US Army Corps
of Engineers®
Little Rock District

PUBLIC NOTICE

CORPS OF ENGINEERS

Application Number: SWL-2024-00108
Date: December 16, 2024
Comments Due: January 10, 2025

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, Emily Edwards, telephone number: (501) 340-1374, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: Emily.L.Edwards@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 Little Rock, Arkansas
Public Works Department
701 West Markham
Little Rock, AR 72201

has requested authorization for the placement of dredged and fill material in waters of the United States (WOTUS) associated with constructing an auxiliary channel of Smith Creek to aid in the conveyance of stormwater flow with the goal of reducing local area flooding. Impacts to waters of the United States would include approximately 0.7 acre of wetlands, approximately 0.1 acre of Smith Creek, and approximately 0.1 acre of a tributary to Smith Creek. The proposed project is located in Smith Creek, a tributary to Smith Creek, and adjacent wetlands in the NW 1/4 of section 12, T. 1 S., R. 13 W., Little Rock, Pulaski County, Arkansas.

The project purpose is to reduce residential flooding.

The auxiliary channel will intercept water from Smith Creek in the western portion of the project area, near the existing transition from a channelized reach to natural channel, will parallel (to the south) Smith Creek, extend approximately 1,130 linear feet, and convey flow into Smith Creek near the existing transition from natural channel to channelized reach. A concrete sill will be placed at the upstream end of the auxiliary channel at an elevation approximately one foot above the bottom elevation Smith Creek at that location, allowing Smith Creek to continue to convey low flow as it does presently and allowing both Smith Creek and the auxiliary channel to convey moderate to high flow during and following storm events.

Approximately 550 total cubic yards of riprap will be discharged to the Smith Creek (RPW-1) area at the auxiliary channel tie-in locations. Riprap will be placed at the upstream end of the auxiliary channel in Smith Creek to aid water diversion. Riprap will be placed in part of the previously channelized portion of Smith Creek downstream of the auxiliary channel to stabilize Smith Creek downstream of the confluence of Smith Creek and the auxiliary channel. The total

surface area of discharged material to Smith Creek below the ordinary high-water mark (OHWM) of the channel is approximately 0.1 acre.

Approximately 250 total cubic yards of riprap will be discharged to the tributary to Smith Creek (RPW-2) area. Before placing the riprap, portions of RPW-2 will also be excavated and replaced by the construction of the auxiliary channel. The total surface area of discharged material to RPW-2 below the OHWM of the channel is approximately 0.1 acre.

Construction of the auxiliary channel through forested wetlands will result in a net removal of material and conversion of wetlands. The impacted wetlands will be excavated as an auxiliary channel and then be allowed to return as a herbaceous wetland or to forested wetlands after construction. Approximately 4,100 cubic yards of earth will be excavated from wetland areas in the construction of the auxiliary channel. This material will be removed from the project area and disposed of in uplands. Following excavation of material, the 20-foot-wide natural channel bottom will be compacted to avoid scour and erosion. Geotextile fabric will be placed on the 3-foot horizontal distance to 1-foot vertical (3:1) side slopes of the auxiliary channel. Approximately 18-inches of riprap will be on top of the geotextile fabric to stabilize the side slopes and maintain channel geometry. Approximately 530 cubic yards of the riprap will be placed in excavated wetland areas. Every 100 feet along the auxiliary channel a cast-in-place concrete sill will be placed perpendicular to the flow path in the bottom of the channel. The concrete sills will serve the purpose of channel stabilization, reduction/avoidance of scour/erosion, and a supplemental function of aquatic habitat establishment. Each concrete sill will extend the full width of the channel bottom, i.e., 20-foot-wide, and will be 24-inches high and 18-inches wide, for a total volume of approximately 2.25 cubic yards of material for each concrete sill. A total of 12 concrete sills will be placed in the auxiliary channel.

Impacts to WOTUS have been minimized to the extent practicable by avoiding substantial impacts to Smith Creek and minimizing the width of the auxiliary channel through the wetland areas while still accomplishing the project purpose. Compensatory mitigation would be achieved by purchasing credits from a mitigation bank that services the area.

