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### **Public Notice**

**APPLICATION NO.:** 

MVK-2018-233

**EVALUATOR:** 

Ms. Kristi Hall

PHONE NO.:

(601) 631-7528

E-MAIL:

Kristina.W.Hall@usace.army.mil

DATE:

May 17, 2018

**EXPIRATION DATE:** 

June 7, 2018

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.

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

Name of Applicant:

Mr. Tony Floyd Benton Street Department 305 West Hazel Street Benton, Arkansas 72015 Name of Agent:

Mr. Josh Fluger
GBMc & Associates
219 Brown Lane

Bryant, Arkansas 72022

<u>Location of Work</u>: Section 11, T2S- R15W, Latitude 34.5649, Longitude -92.5762, within the Depot Creek watershed part of the Upper Saline River Drainage Basin (8-digit USGS HUC 08040203), Saline 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 to conduct regulated activities in jurisdictional wetlands for the purpose of stabilizing stream banks to prevent further erosion along 1,125 linear feet of an unnamed tributary

to Depot Creek. The purpose of the project is to replace collapsed retaining walls to stabilize the stream banks to prevent further erosion. Old concrete retaining walls that previously covered the northern end of the project have collapsed and have resulted in channel degradation in recent years. Bank sloughing, loss of property, and utility line exposure have all occurred as a result of failing stream banks. Work in jurisdictional areas will be related to construction of revetment gravity wall on the left and right stream banks along the entire reach and construction of in-stream grade control structures to reduce stream energy and maintain grade (prevent bed degradation, bed cutting). Approximately, 180 feet of channel would be straightened to reduce impacts to utility lines within the right-of-way. Mechanized equipment would be used to remove any remaining old failing structures and trees. Bank re-shaping and soil excavation would occur.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through the purchase of credits from a commercial mitigation bank.

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 <u>National Register of Historic Places</u>, 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: the permit area has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

<u>Endangered Species</u>: Our initial finding is that the proposed work may affect, but is not likely to adversely affect the following endangered species or their critical habitats: Arkansas fatmucket, Rabbitsfoot, Winged Mapleleaf.

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

requirements. The project is completely located within the 100 year floodplain.

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/Missions/Regulatory.aspx.

Thomas A. McCabe

Chief, Evaluation Section

Thomas A. M= Cabe

Regulatory Branch



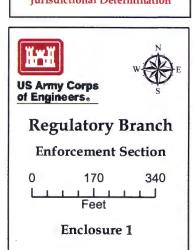


#### May 3, 2018 MVK-2018-233

Princeton & Monclair Drainage Improvements Section 11, T25S-R14W Benton, Saline County, Arkansas

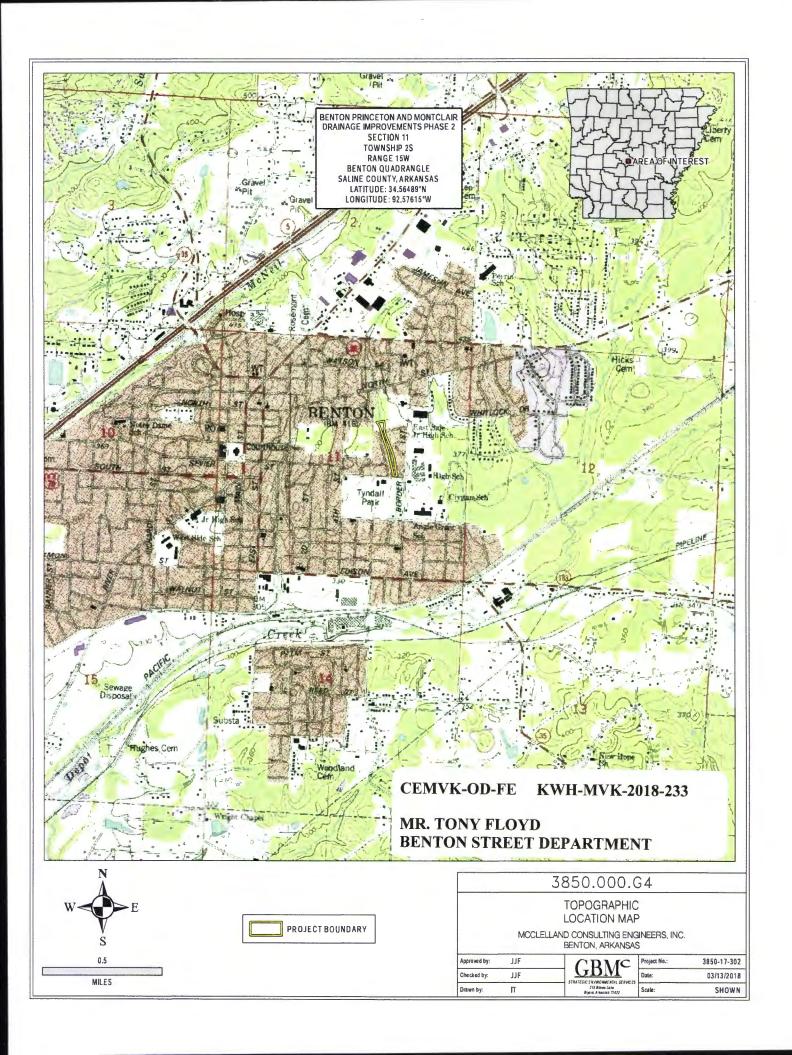
> Prepared by: Arel Simpson

Preliminary Jurisdictional Determination





There are jurisdictional waters of the U.S. within the proposed work areas. The discharge of dredged and/or fill material into a jurisdictional water will require a permit.







