

# Hot Springs Bypass Project (Arkansas): U.S. Army Corps of Engineers (Little Rock District) Public Notices Arkansas Department of Transportation 404 Application



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The United States Army Corps of Engineers (Little Rock District) (“Corps”) issued an August 22nd Public Notice (“Notice”) referencing a Clean Water Act Section 404 permit application that had been submitted by the Arkansas Department of Transportation (“ADOT”).

See Application MVK 2018-00275.

ADOT is requesting authorization for the placement of dredged and fill material in waters of the United States in order to construct “two lanes of a future four lane divided roadway connecting Highway 70 East to Highway 7 North.” It is further stated that the permit request will evaluate the impacts of the four lane highway.

A description of the project’s location in the Notice states:

The project would be constructed entirely on new location. It is commonly referred to as a segment of the Hot Springs Bypass and begins just outside the city limits on the East side of Hot Springs at the intersection of U.S. Highway 70 and East Grand Avenue, and extends northward for 5.5 miles to where it terminates at the junction of State Highways 5 and 7, near the Community of Fountain Lake.

ADOT is stated to have initiated a National Environmental Policy Act (“NEPA”) process for this project in 2003. An Environmental Assessment (“EA”) was undertaken and signed by the Federal Highway Administration in 2005. The project was stated to have been “put on hold” until a study by the U.S. Geological Survey (“USGS”) to address impacts on thermal water in certain wells. USGS is stated to have determined there were no hydraulic connections between the domestic wells in the project area and the Hot Springs National Park Springs. Nevertheless, the Notice states that the northern portion of the proposed project was within the probable recharge area for the Hot Springs National Park Springs. Because of the proposed impact, ADOT is stated to have agreed to purchase 60 acres of mitigation land in a recharge area and permanently protect it from development.

The 404 permit application is stated to indicate that the purpose of the project is to construct a four-lane highway which will function as a bypass. project is stated to be not water dependent.

As to environmental impacts, it is indicated the project would cross 17 streams and one herbaceous wetland. Stream channel location along with construction of the stream crossing structures is predicted to permanently impact a total of approximately 18,413 linear feet of stream which would require approximately 10,661 cubic yards of fill material to be placed in 3.4 acres of waters of the United States. In addition, a total of 0.8 acres of wetlands would be permanently impacted for the construction of the Mill Creek interchange.

ADOT is proposing to mitigate for unavoidable stream channel impacts by offering 139,808.2 through permittee-responsible mitigation at the Lockett Creek Mitigation Area and the Blowout Mountain Mitigation Area. The wetland impacts would be mitigated with 6.9 wetland credits at ADOT's Upper Saline River Mitigation Bank near Crows.

The Notice also references impacts on residential owners and tenants, stating:

The project would relocate 10 residential owners and 8 residential tenants impacting 2 minority households, 3 elderly households and 6 low income households. The project would relocate 2 businesses and 3 landlord businesses. The aesthetics of the area would be impacted due to cut and fills, vegetation clearing and elevated bridge structures on new location. The project would convert 326 acres of oak-hickory-pine forests to highway right-of-way.

A copy of the Notice can be downloaded [here](#).