1
Project Study Area

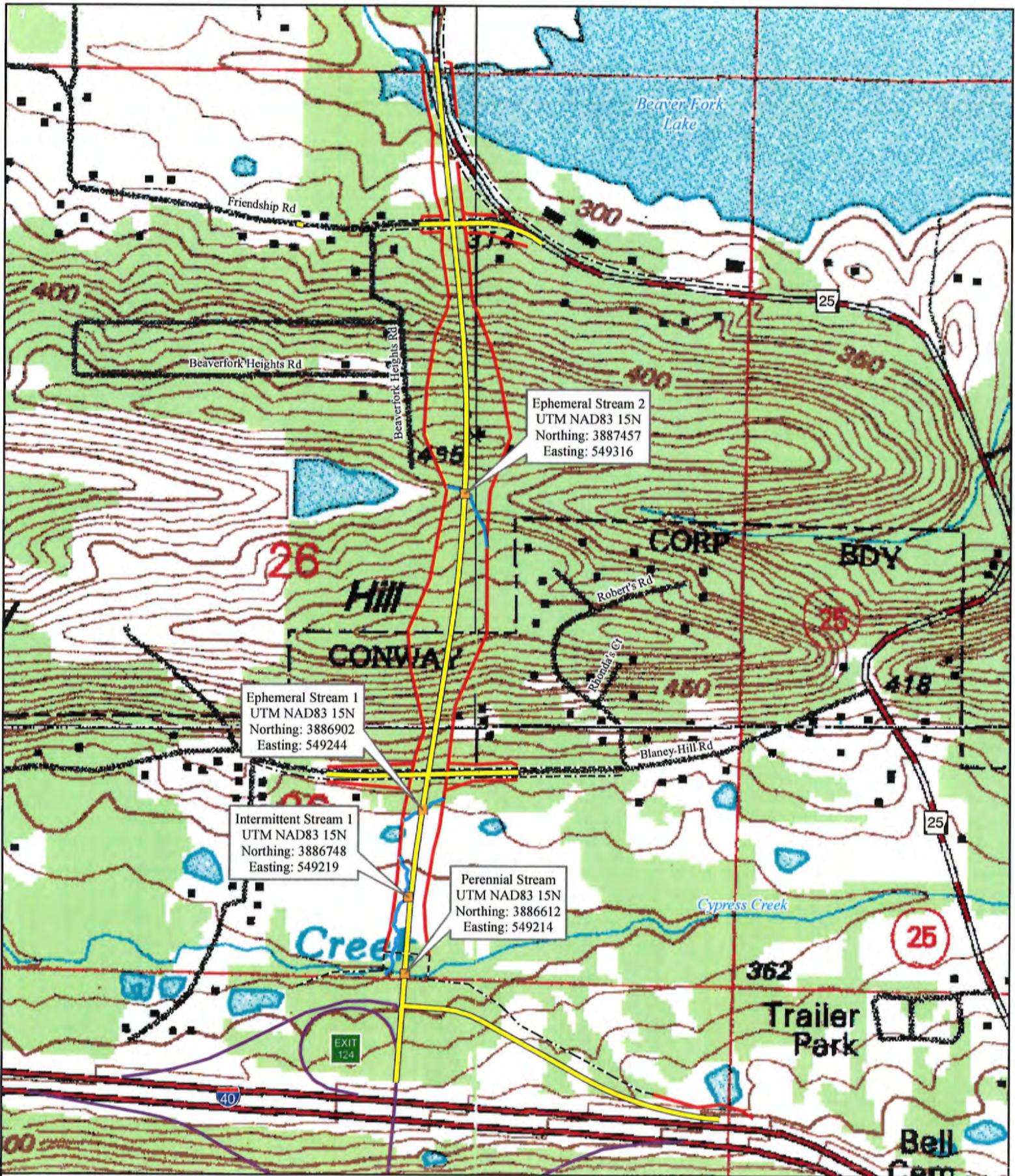
Project No. SWL 2015-00340
Ark. Hwy. & Transportation Dept.
State Highway 25 Relocation
Conway-Faulkner County, AR
October 2015 Sheet 1 of 8


