

APPLICATION NO. **2008-00325**

JOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATE OF ARKANSAS
(25-Day Comment Period)
(Comment Expiration Date – September 22, 2008)

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, Sarah Usdrowski Chitwood, telephone number: (501) 324-5296, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, e-mail address: <mailto:sarah.l.usdrowski@usace.army.mil>

Project Information. Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**City of Fort Smith
Mr. Stan Snodgrass
623 Garrison Avenue
Fort Smith, Arkansas 72901**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with approximately 3,700 linear feet of channelization within a perennial stream. The channelization would include approximately 950 linear feet of stream fill and relocation. The entire stream channel would be relocated into a 57-foot flat bottom ditch. Right-of-way clearing associated with an access road would result in fill of 0.01 acres of depressional wetland. Two bridge crossings would be associated with the channelization. The proposed project is located in a 0.01-acre wetland and Mill Creek, in sections 3 and 4, T. 7 N., R. 32 W., in Fort Smith, Sebastian County, Arkansas.

The purpose of the project is to improve drainage in the surrounding area near Cavanaugh and South 28th Street.

A portion of the existing channel of Mill Creek has been channelized. Previous modifications to the channel include the installation of riprap, dredging, and increases of bank height in order to prevent erosion and overbank flooding.

CESWL-RD

The applicant has indicated that avoidance is not feasible due to the absolute need for channel improvements. Under current channel conditions, flood waters regularly overtop South 28th Street and Cavanaugh Road and flood many businesses in the area with resulting road closures and damaged property. As mitigation the applicant is considering the purchase of credits from a mitigation bank or off-site restoration of a degraded stream channel.

The location and general plan for the proposed work are shown on the enclosed sheets.

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 National Register of Historic Places has been consulted; and it has been determined that there are no properties currently listed in the Register, or eligible for inclusion therein, which would be affected by the proposed work. A Corps staff archeologist also will review topographic maps and data on reported sites in the area. If it is determined that further review is not warranted, these reviews will constitute the full extent of cultural resources investigation by this office unless we are made aware, as a result of comments received in response to this notice or by other means, of the existence of specific structures or sites which might be affected by the proposed work.

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 listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Flood Plain. We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain 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.

CESWL-RD

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 **September 22, 2008**. 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, flood plain 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

CESWL-RD

Approximate Coordinates of Project Center

Latitude: **35.32 degrees** Longitude: **-94.40 degrees**

UTM Zone: **15** North: **3909370** East: **373090**

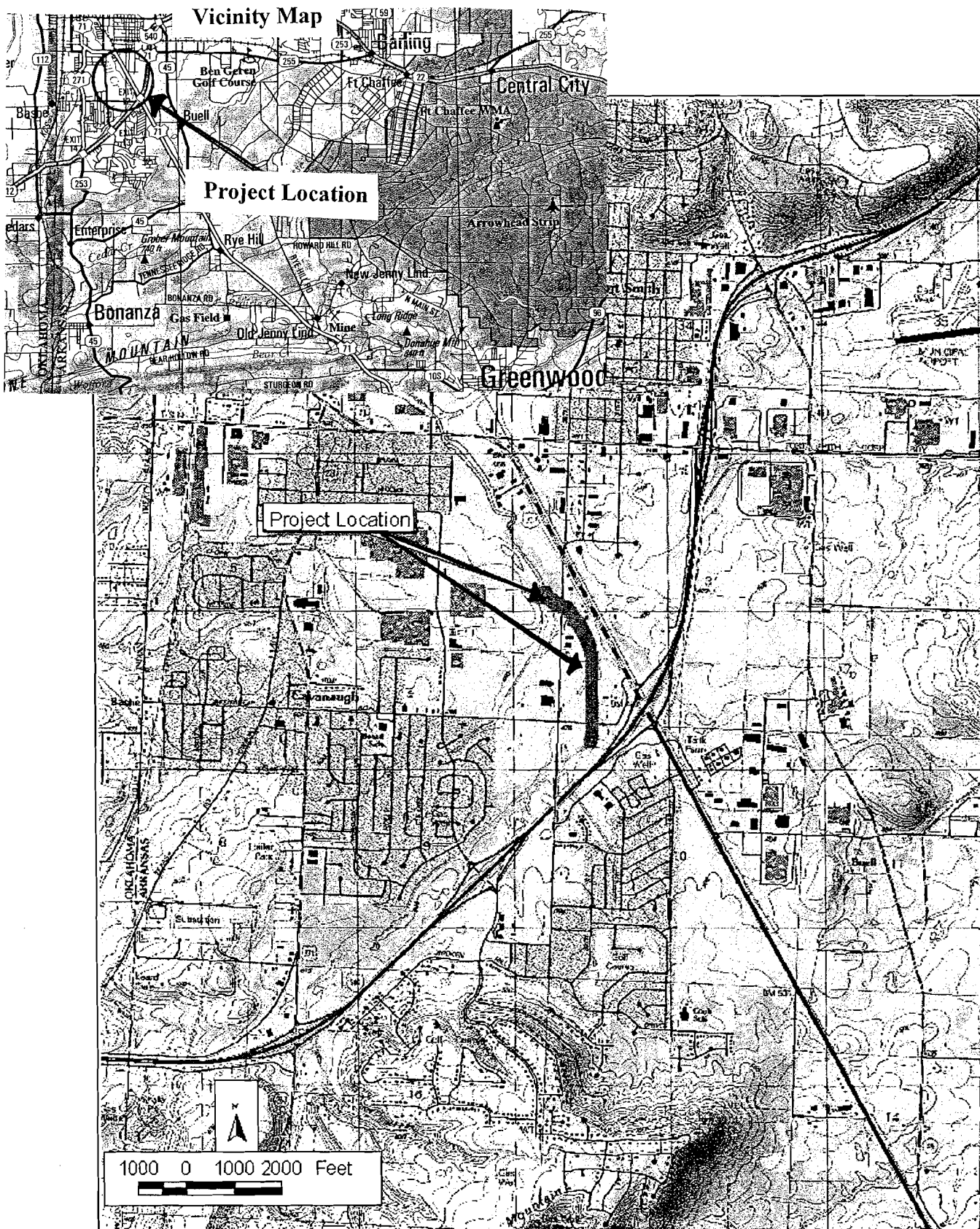
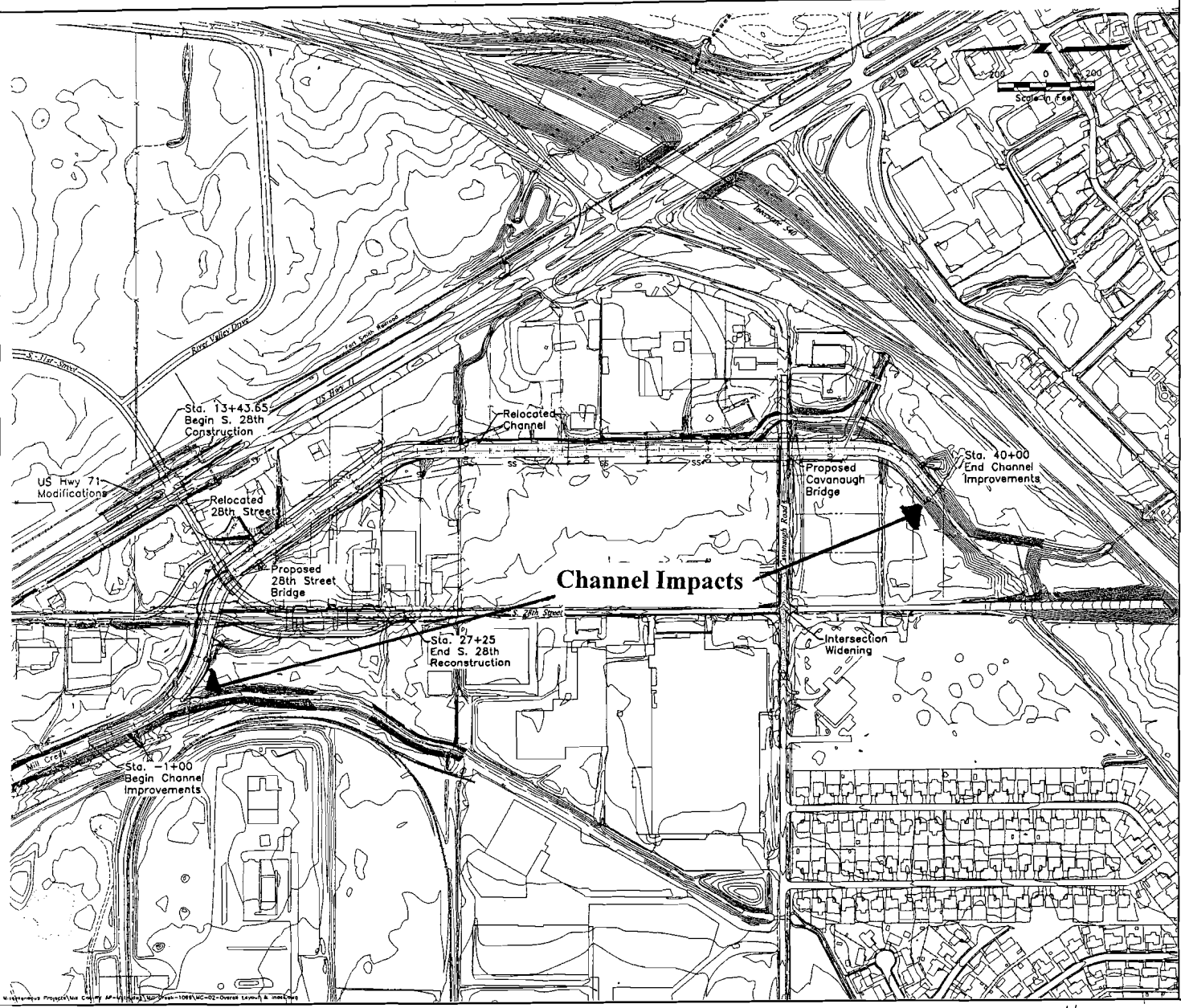


