

# **SUPPLEMENTAL EIS**

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**SUPPLEMENTAL  
ENVIRONMENTAL IMPACT STATEMENT**

**PREPARATION OF NATURE APPRECIATION FACILITIES DESIGN,  
ECONOMIC, AND ENVIRONMENTAL ANALYSIS FOR A  
LIMITED REEVALUATION REPORT (LRR)  
1,750-ACRE BOTTOMLAND ACQUISITION,  
FOURCHE BAYOU BASIN,  
LITTLE ROCK, ARKANSAS**

**1.0 INTRODUCTION**

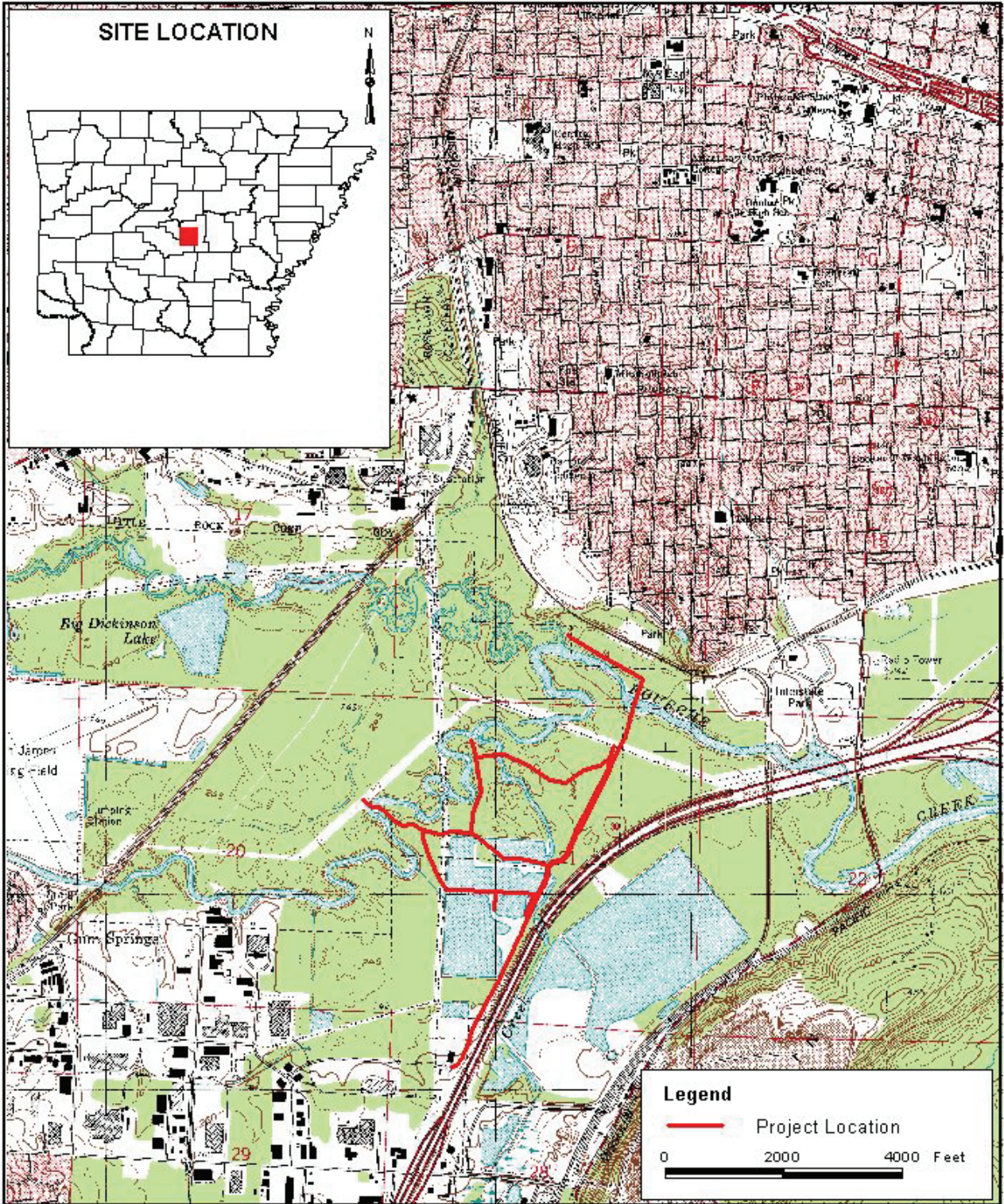
This Supplemental Environmental Impact Statement (SEIS) has been prepared to evaluate the potential impacts associated with the acquisition of 1,750 acres of bottomland hardwood (BLH) habitat known as Fourche Bottoms as well as the development of a nature appreciation facility to showcase the intrinsic and natural beauty of the area. Fourche Bottoms is a highly productive, primarily undeveloped area amid the urban and industrial backdrop of the City of Little Rock, Pulaski County, Arkansas (Figure 1). Fourche Bottoms lies within the floodplain of Fourche Creek, which provides floodwater storage and drainage for much of Pulaski and part of Saline counties. Upon acquisition of the 1,750-acre tract, the U.S. Army Corps of Engineers proposes construction of a nature appreciation facility with amenities such as foot trails, information signs, plant labels, a restroom, access road, parking area, and boardwalks and bridges into wet or swampy areas. By others, monitoring programs for water quality, sedimentation, flood monitoring, vegetation studies, and fish and aquatic life surveys would also be implemented to provide data about the project area.

This document is prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and guidelines contained in the U.S. Army Corps of Engineers (USACE) Engineering Regulation (ER) 200-2-2. The following sections include a discussion of the need for the proposed action, alternatives to the proposed action, significant resources affected, and the impacts of the proposed action.

This document is a supplement to a previous Environmental Impact Statement (EIS) produced for the project area in October 1979 by the USACE Little Rock District. This EIS evaluated potential impacts to the project area resulting from improvements to streams and waterways within the project area and floodplain management to preclude development in areas within the 100-year floodplain. Conditions within the project area have changed since the preparation of the EIS, however. Additionally, the location and description of the alternatives have changed since the EIS was formulated. Consequently, the development of a SEIS to evaluate impacts to current conditions within the project area resulting from the implementation of new or revised alternatives was deemed necessary.







**PROJECT LOCATION MAP**

Public Draft Supplemental Environmental Impact Statement  
 Acquisition of Fourche Bottoms  
 and Development of Nature Appreciation Facility

USGS 1:250,000 Little Rock Quadrangle



Figure: 1  
 Date: October 2004  
 Scale: 1:24,000  
 Source: USGS/EGC

Figure 1. Back

## **2.0 NEED FOR THE PROPOSED ACTION**

Fourche Bottoms is a unique and valuable component to the surrounding ecosystem. This 1,750-acre tract is the last remaining significant tract of natural bottomland hardwood forest in the Fourche Creek watershed. The proximity of such a natural site to a highly urbanized area, the City of Little Rock, is unusual. In recent years, Fourche Bottoms has become surrounded by industrial development. Acquisition of the tract would protect it from further encroachment by development and assist in protecting the natural characteristics of the site from detrimental effects associated with development (e.g., deterioration in air and water quality, degradation in habitat quality, etc.).

The Fourche Creek watershed provides drainage to most of Pulaski County and part of Saline County. Fourche Bottoms, in turn, provides floodwater storage from the Fourche Creek drainage. Acquisition of the site would ensure that the floodwater storage capacity of the site would be retained indefinitely.

## **3.0 PUBLIC CONCERNS**

The proposed project that is the subject of this SEIS is the result of interagency coordination and takes into account public concerns. Among these concerns is the considerable amount of trash and debris throughout the facilities, ranging from common household garbage to larger items such as furniture, appliances, and automotive parts. A significant effort will be required to safely remove and dispose of this debris. There is also a perception that the security and personal safety of visitors may be compromised given the remote location of the proposed park. Further, information regarding the water quality in the facilities is unclear with regard to their potential as recreation sites. Until further investigations are conducted, activities in the facilities should be limited to secondary contact (i.e., no swimming). These concerns were taken into consideration in the development and design of the proposed action.

## **4.0 AUTHORITY FOR THE PROPOSED ACTION**

The proposed action, acquisition of the 1,750-acre facilities known as Fourche Bottoms and the development of a nature appreciation area, was authorized by Section 401(a) of the Water Resources Development Act of 1986.

## **5.0 DESCRIPTION OF THE PROPOSED ACTION**

Upon acquisition of Fourche Bottoms, a design for the nature appreciation area would be implemented. The facilities would be located between the Missouri Pacific railroad to the west and Interstate Highway 30 to the east and south. The prevailing attitude regarding the design and implementation of this component of the proposed action was an approach of least impact. Conceptual design and materials would provide the least amount of impact to the habitat designated for proposed activities within Fourche Bottoms. Construction would be subject to best management practices and limitations regarding acceptable weather conditions. Several of the proposed facilities would be created in accordance to the Americans with Disabilities Act

(ADA) standard of accessibility. Refer to Figure 2 for a detailed visual layout of proposed park amenities.

The originally designated 1,750 acres already contains railroads, Interstate Park (a city park) and power and sewer lines with roads/trails within the area. Currently, there is a gate on the access road into the bottoms. Thus, in addition to utility crews, people access the currently designated area by walking in even with the gates locked and some enter by canoe.

Any future trails constructed in the project area beyond those detailed in Section 9.0 of the Engineering Appendix are not part of the proposed project plan.

Roads and Parking: Entry to the park would be from the southeast from the east end of 60<sup>th</sup> Street. This location would provide the park with an entrance distinct from surrounding facilities. The existing driving route provides a pleasant approach, offering scenic views of the lake and woods, thus creating a nice first impression. To minimize impacts, existing roads would be utilized. However, an upgrade in road conditions, including the entrance, may be required because of deteriorated road conditions. Paving and fill would be limited as much as possible. Two parking lots would be placed at key points along the existing roadway. These parking areas would be located at the main entrance (nine car spaces, one ADA space, and one bus space) and the main parking area along the north utility right-of-way (11 car spaces, one ADA car space, two bus spaces, with future parking space that can hold up to 27 car spaces). Parking areas and roads would be designed to minimize the impact to the current hydrologic regime. Table 1 presents the construction requirements to construct 1.1 miles of access roads at grade level into the proposed park.

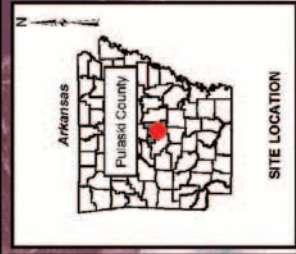
**Table 1. Construction Quantities for Proposed Access Roads for Proposed Project**

Number of Lanes	Cut (CY)	Fill (CY)	9" Concrete (SY)	6" Base SY)	Limestone (CY)
One lane**	826.63	1,665.70	1,450.78	263.32	906.09
Two lanes**	1,505.08	3,032.74	1,450.78	263.32	1,649.76

\*\* Using 4" Limestone

Source: G.E.C., Inc., 2004.

Open Air Visitors Center/Kiosk: The open-air visitor center/kiosk is proposed as part of the facility's signage and would be located along Fourche Creek in the northeast corner of the project area. It would be constructed to compliment the surrounding natural environment not only in its design but also with regard to the use of the most environmentally sound methods and materials when possible. The open-air design of the visitor center/kiosk would withstand all flood conditions. The kiosk would also be ADA accessible. Energy efficient systems for any exterior lighting would be used when practicable. Educational signage and exhibits would be posted to welcome and familiarize visitors with the habitat, wildlife, and ecological significance of the area.



**RECOMMENDED PLAN**  
 Public Draft Supplemental Environmental Impact Statement  
 Acquisition of Fourche Bottoms  
 and Development of Nature Appreciation Facility

Back of Figure 2.

Trails and Boardwalks: The proposed action calls for approximately three miles of hiking trails, 0.5 miles of which will be ADA accessible. The trail system within the park would consist of a main loop with an alternate spur. Trails would be designed to emphasize habitats and areas in Fourche Bottoms that are unique and of interest. Bridges would be provided for crossing the creek or areas that are frequently wet. Boardwalk overlook areas would be added to afford visitors the opportunity to view habitat and wildlife in areas that extend into shallow open water. These boardwalk areas would be located at the man-made lakes and along the ADA trail. Environmentally sound construction techniques and materials would be used to reduce impacts to habitat.

