



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 2015-00070-1

Date: May 9, 2016

Comments Due: June 3, 2016

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: 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 constructing the final segment of the Searcy Bypass. The other two segments of the bypass, one south and one east of the proposed segment, are currently under construction. This segment would cross seven streams and one wetland area. The proposed project is located on the northwest side of Searcy and would connect State Highway 16 and State Highway 36, in sections 31, 32, and 33, T. 8 N., R. 7 W., and in sections 4, 5, 6, and 7, T. 7 N., R. 7 W., White County, Arkansas.

The basic purpose of the project is to construct a connector between Highway 16 and Highway 36. The overall purpose of the project is to relieve congestion in Searcy by allowing traffic to avoid Race Street and Beebe Capps Expressway, and allow drivers traveling from the north and drivers traveling from U.S. Highway 67/167 to bypass traffic in downtown Searcy. The project would also provide traffic on the west side of Searcy better access to U.S. Highway 67/167. The project is not water dependent.

The project would cross seven streams including Deener Creek and two of its unnamed tributaries, and Rocky Branch and three of its unnamed tributaries. Deener Creek is intermittent and its two unnamed tributaries are ephemeral. Rocky Branch is perennial. One of Rocky Branch's unnamed tributaries is perennial (spring-fed), one is intermittent, and one is ephemeral. Five of the seven streams are moderately functional and two of the seven streams are functionally impaired. The substrate of the streams is primarily soft sediment with some rock. Approximately 1,105 linear feet of stream and 0.3 acres of forested wetlands would be permanently impacted. Approximately 1,333 cubic yards of fill would be discharged into the wetlands and approximately 3,600 cubic yards of fill would be discharged into the streams to realign the streams and construct pipe or box culverts.

This project is located in the Arkansas River Ecoregion and in the Little Red River 8-digit (11010014) hydrologic unit code (HUC). Rocky Branch flows into Deener Creek and Deener Creek flows into the Little Red River on the east side of Searcy. The lower 31 miles of the Little Red River are designated as navigable under Section 10 of the Rivers and Harbors Act. Lands adjacent to the project are a mix of forest, pasture and residential development.

The majority of the project would be built on new location. The average right-of-way width for the project is 200 feet and the total length for the project is 3.7 miles. The new roadway would generally consist of two 12-foot-wide travel lanes with 8-foot-wide shoulders. In the urban sections, the lanes would be widened to 14 feet with a 3-foot-wide grass berm and 5-foot-wide sidewalk. The Federal Highway Administration (FHWA) completed the environmental assessment (EA) for the project on June 5, 2012. The EA evaluated three new location alternatives. The northernmost alternative was chosen since it met the purpose and need, minimized overall impacts, balanced the benefits versus the overall impacts and serviced a large number of motorists. The finding of no significant impact (FONSI) for the project was completed on December 1, 2014. A copy of the EA and FONSI are available for viewing at the AHTD Central Office in Little Rock.

There are no environmental justice issues associated with the project. No historic or archeological sites were identified. The project would relocate seven residences. The City of Searcy and White County participate in the National Flood Insurance Program (NFIP). Approximately 740 linear feet of floodway and floodplain would be impacted by the project. The AHTD has determined that the project will not support incompatible use and development of the floodplain and adjacent properties should not be impacted nor have a greater flood risk than existed before construction of the project, and none of the encroachments will constitute a significant floodplain encroachment or a significant risk to property or life. Approximately 36.8 acres of prime farmland and 2.7 acres of farmland of statewide importance would be converted to highway right-of-way.

The AHTD attempted to cross the streams perpendicular to their paths in order to minimize impacts; however, complete avoidance was not possible.

The AHTD proposes to mitigate for the unavoidable impacts to 1,105 linear feet of stream at the Hartsugg Creek Mitigation Bank. Stream credit requirements were calculated utilizing the Little Rock District Stream Method. The AHTD proposes to mitigate for the unavoidable impacts to 0.3 acres of wetlands at their Glaise Creek Mitigation Bank near Worden, Arkansas. Wetland credit requirements were calculated utilizing the 2002 Charleston Method. Copies of the stream and wetland credit worksheets are attached. The location and general plan for the proposed work are shown on the enclosed sheets 1 through 7 of 9.

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 FHWA 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 **June 3, 2016**. 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.