Figure 2. Map showing an overview of the project area, based on USGS topographic quadrangle South Fort Smith, ARK (7.5-minute series).

K:\Miscellaneous Projects\Mill Ck-RV AP-Msthdwg.dwg - "1" Creek-1069MC-02-Overall Layout & Index.dwg, Layout1, 7/23/2008 10:34:25 AM, JENNIFER, 1:2



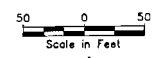
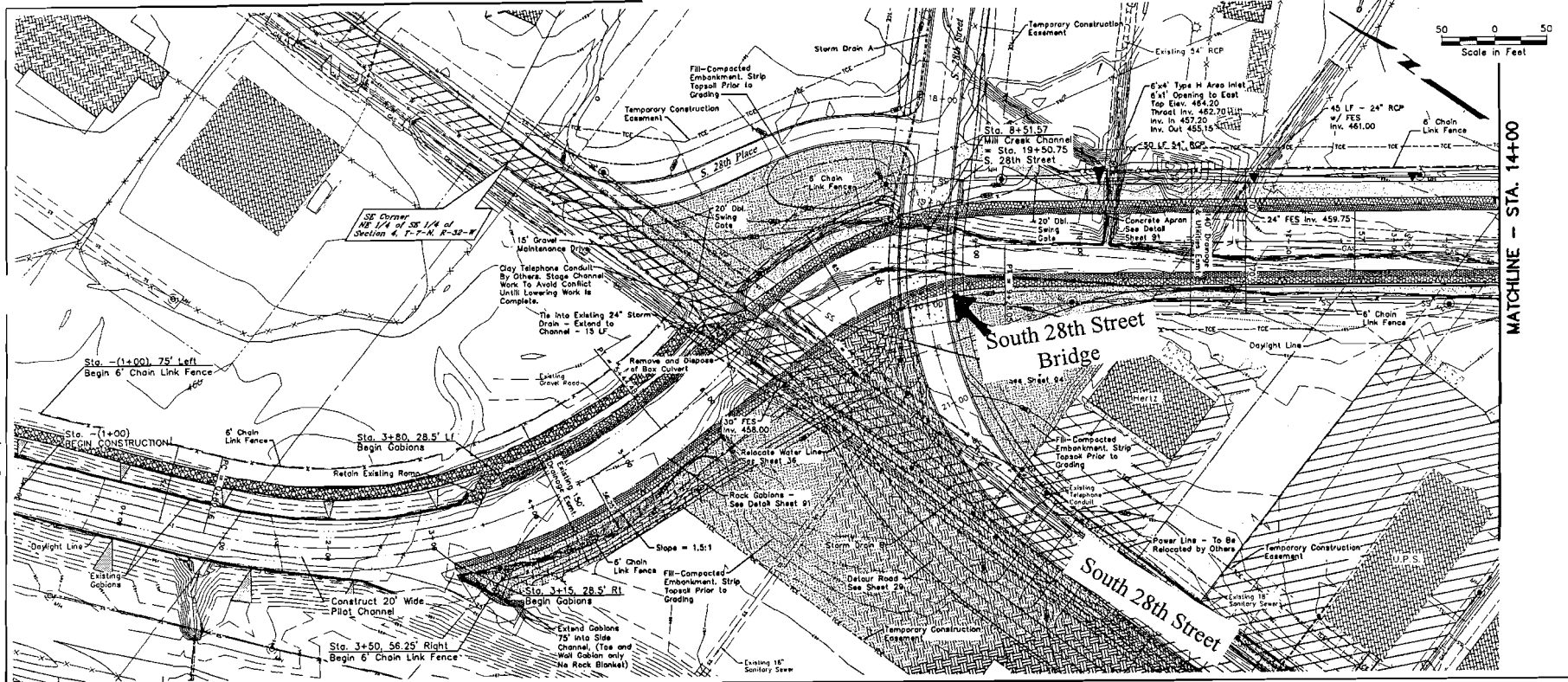
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<p>REVISION</p> <p>DATE</p>	<p>BY</p>
<p>MICKLE WAGNER COLEMAN Engineers-Consultants-Surveyors 3444 Country Club Ave. P.O. Box 1307 Fort Smith, Arkansas (479) 449-2884 Fax: (479) 449-8886 info@mwc-engine.com</p>	
<p>OVERALL LAYOUT & INDEX MILL CREEK DRAINAGE IMPROVEMENTS PROJECT 05-06-C CITY OF FORT SMITH FORT SMITH, SEBASTIAN COUNTY, ARKANSAS</p>	
<p>DRAWN BY: J. MOLEN CHECKED BY: P. MCKEE H. SCALE: 1"=200' V. SCALE: N/A DATE: JULY 2008</p>	