Restroom Facilities: Flush restroom facilities (were removed due to cost considerations) would be located near the entrance of the facilities to take advantage of already present sewer and water access. Portable restroom facilities would be located with the main parking area in the northern utility right-of-way. The portable restroom stalls would be modified with an environmentally suitable covering or housing to enhance their appearance. Both of these restroom facilities would be ADA accessible.

Other Site Amenities: The uniqueness of Fourche Bottoms would be the focus of the facility. Educational signage with information about the various habitats, wildlife, and ecological processes that take place in the area would be posted throughout the area, along trails and in the visitor center/kiosk. Plant species of special interest as well as those that are common to the area would be marked with labels.

Operations and Management: Trash receptacles would be placed throughout the area and trash collection would be conducted regularly. To discourage littering in the area, notices would be posted informing visitors of the strict enforcement fines for littering. The gate to the facilities would be closed at dusk and opened each morning. Additionally, the authorized plan provided a concentrated 20-acre area for the human experience; the remaining 1,730 acres had no trails or other recreation facilities and would not have been impacted by recreation activities. The current recommended plan no longer provides for a concentrated 20-acre nature appreciation area, but rather spreads an increased amount of recreation facilities and activities over approximately one third of the total site (approximately 600 acres). Because of this widespread areal extent, the concentration of human impacts would be lessened but would occur over a much larger area. Because of the increased impacts to a much larger area, closing the nature appreciation facilities from dusk to dawn would ameliorate the impacts.

Study and Monitoring: The Fourche Bottoms area is a unique habitat with abundant wildlife and plant communities. Several programs would be instituted to observe and monitor trends in water quality, flooding, sedimentation, vegetation, and fish and aquatic life. This information would be used to properly manage the habitat and water resources in the area. Monitoring by the sponsor is not proposed within the recommended plan. Ongoing monitoring is being conducted by other agencies; however, this feature is also not part of the recommended plan.

The implementation of the nature appreciation facilities could lead to possible partnerships with public and private organizations and interest groups. Public participation could be valuable to the continued monitoring and ongoing care of the area. Public involvement would increase

community awareness of the values of Fourche Creek and Bottoms and may provide assistance with the continuing care and maintenance of the park. Local university classes, ecological societies, and state agencies could assist in the inventory of plant and wildlife as well as other monitoring programs. Public, private, and educational groups could use and plan to use the bottoms as an outdoor nature school. Such items, however, are not features of the recommended plan.

## **6.0 COST SHARING**

The local sponsor is the City of Little Rock, Arkansas. Policy Guidance Letter (PGL) No. 48, Cost Sharing for Specifically Authorized Environmental Projects, sets forth U.S. Army Corps of Engineers policy regarding the cost sharing for construction (implementation) of specifically authorized projects and separable elements for ecosystem (environmental) protection and restoration and implements Section 210 of the Water Resources Development Act of 1996. Section 210 established that environmental protection and restoration be cost shared by the non-Federal sponsor at 35 percent, the current cost sharing for projects authorized after 12 October 1996. PGL 48 states that ecosystem restoration projects authorized by prior legislation will be cost shared in accordance with the provisions of the authorizing legislation.

Thus, the cost sharing for the 1,750-acre Fourche Bottoms acquisition would be 25 percent non-Federal and 75 percent Federal as provided by the percentages of costs in the authorizing legislation, Section 401 of WRDA 1986. The nature appreciation facilities as recreational features would be cost shared 50-50 as established by Section 103 of WRDA 1986, as amended. Section 103 also provides that the sponsor is required to pay 100 percent of the costs for operation, maintenance, repair, replacement, and rehabilitation.

## **7.0 PRIOR REPORTS**

Several reports have been issued regarding the acquisition of Fourche Bottoms:

U.S. Army Corps of Engineers, 1979  
*Feasibility Report and Environmental Impact Statement for Water Resource Development*  
Volumes I and II, October 1979.

U.S. Army Corps of Engineers, 1985  
*Fourche Bayou Basin; Vicinity of Little Rock, Arkansas; General Memorandum No. 1; General;*  
Volume I of II, September 1985.

City of Little Rock, Department of Parks and Recreation, 1996  
*Fourche Creek Park; Site Analysis and Conceptual Master Plan.* April 30, 1996.

U.S. Army Corps of Engineers, 1998  
*Preliminary Assessment; Potential HTRW Sites at Fourche Bottomland Acquisition Acreage.*  
February 1998.

Wetland Science Applications, 1995



## **8.0 ALTERNATIVES CONSIDERED**

Several alternatives to the proposed action were considered. Among these alternatives were the no-action alternative and three action alternatives that explored variations in the placement of facilities. Although each plan had commonalities, such as the location of the entrance and the inclusion of hiking trails, the plans explored variations in development and optional locations for site features. For several of the plans, an enclosed visitor center was discussed with varied amenities, such as a modest meeting room to a presentation/theatre room. However, the project plan formulation was limited to the authorized project features with the exception of the addition of ADA features that were not considered when the original project was formulated. Different locations for the facilities were also suggested for each alternative. Placement and extent of parking areas also varied between each alternative. The proposed action was chosen because the design and placement of the park amenities kept with the initial approach of least impact. Other design options were eliminated from further detailed consideration.

No-Action: Under the no-action alternative, acquisition of the designated 1,750 acres of bottomland hardwoods, Fourche Bottoms, and the installation of nature appreciation facilities will not take place. Fourche Bottoms will be subject to natural processes and current developmental trends.

## **9.0 ENVIRONMENTAL SETTING**

### **9.1 General**

Fourche Bottoms, the site for the land acquisition and the nature appreciation facilities, is located south of Little Rock, Pulaski County, Arkansas. Fourche Bottoms lies within the floodplain of Fourche Creek basin and provides floodwater storage and drainage for most of Pulaski County and part of Saline County. Although the area is largely undeveloped, it is closely surrounded by areas of commercial, industrial, and residential development. Railroads, major highways, and utility rights-of-way are also a major presence in the area.

Fourche Bottoms is supported by both riverine swamp and bottomland hardwood habitats. The riverine swamp areas, closely associated with the Fourche Creek corridor, are dominated by bald cypress and water tupelo with the presence of other species such as water elm, green ash, buttonbush, box elder, and hibiscus. The bottomland hardwood areas occur around the edge of the riverine swamp habitats and include plant species such as willow oak, post oak, cedar elm, American elm, red mulberry, sweetgum, swamp dogwood, and others. These habitats, in turn, support a varied assortment of wildlife. Fish species found in Fourche Creek include shiners, sunfishes, catfish, chain pickerel, bullheads, crappie, largemouth bass, and spotted bass as well as other species of fish. However, quality game fish are difficult to locate in the lower reaches of the creek because of degraded conditions in water quality. Several species of wading birds including great blue herons and egrets are common in the area as well as various migratory birds and songbirds. Duck species such as mallards, teals and wood ducks are commonly found in the area. Terrestrial fauna occurring in the project site include swamp rabbits, white-tail deer, mink,

raccoons, opossums, fox and gray squirrels and beavers, among others. Fourche Bottoms also provides habitat for a wide variety of turtles (e.g., common snapper, mud turtle, soft-shelled turtle, slider, and box turtle), frogs (e.g., cricket frogs, spring peepers, tree frogs, leopard frogs, wood frogs, green frogs, and bullfrogs), and snakes (e.g., copperheads, cottonmouths, garter snakes, water snakes, king snakes, and hognose snakes).

## **9.2 Climate**

Winters are generally mild with occasional polar and arctic-types breaks. Summers are often hot with periods of high humidity. The average daily temperature in the summer is 82° F with an average daily winter temperature of 41°F. The average annual precipitation is 48.66 inches.

## **9.3 Geology**

The Fourche Creek Basin is divided into two major physiographic regions: the Interior Highlands and Coastal Plain. Most of the area north and west of Fourche Creek lies within the Interior Highlands. The remainder of the basin lies within the Coastal Plain. The basin north and west of Fourche Creek is characterized by east-west trending ridges that range from 200 to 300 feet above nearby valleys. Paleozoic consolidated shales and sandstones are the dominant geologic formations in the west-north basin. The south and east portion of the basin consists of low undulating hills, prairies, and flat-bottomland streams. Granite Mountain along the southeastern side of the bottom land area is a hill composed of Cretaceous age solid igneous rock composed of nepheline syenite. The east-south portion of the basin contains Tertiary semi-consolidated clays, silts and sands beneath a layer of Arkansas River alluvial and terrace deposits with igneous rock possibly underlying the stream deposits next to Granite Mountain.

## **10.0 AFFECTED ENVIRONMENT**

This section contains a description of significant resources and the impacts of the proposed action and no-action alternatives on these resources. Significant resources identified include wetlands, threatened and endangered species/biological resources, cultural resources, water quality, air quality, soils, socio-economics, recreational resources, and hazardous, toxic and radioactive waste. The significant resources described in this section are those recognized by laws, executive order, regulations, and other standards of national, state, or regional agencies and organizations.

### **10.1 Wetlands**

An evaluation of potential wetland impacts within the vicinity of the proposed action is included pursuant to the requirements of NEPA of 1969, 42 U.S.C. section 4321, *et seq.* Additional jurisprudence includes the Clean Water Act of 1977, as amended; the Coastal Zone Management Act, as amended through P.L. 104-150; the Estuary Protection Act (PL 90-454, as amended); the North American Wetlands Conservation Act; and, the Coastal Wetlands Planning, Protection, and Restoration Act. Additionally, Executive Order 11990 (*Protection of Wetlands*) and Executive Order 12630 (*Government Actions and Interference with Constitutionally Protected Property Rights*) are also considered.

### **10.1.1 Existing Conditions**

Wetlands are defined by the U.S. Army Corps of Engineers as areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstance do support, a prevalence of vegetation typically adapted for life in saturated soil conditions [33 CFR 328.3 (b)]. These wetlands generally include marshes, swamps, lacustrine and palustrine habitats, littoral zones (shallow open waters) and similar areas. An Ecological Report prepared by Wetland Science Applications Inc., in October 1995, provided the following information. Detailed identification and characterization of wetlands within the area has not been undertaken. The habitats in the area were examined and identified using photographs, site visits and other sources of data.

Several habitat types have been identified within Fourche Bottoms. The two dominant habitats in the area are the riverine swamp, which is closely associated with the Fourche Creek corridor, and bottomland hardwood forest, which occurs around the edge of the riverine swamp habitats. The riverine swamp, some of the bottomland hardwood, and the pond areas have been categorized as wetland habitat. Although the ponds may not technically qualify as wetland habitat, they may be considered “waters of the United States” and are therefore included. Other habitat types are located on the outer fringe of the project area with lesser frequency.

### **10.1.2 Future Without Proposed Action (No-Action)**

In the future, without the proposed action, wetlands in the project area will continue to be influenced by natural processes. Continued urbanization and its associated affects may continue to influence the quality of the wetland habitat in Fourche Bottoms.

### **10.1.3 Future With Proposed Action**

In the future, with the proposed action, the wetland areas in Fourche Bottoms will remain largely unaffected. Acquisition of the designated acreage will serve to protect the area from encroaching development. Subsequent monitoring and observation will further serve to provide for the continued health of the area’s wetland habitat. There may be some minor, temporary adverse impacts associated with the use of boardwalks in areas of shallow, open water or areas that are frequently flooded. Best management practices to eliminate or minimize increases in turbidity and suspended solids will be implemented over the duration of installation activities. Ecologically sound materials and design will be used when practicable to create the least impact.

## **10.2 Threatened and Endangered Species/Biological Resources**

An analysis of potential impacts on threatened and endangered (T&E) species and biological resources within the vicinity of the proposed action is included pursuant to the requirements of the NEPA of 1969, 42 U.S.C. section 4321, *et seq.* Additional jurisprudence includes the Endangered Species Act of 1973 (PL 93-205; 16 U.S.C. 1531 *et seq.*, as amended); the Fish and Wildlife Conservation Act of 1958 (PL 85-624; 16 U.S.C. 661 *et seq.*); and Article VI of the U.S. Constitution.

### 10.2.1 Existing Conditions

Table 2 provides amplifying information on federally listed species that occur in Pulaski County.