The location and general plan for the proposed work are shown on the enclosed sheets (Sheet 1 through 6 of 6).

Water Quality Certification. The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 Code of Federal Regulations (CFR) Part 121), effective November 27, 2023, 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 solely responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Arkansas Department of Energy and Environment, Division of Environmental Quality (certifying authority). In accordance with Certification Rule Part 121.6, the Corps and ADEQ have determined the reasonable period of time for the certifying agency to act upon the certification request is 120 days once the applicant submits a certification request to the certifying agency. 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 **January 10, 2025**. 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.

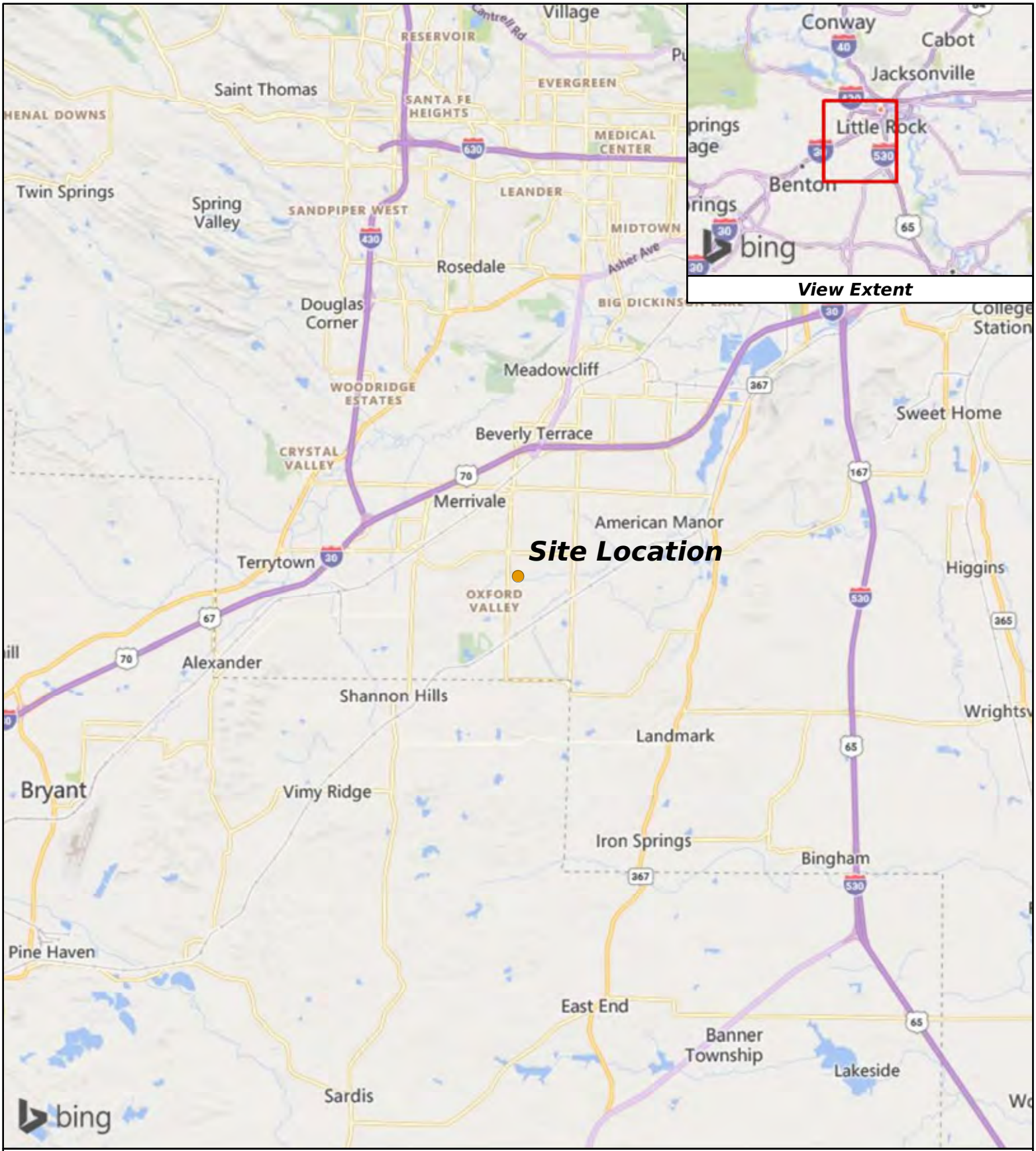
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please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