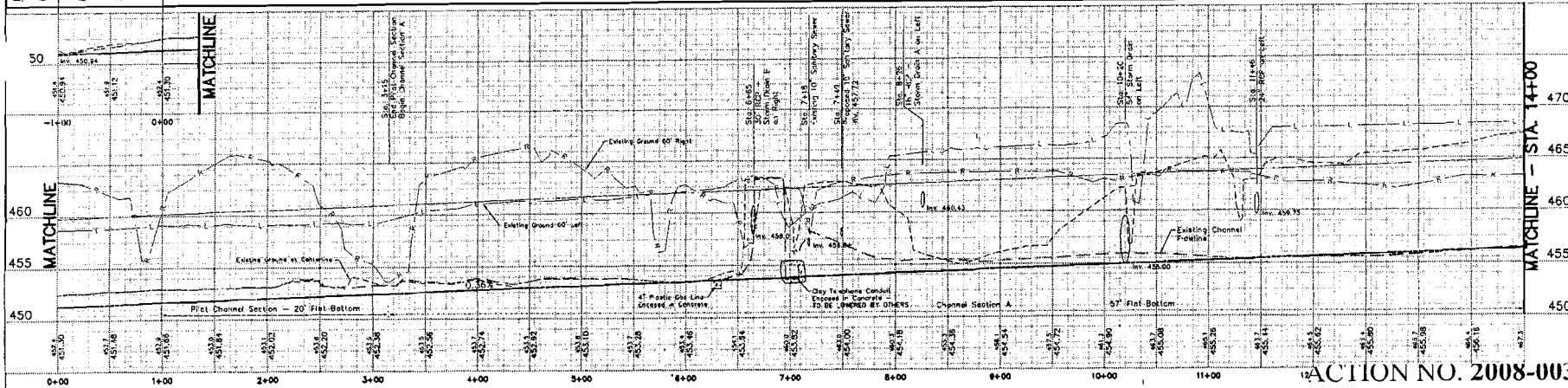
ACTION NO. 2008-00325
 City of Fort Smith
 STREAM CHANNELIZATION
 Secs 3 & 4, T. 7 N., R. 32 W.
 August 2008 Sheet 2 of 8