FEET



**AERIAL PHOTOGRAPHY** 

MCCLELLAND CONSULTING ENGINEERS, INC. BENTON, ARKANSAS

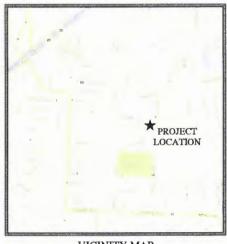
Approved by:	JJF	CDM
Checked by:	ENJ	STRATEGIC ENVIRONMENTAL S 218 Brown Laire Byers, Arlenses 72022
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SCHWG C3	Scale:	SHOWN

#### PRINCETON AND MONTCLAIR DRAINAGE IMPROVEMENTS PHASE II

BENTON, ARKANSAS





VICINITY MAP

MARCH, 2018 MCE PROJECT NO. LR17-5768

## MCCLELLAND CONSULTING OLSTIGNED TO SCHILL ENGINEERS, INC.

1810 N. Colleg Fayetteville, AR 7: PH# 479-443-23 7302 Kanis Rd. Little Rock, AR 7220 PH# 501-371-0272 4606 S. Garnett Rd. Ste. Tulan, OK 74146 PH# 918-619-6803

http://www.mce.us.com

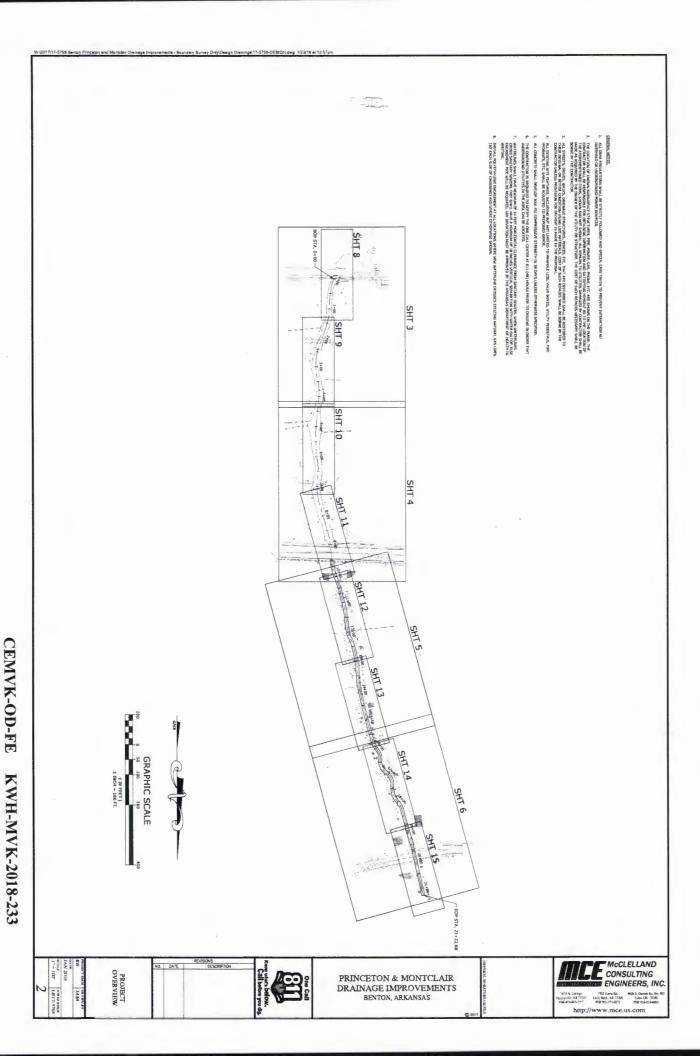
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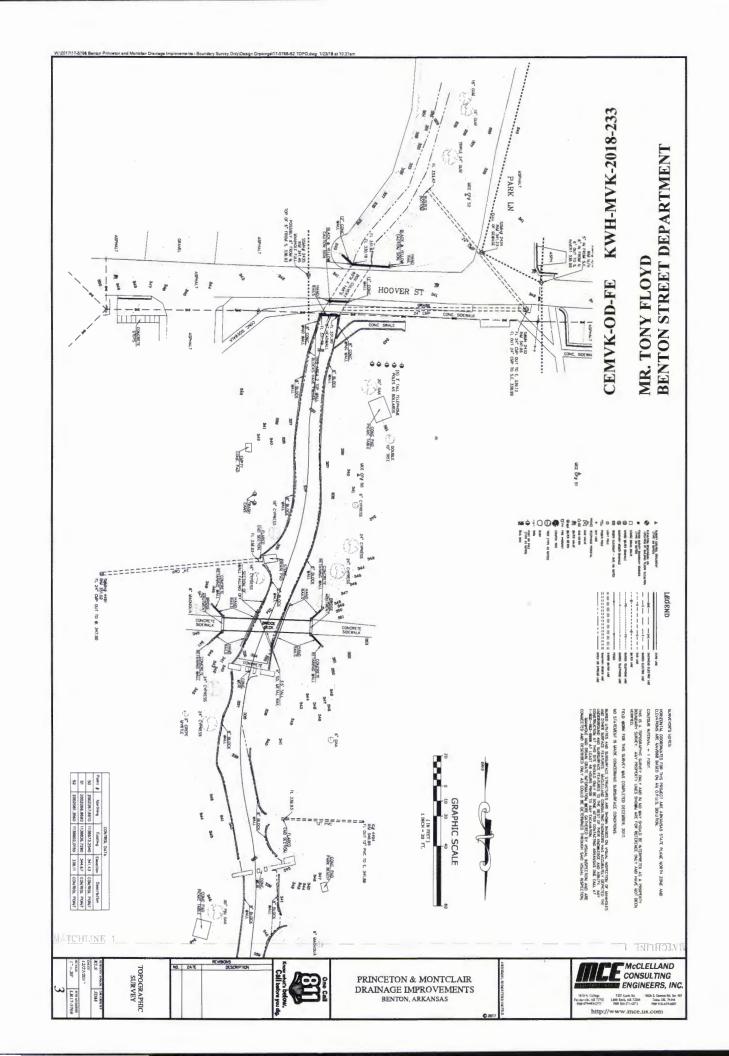
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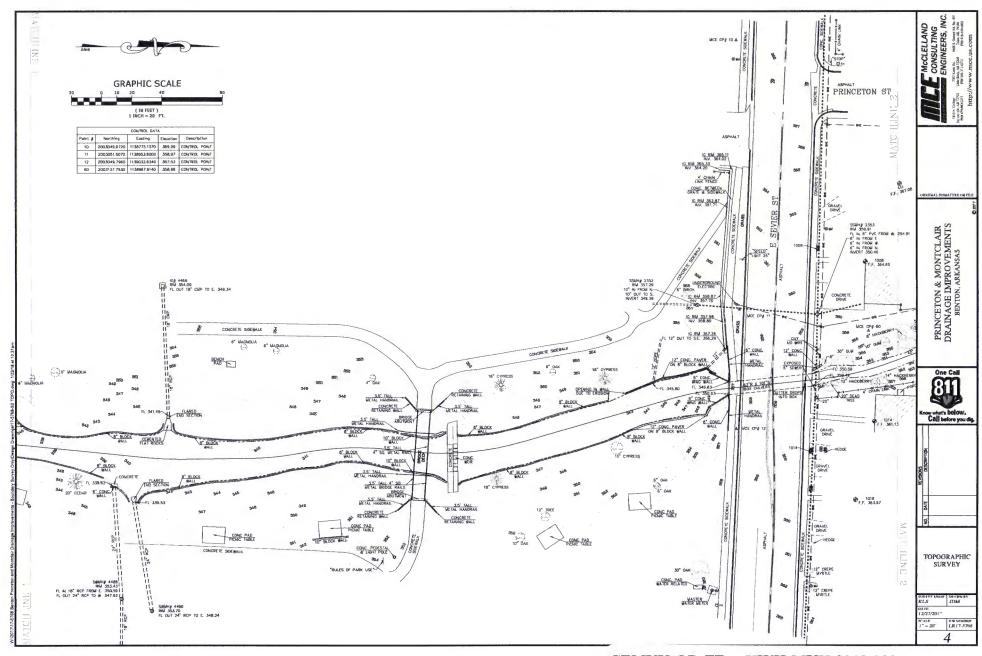
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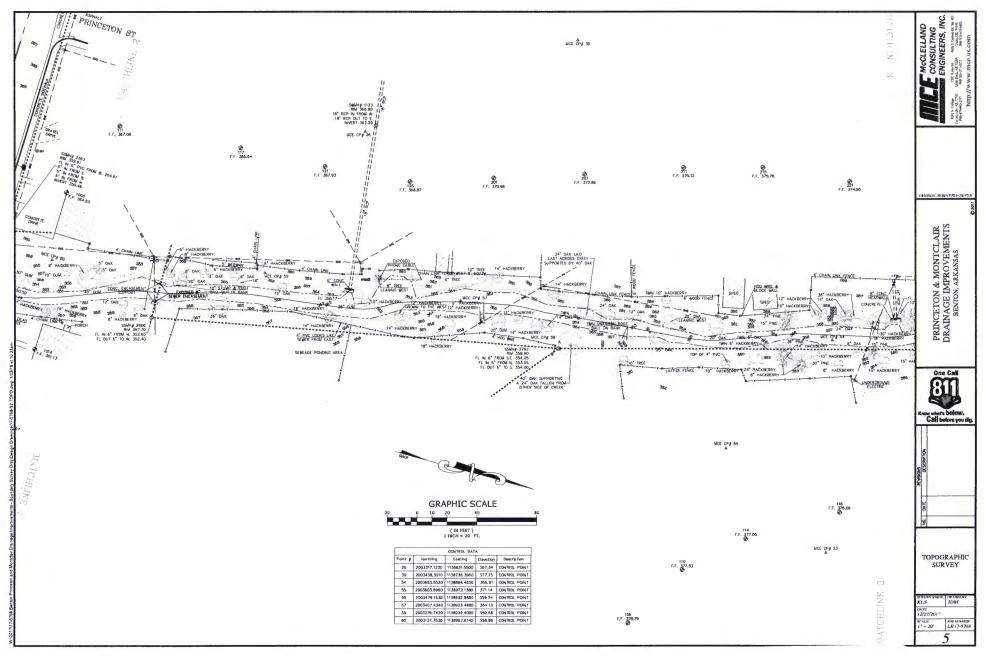
MR. TONY FLOYD