Enclosures

Approximate Coordinates of Project Center

Latitude: **34.6493** Longitude: **-92.3605**

UTM Zone: **15N** North: **3834338.84** East: **558603.75**



Yorkwood Area

2 Miles

Site Location

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City of Little Rock
Little Rock, Pulaski County, AR
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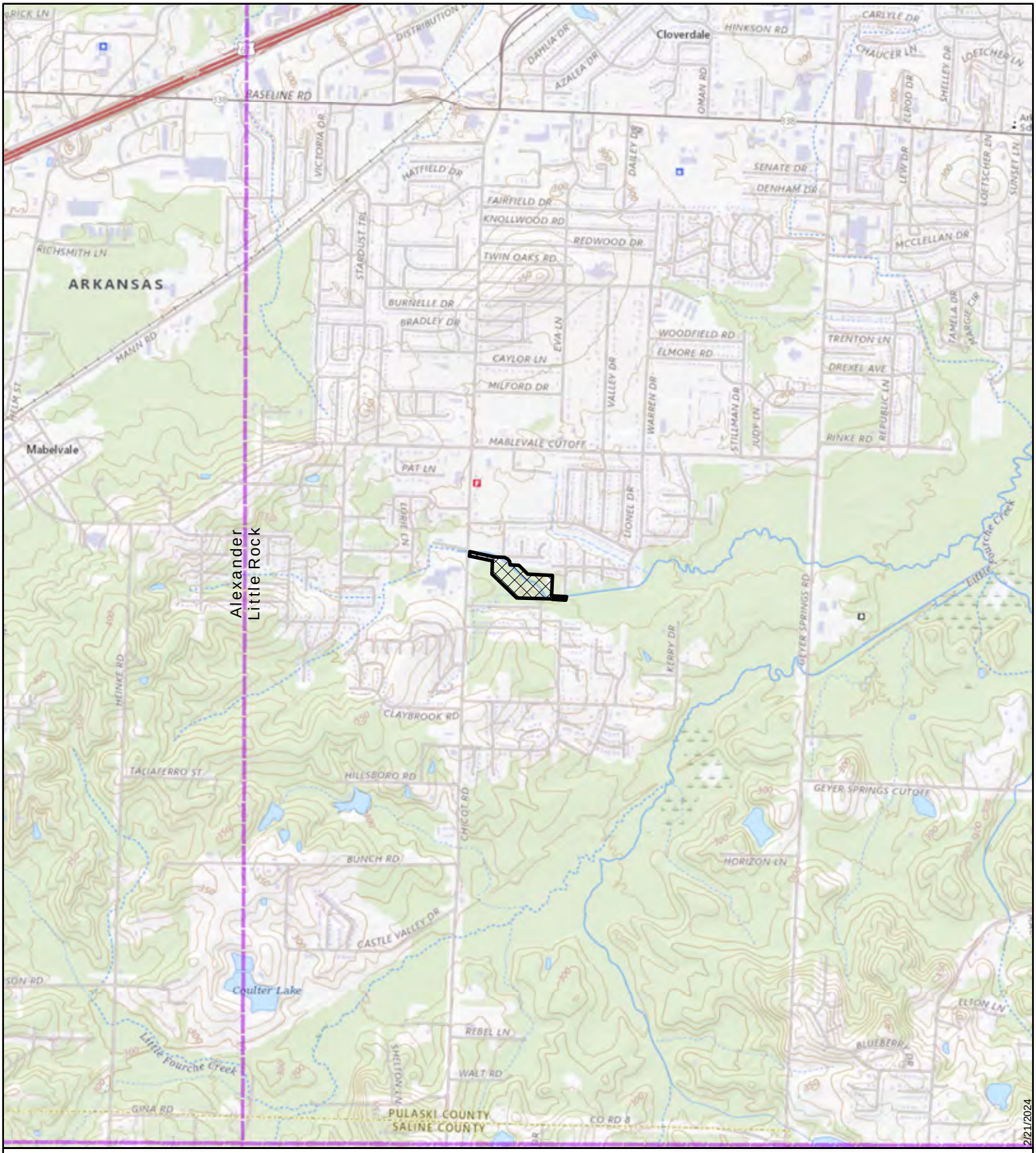
Figure 1. Vicinity Map