Channel Impacts Stations -1+00 to 14+00



MATCHLINE - STA. 14+00

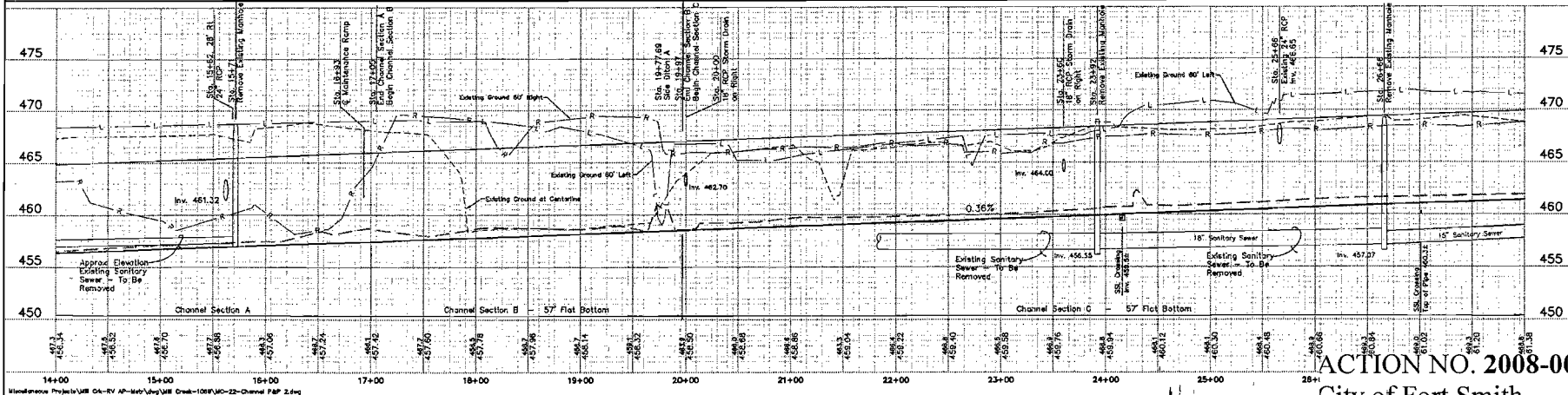
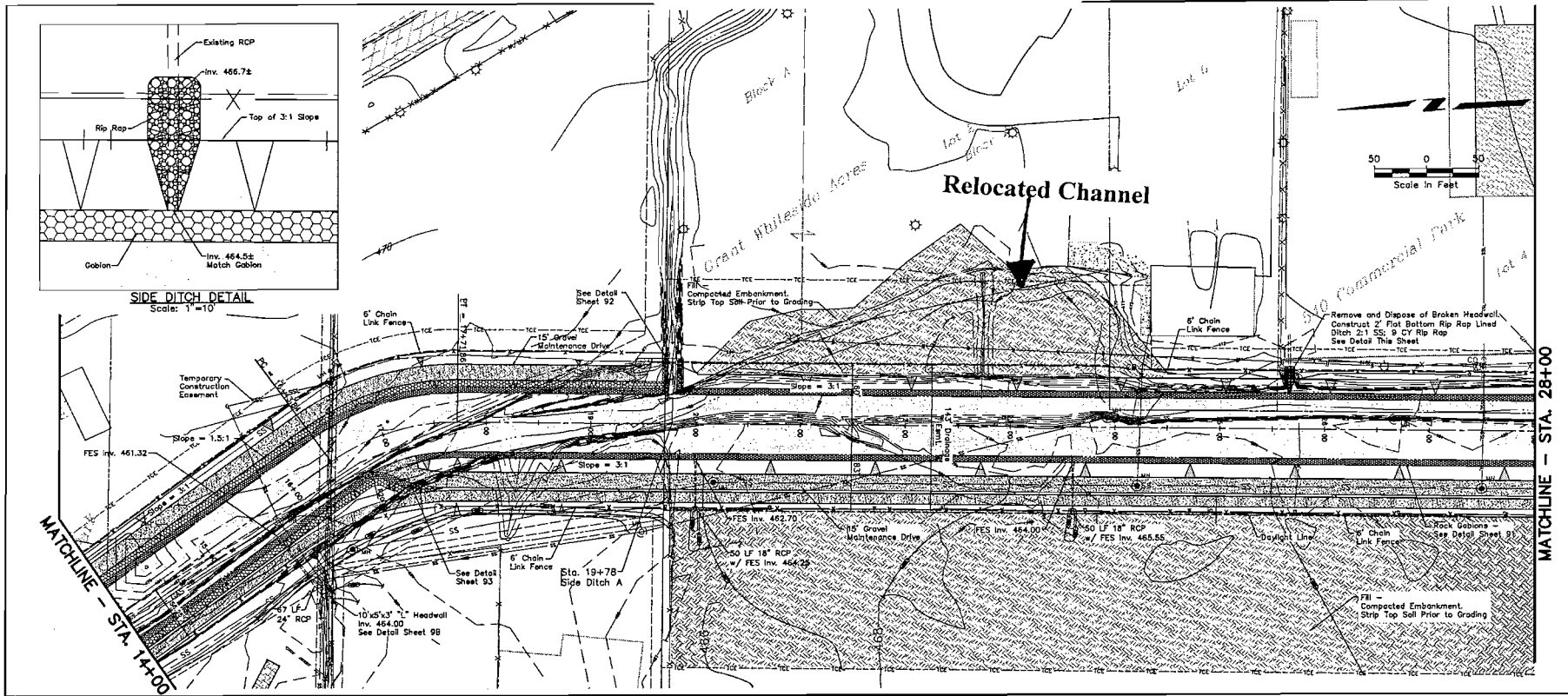
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MATCHLINE - STA. 14+00


<p>MICKLE WAGNER COLEMAN Engineers-Consultants-Surveyors 3848 Country Club Ave. P.O. Box 1507 Fort Smith, Arkansas Phone: (479) 449-8464 Fax: (479) 549-8466 Info@mwc-eng.com</p>	<p>DRAINAGE CHANNEL - PLAN & PROFILE MILL CREEK DRAINAGE IMPROVEMENTS PROJECT 05-06-C CITY OF FORT SMITH FORT SMITH, SEBASTIAN COUNTY, ARKANSAS</p>
	<p>ACTION NO. 2008-00325</p> <p>City of Fort Smith STREAM CHANNELIZATION Secs 3 & 4, T. 7 N., R. 32 W. August 2008</p>
<p>Drawn By: J. HUGHES Check By: E. WICKLE Scale: 1"=50' Date: JULY 2008</p>	

Channel Impacts Stations 14+00 to 28+00



MATCHLINE - STA. 28+00

DATE	REVISION	BY



MICKLE WAGNER COLEMAN
Engineers-Consultants-Surveyors
3424 County Club Ave.
P.O. Box 1507
Fort Smith, Arkansas