BENTON STREET DEPARTMENT

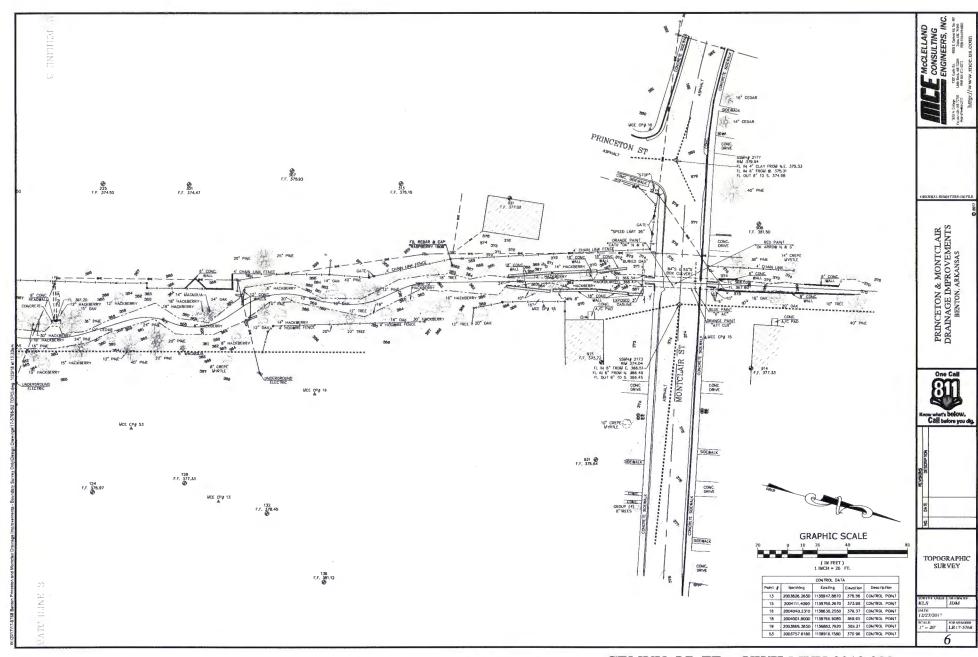




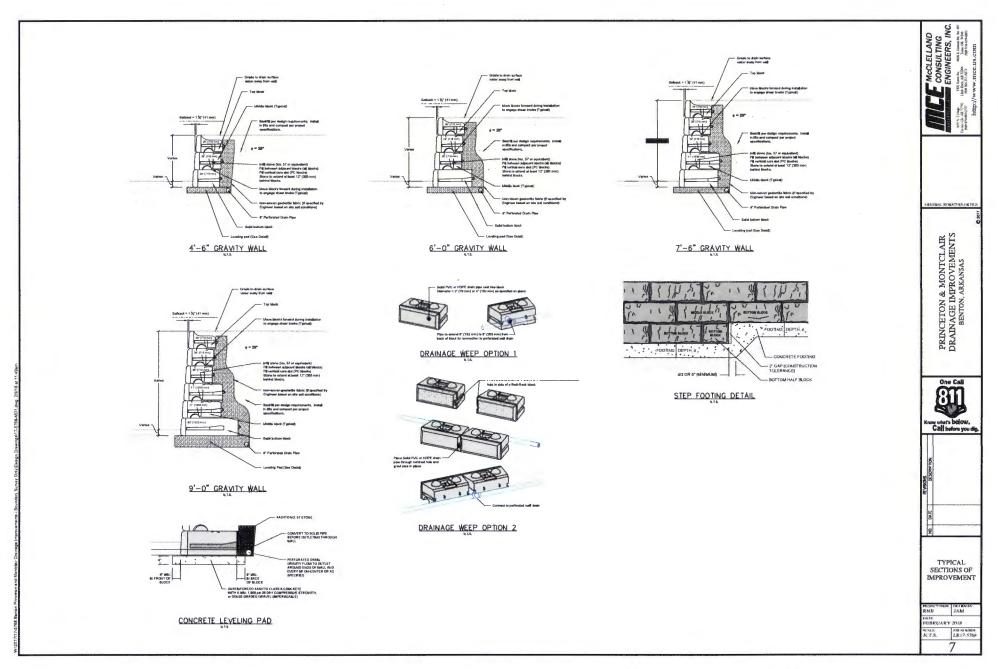
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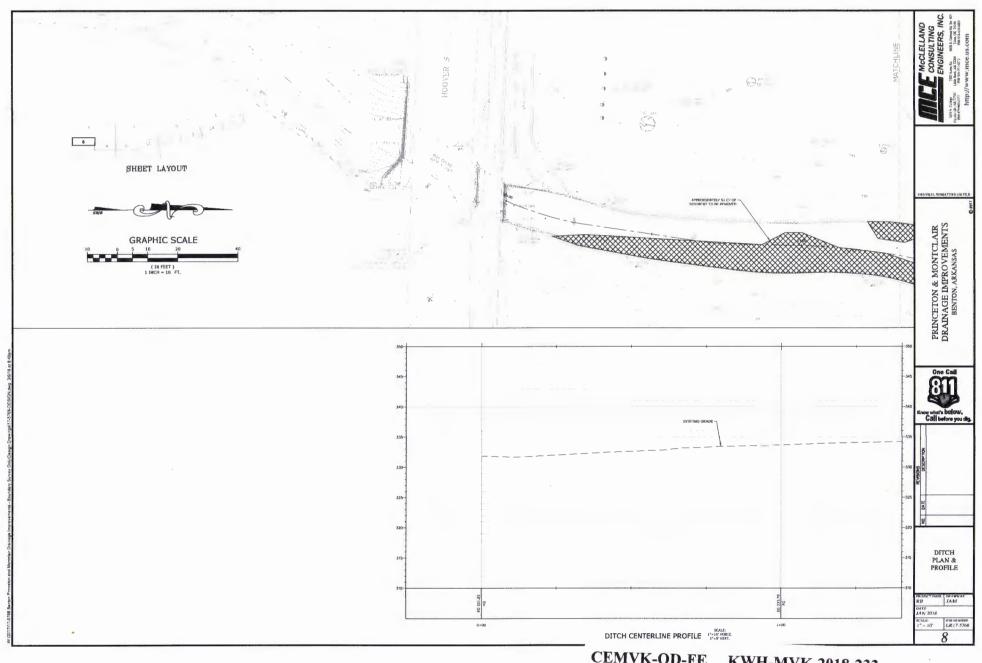
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