Yorkwood Area

2,000 Feet

Project Area

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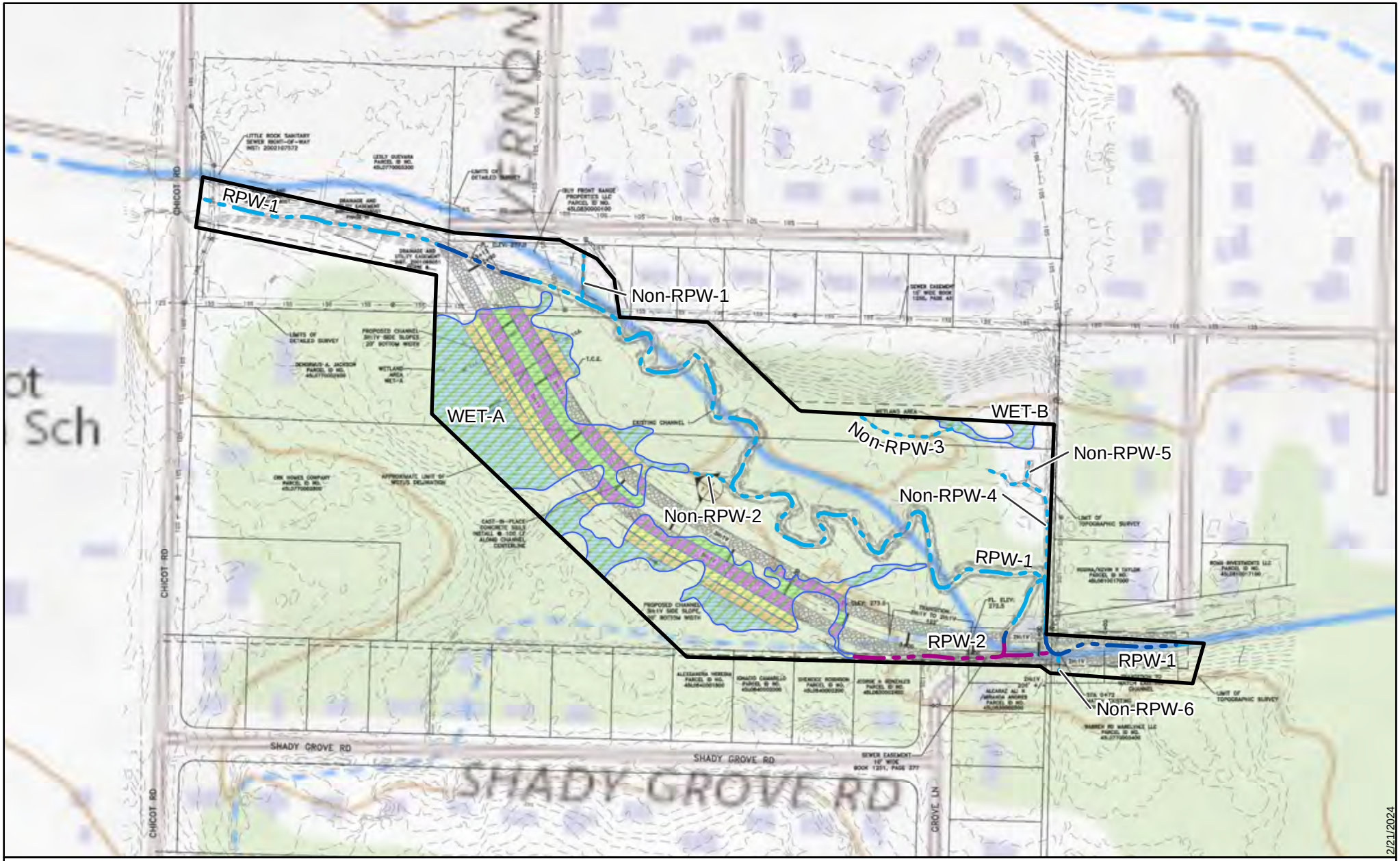
Figure 2. Map showing overview of project area overlaid on the USGS *The National Map* Topo basemap for quadrangles Alexander and Little Rock, AR (7.5-minute series).