**Table 2. Threatened and Endangered Species for Pulaski County**

Common Name	Scientific Name	Status
Fat pocketbook	<i>Potamilus capax</i>	E
Red-cockaded woodpecker	<i>Picoides borealis</i>	E
Interior least tern	<i>Sterna antillarum</i>	E
Bald eagle	<i>Haliaeetus leucocephalus</i>	T

Source: USFWS, 2002.

The fat pocketbook mussel is found primarily in river systems in the Midwestern and southeastern United States. The species inhabits slow-moving water bodies with a mud or sand substrate. Primary threats to the species are dredging operations and water impoundments.

The red-cockaded woodpecker occurs primarily in the southern United States. The species inhabits pine forests. Nesting and roosting occur in tree cavities. The red-cockaded woodpecker shows a marked preference for old trees, particularly those infected with red heart disease, which destroys the integrity of cell walls in the interior tissue of trees. The species is endangered by habitat loss resulting primarily from deforestation.

The interior least tern is found throughout most of the United States. Populations within the interior are typically found near riverine systems. Nesting typically occurs on riverine sandbars or salt flats exposed during low water periods. The species was once heavily hunted for its plumes. Current threats to the species include habitat loss from natural and artificial processes and flooding of breeding grounds.

The bald eagle is found throughout North America. The species primarily inhabits forests adjacent to significant water bodies (e.g., coastal areas, bays, rivers, and lakes). The species is threatened by habitat loss, biocide contamination, and illegal shooting.

In a letter dated January 30, 2003, the U.S. Fish and Wildlife Service (USFWS) stated that no federally listed or proposed threatened or endangered species or critical habitat occur in the project area. Additionally, the USFWS issued a Coordination Act Report (CAR) on 3 September 2004 which stated that no federally listed, threatened or endangered species are currently known to occur in the project impact area, and that the proposed action would not impact any listed species. The CAR is included as Attachment A. The requirements of Section 7 of the Endangered Species Act have consequently been fulfilled.

### 10.2.2 State Agency Listed Species

The Arkansas National Heritage Program (ANHP) was consulted in 1995 to determine the presence of any species listed by the agency within the study area. The ANHP determined that three listed species were known to occur in the general vicinity of Fourche Creek. The listed

species are the flat floater mussel (*Anodonta suborbiculata*), white-topped sedge (*Rhynchospora colorata*), and showy prairie gentian (*Eustoma grandiflorum*). No records of any of these species within the project area were located. Additionally, none of the species was observed during a field investigation.

### **10.2.3 Future Without Proposed Action (No-Action)**

In the future, without the proposed action, current conditions for biological resources and protected species in the project area would persist. Continuing encroachment of residential and industrial development into the area could lead to the degradation of the Fourche Bottoms habitats, and therefore displace or otherwise adversely affect fish and wildlife in the area.

### **10.2.4 Future With Proposed Action**

In the future, with the proposed action, acquisition of Fourche Bottoms would provide for the protection of habitats utilized by the fish and wildlife in the area. Designation of Fourche Bottoms as a natural, open area will keep the area from being lost to increasing development and urbanization. Initial temporary adverse impacts to designated parts of the project area because of construction of park amenities may include an increase of turbidity and suspended solids into areas where trails and boardwalks cross or extend into water. However, best management practices for the control increases in turbidity and high suspended solids implemented over the duration of the construction should minimize or eliminate these impacts.

Construction of the trail corridor within the proposed park would result in the loss of approximately 3.64 acres of habitat. While the loss of this habitat would be permanent, the acquisition of the 1,750-acre tract would ultimately result in the preservation of the designated area. Therefore, the loss of habitat by the creation of the hiking trail would be nominal in comparison to the greater amount of habitat saved upon acquisition of the proposed land.

## **10.3 Air Quality**

### **10.3.1 Existing Conditions**

Air quality within the project area is influenced by the industrial and commercial activities from the city of Little Rock. Highways and roads located close to the project site also have a great influence on the air quality in the area. There are several monitoring stations throughout the county that monitor air quality conditions. According to the United States Environmental Protection Agency (USEPA) air quality within the project area is located within an attainment zone for monitored parameters. Table 3 presents the air quality values provided by the EPA AirData database for Pulaski County.

### **10.3.2 Future Without Proposed Action (No-Action)**

In the future, without the proposed action, it is unlikely that the quality of ambient air will be significantly affected.

**Table 3. Air Quality Values for Pulaski County, Arkansas**

Year	CO (ppm) 2 <sup>nd</sup> max 8-hr	NO <sub>2</sub> (ppm) Annual mean	SO <sub>2</sub> (ppm) Annual mean	O <sub>3</sub> (ppm) 2 <sup>nd</sup> max 1-hr	PM <sub>10</sub> (µg/m <sup>3</sup> ) Annual mean
1996	3.8	0.011	0.002	0.102	29.1
1997	4.7	0.010	0.002	0.100	27.0
1998	4.8	0.011	0.001	0.107	34.2
1999	4.0	0.011	0.001	0.107	32.5
2000	2.9	0.010	0.002	0.114	28.8
2001	2.0	0.010	0.001	0.102	28.8
NAAQS*	9 ppm	0.053 ppm	0.03 ppm	0.12 ppm	50.0 µg/m <sup>3</sup>

\* National Ambient Air Quality Standards

Source: EPA, AirData database, online, October 23, 2002.

### 10.3.3 Future With Proposed Action

In the future, with the proposed action, ambient air quality is expected to be temporarily adversely impacted by emissions from construction equipment and possible fugitive dust within the project area. Once all construction activities cease, air quality within the vicinity is expected to return to pre-construction conditions.

## 10.4 Water Quality

### 10.4.1 Existing Conditions

Fourche Creek is a tributary of the Arkansas River, entering the river slightly downstream from Little Rock at navigation mile 111.6. The headwaters of Fourche Creek are in the Ouachita Mountains. The creek begins with clear, mountain water but accumulates sediment, debris, and nutrients as it travels through urban and industrial areas to the Arkansas River.

In an Arkansas River Basin survey published by the Arkansas Department of Pollution Control and Ecology in 1974, Fourche Creek is described as having water quality consistent with its urban setting and influences. While high water quality can be found in the upper reaches of Fourche Creek, water quality degrades as it reaches Fourche Bottoms. Samples taken near the site of the proposed action show elevated levels of phosphorus, fecal coliform bacteria, biochemical oxygen demand (BOD), and turbidity as well as decreased levels of dissolved oxygen. Urban runoff and sewage contamination are often associated with these conditions.

### 10.4.2 Future Without Proposed Action (No-Action)

In the future, without the proposed action, current conditions in water quality will persist. Urbanization will continue to influence the water quality in the area.

### 10.4.3 Future With Proposed Action

In the future, with the proposed action, the installation of certain park amenities, specifically the boardwalks, may result in temporary adverse changes in water quality. The proposed boardwalks will extend into shallow open water or areas that frequently flood, thus creating the potential for impacts to water quality. These changes are projected to be temporary and limited to increases in turbidity and suspended solids. Best management practices will be in place for the duration of the project activities thereby minimizing any potential impacts. The proposed action will not have any long-term effects on water quality.

## 10.5 Soils

### 10.5.1 Existing Conditions

Table 4 provides amplifying information about the primary soil series found in the vicinity of the project areas.

**Table 4. Project Area Soils**

Soil Name	Primary Series	Associated Series
Amy Silt Loam	Amy	Rexor
Amy-Urban Land Complex	Amy	Leadvale
Perry Clay	Perry	Latanier, Moreland, Umbraqualfs
Tiak-Urban Land Complex	Tiak	Leadvale, Smithdale

Source: Soil Survey of Pulaski County, Arkansas, 1975.

Amy Series. This series contains soils that are poorly drained and level. The soils are formed in loamy sediment in valleys and on the coastal plain. The surface layer of these soils is brown silt loam with a thickness of 6 inches. The subsoil is divided into two sublayers. The upper portion consists of about 8 inches of gray, mottled silt loam; the lower portion consists of 34 inches of gray, mottled silty clay loam. Permeability is slow, and available water capacity is high.

Latanier Series. These soils are somewhat poorly drained and level. They are formed in thin beds of clayey sediment and the underlying loamy sediment deposited by the Arkansas River. The surface layer of these soils is dark reddish brown silty clay about nine inches thick. The subsoil is divided into two sublayers. The upper part of the subsoil is dark reddish brown silty clay about 25 inches thick. The lower part is dark brown fine sandy loam about five inches thick. Permeability is very slow, and available water capacity is high.

Leadvale Series. Soils in the Leadvale series are moderately well drained and nearly level to gently sloping. They occur in valleys, atop low mountains, and on the coastal plain. The soils are formed primarily in loamy sediment washed from uplands of weathered sandstone and shale. The surface layer of Leadvale soils is seven inches thick and consists of dark yellowish brown silt loam. The subsoil, which extends to a depth of 72 inches or more, is divided into two

sublayers. The upper 9 inches of the sublayer is strong brown, friable silt loam. Beneath this sublayer, the subsoil is a firm, brittle fragipan that varies from very pale brown silt loam to mottled gray and brown silty clay loam. Permeability is moderately slow, and available water capacity is medium.

Moreland Series. The Moreland series is comprised of somewhat poorly drained, level soils that formed in thick beds of clayey sediment deposited by the Arkansas River. The soils have an 8-inch surface layer of dark reddish brown silty clay. The subsoil is dark reddish brown silty clay that extends to a depth of 41 inches. Permeability is very slow, and available water capacity is high.

Perry Series. This series contains poorly drained, level soils found on bottomlands. The soils are formed in thick beds of clayey slack-water deposits from the Arkansas River. A 3-inch layer of dark yellowish brown clay forms the surface layer. The subsoil varies from gray clay to dark reddish-brown clay and may extend to a depth of greater than 72 inches. Permeability is very slow, and available water capacity is high.

Rexor Series. These soils are well drained with level to gently undulating slopes. They are found in floodplains and local drainage ways. The soils are formed in alluvium washed from uplands of weathered sandstone and shale. Rexor soils have a surface layer of grayish brown and dark yellowish brown silt loam about eight inches thick. The subsoil, which extends to a depth of 66 inches or more, varies from dark brown silt loam to yellowish red silt loam. Permeability is moderate, and available water capacity is high.

Smithdale Series. The Smithdale series is comprised of well drained, gently sloping to moderately sloping soils located on uplands. The soils are formed in loamy coastal plain sediments. The surface layer of these soils is brown fine sandy loam with a thickness of five inches. The subsoil is divided into two sublayers. The upper portion of the subsoil is about 11 inches thick and is composed of red clay loam. The lower portion of the subsoil, which may extend to depths of greater than 72 inches, consists of red sandy loam with splotches of strong brown. Permeability is moderate, and available water capacity is medium.

Tiak Series. Soils in this series are moderately well drained and range from nearly level to gently sloping. The soils formed in loamy and clayey coastal plain sediment. The surface layer is brown fine sandy loam with a thickness of three inches. The subsurface layer consists of about seven inches of yellowish brown loam. The subsoil, which may extend to more than 72 inches in depth, varies from gray to red silty clay. Permeability is slow, and available water capacity is high.

Umbraqualfs. Umbraqualfs are poorly drained, level soils found on bottomlands. These soils are formed from thick beds of clayey slack-water sediments deposited by the Arkansas River. The soils have a surface layer of dark brown silty clay about 6 inches thick. The subsurface layer is dark-gray silty clay about five inches thick. The subsoil, which varies from dark-gray to black clay, is 19 inches thick. Permeability is very slow, and available water capacity is high.



### **10.5.2 Future Without Proposed Action (No-Action)**

In the future, without the proposed action, soil quality will be subject to current natural processes. Persistent trends in residential and industrial development in the area could cause severe changes in soil characteristics.

### **10.5.3 Future With Proposed Action**

In the future, with the proposed action, the construction activities under the proposed action may have temporary and localized effects on soils. The use of heavy equipment to build facilities and create trails may cause compaction and rutting. However, best management practices would be in place to minimize such impacts. The parking area will be placed within the utility right-of-way where vehicular traffic has caused soil compaction thereby avoiding any new impacts. Existing roads will be used, eliminating or minimizing the need to create new roads. Gravel or crushed limestone will be used to allow water to percolate through the surface.

