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Section 404/US Corps of Engineers (Little Rock District): Arkansas Department of Transportation Clark County (Highway Bypass) Application Public Noticed

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The United States Corps of Engineers (Little Rock District) ("Corps") issued a July 20th public notice referencing an Arkansas Department of Transportation ("ArDOT") Clean Water Act Section 404 application for the placement of dredged and fill material in waters of the United States. See Application No.: MVK 2022-00416.

ADOT's application indicates that the work will involve construction of a new highway bypass in Clark County.

The proposed project is stated to involve construction of a new highway bypass that will:

... traverse the South, East and West sides of the City of Arkadelphia.

The project's stated purpose is to improve safety, mobility, and connectivity for the City of Arkadelphia.

The proposed project is stated to be located in several streams and adjacent wetlands in sections identified in the public notice. It would be approximately 4.1 miles in length and constructed in two phases. However, the Corps' public notice states:

This permit review will evaluate the impacts for the five-lane project; however, mitigation for the impacts to wetlands and streams will be concurrent with impacts. ArDOT proposes to provide compensatory mitigation for the three-lane project as it is being constructed and compensatory mitigation for the additional two lanes will be provided as they are constructed.

The Corps states that approximately 15.3 acres of wetlands and 5,291 linear feet of streams would be adversely impacted. It further states that the majority of the streams are unnamed ephemeral and intermittent tributaries that are moderately to fully functional.

The wetlands are described as a mix of forested, scrub-shrub and emergent areas, along with four shallow water ponds. The majority of the wetlands are further described as slightly impaired to fully functional.

All of the waters of the United States are located in the Upper Ouachita Watershed.

The public notice states that a National Environmental Policy Act environmental assessment for the project has been completed with a finding of no significant impact approved by the Federal Highway Administration.

As to Section 401 Clean Water Act water quality certification, the Corps states that as of the date of the public notice, ArDOT has not submitted a request to the Arkansas Department of Energy & Environment – Division of Environmental Quality (“DEQ”). It further states that once ArDOT submits certification request, the Corps will determine the reasonable period of time for DEQ to act upon the certification and provide written notification.

The public notice also addresses:

- Cultural Resources
- Endangered Species
- Floodplain
- Section 404(b)(1) Guidelines
- Public Involvement

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