 0 1,750 3,500
 Feet
 Job 080397
 May 11, 2012
 AHTD Environmental GIS - Strawn



Figure 1
Preferred Alternative

Preferred Alternative

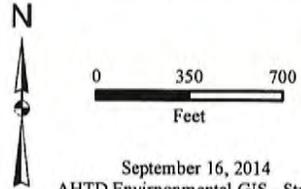


Ephemeral Stream 2
 UTM NAD83 15N
 Northing: 3887457
 Easting: 549316

Ephemeral Stream 1
 UTM NAD83 15N
 Northing: 3886902
 Easting: 549244

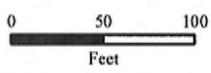
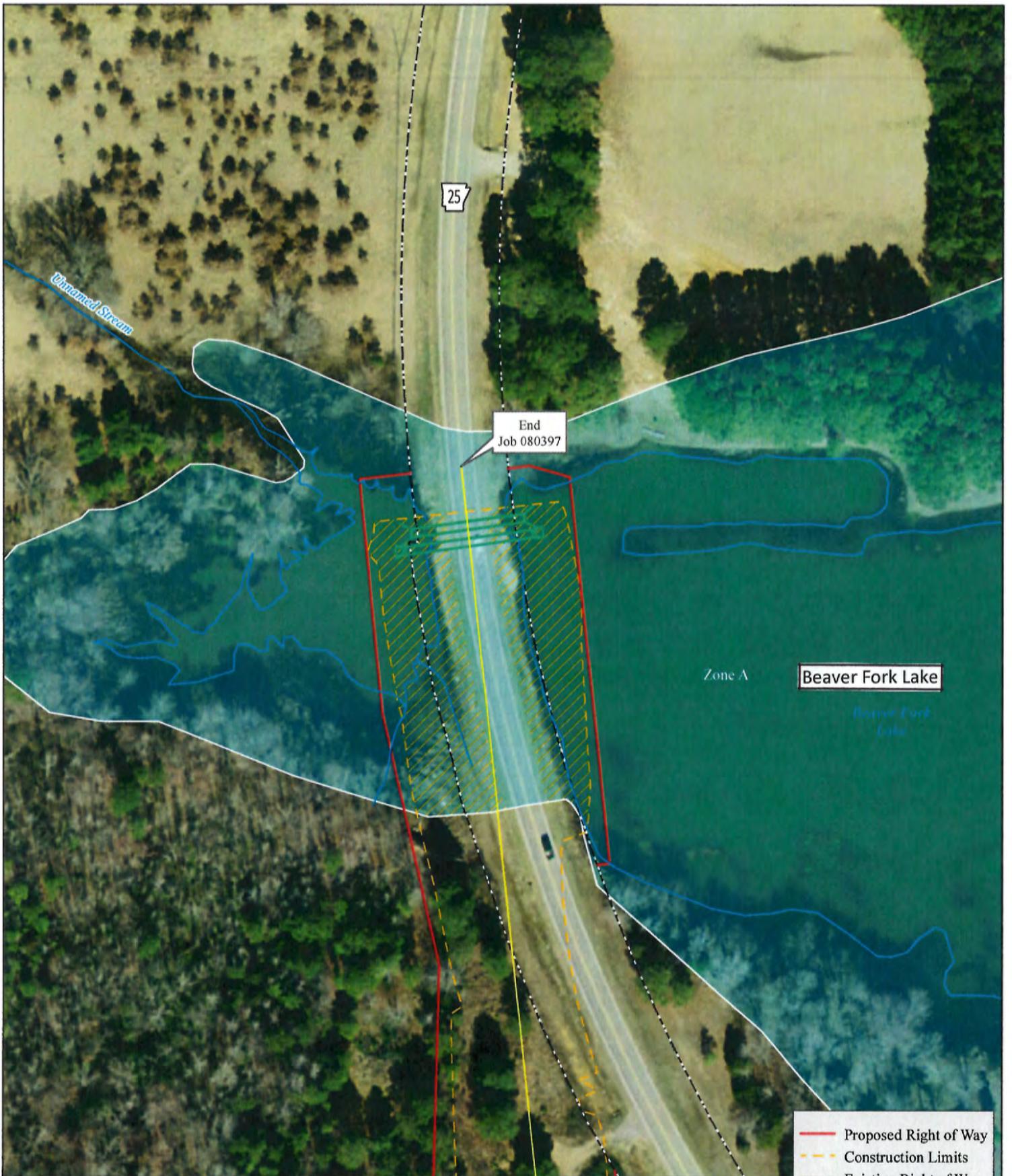
Intermittent Stream 1
 UTM NAD83 15N
 Northing: 3886748
 Easting: 549219

Perennial Stream
 UTM NAD83 15N
 Northing: 3886612
 Easting: 549214



Stream Relocation
 Job 080397
 Hwy. 25 Relocation
 (I-40 North)
 Faulkner County

- Project Location
- Proposed Right of Way
- - - Existing Right of Way



AHTD - Environmental GIS - Strawn
September 30, 2015

Job 080397
Hwy. 25 Relocation
(I-40-North) (Hwy. 25)
Faulkner County

Sheet 4 of 8

- Proposed Right of Way
- Construction Limits
- Existing Right of Way
- Project Centerline
- Pipe Culvert
- Box Culvert
- Fill Area
- 100-year Floodplain