## **10.6 Socioeconomics**

### **10.6.1 Existing Conditions**

Fourche Creek, as well as Fourche Creek watershed, offers a variety of recreational opportunities. However, the area is only minimally utilized by residents for recreational uses. The array of wildlife, availability of habitat, and its unique urban setting, make it an ideal location for the development of educational trails and recreation facilities. To determine if the implementation of the proposed park was economically feasible, an economic evaluation was conducted. Using the Statewide Comprehensive Outdoor Recreation Plan (SCORP '95) report as well as other data sources, an analysis was done to determine the overall recreational needs of the area, the demand by activity, an estimated account of activity occasions (visits), and an estimation of recreational benefits. Refer to the Economics Appendix for specific information regarding methodology, values, and data.

### **10.6.2 Future Without Proposed Action**

In the future, without the proposed action, recreational activities will continue take place with minimal frequency through most of the bottomlands. Continued encroachment by residential and industrial development may lead to diminished recreational opportunity as well as a reduction in the quality of habitat and wildlife available to those who currently utilize the area for recreational purposes.

### **10.6.3 Future With Proposed Action**

In the future, with the proposed action, the opportunity for recreational enjoyment will certainly increase. The acquisition of the proposed acres will serve to maintain its intrinsic beauty for the public's enjoyment. Further, implementation of proposed park facilities will satisfy the public's demand for recreational opportunities. Surveys conducted determined that there was a demand

for the activities that are proposed for the park as well as evidence of participation in these activities within the study area's population.

Estimated recreational visits for walking/hiking in the base year (2005) was 17,800 and continued to increase in successive years. Estimated wildlife observation visits were 21,000 for the base year and also increased over time. Estimated visits for canoeing and fishing were 400 and 3,000 respectively and were assumed that no change would occur over time. Based on the total investment cost, the total annual costs, and average annual benefits, a Benefit-to-Cost ratio of 1.8 was derived.

## **10.7 Recreational Resources**

An examination of recreational resources within the vicinity of the proposed action is also included pursuant to the requirements of the NEPA. Additional jurisprudence includes the Federal Water Project Recreation Act of 1965 and Executive Order 12962, *Recreational Fisheries*. Recreational resources are significant because of the high value that the public places on fishing, hunting, boating, hiking, camping, and other outdoor activities such resources contribute to local, state, and national economics.

### **10.7.1 Existing Conditions**

Fourche Bottoms offers an extensive number of existing and potential recreational activities. However, because of its remote and concealed location, the area designated for the proposed action is rarely utilized for recreational purposes. The scenic views and habitat make it an ideal location for hiking. Fishing opportunities in Fourche Creek were at one time considerable. While fishing is still considered good in the upper reaches of the creek, water quality degradation in the lower parts of the creek has diminished fishing activities. Intermittent canoeing of Fourche Creek is also popular with access points in surrounding parks such as Benny Craig Park and Interstate Park. Fourche Bottoms attracts many and varied species of wading, migratory, and songbirds as well as predatory birds like owls and hawks. Consequently, birding opportunities in Fourche Bottoms are plentiful and highly valued.

### **10.7.2 Future Without Proposed Action (No-Action)**

In the future, without the proposed action, the recreational use of the project area will continue to be subject to natural processes. Recreational opportunities may be lost as ongoing residential and industrial development continues to infringe on Fourche Bottoms.

### **10.7.3 Future With Proposed Action**

In the future, with the proposed action, recreational opportunities will increase. Construction activities should have little effect on any recreational activities that may be taking place in the area. Temporary turbidity increases during construction of boardwalks that extend into open water and areas that are frequently flooded may temporarily inhibit aesthetics. Best management practices will be in place to diminish such impacts. Following project completion, aesthetics should improve over present conditions. Once proposed park amenities are in place, many new

recreational, as well as educational, opportunities will be available. Hiking trails will allow visitors to enjoy scenic areas and view wildlife. Educational signage will provide information about the surrounding habitats and wildlife thus providing a valuable educational opportunity for local schools, youth organizations, and community groups.

## **10.8 Cultural Resources**

### **10.8.1 Existing Conditions**

Cultural resources are significant for their association or linkage to past events, historically important persons, design and/or construction value, and for their ability to yield important information about prehistory and history. The National Historic Preservation Act of 1966 and the Archaeological Resource Protection Act of 1979 provide for the protection of significant cultural resources.

A field survey of the project area was conducted by Historic Preservation Associates (HPA). No sites reflecting early historic or prehistoric activities were located within the project area. HPA has prepared a report on the results of the survey.

### **10.8.2 Future Conditions With No-Action**

No sites reflecting early historic or prehistoric activities are known to occur within the project area. Consequently, in the future, without the proposed action, no cultural resources will be affected.

### **10.8.3 Future Conditions With Proposed Action**

No sites reflecting early historic or prehistoric activities are known to occur within the project area. Consequently, in the future, with the proposed action, no impact to cultural resources is likely to occur as a result of project implementation.

## **10.9 Hazardous, Toxic, and Radioactive Wastes**

The Corps is obligated under ER 1165-2-132 to assume responsibility for the reasonable identification and evaluation of all hazardous, toxic, and radioactive waste (HTRW) contamination within the vicinity of the proposed action. The U.S. Army Corps of Engineers-LRD conducted a preliminary assessment of potential HTRW sites within the Fourche Bottoms acquisition area, the findings of which were published in February 1998. The executive summary of this preliminary assessment and a map of all sites of concern are included as Attachment A of the Engineering Appendix. The following is a summary of those findings.

The investigation of potential HTRW sites in Fourche Bottoms was conducted using information derived from record reviews, interviews, and site reconnaissance to identify any sites of concern. The initial investigation examined 2,100 acres of bottomland proposed for purchase through a cost-sharing agreement between the city of Little Rock and the ACOE-LRD. The amount of land to be acquired was limited to the authorized 1,750 acres. The purpose of this examination

was to distinguish between those sites that posed little to no threat to the human and natural environment and those that would require further investigation before the acquisition of the designated acreage would take place. The area was divided into sectors for reporting and examination purposes. Table 5 lists the sites requiring additional investigation.

**Table 5. HTRW Sites Recommended for Additional Investigation**

<b>Sector</b>	<b>Site</b>	<b>Location Description</b>
1	1.1	South of automobile salvage operations west of University Avenue
2	2.1	Machine Tools Inc. on Mabelvale Pike
	2.2	Elrod's Imports on Mabelvale Pike
3	3.1	Glen Daniel Transmission on Mabelvale Pike
	3.2	Twin City Trucking on Mabelvale Pike
	3.3	Discolored discharge from Quality Foods
	3.4	Septic discharge from Quality Foods
	3.5	Oil release from Odum Sausage
	3.6	Ponds south of Wessel Brothers
	3.7	Down-gradient from Jimelco Site
4	4.1	Septic discharge from Brown Packing Company
	4.2	Oil release (two locations) from Pirelli Tire
	4.3	Discharged paint material north of 60 <sup>th</sup> Street
5	5.1	South of Arkla Gas compressor station
	5.2	Closed landfill west of Interstate Park
6	6.1	Particulate accumulation south of quarry

Source: USACE-LRD, Preliminary Assessment; Potential HTRW Sites at Fourche Bottomland Acquisition Acreage, February 1998.

The study concluded by noting that further investigation into the above areas was required prior to the purchase of the Fourche Bottoms acquisition acreage.

A Phase II Environmental Investigation was conducted in September 2002 by the USACE Little Rock District. Samples were collected from the sites listed in Table 5. Of the 16 sites surveyed, two (sites 5.2 and 6.1) were found to contain items of significant HTRW concern. The areas around these two sites were subsequently eliminated for consideration for acquisition. Out of the area investigated, 1,750 acres were identified as being suitable for acquisition. The Phase II Environmental Investigation is included in the Engineering Appendix as Attachment B.

## **11.0 CUMULATIVE IMPACTS**

Cumulative impacts are defined as impacts on the environment that result from the incremental impact of the proposed action when added to other past, present, and reasonably foreseeable future actions. The cumulative impacts associated with the proposed action would be in the minor and temporary disturbance of a minimal amount of shallow water habitat and the loss of a narrow corridor of habitat associated with the placement hiking trails. Industrial and residential development of the city of Little Rock and surrounding area has resulted in deteriorated conditions in Fourche Creek. This development has adversely impacted water quality, fish and

wildlife communities, and the quality of habitat. The completed project would offer long-term benefits of continued preservation of this ecologically important area as well as offering educational and recreational opportunities to the public.

Other development may encroach on the Fourche Bottoms area. BFI Waste Services proposes to expand its Fourche Bottoms landfill. It would use dirt excavated from a 40-acre area to cap the landfill. Eighty three acres would be used for offices and a park with sports fields, a lake, wetlands, and wildlife habitat as reported in the Arkansas Democrat Gazette on April 3, 2005. After the landfill is closed in 14 years, nature trails would be built. See BFI's Standard Permit Modification No. 11945-3 dated May 2, 2006, in Attachment B, Correspondence.

Future encroachment into the area including the BFI proposal would be limited with the implementation of the proposed project. If the BFI proposal is implemented prior to the proposed action then adverse impacts and reduced beneficial impacts to the project area could be realized. No other projects have been completed or are planned for the project area that, when combined with the proposed action, would result in significant cumulative impacts to the natural or socioeconomic environments. Consequently, the combined effect of past, present, and future actions along with the proposed action is a net beneficial effect on the project area.

## **12.0 COORDINATION**

Coordination has been maintained with the following agencies concerning the proposed project: U.S. Fish and Wildlife Service (USFWS), Arkansas Game and Fish Commission (AGFC), Arkansas Department of Environmental Quality (ADEQ). Coordination with the Arkansas Office of Cultural Development, State Historic Preservation Officer (SHPO) was begun on 14 May 2003 concerning this project. Comments received from SHPO will be addressed in accordance with procedures provided in Section 106 of the National Historic Preservation Act (NHPA) (36 CFR Part 800, "Protection of Historic Properties").

Pursuant to the Council of Environmental Quality Regulations (40 CFR 1500 -1508) supplemented by ER 200-2-2 the draft report and draft SEIS were circulated to interested agencies and the public for a minimum 45 calendar day review period from October 14 to November 28, 2005. Comments from the public were as follows:

Federal Agencies: U.S. Department of the Interior, no comment; US Fish and Wildlife Service; support; U.S. Environmental Protection Agency, strongly support, and Federal Emergency Management Agency, commented that the local floodplain administrator be contacted for review and permit requirements.

State Agencies: Arkansas Department of Environmental Quality; support; Arkansas Game and Fish Commission; no comment; Arkansas State Historic Preservation Officer, commented to monitor during construction; University of Arkansas at Little Rock, support. The State of Arkansas Clearinghouse supports the project; Arkansas Natural Heritage, supports; Arkansas Geological Commission, commented by providing geological information; and Arkansas Forestry Commission, supports the project.

Public and other Entities: BFI Waste Management Systems of Arkansas, L.L.C and Build Coleman Park, Inc. commented to oppose the project proposal for the Coleman Dairy acres. The League of Women Voters of Pulaski County, supports; Coalition of Little Rock Neighborhoods, supports; Heights Neighborhood Association, supports; Clayton Johnson, supports; Sharon Woodson Stark, supports; and Ralph Desmarais, support the project.

The state and agency comments had no objection to the project. Any recommendation included in the comments received was evaluated and, if practicable, was incorporated into the proposed action. The BFI and Build Coleman Park, Inc. preference for their initiative to acquire approximately 124 acres of Coleman Dairy rather than the project proposal for environmental protection by the acreage's acquisition was not incorporated into the proposed action. A complete list of public comments is in Attachment B.