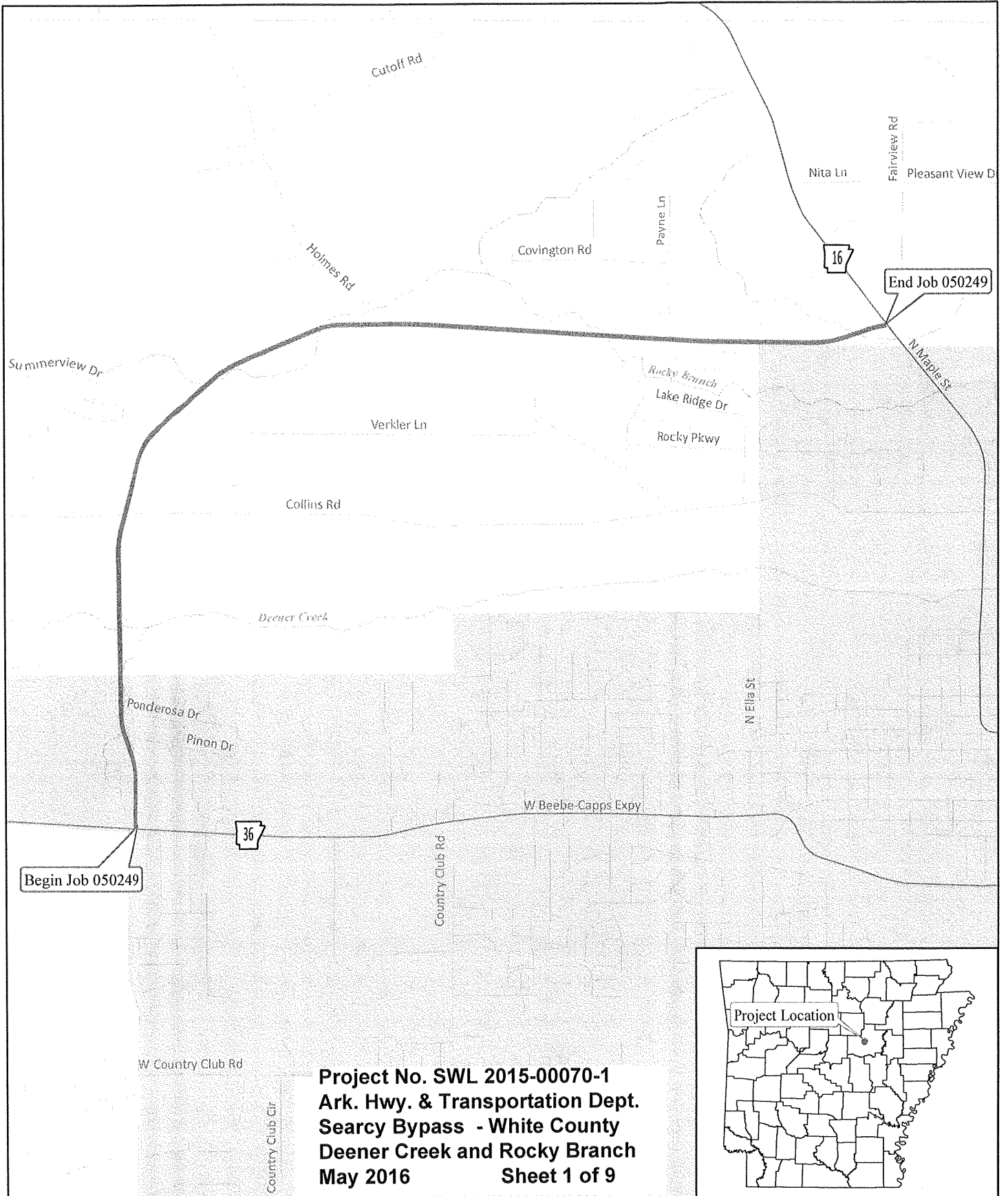
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

Enclosures

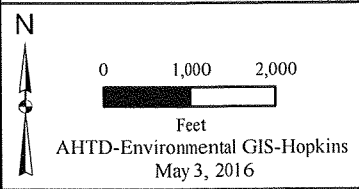
Approximate Coordinates of Project Center