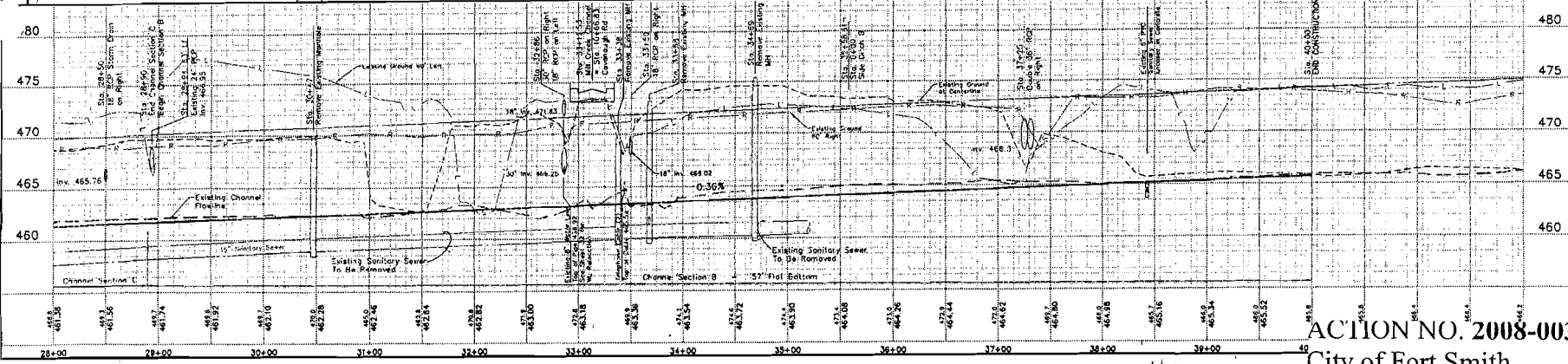
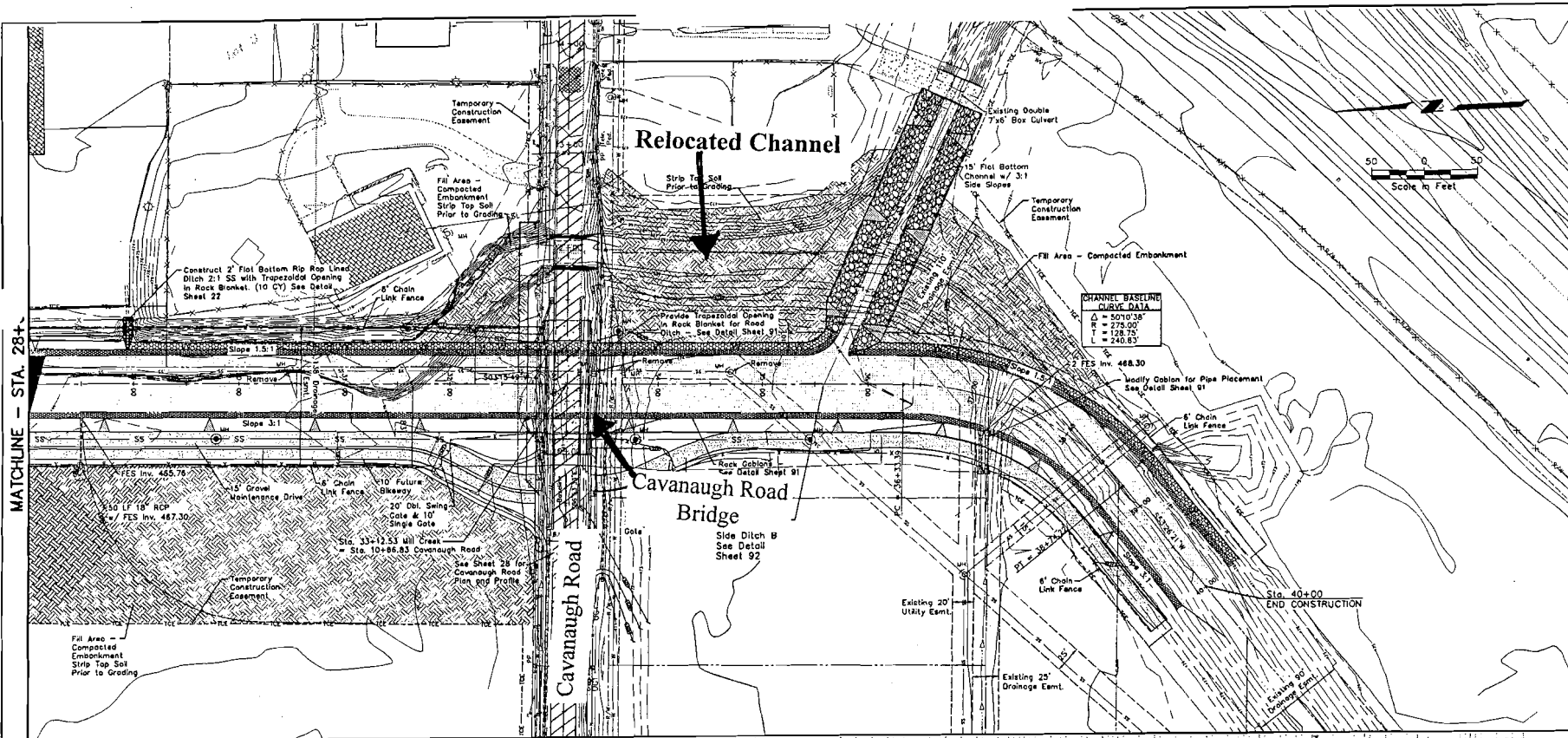
DRAINAGE CHANNEL - PLAN & PROFILE
MILL CREEK DRAINAGE IMPROVEMENTS
PROJECT 05-06-C
CITY OF FORT SMITH
FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

ACTION NO. 2008-00325
City of Fort Smith
STREAM CHANNELIZATION
Secs 3 & 4, T. 7 N., R. 32 W.
August 2008 Sheet 4 of 8


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Channel Impacts Stations 28+00 to 40+00

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REVISION	
DATE	
DRAWN BY	
CHECKED BY	
DATE	
SCALE	
PROJECT	
SHEET	



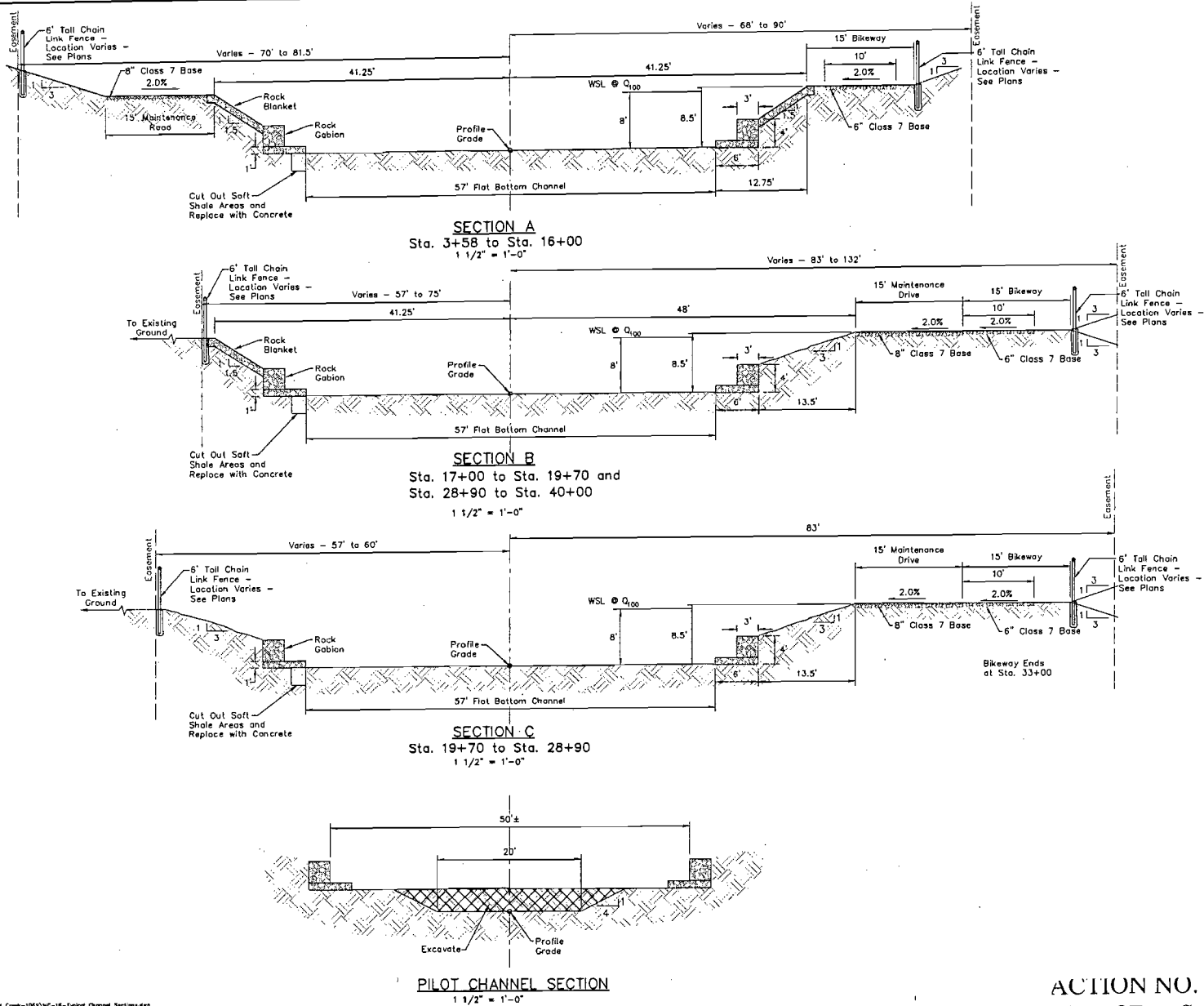
MICKLE WAGNER COLEMAN
Engineers-Consultants-Surveyors
3169 County Club Ave.
P.O. Box 1507
Fort Smith, Arkansas
479-446-8888
Fax: (479) 446-8888
info@mwc-ark.com

