



Public Notice

APPLICATION NO.:

CPM-MVK-2013-718

EVALUATOR:

Ms. Charlene Mosley

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DATE:

Charlene.p.mosley@usace.army.mil June 10, 2014

EXPIRATION DATE:

July 1, 2014

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Arkansas Department of Environmental Quality, are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address, and the Arkansas Department of Environmental Quality, Post Office Box 8913, Little Rock, Arkansas 72219-8913, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:
Mr. Frank Hash
City of El Dorado, Arkansas
Post Office Box 2170

El Dorado, Arkansas 71731

Name of Agent:

Mr. William R. Gaunt Gaunt Engineers, Incorporated 3400 West Hillsboro

El Dorado, Arkansas 71730

<u>Location of Work</u>: Section 21, T17S-R15W, latitude 33.22509N, longitude -92.66467W, within the Lower Ouachita-Smackover drainage basin, in Union County, Arkansas.

<u>Description of Work</u>: (See enclosed map and drawings.)
The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit for the associated discharge of dredged and/or fill material into waters of the United States in Union County, Arkansas. The applicant's stated purpose is to replace the current drainage system with a series of box culverts and to provide additional parking for the El Dorado Municipal Auditorium facility.

The proposed project would involve filling an unknown perennial tributary of Flat Creek between Eighth Street and Tenth Street, which connects storm sewer systems to the north and south. Storm sewers and associated junction boxes would be installed to connect the existing storm sewers to the north and south. The proposed storm sewer system would also provide drainage inlets for storm water collection from adjacent properties. The proposed system would maintain the required drainage capacity.

Approximately 37,000 cubic yards of soil would be excavated for culvert installation. The installation would include approximately 1,525 feet of concrete box culverts ranging in sizes from 6-foot x 4-foot to 8-foot x 8-foot. Installation would also include 10 junction boxes and 5 drainage inlets. Approximately 400 feet of 24-inch and 36-inch culverts would be installed along with a 54-inch reinforced concrete pipe.

Approximately 782 linear feet of an unknown perennial tributary of Flat Creek would be impacted as a part of the drainage improvement. Approximately 18,000 cubic yards of Class SG (Sandy Gravel) or CG (Clay Gravel) would be used as fill material. The proposed project would also involve the clearing and grubbing of vegetative materials in approximately 2.67 acres of uplands, which would also be graded for the parking area. Approximately 1,456 cubic yards of gravel and 486 cubic yards of asphalt would be used for the parking area. No permit would be required for the work involved with the parking area.

The vegetation at the project site consists of Chinese privet, American sycamore, Black willow, Poison Ivy, Saw brier, American elm, Honey locust, Atlantic golden rod, Summer grape, Mimosa, Sweet gum, and Switch cane. Hydric soils in the project area consist of Bibb fine sandy loam and Sacul Sawyer complex.

The placement of dredged and/or fill material in waters of the United States, including wetlands, requires a Department of the Army Permit.

The applicant has proposed to mitigate for the unavoidable loss of stream functions and services by purchasing credits from an approved mitigation bank whose service area includes the same 8-digit HUC 8040201.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment, and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

<u>State Water Quality Permit</u>: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

<u>Cultural Resources</u>: The Regulatory Archaeologist has reviewed the latest published version of the National Register of Historic Places, state lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: No known historic properties exist in the proposed permit area. Copies of the public notice have been sent to Federally recognized Tribes and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

<u>Endangered Species</u>: Our initial finding is that the proposed work would not likely adversely affect any endangered species or their critical habitats. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

<u>Public Involvement</u>: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, http://www.mvk.usace.army.mil/offices/od/odf/main.asp, or go directly to the Final Permit Actions web page at http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp.

Anne S. Woerner

Chief, Evaluation Section

Regulatory Branch



There are jurisdictional other waters of the U.S. within the project boundary. A permit is required for any work activities that result in placing fill material into a jurisdictional water of the U.S.