Federal, state, and local agencies/offices, as well as other interested parties, will receive a copy of this SEIS and draft Record of Decision (ROD). A copy of the complete mailing list is available upon request. The following agencies, as well as other interested parties, will receive a copy of this SEIS:

- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Environmental Protection Agency, Region VI
- U.S. Department of Agriculture, Natural Resources Conservation Service
- Advisory Council on Historic Preservation
- Arkansas Department of Environmental Quality
- Arkansas Game and Fish Commission
- Arkansas State Historic Preservation Officer
- Arkansas Natural Heritage Commission
- Arkansas Department of Health
- Arkansas Natural Resources Commission
- Audubon Arkansas
- City of Little Rock Department of Parks and Recreation

After completion of the SEIS and all coordination, a draft ROD will be prepared for signature by either the Southwestern Division Commander or the Assistant Secretary of the Army for Civil Works. The draft ROD will include a description of the proposed action and alternatives analyzed, the selected plan, and adverse impacts associated with the plan. The draft ROD will describe justification for selection of the plan, mitigation measures for any adverse impacts from implementation, and a description of any impacts that cannot be avoided. The ROD will be prepared in full compliance with NEPA, ER 200-2-2, and CEQ guidelines.

### **13.0 MITIGATION**

Acquisition of the designated 1,750 acres of bottomland hardwoods known as Fourche Bottoms and installation of the facilities proposed for the nature appreciation area will not significantly impact any wildlife or vegetative habitat in the area. Any adverse impacts resulting from the implementation of the proposed action will be temporary and minor in nature. Implementation of the proposed project will serve to preserve and protect Fourche Bottoms from future

development. No permanent or long-lasting affects are expected; therefore, no mitigation will be required.

#### **14.0 COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS**

Environmental compliance for the proposed action would be achieved upon: Coordination of this SEIS and draft ROD with appropriate agencies, organizations, and individuals with their review and comments; USFWS confirmation that the proposed action would not be likely to adversely affect any threatened or endangered species; receipt of the SHPO Determination of No Affect on Cultural Resources; receipt and acceptance or resolution of all USFWS Fish and Wildlife Coordination Act recommendations. The draft ROD will not be signed until the proposed action achieves environmental compliance with applicable laws and regulations, as described above. A Section 404(b)(1) Evaluation was signed by the LR District Engineer on May 8, 2006. A copy of the 404(b)(1) Evaluation is included as Attachment C.

#### **15.0 PREPARERS**

This SEIS has been prepared by U.S. Army Corps of Engineers, Little Rock District and contractor personnel. The Little Rock District may be contacted through Mr. James D. Ellis; U.S. Army Corps of Engineers, Little Rock District; Planning, Environmental, and Regulatory Division; CESWL-PR, P.O. Box 867, Little Rock, Arkansas 72201.

#### **16.0 CONCLUSION**

This SEIS evaluates the environmental impacts associated with the acquisition of 1,750 acres of bottomland hardwoods known as Fourche Bottoms and the installation of a nature appreciation facility. The project construction could result in temporary and minor impacts to water quality and some loss of habitat in the immediate project area; however, none of the impacts have been determined to warrant further investigation or mitigation measures. Therefore, this office has determined that the proposed action would have no significant detrimental impact upon the human or natural environment.



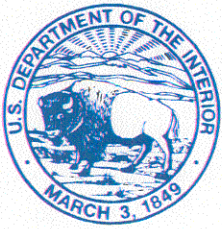


# **Attachment A**

## **USFWS COORDINATION ACT REPORT (CAR)**

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# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1500 Museum Road, Suite 105

Conway, Arkansas 72032

Tel.: 501/513-4470 Fax: 501/513-4480

IN REPLY REFER TO:

September 3, 2004

Colonel Wally Z. Walters  
District Engineer  
U.S. Army Corps of Engineers  
P.O. Box 867  
Little Rock, Arkansas 72203-0867

Dear Colonel Walters:

The Fish and Wildlife Service (Service) has prepared this Fish and Wildlife Coordination Act report (FWCA) in response to the Corps of Engineers (Corps) request for planning assistance relative to the proposed acquisition of 1,750 acres of bottomland hardwoods within the Fourche Bottoms, and the development of a nature appreciation facility in the Fourche Creek flood plain, Pulaski County, Arkansas. The study is being conducted under Section 401(a) of the Water Resources Development Act of 1986 and sponsored by the city of Little Rock. Our report has been coordinated with the Arkansas Game and Fish Commission and their comments are attached. This report is submitted in accordance with the Fish and Wildlife Coordination Act (48 Stat. 401. 16 U.S.C. as amended 616 et seq.), and has been coordinated with the Arkansas Game and Fish Commission.

### **Description of Study Area**

The proposed project will be located in the northeastern portion of the Fourche Bayou basin, on the south side of the city of Little Rock. Fourche Bottoms is subject to periodic inundation, and is dominated by bottomland hardwoods and riverine swamps. Fourche Bottoms is unique in that it is an expanse of bottomland hardwood forest close to a major urban area. The area also provides flood water storage for a significant part of Pulaski and Saline Counties. The area is undeveloped but surrounded by commercial, industrial, and residential development which threatens to encroach into this wetland complex. The proposed acquisition of the 1,750 acre tract and development of a nature appreciation and recreation area would provide urban residents with a chance to experience and learn about this ecosystem and protect the natural wetland values and functions.

### **Description of Fish and Wildlife Resources**

The 1,750 acre project area is a bottomland hardwood wetland complex. Vegetation within the area consists of bald cypress and water tupelo at the lower elevations and other bottomland hardwood species such as willow oak, post oak, cedar and American elm, sweetgum, and others. This habitat supports opossum; swamp rabbits; and several fur bearers including beaver,

raccoons, and fox. Migratory birds including songbirds, wading birds, and waterfowl use habitats with the tract as do many species of snakes, lizards, turtles, frogs, and salamanders.

Open water areas including Fourche Creek, sloughs, and ponds provide habitat for a variety of fish such as spotted bass, crappie, sunfishes, bullheads, and a variety of minnows.

In accordance with the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), a list of endangered and threatened species that may occur in the project area should be provided to the Corps. No federally listed, threatened or endangered species are currently known to occur in the project impact area. Therefore, the proposed action would not impact any listed species.

### **Description of Potential Alternatives**

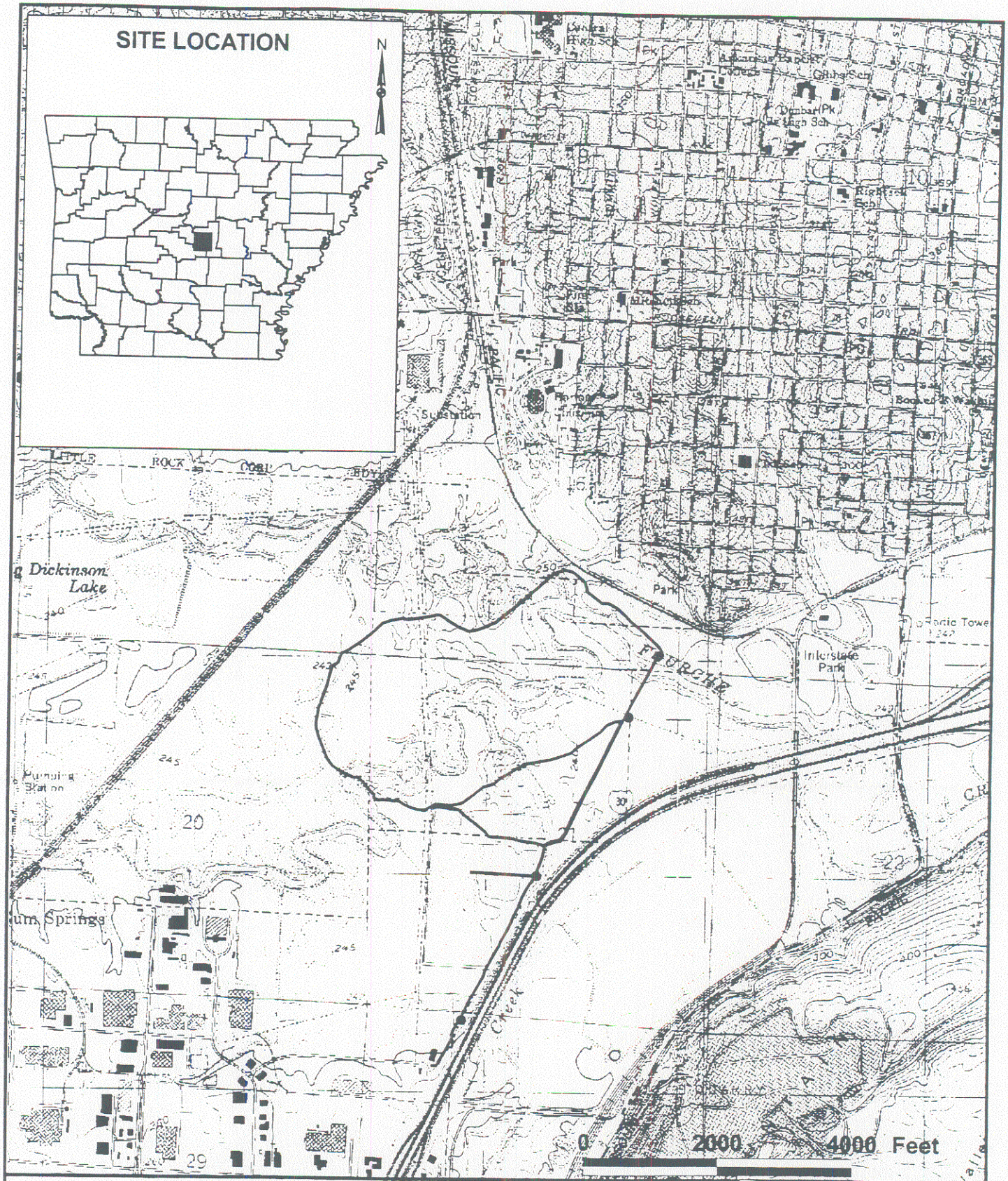
The no action alternative along with several other alternatives was explored. The action alternatives explored variations in development and location of park facilities within the 1,750 acre site in the Fourche Bottoms area.

The recommended alternative consists of the acquisition of 1,750 acres of bottom land hardwoods within Fourche Bottoms, located between the Missouri Railroad to the west and Interstate 30 to the east and south, (Figure 1) and development of a nature appreciation and recreational area. Entry to the park will be from the east end of 60<sup>th</sup> Street and existing roadway right of way would be used, although the road would need to be upgraded. Two parking areas would be developed and include bus space and disabled parking. Handicapped accessible restrooms would be provided near the parking areas. An open air visitor center/kiosk would be constructed in the northwest corner of the project. Approximately 3.0 mile of hiking trails, including 0.5 miles of handicapped accessible trails would be designed and located to showcase habitats and resources in Fourche Bottoms that are unique and of interest. Portions of the trails within wet or swampy area would consist of boardwalks and bridges. The facility would focus on the unique features of Fourche Bottoms, educational signs with information about habitats, wildlife, vegetation, and ecological processes would be posted throughout the area, along trails and at the visitor center/kiosk. Limited canoeing presently takes place in the project area and plans include removing man made obstacles and other debris in order to improve the canoeing experience.

### **Description of Potential Impacts**

The proposed project consists of the acquisition of 1,750 acres of bottomland hardwood wetland complex and development of hiking trails, educational signs, parking, and restroom facilities.

The project would benefit the fish and wildlife populations and habitats within the area by protecting them from potential residential, commercial, and industrial encroachment and the resulting loss of habitat values. Further, the proposed project would protect the functional values of flood water storage and filtration which the tract provides.



PROJECT LOCATION MAP

Figure 1

The development of hiking trails and interpretative signage would provide the residents of Little Rock with opportunities to learn about and appreciate the bottomland wetland ecosystem and its vegetation, fish, and wildlife. Increased opportunities for recreation including hiking, fishing, and canoeing also would be provided. The hiking trails, boardwalk, and bridges will result in the permanent loss of approximately 3.64 acres of wetland habitat, however, there is an overall benefit to the wetland habitat obtained by the acquisition of the tract and protection against urban development. Development of parking areas, restroom facilities, and trails would result in a temporary increase in turbidity and sediment entering the adjacent waterway. Best management practices to control sediment and erosion will be implemented over the duration of the construction period. Long term benefits would outweigh temporary adverse impacts associated with construction. Limited canoeing presently occurs in the area, the project would improve canoeing opportunities by removing man made obstacles and debris. A temporary increase in sediment and turbidity would be offset by the increase in recreational opportunities.