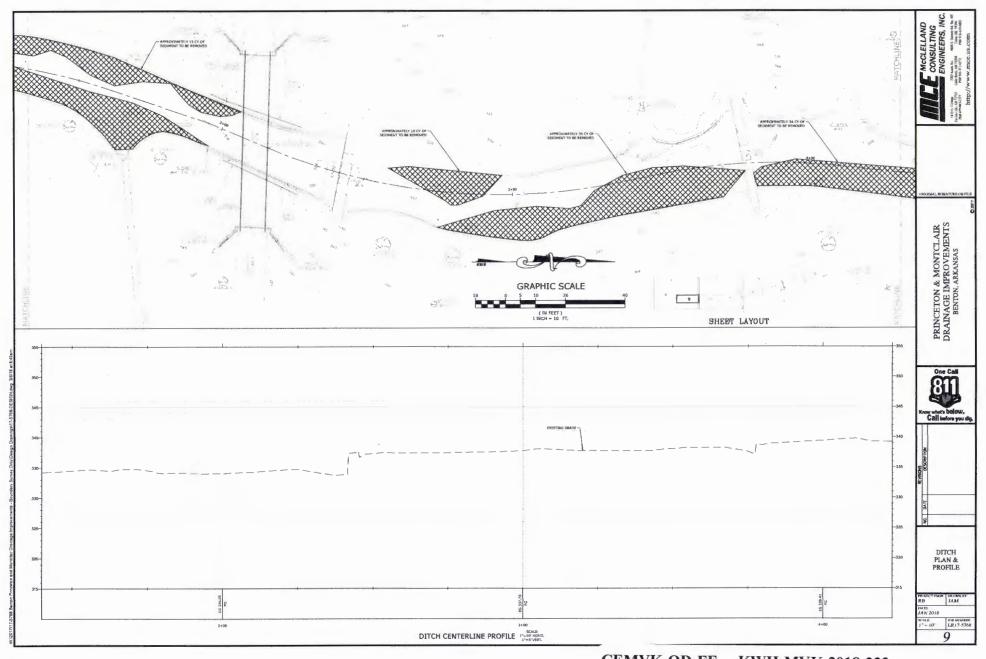
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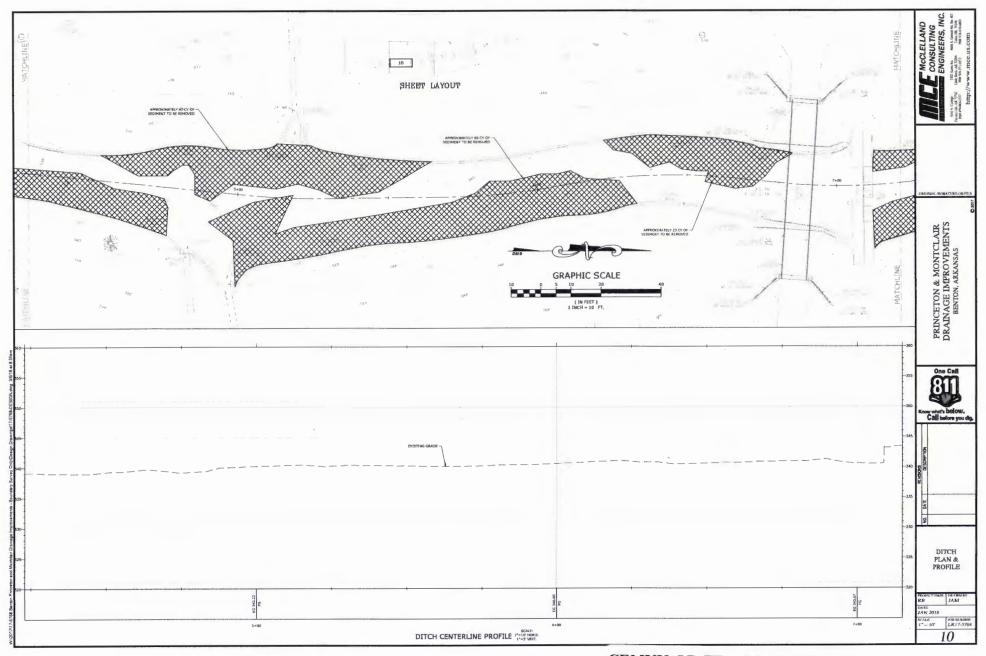
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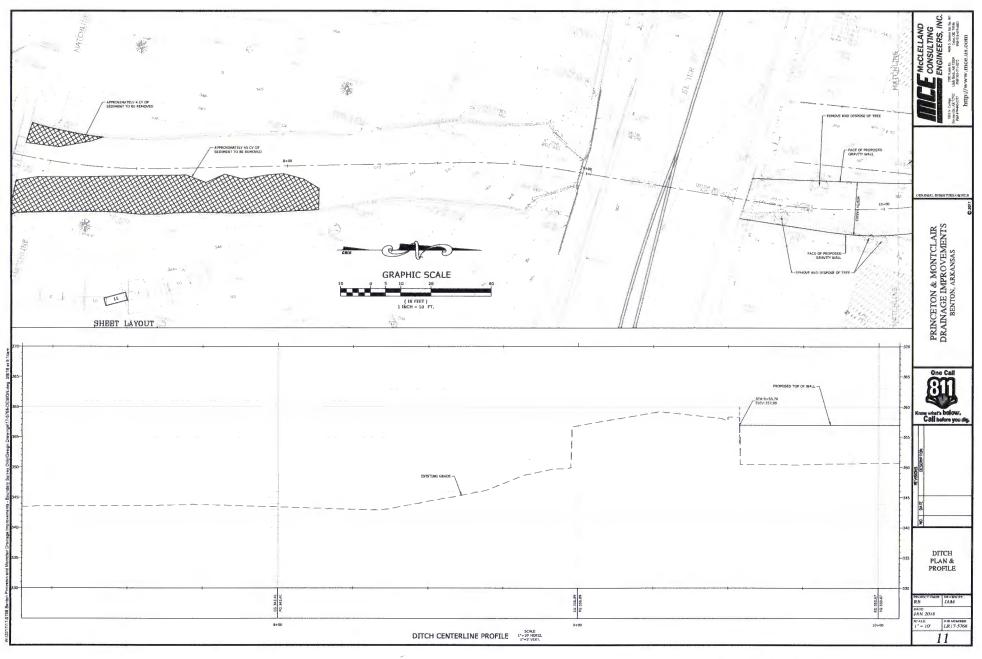