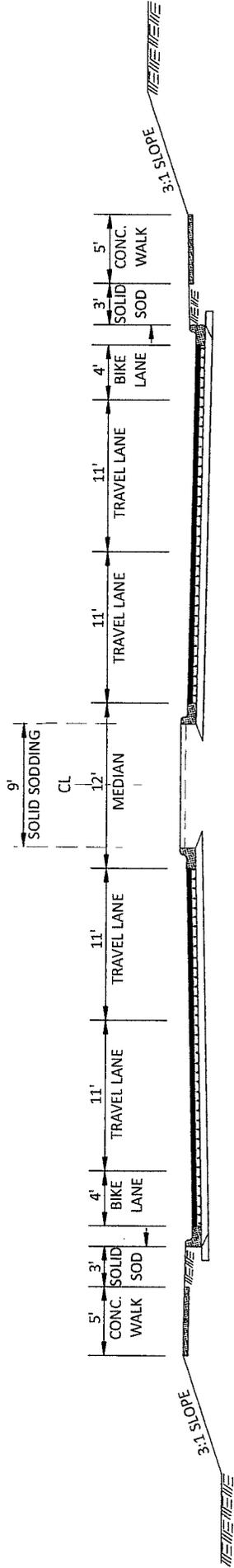


Figure 2
 Typical Section of Improvement

**ADVERSE IMPACT
FACTORS FOR RIVERINE SYSTEMS WORKSHEET**

Stream Type Impacted	Ephemeral 0.1			Intermittent 0.4			Perennial-OHWM width		
	<15'	15'-30'	>30'	0.4	0.6	0.8	0.4	0.6	0.8
Priority Area	Tertiary 0.1			Secondary 0.4			Primary 0.8		
Existing Condition	Functionally Impaired 0.1			Moderately Functional 0.8			Fully Functional 1.6		
Duration	Temporary 0.05			Recurrent 0.1			Permanent 0.3		
Activity	Clearing 0.05	Utility Crossing/Bridge Footing 0.15	Below Grade Culvert 0.3	Armor 0.5	Detention 0.75	Morphologic Change 1.5	Impoundment (dam) 2.0	Pipe >100' 2.2	Fill 2.5
Cumulative Linear Impact	<100' 0	100'-200' 0.05	201-500' 0.1	501-1000' 0.2	>1000 linear feet (LF) 0.1 reach 500 LF of impact (example: scaling factor for 5,280 LF of impacts = 1.1)				

Factor	Dominant Impact Type 1	Dominant Impact Type 2	Dominant Impact Type 3	Dominant Impact Type 4	Dominant Impact Type 5
Stream Type Impacted	Perennial <15'	Intermittent	Ephemeral	Ephemeral	Ephemeral
Priority Area	Tertiary	Tertiary	Tertiary	Tertiary	Tertiary
Existing Condition	Moderately Functi	Moderately Functi	Moderately Func	Moderately Func	Moderately Functi
Duration	Permanent	Permanent	Permanent	Permanent	Permanent
Activity	Pipe >100'	Clearing	Fill	Clearing	Fill
Cumulative Linear Impact	blank 0.4	blank 0.4	blank 0.4	blank 0.4	blank 0.4
Sum of Factors	M = 4.2	2.05	4.2	1.75	4.2
Linear Feet of Stream Impacted in Reach	LF= 175	905	80	180	45
M X LF	735.00	1855.25	336	315	189

Total Mitigation Credits Required = (M X LF) = 3430.25

**ADVERSE IMPACT
FACTORS FOR RIVERINE SYSTEMS WORKSHEET**

Stream Type Impacted	Ephemeral 0.1			Intermittent 0.4			Perennial-OHWM width		
	<15'	15'-30'	>30'				0.4	0.6	0.8
Priority Area	Tertiary 0.1			Secondary 0.4			Primary 0.8		
Existing Condition	Functionally Impaired 0.1			Moderately Functional 0.8			Fully Functional 1.6		
Duration	Temporary 0.05			Recurrent 0.1			Permanent 0.3		
Activity	Clearing 0.05	Utility Crossing/Bridge Footing 0.15	Below Grade Culvert 0.3	Armor 0.5	Detention 0.75	Morphologic Change 1.5	Impoundment (dam) 2.0	Pipe >100' 2.2	Fill 2.5
Cumulative Linear Impact	<100' 0	100'-200' 0.05	201-500' 0.1	501-1000' 0.2	>1000 linear feet (LF) 0.1 reach 500 LF of impact (example: scaling factor for 5,280 LF of impacts = 1.1)				

Factor	Dominant Impact Type 1	Dominant Impact Type 2	Dominant Impact Type 3	Dominant Impact Type 4	Dominant Impact Type 5
Stream Type Impacted	Ephemeral	blank	blank	blank	blank
Priority Area	Tertiary	blank	blank	blank	blank
Existing Condition	Moderately Functional	blank	blank	blank	blank
Duration	Permanent	blank	blank	blank	blank
Activity	Clearing	blank	blank	blank	blank
Cumulative Linear Impact	blank 0.4	blank	blank	blank	blank
Sum of Factors	M = 1.75	0	0	0	0
Linear Feet of Stream Impacted in Reach	LF= 380				0
M X LF	665.00	0	0	0	0

Total Mitigation Credits Required = (M X LF) = 665

TOTAL MITIGATION CREDITS REQUIRED = 4,095.25



Figure 6 - Typical view of an intermittent stream in the project area



Figure 7 - Typical view of an ephemeral stream in the project area