Latitude: **35.26966** Longitude: **-91.78229**

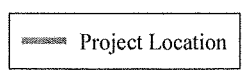
UTM Zone: **15** North: **3903628** East: **610755**

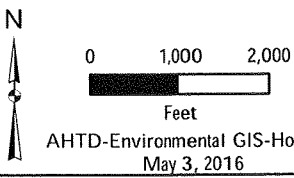
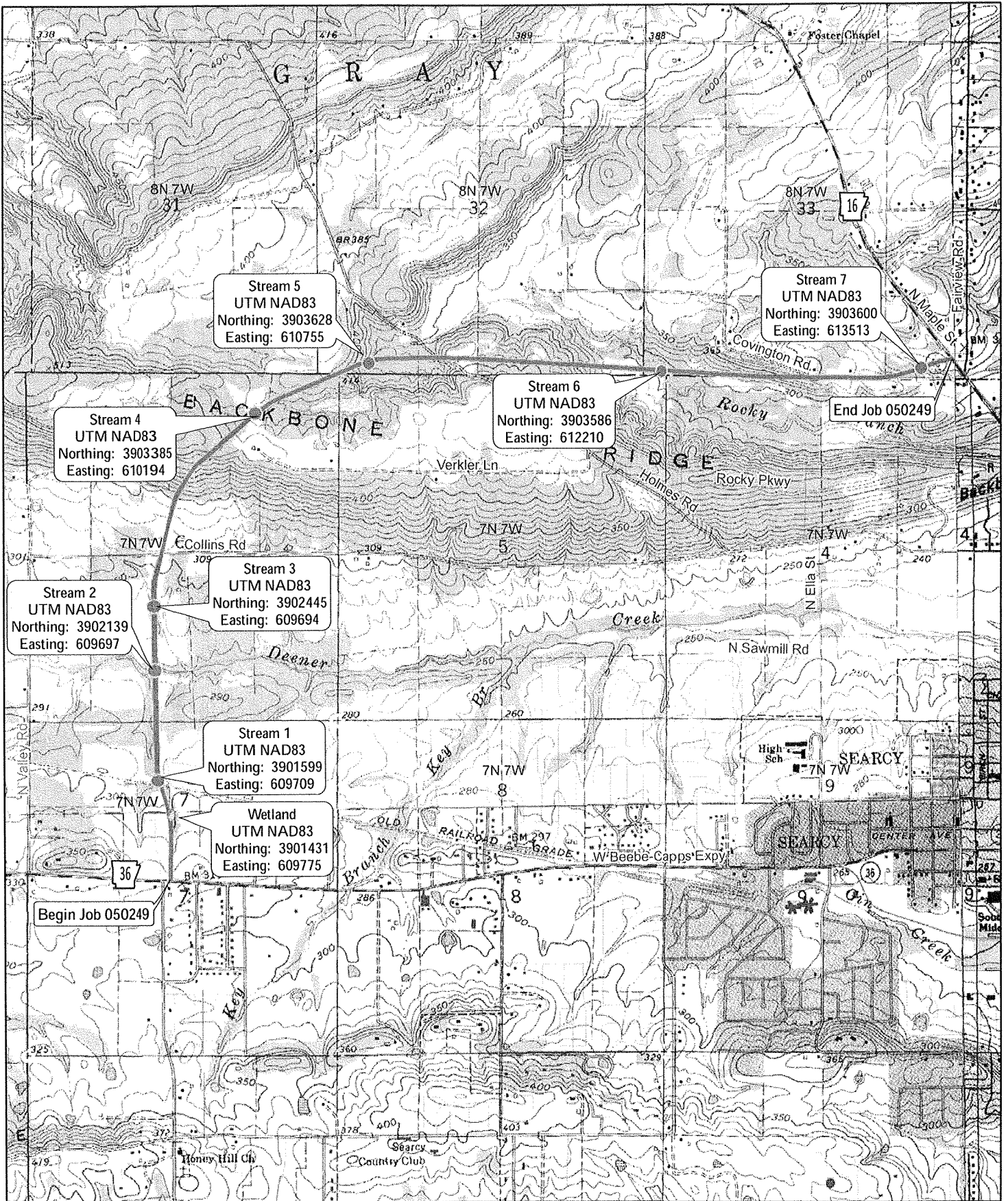