After the initial development of project features, the Corps would turn over the operation and maintenance to the project sponsor, the city of Little Rock. This project provides opportunities for partnering to further improve educational, research, and habitat monitoring. The Audubon Arkansas plans to construct a nature center in the general vicinity of this tract. Each facility would contribute to the value of the other. Partnering with high schools and universities for research on trends in water quality, flooding and water filtration, vegetation, wildlife, aquatic life, and bottomland hardwood habitat values would be possible and is encouraged. Interpretive staff could be hired to provide information to visitors that would make visits to the park more enjoyable and meaningful. The city and the Arkansas Game and Fish (AGGFC) could partner to manage the habitats and resources within the 1,750 acre tract. The AGFC could provide advice on the management of habitats to improve wildlife values and improve fishery resources. For instance, fishery habitat and recreational fishery opportunities could be improved by cleaning out old borrow pits and ponds and stocking with fish. Further, the sponsor would need to provide personnel and funding to clean and maintain the facilities features such as restrooms, parking lots, trails, etc.

### **Recommendations and Service Position**


The Service supports the further study and implementation of the proposed project since it will benefit fish and wildlife resources and provide opportunities for people to learn about and enjoy these resources. Our recommendations are as follows.

1. Construction of project facilities should be accomplished during periods of little to no rainfall, and best management practices to reduce erosion, sediment and turbidity should be used to minimize the amount of sediment in run-off from the construction area.
2. The sponsor should coordinate the management of habitats and fish and wildlife resources within the tract with the Arkansas Game and Fish Commission.
3. The sponsor should seek opportunities to partner with other entities that can assist with furthering knowledge of the resources and improve or monitor habitat values within the

tract such as universities and other agencies and organizations within the community.

We appreciate the opportunity of working with your staff and the opportunity to provide these comments.

Sincerely,



Allan J. Mueller  
Field Supervisor

cc: Bob Leonard, Arkansas Game and Fish Commission, Little Rock, AR  
Cindy Osborne, Arkansas Natural Heritage Commission, Little Rock, AR  
Kenneth Colbert, Arkansas Soil and Water Conservation Commission, Little Rock, AR  
Steve Drown, Arkansas Department of Environmental Quality, Little Rock, AR  
Wanda Boyd, Environmental Protection Agency, Dallas, TX

Arkansas Game & Fish Commission  
2 Natural Resources Drive Little Rock, Arkansas 72205



David Conrad  
Deputy Director

Loren Hitchcock  
Deputy Director

Scott Henderson  
Director

September 3, 2004

Allan J. Mueller  
USFWS  
1500 Museum Rd., Suite 105  
Conway, AR 72032

Dear Mr. Mueller:

Our agency is in receipt of your draft Fish and Wildlife Coordination Act Report that evaluates the request for planning assistance relative to the proposed acquisition of 1,750 acres of bottomland hardwoods within the Fourche Bottoms, and the development of a nature appreciation facility in the Fourche Creek flood plain, Pulaski County, Arkansas.

Biologists from our agency have reviewed this report and concur with the recommendations in this draft report.

Our agency appreciates the opportunity to review these comments and looks forward to working cooperatively with your agency in the future.

Sincerely,

A handwritten signature in black ink that reads "Robert K. Leonard".

Robert K. Leonard, Biologist  
River Basins Division

Cc: Doyle Shook  
Mike Gibson

Phone: 501-223-6300 Fax: 501-223-6448 Website: [www.agfc.com](http://www.agfc.com)

The mission of the Arkansas Game and Fish Commission is to wisely manage all the fish and wildlife resources of Arkansas while providing maximum enjoyment for the people.



# **Attachment B**

## **CORRESPONDENCE**

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MAY 2 2006

Regulatory Office

STANDARD PERMIT MODIFICATION NO. 11945-3

Wm. Doug Ford, PE  
Pollution Management, Incorporated  
3512 South Shackleford Road  
Little Rock, Arkansas 72205-6933

Dear Mr. Ford:

Please refer to your submittal dated January 11, 2006, on behalf of BFI Waste Systems of Arkansas, LLC, and to the site visit of March 16, 2006, which you and representatives of BFI conducted with Regulatory Office personnel. To expand their existing landfill operation, BFI proposes to place dredged and fill material in approximately 0.16 acre of wetlands. The project is located in section 19, T. 1 N., R. 12 W., in Little Rock, Pulaski County, Arkansas.

Under authority of Section 404 of the Clean Water Act (33 U.S. Code 1344), Department of the Army Permit No. 11945, which authorized the discharge of dredged material in a 1.9-acre wetland, is hereby modified as follows: The placement of dredged and fill material in waters of the United States associated with expansion of the existing landfill is hereby authorized; the waters of the US which will be filled consist of 0.16 acre of wetlands, designated as Wetland #4 on the enclosed Sheet 2 of 5. The time limit for completing the work authorized ends on **December 31, 2009**. Please note that the previously authorized work of filling 1.9 acres of wetland was not accomplished; therefore, the mitigation for that work was not done.

This letter becomes a part of and should be attached to the original permit, No. 11945. The activity shall be constructed/conducted and maintained as shown on the enclosed drawings, Sheets 1 and 2 of 5, and in compliance with the applicable conditions of the original permit and the following Special Condition. It is the permittee's responsibility to understand and comply with the conditions of the permit and to make their employees or agents involved in the operation continuously aware of the permit conditions. If changes are proposed in the design or location of the facility, the permittee is required by law to submit revised plans to the District Engineer for approval before construction of the change is begun.

**Special Condition:**

**For the filling of 0.16 acre of wetlands at the landfill, a portion of the mitigation shall be done previously to the filling of wetlands at the landfill and a portion shall be done**

**concurrently with the filling of wetlands at the landfill. This mitigation shall be the creation of wetlands at Coleman Park.**

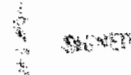
To mitigate for filling 0.16 acre of wetlands, the applicant proposes to develop Coleman Park, which would be built in phases to ultimately include a fishing pond, over 60 acres of wetlands, family recreation areas, and flood storage, as shown on the enclosed Sheets 3, 4, and 5 of 5.

Corps personnel have reviewed the submitted delineation of wetlands and other waters of the United States for the 100-acre area which will be developed into Coleman Park and concur with the findings that the project area contains the following jurisdictional waters: Fourche Creek, Coleman Creek, and Rock Creek, and 7.17 acres of wetlands. This approved jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date. Before any work is done in one of these jurisdictional waters, please contact the Regulatory Office and provide detailed plans to determine if further Department of the Army authorization is required.

Please read the attached "Notification of Administrative Appeal Options and Process and Request for Appeal" which describes your options regarding this action.

If you have any questions, please contact Mrs. Elaine Edwards, Environmental Engineer, at (501) 324-5295 and refer to DA Permit No. 11945-3.

Sincerely,

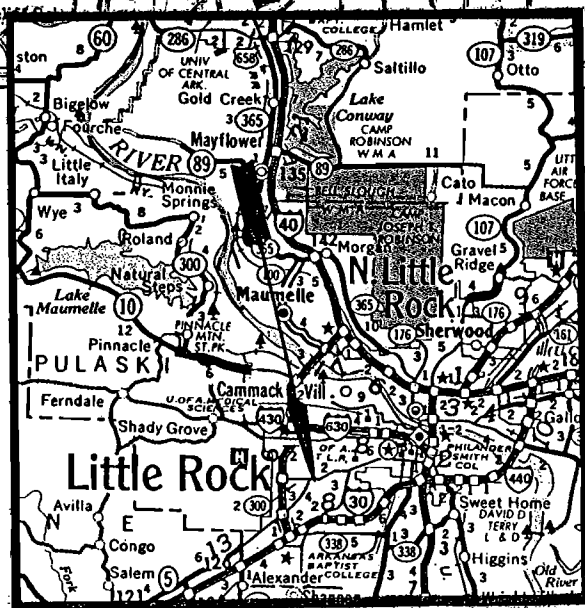


Jerry L. Harris, PE  
Chief, Regulatory Office

Enclosures

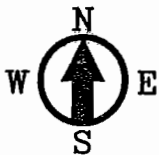
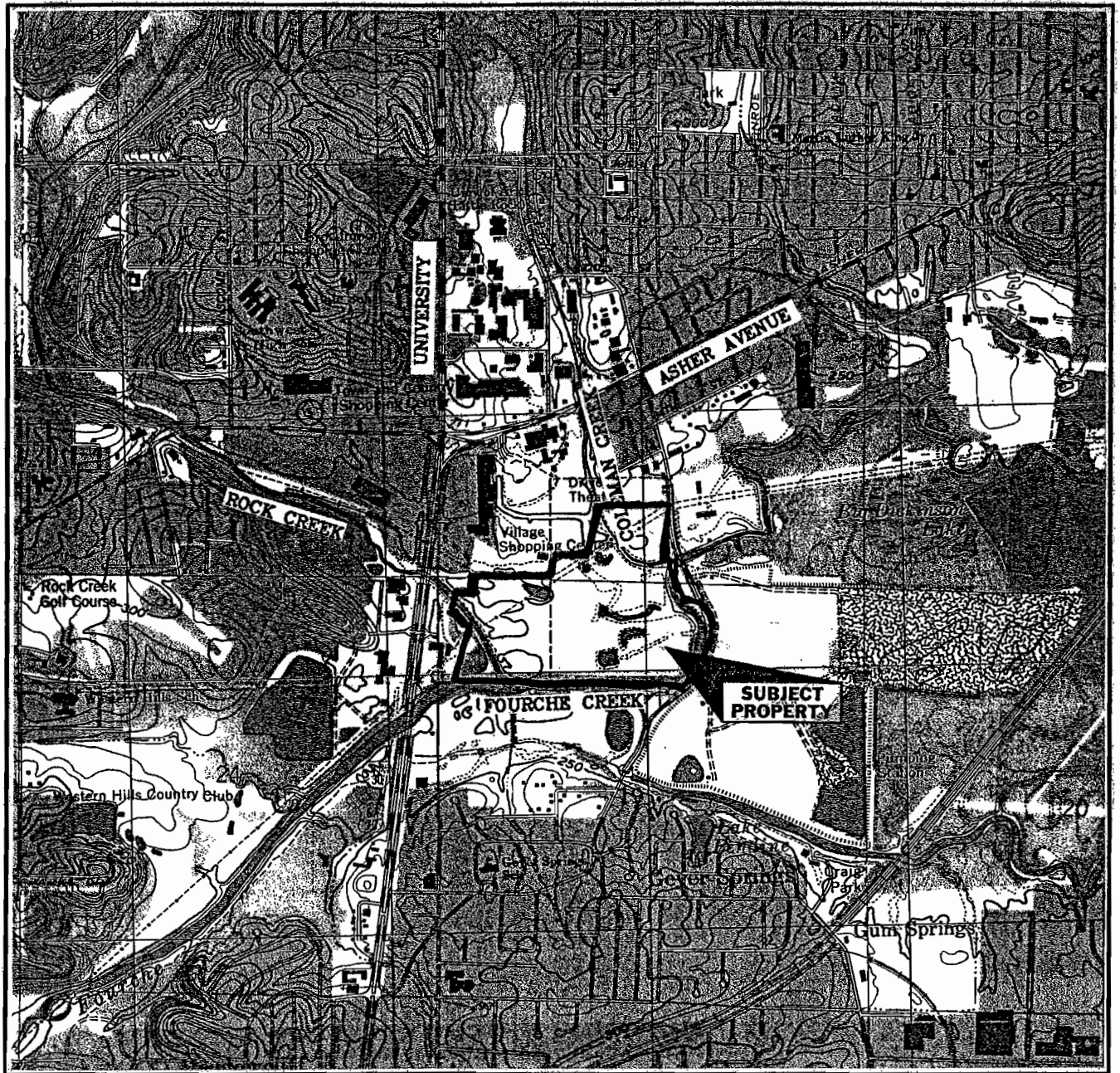
CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Copy Furnished:  
Proj Mgr, Pine Bluff PO, w/cy dwgs  
Planning Office (Attention: Ms. Julia Smethurst)  
Regulatory Enf, w/cy dwgs  
Team Leader, Regulatory Office