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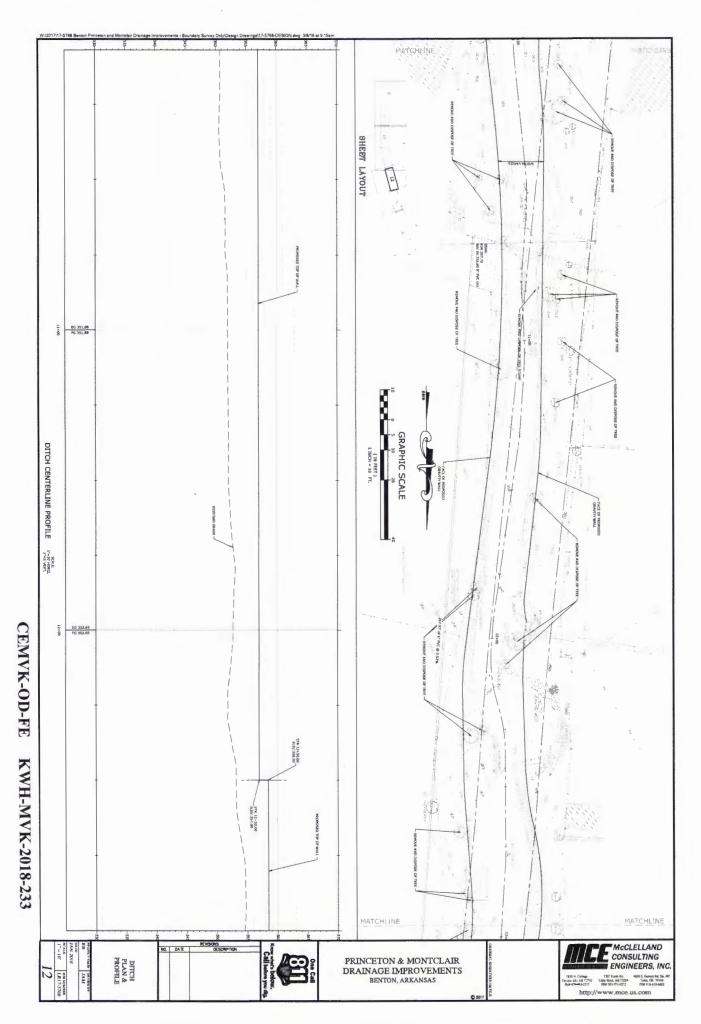
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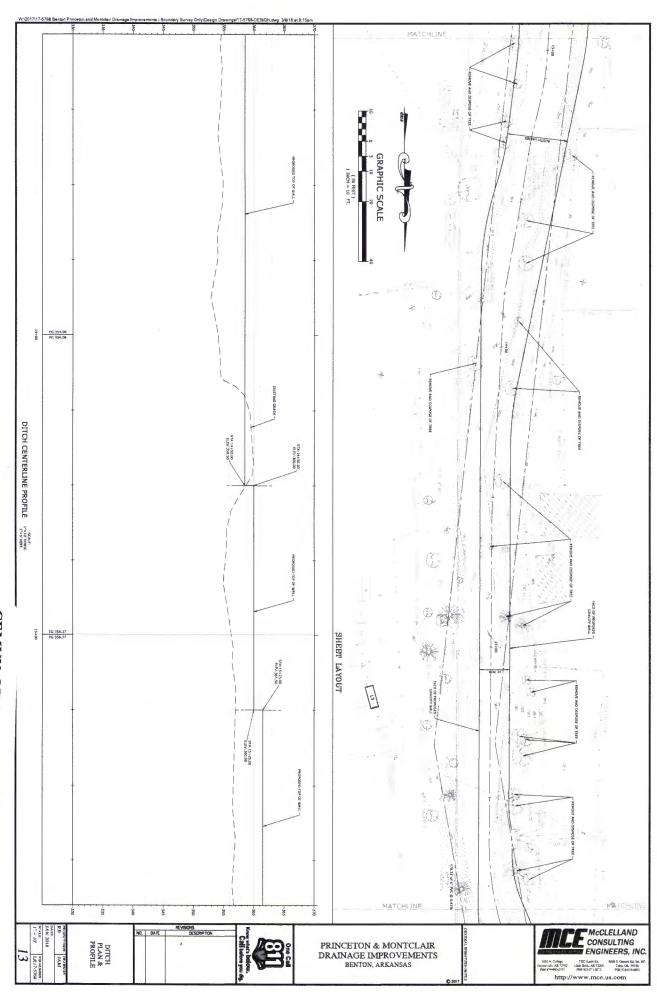
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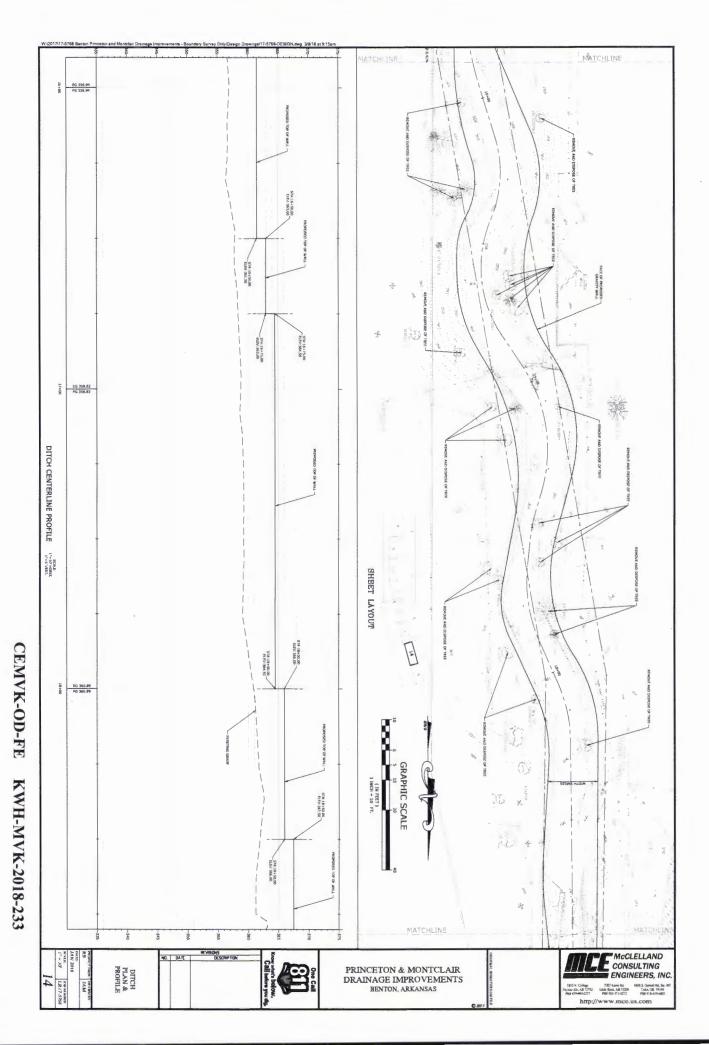