8 October 2013

MVK-2013-718

Jurisdictional Determination City of El Dorado Union County, Arkansas

Preliminary Jurisdictional Determination

Prepared by Arel Simpson





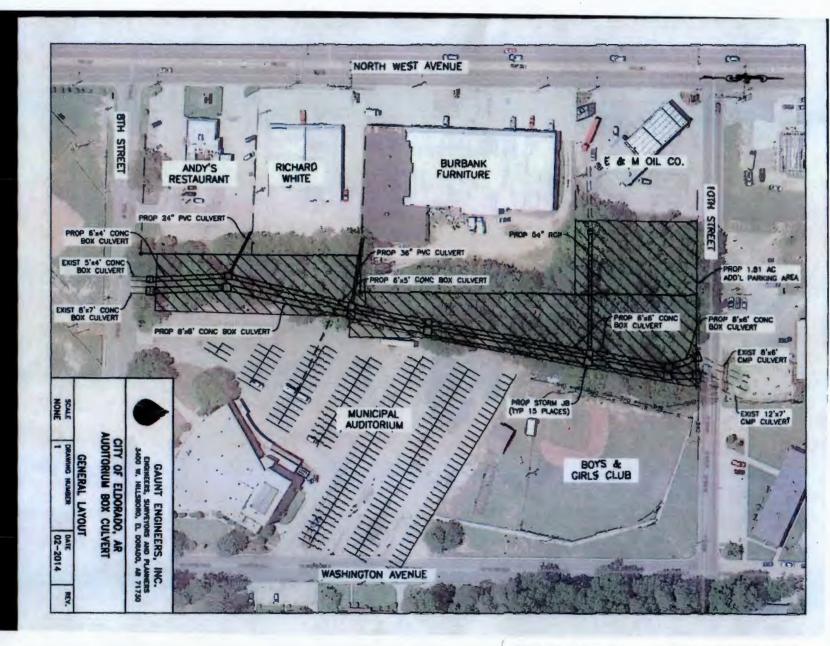


Regulatory Branch

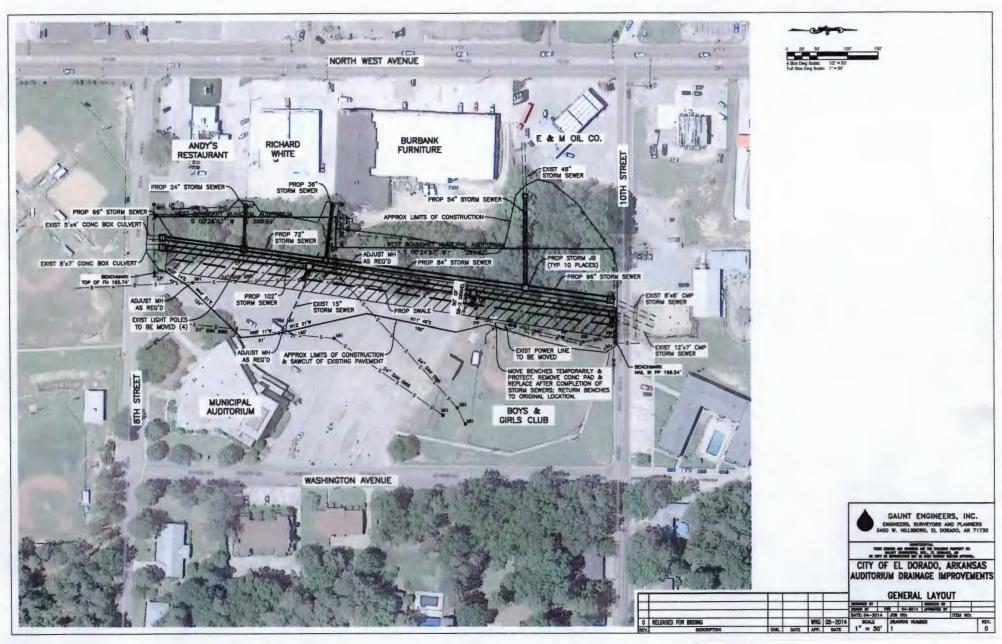