**BFI Waste Systems  
of Arkansas, LLC  
LANDFILL**

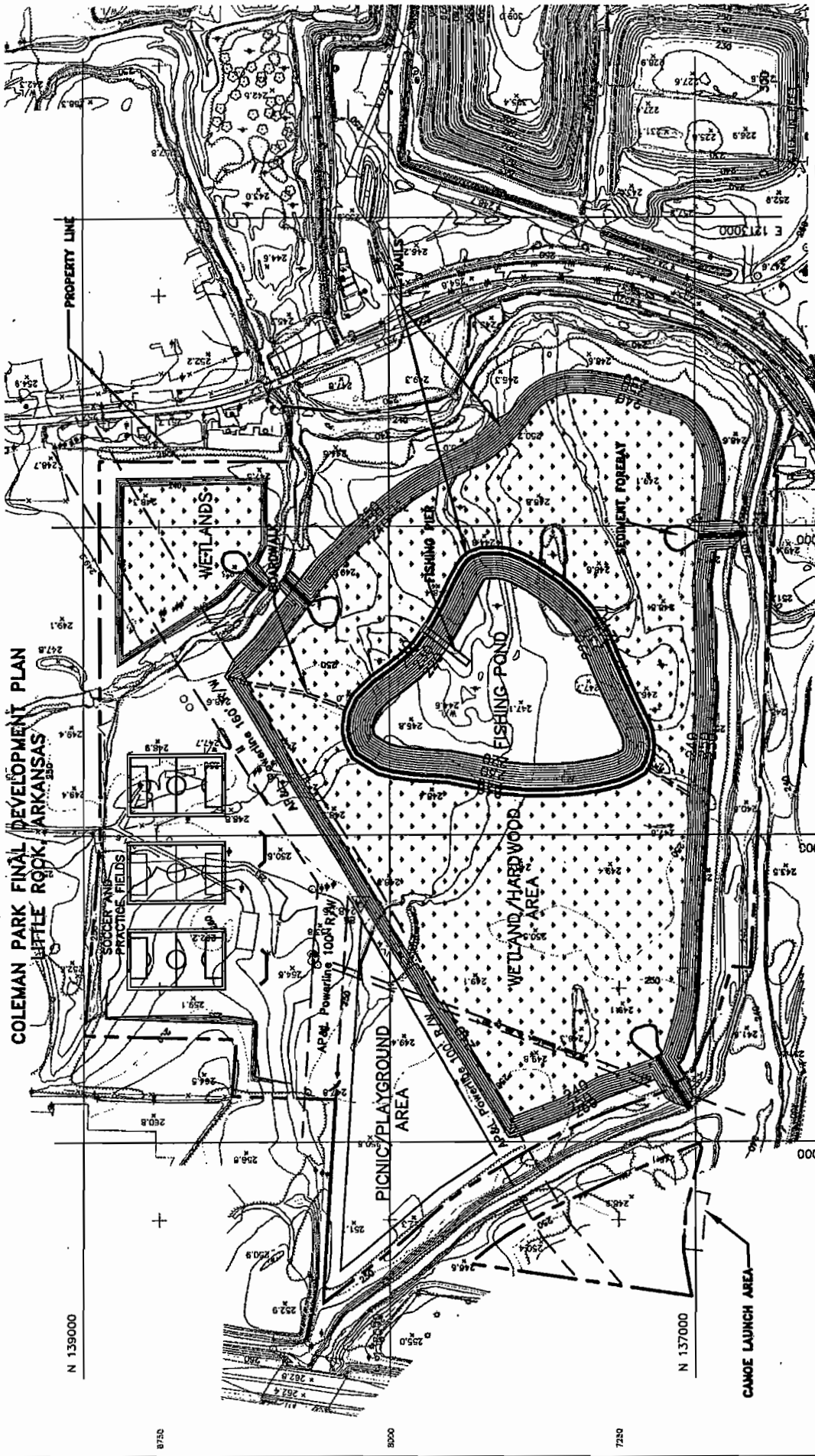
ACTION NO. 11945-3  
BFI Waste Systems of Arkansas  
Wetland Fill, Sec. 19, T1N, R12W,  
Little Rock, Pulaski County, AR  
April 2006  
Sheet 1 of 5



Coleman  
 Park  
 Property


**POLLUTION MANAGEMENT INC.**  
 3512 SOUTH SHACKLEFORD  
 LITTLE ROCK, ARKANSAS 72205

ACTION NO. 11945-3  
 BFI Waste Systems of Arkansas  
 Wetland Fill, Sec. 19, T1N, R12W,  
 Little Rock, Pulaski County, AR  
 April 2006 Sheet 3 of 5



**GEOSYNTEC CONSULTANTS**  
 KENNESAW, GA  
 PROJECT NO. GG3346-03 | FIGURE NO. 6  
 DOCUMENT NO. FILE NO. 3346x010

PHASE VI: COMPLETE WETLAND/HARDWOOD PLANTING; REMOVE LAKE SEDIMENT; DEVELOP FISHING POND AND INTERIOR TRAIL; CONSTRUCT FISHING PIER; BREACH PERIMETER BERMS AND CONSTRUCT SEDIMENT FOREBAYS


ACTION NO. 11945-3  
 BFI Waste Systems of Arkansas  
 Wetland Fill, Sec. 19, TIN, R12W,  
 Little Rock, Pulaski County, AR  
 April 2006 Sheet 5 of 5



NOTE: THIS DRAWING WAS TAKEN FROM A FLYOVER MAP PROVIDED TO POLLUTION MANAGEMENT, INC. BY CONTINENTAL ENGINEERING OF MEMPHIS, TN.  
 BLUE CONTOUR LINES ILLUSTRATE THE PROPOSED RETENTION POND EXCAVATION  
 BLACK CONTOUR LINES ILLUSTRATE THE PROPOSED WASTEWATER HOLDING POND EXCAVATION

**ACTION NO. 11945-3**  
**BFI Waste Systems of Arkansas**  
 Wetland Fill, Sec. 19, T1N, R12W,  
 Little Rock, Pulaski County, AR  
 April, 2006

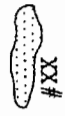
Sheet 2 of 5

SUBMITTED BY D. FORD		BFI WASTEWATER HOLDING POND MABELVALE PIKE LITTLE ROCK, ARKANSAS	GENERAL SITE PLAN w/EXISTING WETLANDS AREAS	 <b>POLLUTION MANAGEMENT INC.</b> 3512 SOUTH SHACKLEFORD LITTLE ROCK, ARKANSAS 72205
DRAWN D. LLOYD				
CHECKED D. FORD				
DATE 6/10/02				
REVISIONS DATE				
FILE NAME: BFI3.DWG				

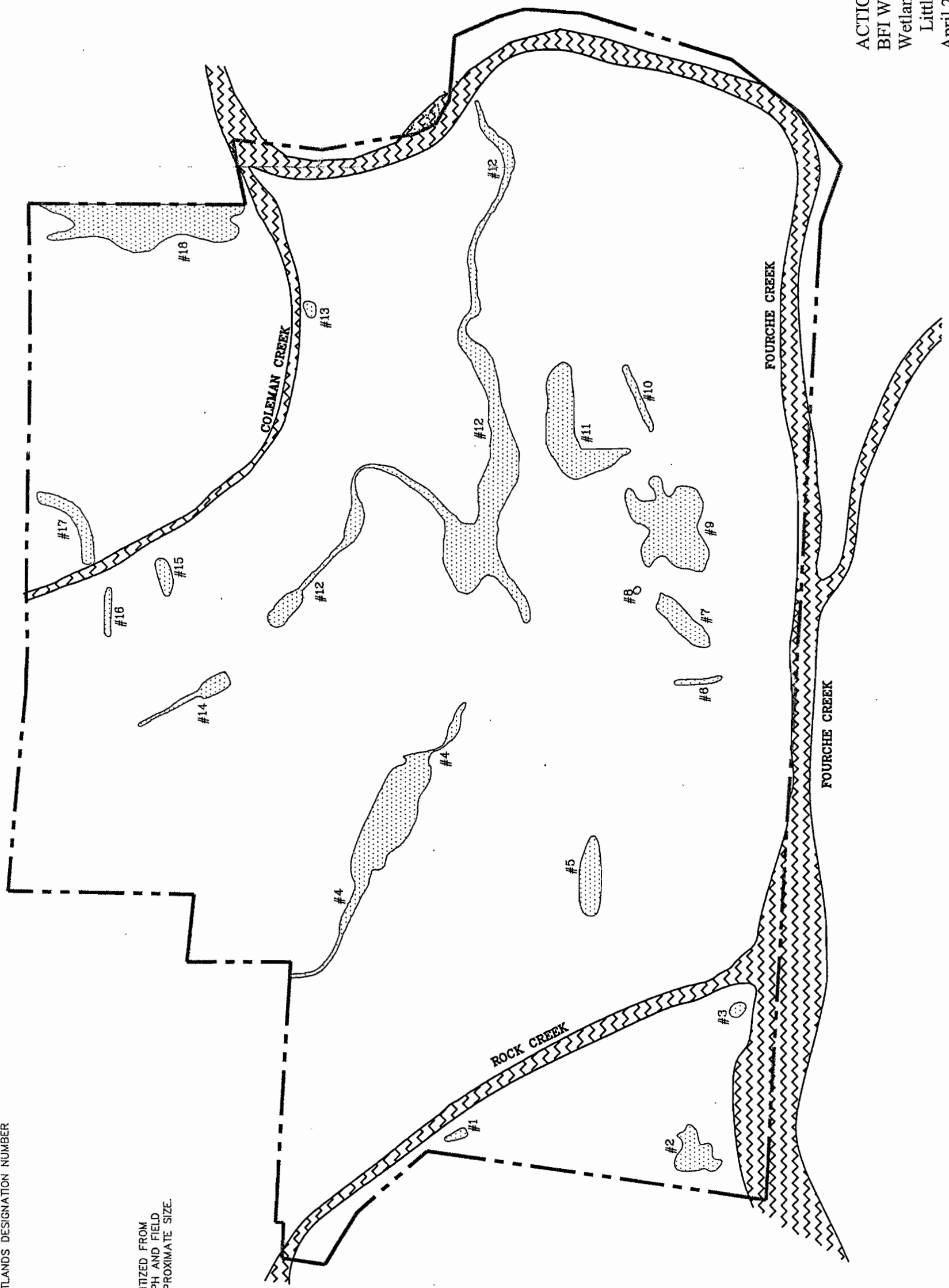


--- COLEMAN PROPERTY BOUNDARY


WETLANDS AREA/WETLANDS DESIGNATION NUMBER



NOTE:  
THE WETLANDS AREAS WERE DIGITIZED FROM  
AN INFRARED AERIAL PHOTOGRAPH AND FIELD  
VERIFIED FOR LOCATION AND APPROXIMATE SIZE.



ACTION NO. 11945-3  
BFI Waste Systems of Arkansas  
Wetland Fill, Sec. 19, T1N, R12W,  
Little Rock, Pulaski County, AR  
April 2006 Sheet 4 of 5



**POLLUTION MANAGEMENT INC.**  
3512 SOUTH SHACKLEFORD  
LITTLE ROCK, ARKANSAS 72205  
(501) 221-7122 fax (501) 221-7775

SUBMITTED BY	D. FORD	DATE	sep 23 2004
DRAWN	D. LLOYD	JOB NUM	BFI-3138
CHECKED	D. FORD	FILE NAME	FIG 4

SCALE:	1"=300'
--------	---------

WETLANDS STUDY  
OLD COLEMAN DAIRY PROPERTY  
ASHER AVENUE  
LITTLE ROCK, ARKANSAS

PROPERTY BOUNDARY  
w/WETLANDS AREAS





STATE OF ARKANSAS  
**Department of Finance  
and Administration**

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 417  
Post Office Box 8031  
Little Rock, Arkansas 72203-8031  
Phone: (501) 682-1074  
Fax: (501) 682-5206  
<http://www.state.ar.us/dfa>

November 14, 2005

Ms. Julia A. Smethurst, Project Manager  
Department of the Army  
Little Rock District, Corps of Engineers  
P. O. Box 867  
Little Rock, AR 72203-0867

RE: Fourche Bayou Basin, Arkansas Public Draft Limited Reevaluation  
Report/Supplemental Environmental Impact Statement for Acquisition of 1,750  
Acres of Bottomland with Nature Appreciation Facilities

Dear Ms. Smethurst:

The State Clearinghouse has received the above document pursuant to the  
Arkansas Project Notification and Review System.