DRAINAGE CHANNEL - PLAN & PROFILE
MILL CREEK DRAINAGE IMPROVEMENTS
PROJECT 05-06-C
CITY OF FORT SMITH
FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

DRAWN BY	J. WOLLEN
APP'D BY	M. WICKLE
H. SCALE	1" = 50'
V. SCALE	1" = 2'
DATE	AUG 2008

ACTION NO. 2008-00325
 City of Fort Smith
 STREAM CHANNELIZATION
 Secs 3 & 4, T. 7 N., R. 32 W.
 August 2008 Sheet 5 of 8

Typical Channel Sections

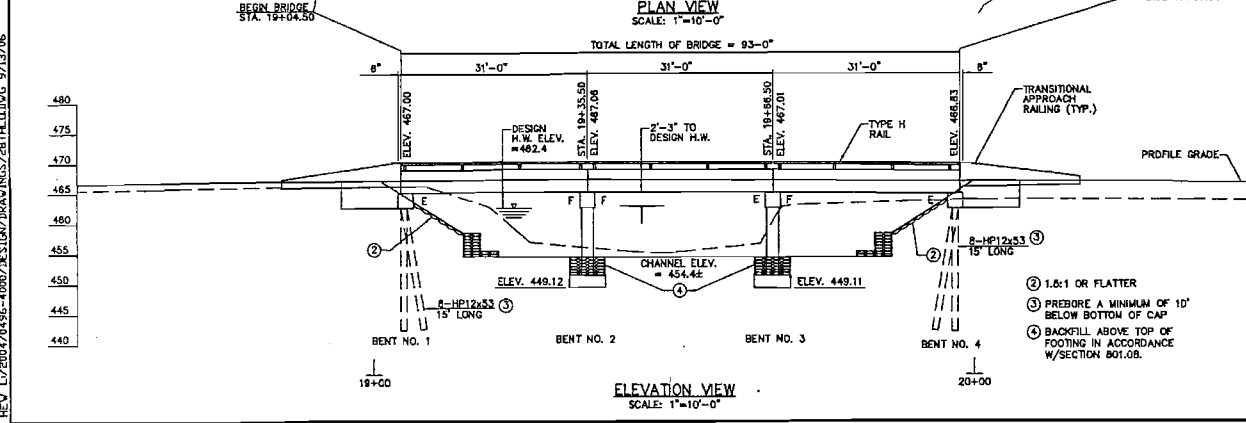
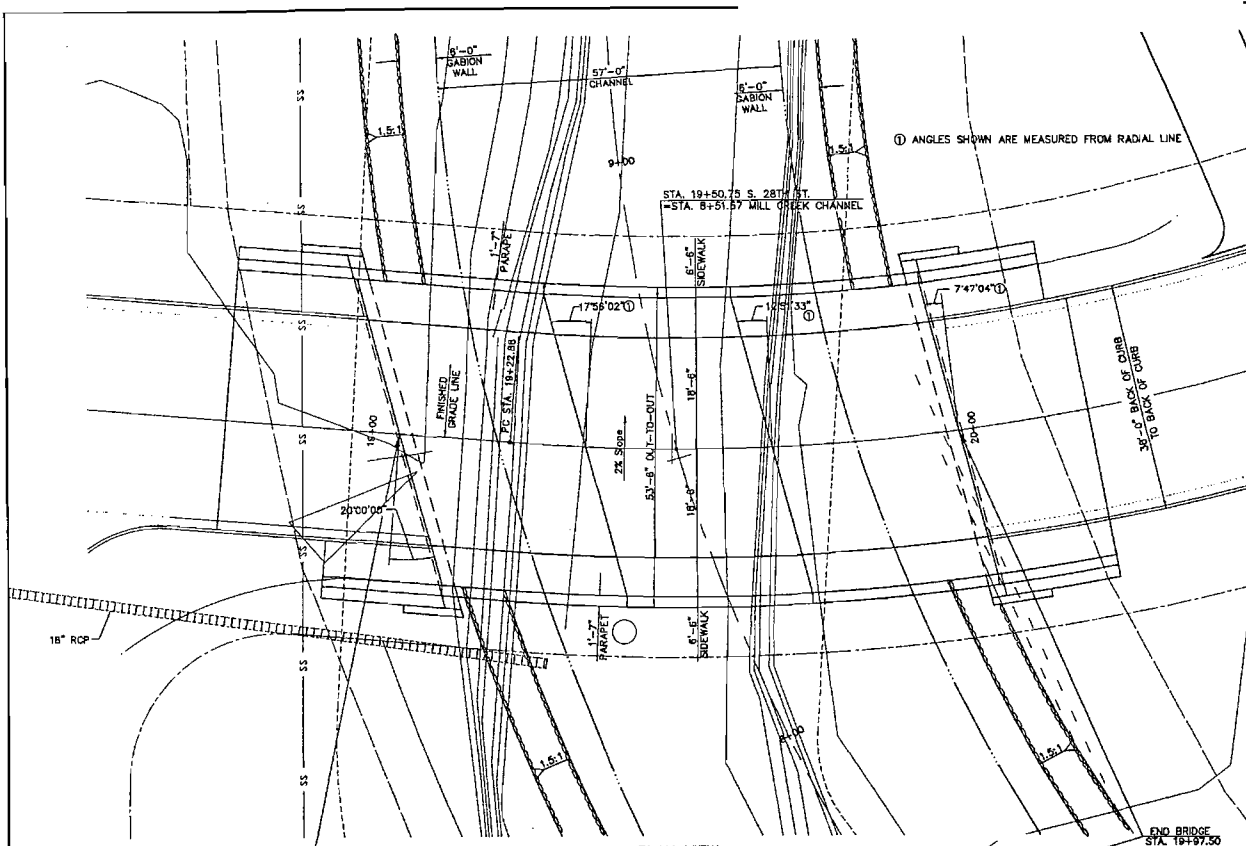