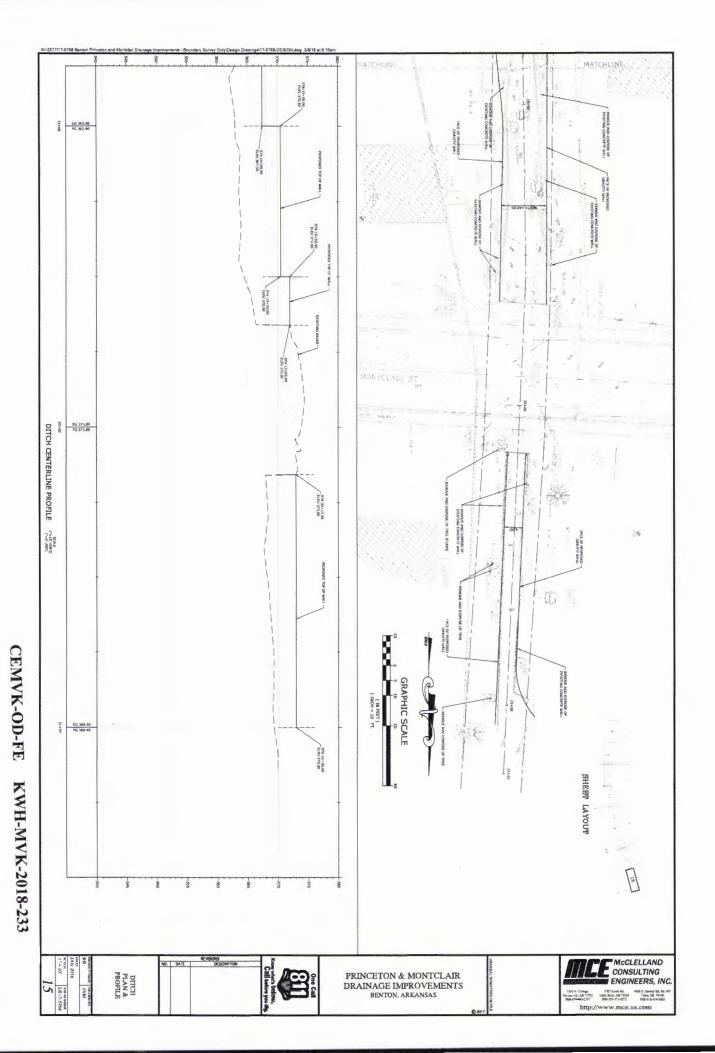
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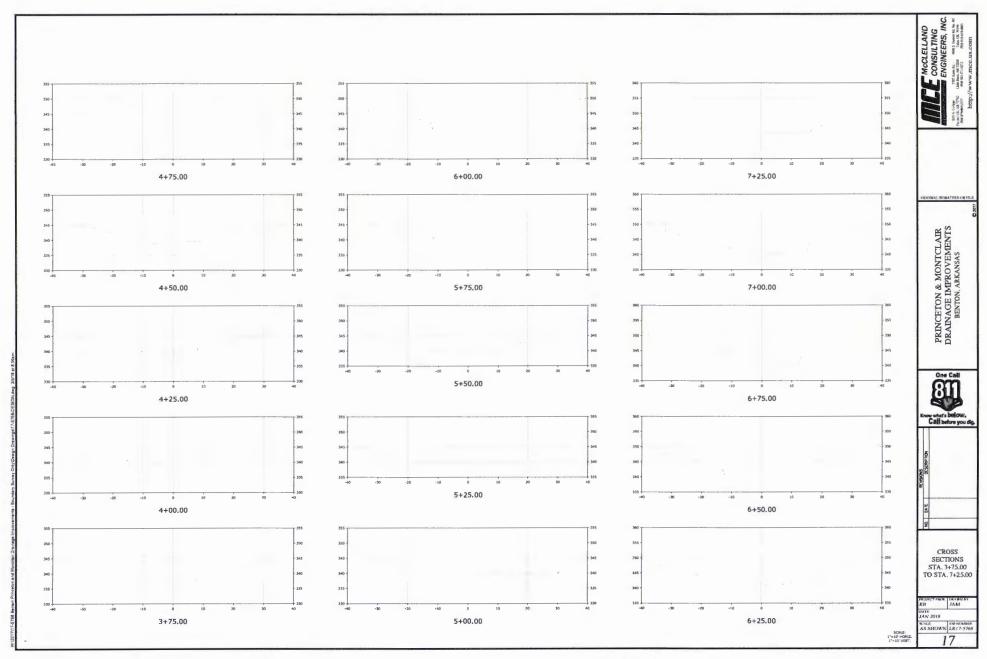