Yorkwood Area

200 Feet

Project Area
Non-RPWs (Non-Relatively Permanent Waters)
Non-impacted RPWs (Relatively Permanent Waters)
RPWs to be Excavated/Filled
RPWs to have Riprap Stabliization below OHWM

Wetlands Excavated and Converted to Auxiliary
Wetlands Excavated, Converted to Auxiliary Ch
Slopes, and Riprap Filled
Wetlands in Permanent Easement
Wetlands in Temporary Construction Easement
Wetlands Not Impacted

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Figure 3. Map showing project area details overlaid on Proposed Channel Plan and the USGS *The National Map* Topo basemap for quadrangle Little Rock, AR (7.5-minute series).

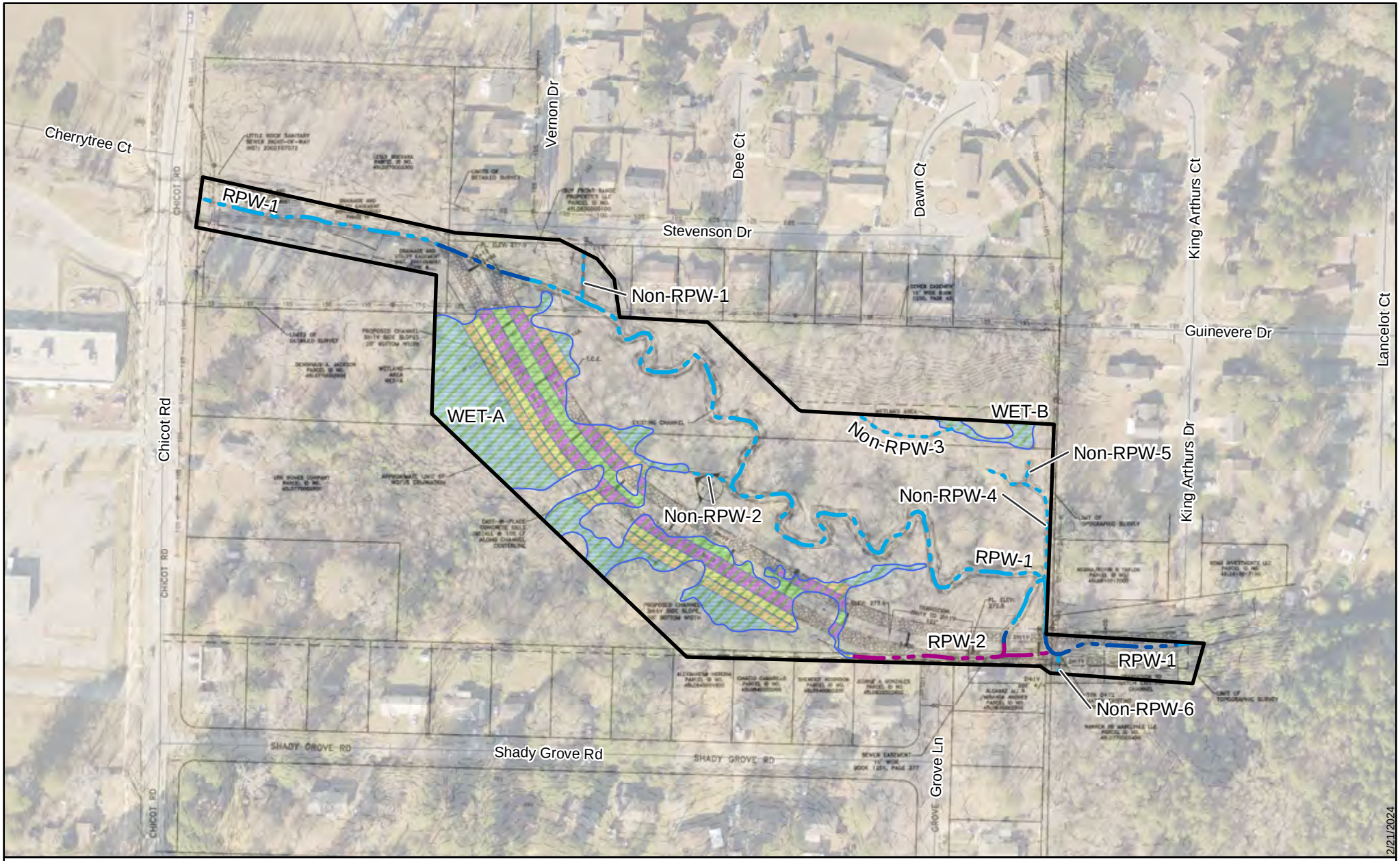

Figure 4. Map showing project area details overlaid on Proposed Channel Plan and 2021 aerial imagery from Pulaski Area GIS.

LITTLE ROCK SANITARY SEWER RIGHT-OF-WAY INST: 2002107572

LESLY GUEVARA PARCEL ID NO. 45L0770003300

CHICOT RD

DRAINAGE AND UTILITY EASEMENT INST. 2001098051 PHASE I

DRAINAGE AND UTILITY EASEMENT INST. 2001098051 PHASE III

DRAINAGE AND UTILITY EASEMENT INST. 2001098051 PHASE II

LIMITS OF DETAILED SURVEY

BUY FRONT RANGE PROPERTIES LLC PARCEL ID NO. 45L0830000100