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REVISION													
DATE													
<p>MICKLE WAGNER COLEMAN Engineers-Consultants-Surveyors 1835 Cemetery Ave. Fort Smith, Arkansas 72534 (479) 644-4644 Fax: (479) 644-4644 mwc@mkw-eng.com</p>													
<p>TYPICAL CHANNEL SECTIONS MILL CREEK DRAINAGE IMPROVEMENTS PROJECT 05-06-C CITY OF FORT SMITH FORT SMITH, SEBASTIAN COUNTY, ARKANSAS</p>													
DRAWN BY:	CHECKED BY:	DATE:	SCALE:	PROJECT:	SHEET:	TOTAL SHEETS:	DATE PLOTTED:	PLOTTER:	SCALE:	PROJECT:	SHEET:	TOTAL SHEETS:	DATE PLOTTED:
J. HOLDEN	P. MCKE		AS NOTED		6	12			N/A				

ACTION NO. 2008-00325
City of Fort Smith
STREAM CHANNELIZATION
Secs 3 & 4, T. 7 N., R. 32 W.
August 2008 **Sheet 6 of 8**

South 28th Street Bridge



GENERAL NOTES

CONSTRUCTION SPECIFICATIONS: ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION (2003 EDITION) WITH APPLICABLE SUPPLEMENTAL SPECIFICATIONS AND SPECIAL PROVISIONS, UNLESS OTHERWISE NOTED IN THE PLANS, SECTION AND SUBSECTION REFER TO THE STANDARD CONSTRUCTION SPECIFICATIONS.

DESIGN SPECIFICATIONS: AASHTO STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES - 17TH EDITION

LIVE LOAD: HS20

METHOD OF DESIGN: LOAD FACTOR

SEISMIC PERFORMANCE CATEGORY: A

MATERIALS AND STRENGTHS:
 CLASS S(AE) - BRIDGE CONCRETE (SUPERSTRUCTURE) $f'_c = 4000$ PSI
 CLASS S - BRIDGE CONCRETE (SUBSTRUCTURE) $f'_c = 3500$ PSI
 REINFORCING STEEL (AASHTO M 31 OR M 53, GR. 60) $f_y = 60,000$ PSI
 STRUCTURAL STEEL (AASHTO M 270, GR. 36) $f_y = 38,000$ PSI

STEEL PILING: ALL PILING SHALL BE HP 12 X 53 AND SHALL BE DRIVEN WITH AN APPROVED AIR, STEAM OR DIESEL HAMMER TO A MINIMUM SAFE BEARING CAPACITY OF 70 TONS PER PILE AND INTO THE MATERIAL DESIGNATED AS SHALE ON THE BORING LOGS. LENGTHS OF PILING SHOWN ARE ASSUMED FOR ESTIMATING QUANTITIES ONLY. ACTUAL LENGTHS TO BE DETERMINED IN THE FIELD. PILES IN END BENTS TO BE DRIVEN AFTER EMBANKMENT TO BOTTOM OF CAP IS IN PLACE ON ALL PILES. THE CONTRACTOR SHALL USE APPROVED STEEL H-PILE DRIVING POINTS.

PREBORING: PREBORING WILL BE REQUIRED TO FACILITATE INSTALLATION OF THE PILING @ BENTS 1 & 4. THE PREBORING SHALL EXTEND TO A MINIMUM OF 10' BELOW THE BOTTOM OF CAP.

FOOTING: THE FOOTINGS FOR BENTS 2 & 3 SHALL BE SET A MINIMUM OF 2' INTO MATERIAL DESIGNATED AS HARD SHALE ON THE BORING LOGS. THE TOP OF THE FOOTINGS SHALL BE SET A MINIMUM OF 3' BELOW THE CHANNEL BOTTOM. FOUNDATIONS FOR FOOTINGS SHALL BE PREPARED IN ACCORDANCE WITH SECTION 801.04 OF THE STANDARD SPECIFICATIONS. CONCRETE IN FOOTINGS SHALL BE PLACED DIRECTLY AGAINST THE EXCAVATED ROCK.

FOR REMAINDER OF GENERAL NOTES SEE SHEET 39.

HORIZONTAL CURVE DATA

PI = STA. 21+23.96
PC = STA. 19+22.88
PT = STA. 22+87.33
$\Delta = 59^{\circ}39'42"$
R = 350.00'
T = 200.70'
L = 384.45'

VERTICAL CURVE DATA-BRIDGE

FINISHED GRADE IS ALONG CL BRIDGE

PVI STA. 19+25
ELEV. 467.41
1.10%
-0.80%
L=150'

- ② 1.6:1 OR FLATTER
- ③ PREBORE A MINIMUM OF 10' BELOW BOTTOM OF CAP
- ④ BACKFILL ABOVE TOP OF FOOTING IN ACCORDANCE W/SECTION 801.08.