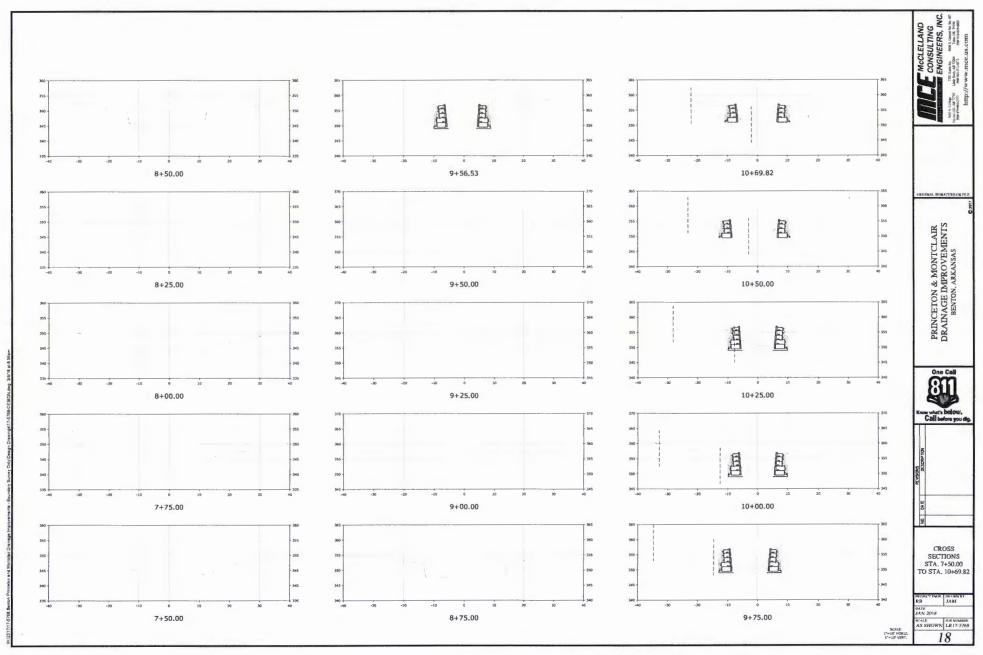
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MR. TONY FLOYD BENTON STREET DEPARTMENT