FL ELEV: 277.0

12+10

279.11

SEWER EASEMENT 15' WIDE BOOK 1250, PAGE 43

LIMITS OF DETAILED SURVEY

PROPOSED CHANNEL 3H:1V SIDE SLOPES 20' BOTTOM WIDTH

DENORMUS A. JACKSON PARCEL ID NO. 45L0770002900

WETLAND AREA WET-A

20' T.C.E.

30' T.C.E.

T.C.E.

10+00

3H:1V

70' DRAINAGE EASEMENT

EXISTING CHANNEL

WETLAND AREA WET-B

CRK HOMES COMPANY PARCEL ID NO. 45L0770002800

APPROXIMATE LIMIT OF WOTUS DELINIATION

CAST-IN-PLACE CONCRETE SILLS INSTALL @ 100 LF ALONG CHANNEL CENTERLINE

5+00

PROPOSED CHANNEL 3H:1V SIDE SLOPE, 20' BOTTOM WIDTH

FL ELEV: 273.0

TRANSITION 3H:1V TO 2H:1V 122'

3+00

2+00

FL. ELEV: 272.5

1+00

0+00

2H:1V

LIMIT OF TOPOGRAPHIC SURVEY

REGINA/KEVIN R TAYLOR PARCEL ID NO. 45L0810017000

ROMA INVESTMENTS LLC PARCEL ID NO. 45L0810017100

TRANSITION TO MATCH EXISTING CHANNEL

STA 0+72 MATCH EXISTING CHANNEL FL. 270±

LIMIT OF TOPOGRAPHIC SURVEY

ALEXSANDRA HEREDIA PARCEL ID NO. 45L0840001800

IGNACIO CAMARILLO PARCEL ID NO. 45L0840002000

SHENEICE ROBINSON PARCEL ID NO. 45L0840002200

JEORGE A GONZALES PARCEL ID NO. 45L0830002400

2H:1V 206' +/-

ALCARAZ ALI N /MIRANDA ANDRES PARCEL ID NO. 45L0830002500

50'