Project No. SWL 2015-00070-1
Ark. Hwy. & Transportation Dept.
Searcy Bypass - White County
Deener Creek and Rocky Branch
May 2016 **Sheet 1 of 9**



Job 050249
 Hwy. 36 - Hwy. 16
 White County





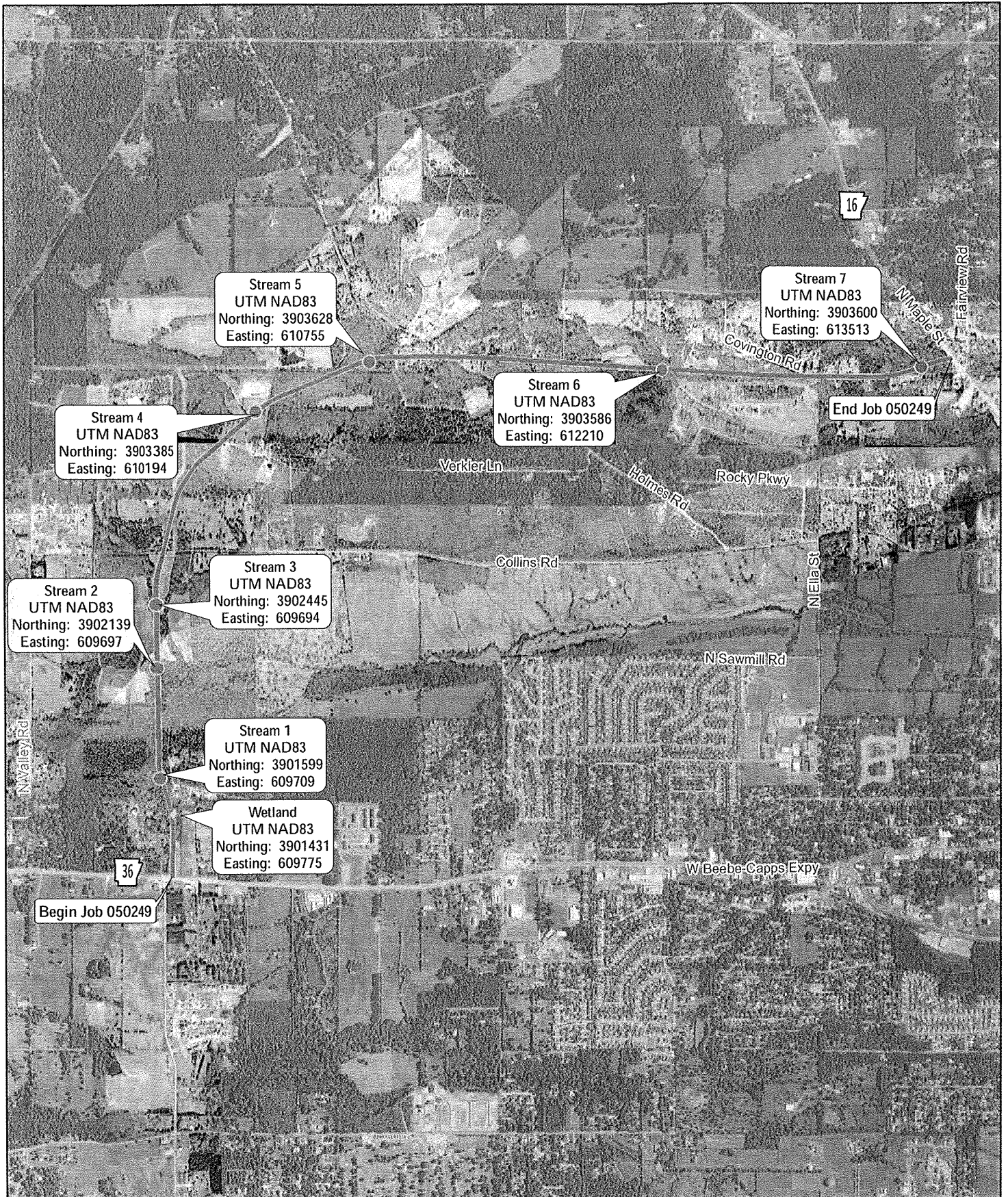
Job 050249
Hwy. 36 - Hwy. 16
White County