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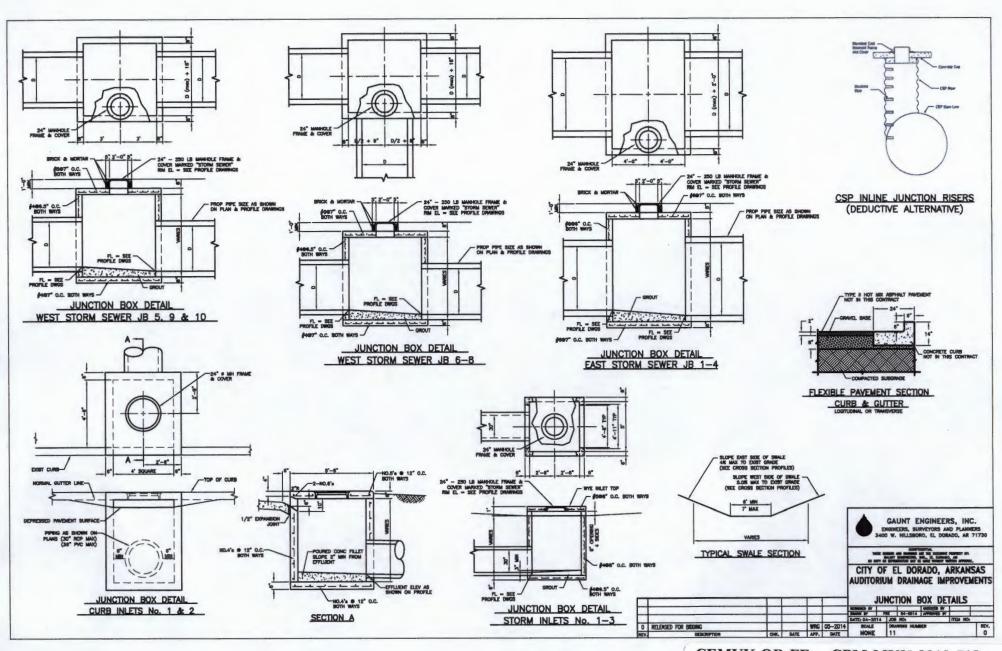
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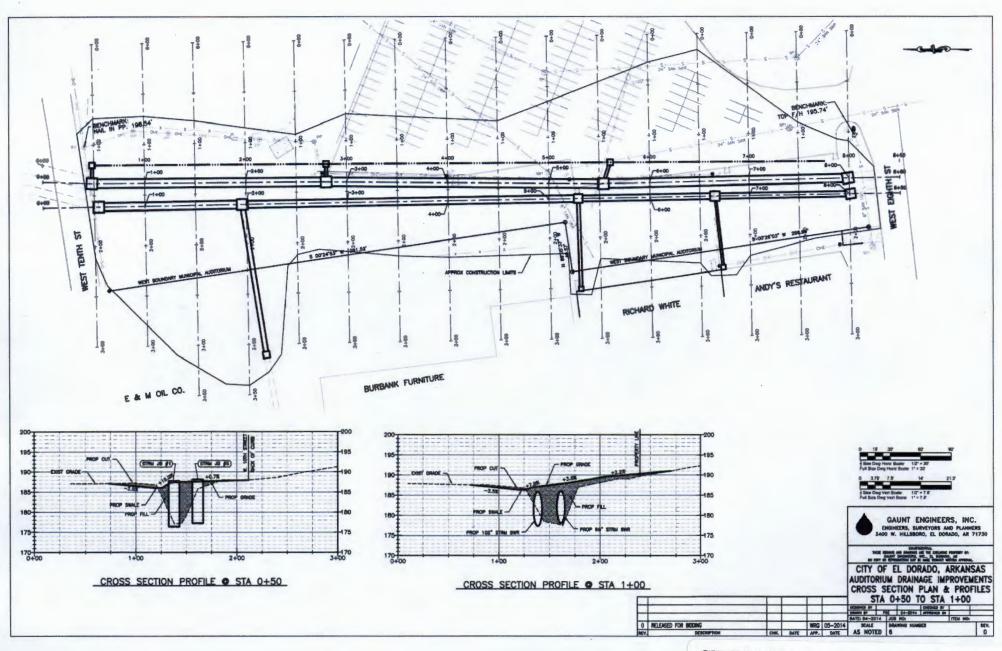
Enclosure 1



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