WARREN RD MABELVALE LLC PARCEL ID NO. 45L0770003400

SHADY GROVE RD

SHADY GROVE RD

SEWER EASEMENT 10' WIDE BOOK 1251, PAGE 377

CHICOT RD

GROVE LN

GRAPHIC SCALE

0 30 60 120 180 240

285 EXISTING MAJOR CONTOUR (5 FT)

EXISTING MINOR CONTOUR (1 FT)

FLOW LINE

TEMPORARY CONSTRUCTION EASEMENT

OHE OVERHEAD ELECTRICAL

15S SANITARY SEWER

RIPRAP

WETLAND

NOTES:

1. B&F ENGINEERING, INC. PROVIDED THIS TOPOGRAPHIC SURVEY AS A SUB-CONSULTANT TO FTN ASSOCIATES, LTD. FOR THE PURPOSE OF ASSISTING IN THE ENGINEERING DESIGN FOR AREA SHOWN.
2. BASIS OF BEARING IS NAD83 ARKANSAS STATE PLANE NORTH ZONE BASED ON GPS OBSERVATIONS AND CHECKED TO PULASKI AREA GEOGRAPHIC INFORMATION SYSTEM (PAGIS).
3. VERTICAL DATUM IS NAVD88 BASED ON GPS OBSERVATIONS AND CHECKED TO PULASKI AREA GEOGRAPHIC INFORMATION SYSTEM (PAGIS).
4. UNDERGROUND UTILITIES ARE BASED ON MARKINGS LEFT PURSUANT TO ARKANSAS ONE CALL LOCATE REQUEST TICKET NO'S. 220126-1541, 220126-1542, AND 220126-1543, VISIBLE ABOVE GROUND EVIDENCE, AND PULASKI AREA GEOGRAPHIC INFORMATION SYSTEM (PAGIS).
5. CONTOURS SHOWN BEYOND LIMIT OF TOPOGRAPHIC SURVEY GENERATED FROM LIDAR DATA, ARE SHOWN FOR GENERAL ILLUSTRATIVE PURPOSES AND DO NOT REPRESENT A SURVEY.
6. PROPERTY AND PARCEL BOUNDARIES BASED UPON PUBLICLY AVAILABLE PARCEL DATA AND DO NOT REPRESENT A BOUNDARY SURVEY.

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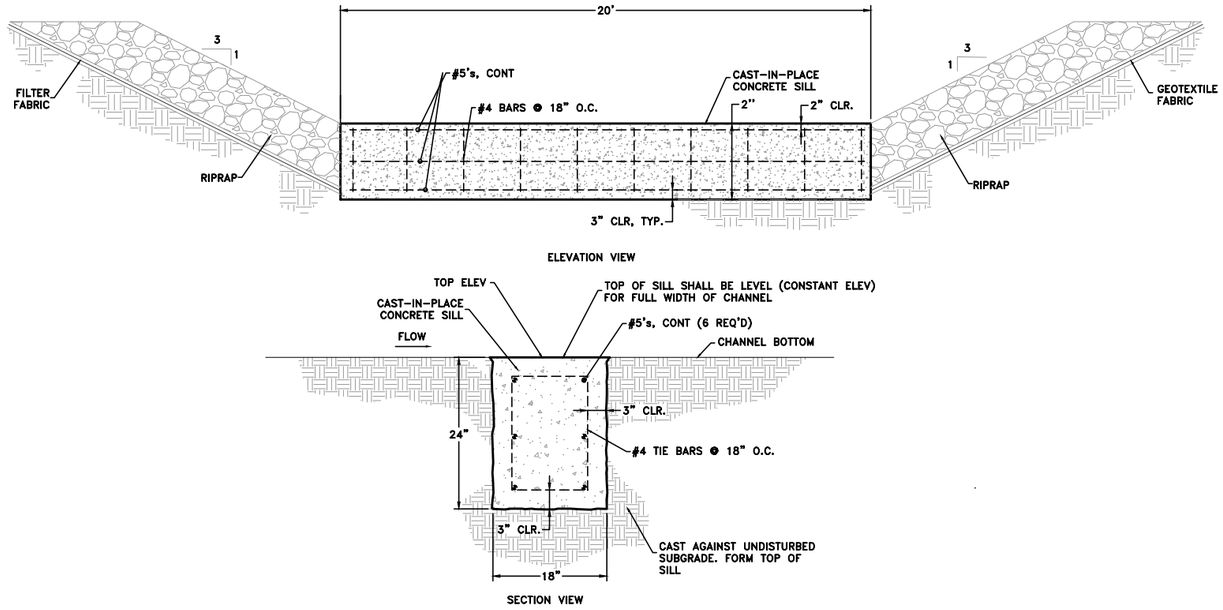
REVISIONS	DATE