Sheet 2 of 9

Project Location

USGS Topographic Maps
Letona 1980, Garner 1981, & Judsonia 1994

AHTD-Environmental GIS-Hopkins
May 3, 2016



Stream 5
UTM NAD83
Northing: 3903628
Easting: 610755

Stream 7
UTM NAD83
Northing: 3903600
Easting: 613513

Stream 4
UTM NAD83
Northing: 3903385
Easting: 610194

Stream 6
UTM NAD83
Northing: 3903586
Easting: 612210

End Job 050249

Stream 2
UTM NAD83
Northing: 3902139
Easting: 609697

Stream 3
UTM NAD83
Northing: 3902445
Easting: 609694

Stream 1
UTM NAD83
Northing: 3901599
Easting: 609709

Wetland
UTM NAD83
Northing: 3901431
Easting: 609775

Begin Job 050249

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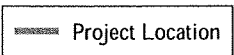


Feet

AHTD-Environmental GIS-Hopkins
May 3, 2016

Job 050249
Hwy. 36 - Hwy. 16
White County

Sheet 3 of 9



AHTD Photography - Dec. 2012

**ADVERSE IMPACT
FACTORS FOR RIVERINE SYSTEMS WORKSHEET**

Stream Type Impacted	Ephemeral 0.1			Intermittent 0.4			Perennial-OHWM width		
				<15' 0.4	15'-30' 0.6	>30' 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	Stream 1 Trib. Deener Creek	Stream 2 Deener Creek	Stream 3 Trib. Deener Creek	Stream 4 Trib. Rocky Branch	Stream 5 Trib. Rocky Branch
Stream Type Impacted	Ephemeral	Intermittent	Ephemeral	Ephemeral	Intermittent
Priority Area	Tertiary	Tertiary	Tertiary	Tertiary	Tertiary
Existing Condition	Moderately Funct	Moderately Functi	Moderately Func	Functionally Imp	Functionally Impai
Duration	Permanent	Permanent	Permanent	Permanent	Permanent
Activity	Fill	Fill	Fill	Fill	Fill
Cumulative Linear Impact	blank 0.2	blank 0.2	blank 0.2	blank 0.2	blank 0.2
Sum of Factors	M = 4	4.3	4	3.3	3.6
Linear Feet of Stream Impacted in Reach	LF= 150	150	100	345	210
M X LF	600.00	645	400	1138.5	756

Total Mitigation Credits Required = (M X LF) = 3539.5

**ADVERSE IMPACT
FACTORS FOR RIVERINE SYSTEMS WORKSHEET**

Stream Type Impacted	Ephemeral 0.1			Intermittent 0.4			Perennial-OHWM width		
							<15' 0.4	15'-30' 0.6	>30' 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	Stream 6 Rocky Branch	Stream 7 Trib. Rocky Branch			
Stream Type Impacted	Perennial 15'-30'	Perennial < 15'	blank	blank	blank
Priority Area	Tertiary	Tertiary	blank	blank	blank
Existing Condition	Moderately Funct	Moderately Functi	blank	blank	blank
Duration	Permanent	Permanent	blank	blank	blank
Activity	Fill	Fill	blank	blank	blank
Cumulative Linear Impact	blank 0.2	blank 0.2	blank	blank	blank
Sum of Factors	M = 4.5	4.3	0	0	0
Linear Feet of Stream Impacted in Reach	LF= 100	50			
M X LF	450.00	215	0	0	0

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

Total Mitigation Credits Required for Adverse Impacts = 4,204.5

Calculation of Debits

ADVERSE IMPACT FACTORS FOR WETLANDS AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS

