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U.S. Army Corps of Engineers (Little Rock District) Public Notice Regarding Bentonville, Arkansas Municipal Airport Construction

Arkansas Environmental, Energy, and Water Law Blog

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The United States Army Corps of Engineers (Little Rock District) ("Corps") issued an April 25th Public Notice stating that Echo Matrix, LLC ("EM") has requested authorization for the placement of dredged and fill material in waters of the United States described as being associated with:

... the construction of a public use terminal building, taxiway, and parking lot for the Bentonville Municipal Airport. The building would include a restaurant, with an adjacent dock.

The Corps' Notice states that the proposed project is located in an unnamed ephemeral stream, which flows into Lake Bentonville and in two associated wetlands in Bentonville, Arkansas.

The basic purpose of the project is stated to be to provide a public use terminal for airport operations. The overall purpose of the project is described as providing a 40,000-square-foot parking area and a 60,000-square-foot area that includes the facility and taxiway for Bentonville Municipal Airport.

The project is deemed non water dependent.

The proposed project area is approximately 2.23 acres, which would be cleared and leveled. Described impacts include fill in approximately 253 linear feet of ephemeral stream and in two associated wetlands totaling approximately 0.64 acres. EM is stated to have provided an alternative analysis (including a no-build alternative) which described as follows:

Undeveloped property in the area is restricted from building construction due to Federal Aviation Administration regulations regarding the proximity of buildings to airport runways. Other available property farther away is considered inappropriate for the project. As it is directly associated with the airport, the proposed project needs to be in close proximity of the airport. The location of the wetlands, which are generally in the central portion of the available parcel, made minimization of impacts by reconfiguration of the building and parking lot placement unfeasible.

EM is stated to be proposing to compensate for unavoidable impacts to the wetlands by the purchase of credits from an approved mitigation bank.

[Click here to download a copy of the Notice.](#)