CITY OF LITTLE ROCK, ARKANSAS
YORKWOOD AREA DRAINAGE IMPROVEMENTS
PROPOSED CHANNEL PLAN

DEPARTMENT OF PUBLIC WORKS
CIVIL ENGINEERING
701 W. MARKHAM
LITTLE ROCK, ARKANSAS 72201

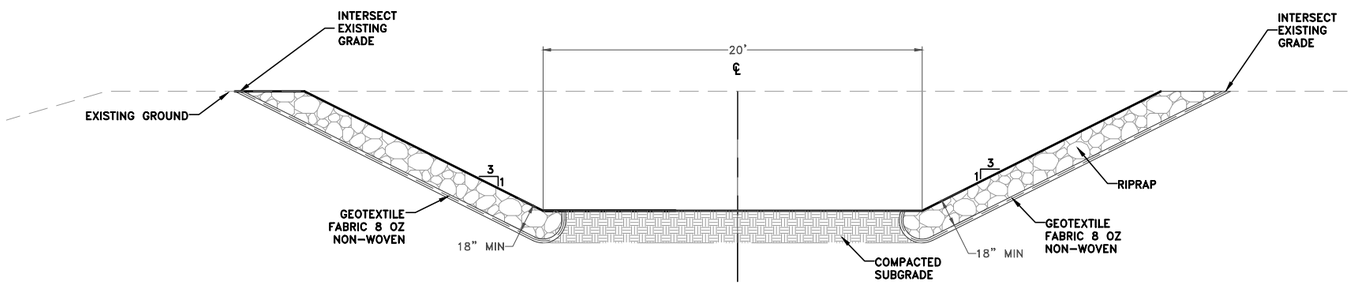
DRAWN BY	CKS
DESIGNED	ROD
CHECKED	ROD
DATE	02/20/2024
SCALE	1"=60"
PROJECT NO.	07-17-DR-350
SHEET NO.	C1



CONCRETE SILL

1 / 1 2 DETAIL

SCALE: 1"=1'-0"



TYPICAL RIPRAP CHANNEL SECTION
STA 3+28 TO 12+13

1 / 1 2 SECTION

SCALE: 1"=4'

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REVISIONS	DATE

CITY OF LITTLE ROCK, ARKANSAS
YORKWOOD AREA DRAINAGE IMPROVEMENTS

PROPOSED CHANNEL
DETAILS

DEPARTMENT OF PUBLIC WORKS
CIVIL ENGINEERING
701 W. MARKHAM
LITTLE ROCK, ARKANSAS 72201

DRAWN BY	CKS
DESIGNED	ROD
CHECKED	ROD
DATE	02/20/2024
SCALE	1"=60"
PROJECT NO.	07-17-DR-350
SHEET NO.	C2