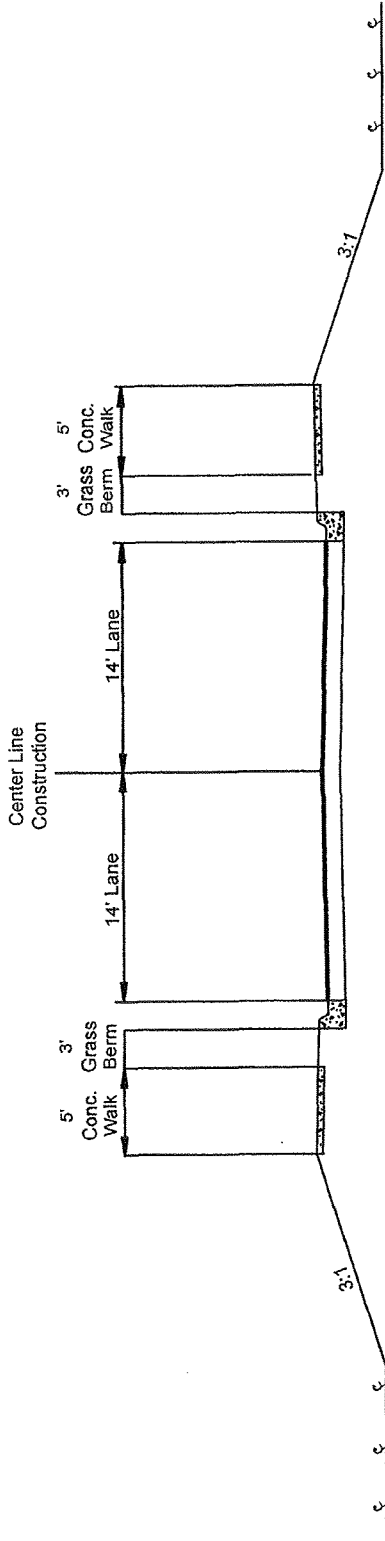
FACTORS	OPTIONS					
Lost Type	Type C 0.2		Type B 2.0		Type A 3.0	
Priority Category	Tertiary 0.5		Secondary 1.5		Primary 2.0	
Existing Condition	Very Impaired 0.1	Impaired 1.0		Slightly Impaired 2.0		Fully Functional 2.5
Duration	Seasonal 0.1	0 to 1 0.2	1 to 3 0.5	3 to 5 1.0	5 to 10 1.5	Over 10 2.0
Dominant Impact	Shade 0.2	Clear 1.0	Dredge 1.5	Drain 2.0	Impound 2.5	Fill 3.0
Cumulative Impact	$0.05 \times \sum AA_i$					

REQUIRED MITIGATION CREDITS WORKSHEET

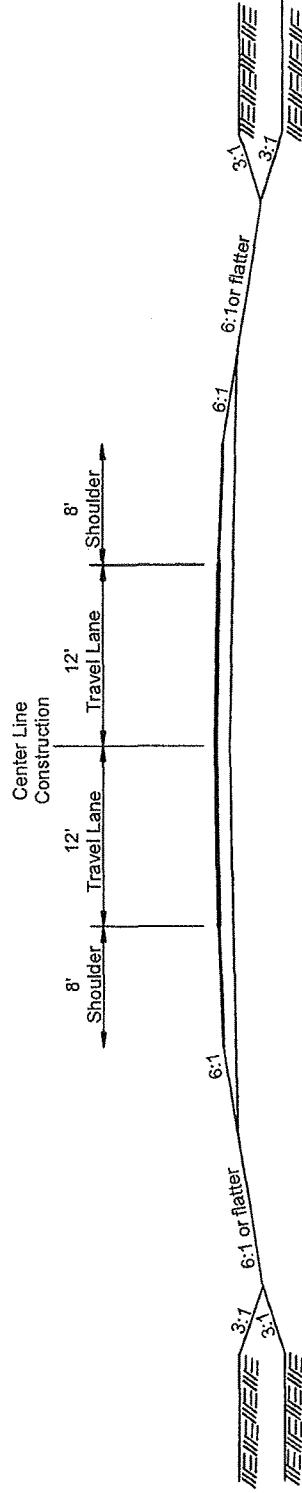
Factor	Forested Wetland
Lost Type	Type A 3.0
Priority Category	Tertiary 0.5
Existing Condition	Slightly Impaired 2.0
Duration	Over 10 years 2.0
Dominant Impact	Fill 3.0
Cumulative Impact	0.2
Sum of r Factors	$R_1 = 10.7$
Impacted Area	$A_1 = 0.3$ acres
R x A =	3.21

Total Required Credits = 3.21

Credits at Glaise Creek Mitigation Bank are 3.5 per acre; 3.21 credits would equal 0.9 acres.



Urban



Rural

Figure 5
Typical Cross Sections



Typical view of Deener Creek at approximate location of proposed road crossing
(9/18/15)



Typical view of Rocky Branch at approximate location of proposed road crossing
(9/18/15)