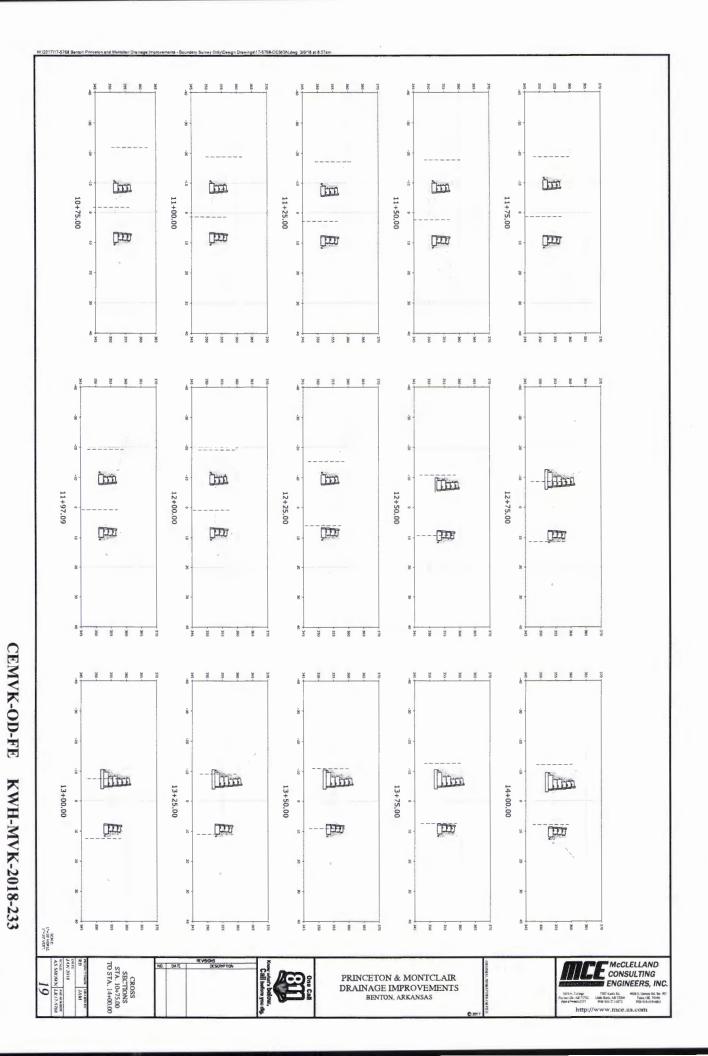
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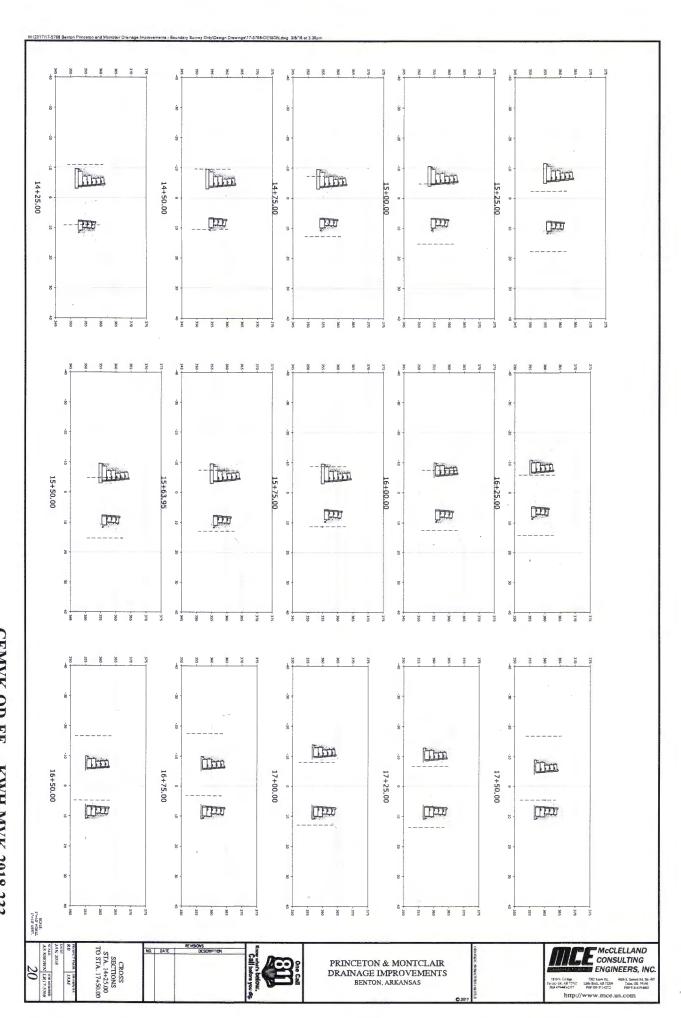


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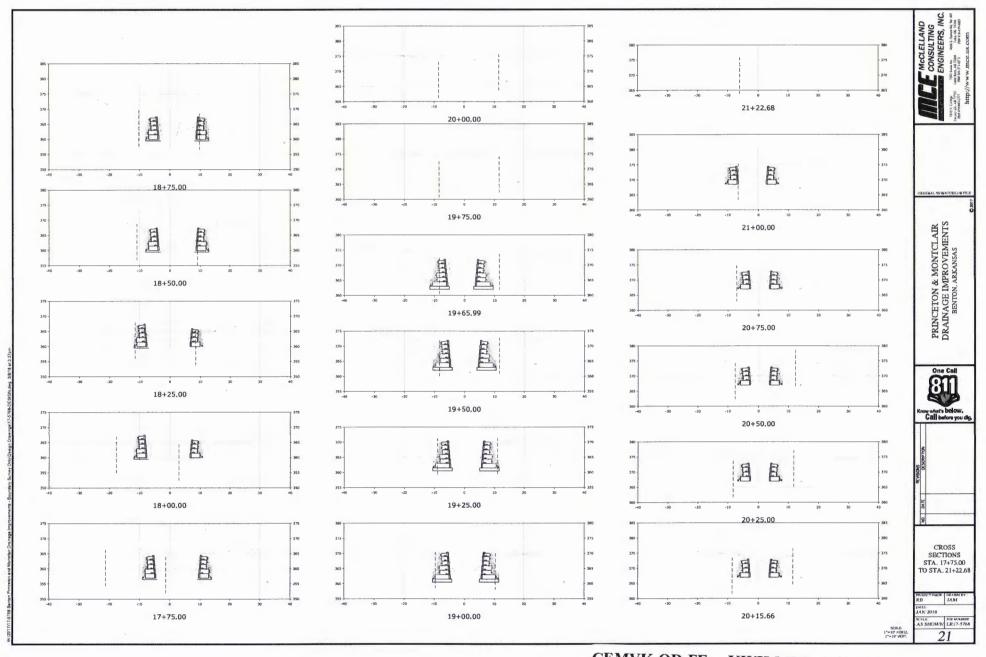


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