BY	
REVISION	
DATE	

GARVER ENGINEERS
1000 W. UNIVERSITY AVENUE, SUITE 1000, FORT SMITH, ARKANSAS 72203

MICKLE WACKER COLEMAN
 Registered Professional Engineer
 No. 8317, State of Arkansas
 1000 W. UNIVERSITY AVENUE, SUITE 1000, FORT SMITH, ARKANSAS 72203

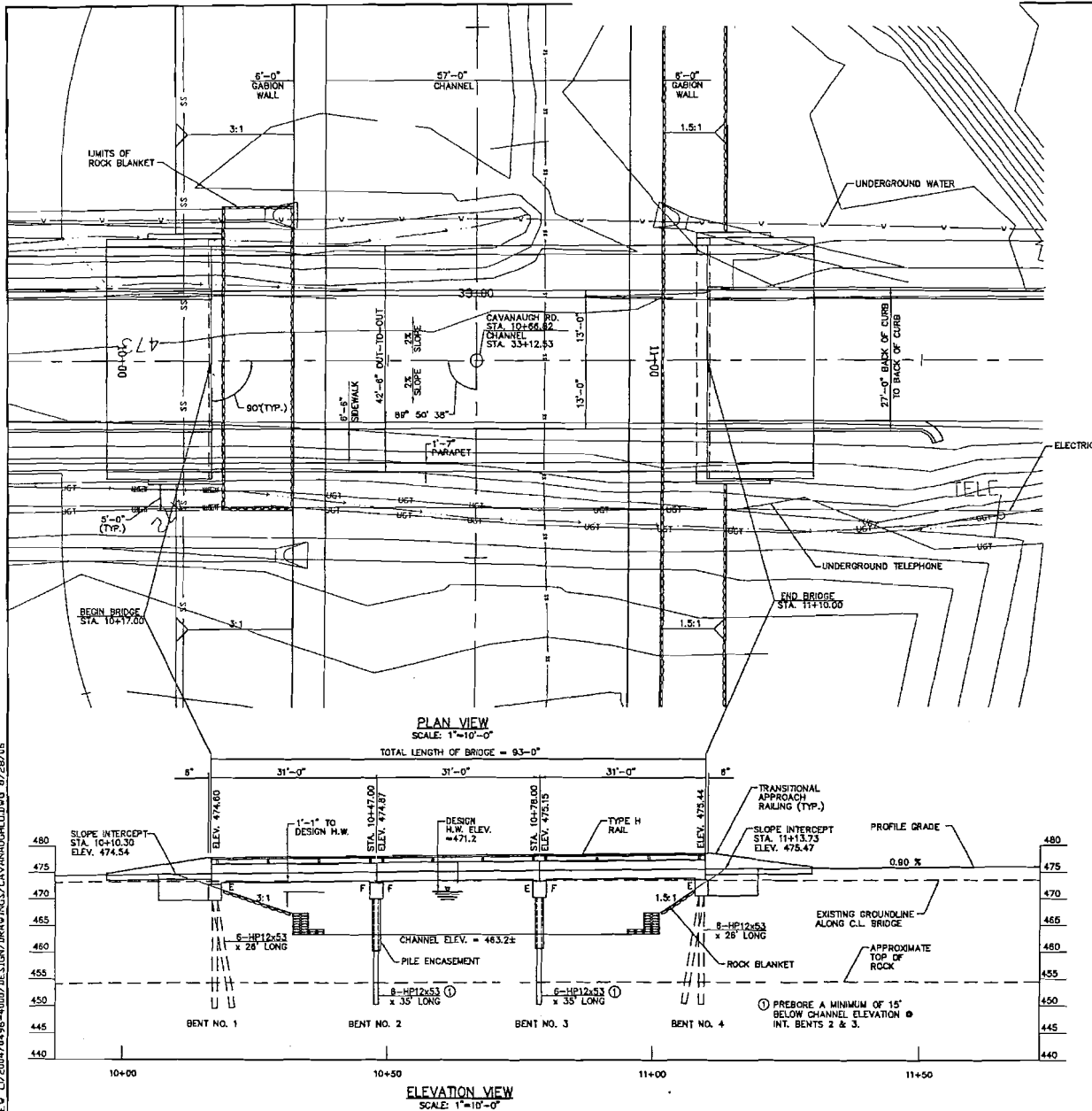
BRIDGE LAYOUT - SOUTH 28TH STREET
 MILL CREEK DRAINAGE IMPROVEMENTS
 PROJECT 05-06-C
 CITY OF FORT SMITH
 FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

DRAWN BY:	HEP
APPV. BY:	HW
M. SCALE:	AS NOTED
V. SCALE:	AS NOTED

ACTION NO. 2008-00325
 City of Fort Smith
 STREAM CHANNELIZATION
 Secs 3 & 4, T. 7 N., R. 32 W.
 August 2008 Sheet 7 of 8

HEV LV/2004/0456-4000/DESIGN/DRAWINGS/BRTH.DWG 9/13/06

Cavanaugh Road Bridge



GENERAL NOTES

CONSTRUCTION SPECIFICATIONS: ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION (2003 EDITION) WITH APPLICABLE SUPPLEMENTAL SPECIFICATIONS AND SPECIAL PROVISIONS, UNLESS OTHERWISE NOTED IN THE PLANS, SECTION AND SUBSECTION REFER TO THE STANDARD CONSTRUCTION SPECIFICATIONS.

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 STRUCTURAL STEEL (AASHTO M 270, GR. 36) $F_y = 36,000$ PSI

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PREBORING: PREBORING WILL BE REQUIRED TO FACILITATE INSTALLATION OF THE PILING @ BENTS 2 & 3. THE PREBORING SHALL EXTEND TO A MINIMUM OF 15' BELOW THE CHANNEL ELEVATION.

PILE ENCASEMENT: PILE ENCASEMENT FOR BENTS 2 & 3 SHALL EXTEND 3' BELOW THE ELEVATION OF THE CHANNEL AND TO THE BOTTOM OF CAP. SEE SHEET NO. 39 FOR ADDITIONAL INFORMATION.

FOR REMAINDER OF GENERAL NOTES SEE SHEET 39.



BY	REVISION	DATE

GARVER ENGINEERS
 1015 N. UNIVERSITY AVENUE, SUITE 200, JONESBORO, MISSISSIPPI 39062
 PHONE: 662.634.1100 FAX: 662.634.1101
 WWW.GARVERENGINEERS.COM

MICHELLE WAGNER COLEMAN
 Engineer - Consultant - Surveyor
 License No. 1742
 State of Arkansas
 1015 N. UNIVERSITY AVENUE, SUITE 200, JONESBORO, MISSISSIPPI 39062
 PHONE: 662.634.1100 FAX: 662.634.1101
 WWW.GARVERENGINEERS.COM

BRIDGE LA YOUT - CAVAUGH ROAD
 MILL CREEK DRAINAGE IMPROVEMENTS
 PROJECT 05-06-C
 CITY OF FORT SMITH
 FORT SMITH, SEBASTIAN COUNTY, ARKANSAS

DRAWN BY: NEW
 APP. BY: JHR
 H. SCALE: AS NOTED
 V. SCALE: AS NOTED

ACTION NO. 2008-00325
 City of Fort Smith
 STREAM CHANNELIZATION
 Secs 3 & 4, T. 7 N., R. 32 W.
 August 2008 Sheet 8 of 8

REV. L/2008/04/056-1000/DESIGN/DRAWINGS/CAVAUGH.DWG 5/28/08