To carry out the review and comment process, this document was forwarded to  
members of the Arkansas Technical Review Committee. Resulting comments received  
from the Technical Review Committee which represents the position of the State of  
Arkansas are attached.

The State Clearinghouse wishes to thank you for your cooperation with the  
Arkansas Project Notification and Review System.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracy L. Copeland".

Tracy L. Copeland, Manager  
State Clearinghouse

TLC/th  
Enclosure  
CC: Randy Young, ANRC



# Arkansas Natural Resources Commission



J. Randy Young, PE  
Executive Director

101 East Capitol, Suite 350  
Little Rock, Arkansas 72201  
<http://www.anrc.arkansas.gov/>

Phone: (501) 682-1611  
Fax: (501) 682-3991  
E-mail: [anrc@arkansas.gov](mailto:anrc@arkansas.gov)

Mike Huckabee  
Governor

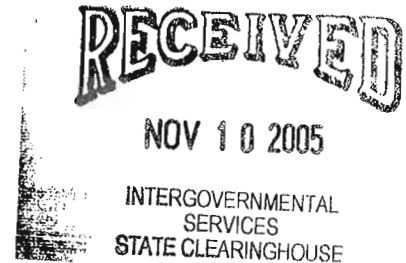
## MEMORANDUM

TO: Mr. Tracy Copeland, Manager  
State Clearinghouse

FROM: Mr. J. Randy Young, P.E., Chairman  
Technical Review Committee

SUBJECT: Fourche Bayou Basin, Arkansas  
Public Draft  
Limited Reevaluation Report/Supplemental Environmental  
Impact Statement for Acquisition of 1,750-Acres of  
Bottomland with Nature Appreciation Facilities

DATE: November 10, 2005



Members of the Technical Review Committee have reviewed the above referenced project; the Limited Reevaluation Report (LRR) and the National Environmental Policy (NEPA) is the decision document for potential implementation of the unconstructed environmental preservation increment - the acquisition of 1,750 bottomland acres with nature appreciation features. The report updates the costs and the environmental factors, conditions, and considerations. It identifies changes and/or modifications from the authorized plan.

The Committee supports this project. Agency comments are included for your review.

The opportunity to comment is appreciated.

JRY/ddavis



STATE OF ARKANSAS

Department of Finance and Administration NATIONAL RESOURCES COMMISSION

RECEIVED 05 OCT 10 PM 12:26

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412 Post Office Box 8031 Little Rock, Arkansas 72203-8031 Phone: (501) 682-1074 Fax: (501) 682-5206 http://www.state.ar.us/dfa

MEMORANDUM

#1889

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager State Clearinghouse
DATE: October 7, 2005
SUBJECT: FOURCHE BAYOU BASIN, ARKANSAS -(PUBLIC DRAFT)-LIMITED REEVALUATION REPORT & SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR ACQUISITION OF 1,750-ACRES OF BOTTOMLAND WITH NATURE APPRECIATION FACILITIES

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

Your comments should be returned by October 24, 2005 to - Mr. Randy Young, Chairman, Technical Review Committee, 101 E. Capitol, Suite 350, Little Rock, AR 72203.

If you have no reply within that time we will assume you have no comments and will proceed with the sign-off.

NOTE: It is imperative that your response be in to the ASWCC office by the date requested. Should your Agency anticipate having a response which will be delayed beyond the stated deadline for comments, please contact Ms. Debby Davis of the ASWCC at (501) 682-1611 or the State Clearinghouse Office.

- Support Do Not Support (Comments Attached)
Comments Attached Support with Following Conditions
No Comments Non-Degradation Certification Issues (Applies to ADEQ Only)

Blank lines for additional information or comments.

Name(print) Kollert Agency ANRC Date 1-1-05
Telephone Number



STATE OF ARKANSAS

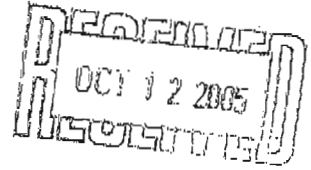
OFFICE OF INTERGOVERNMENTAL SERVICES

Department of Finance and Administration

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

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Form with checkboxes for Support, Do Not Support, Comments Attached, Support with Following Conditions, No Comments, Non-Degradation Certification Issues.

Name(print) Kevin Dorman Agency ADEQ Date 10-12-05
Telephone Number 501-682-0645



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
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Little Rock, Arkansas 72203-8031
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http://www.state.ar.us/dfa

Handwritten signature

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager, State Clearinghouse
DATE: October 7, 2005
SUBJECT: FOURCHE BAYOU BASIN, ARKANSAS -(PUBLIC DRAFT)-LIMITED REEVALUATION REPORT & SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR ACQUISITION OF 1,750-ACRES OF BOTTOMLAND WITH NATURE APPRECIATION FACILITIES

Vertical stamp: RECEIVED DIVISION OF ENGINEERING

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- Support Do Not Support (Comments Attached)
Comments Attached Support with Following Conditions
X No Comments Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) [Signature] Division of Engineering
Arkansas Department of Health Date 10-12-05
Telephone Number 501-661-2623 4815 West Markham
Little Rock, AR 72205-3867



STATE OF ARKANSAS

Department of Finance and Administration

OFFICE OF INTERGOVERNMENTAL SERVICES

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

Bob [Signature]

MEMORANDUM

TO: All Technical Review Committee Members
FROM: Tracy L. Copeland, Manager - State Clearinghouse
DATE: October 7, 2005
SUBJECT: FOURCHE BAYOU BASIN, ARKANSAS -(PUBLIC DRAFT)-LIMITED REEVALUATION REPORT & SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR ACQUISITION OF 1,750-ACRES OF BOTTOMLAND WITH NATURE APPRECIATION FACILITIES

Received
OCT 19 2005
River Basins

Please review the above stated document under provisions of Section 404 of the Clean Water Act, Section 102(2) of the National Environmental Policy Act of 1969 and the Arkansas Project Notification and Review System.

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- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) Robert K. Leonard Agency AGFC Date 10-14-05

Telephone Number 478-7301





STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

# Department of Finance and Administration

1515 West Seventh Street, Suite 412  
Post Office Box 8031  
Little Rock, Arkansas 72203-8031  
Phone: (501) 682-1074  
Fax: (501) 682-5206  
<http://www.state.ar.us/dfa>

## MEMORANDUM

TO: All Technical Review Committee Members

FROM: Tracy L. Copeland, Manager <sup>TLC</sup> State Clearinghouse  
October 7, 2005

DATE: FOURCHE BAYOU BASIN, ARKANSAS -(PUBLIC DRAFT)-LIMITED REEVALUATION  
REPORT & SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR ACQUISITION

SUBJECT: OF 1,750-ACRES OF BOTTOMLAND WITH NATURE APPRECIATION FACILITIES

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- |   |   |
|---|---|
| <input type="checkbox"/> Support                | <input type="checkbox"/> Do Not Support (Comments Attached)                             |
| <input type="checkbox"/> Comments Attached      | <input type="checkbox"/> Support with Following Conditions                              |
| <input checked="" type="checkbox"/> No Comments | <input type="checkbox"/> Non-Degradation Certification Issues<br>(Applies to ADEQ Only) |

Name(print) Steve Jones Agency AOED Date 10-17-05  
 Telephone Number 501-6827311



STATE OF ARKANSAS

Department of Finance and Administration

RECEIVED OFFICE OF INTERGOVERNMENTAL SERVICES
05 OCT 28 AM 9:27
NATURAL RESOURCES COMMISSION

1515 West Seventh Street, Suite 412
Post Office Box 8031
Little Rock, Arkansas 72203-8031
Phone: (501) 682-1074
Fax: (501) 682-5206
http://www.state.ar.us/dfa

MEMORANDUM

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FROM: Tracy L. Copeland, Manager State Clearinghouse
DATE: October 7, 2005
SUBJECT: FOURCHE BAYOU BASIN, ARKANSAS -(PUBLIC DRAFT)-LIMITED REEVALUATION REPORT & SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR ACQUISITION OF 1,750-ACRES OF BOTTOMLAND WITH NATURE APPRECIATION FACILITIES

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- Support
Do Not Support (Comments Attached)
Comments Attached
Support with Following Conditions
No Comments
Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) BILL PRIOR Agency AGC Date 10-20-05
Telephone Number 683-0117



*Arkansas* GEOLOGICAL COMMISSION

VARDELL E. PARHAM GEOLOGY CENTER • 3815 WEST ROOSEVELT ROAD • LITTLE ROCK, ARKANSAS 72204

Mike Huckabee  
Governor  
Bekki White  
Director and State Geologist

October 14, 2005

Mr. Randy Young  
Chairman, Technical Review Committee  
101 E. Capitol, Suite 350  
Little Rock, Arkansas 72203

Dear Mr. Young:

This letter is a response to your request for comments on the Public Draft of the Supplemental Environmental Report on 1,750 acre Fourche Bayou Basin Bottomland and Nature Center. The following comments pertain to the geology section in the Supplemental EIS Public Draft Report.

The geology description on page 10 of this report does not mention that Granite Mountain that lies along the southeastern side of this bottom land area is a hill composed of Cretaceous age solid igneous rock with the composition of nepheline syenite. This igneous rock may underlie some of the stream deposits next to Granite Mountain itself. The other geologic descriptions that are given are generalized but are basically correct.

If you have any questions about these comments please feel free to contact me.

Sincerely,

William Lee Prior  
Geologist Supervisor

PHONE: (501) 296-1877; FAX: (501) 663-7360  
agc@arkansas.gov  
www.state.ar.us/agc/ugc.htm  
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STATE OF ARKANSAS

OFFICE OF INTERGOVERNMENTAL SERVICES

# Department of Finance and Administration

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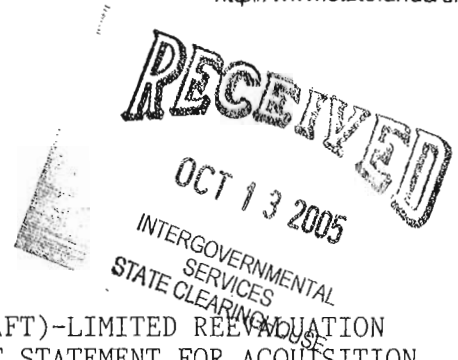
## MEMORANDUM

TO: All Technical Review Committee Members

FROM: Tracy L. Copeland, Manager <sup>TLC</sup> State Clearinghouse

DATE: October 7, 2005

SUBJECT: FOURCHE BAYOU BASIN, ARKANSAS -(PUBLIC DRAFT)-LIMITED REVIEW AND EVALUATION REPORT & SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR ACQUISITION OF 1,750-ACRES OF BOTTOMLAND WITH NATURE APPRECIATION FACILITIES



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Support  Do Not Support (Comments Attached)

Comments Attached  Support with Following Conditions

No Comments  Non-Degradation Certification Issues (Applies to ADEQ Only)

Name(print) JAMIE L. NORRIS Agency Ark. Fa. Com Date 12/2/05

Telephone Number 501-296-1863

## Ellis, Jim D SWL

---

**From:** Cindy Milazzo [cdmilazzo@ualr.edu]  
**Sent:** Monday, November 28, 2005 4:16 PM  
**To:** Ellis, Jim D SWL  
**Cc:** 'Joel Anderson'  
**Subject:** DSEIS for Fourche Bayou Basin

Mr. Ellis:

The University of Arkansas at Little Rock has just become aware of the draft Fourche Bayou Basin Limited Reevaluation Report. This plan to acquire the 1,750 acres of bottomland hardwoods for flood storage and environmental preservation as well as to construct nature appreciation areas is one that the University supports with a degree of enthusiasm. After review of the drawings, it is apparent that this plan is consistent with the long range plans of the University as well as consistent with the City of Little Rock's Park Master Plan.

We understand that today is the last day for public comments, but request that you do not hesitate to contact me if you have questions.

Sincerely,

Cynthia D. Milazzo  
Associate Vice Chancellor  
for Facilities and Services  
University of Arkansas at Little Rock  
2801 South University Avenue  
Little Rock, Arkansas 72204  
501/569-3202 – voice  
501/569-8611 - fax



League of Women Voters of Pulaski County  
7200 Briarwood Dr.  
Little Rock, Arkansas 72205-4912  
(501) 664-1136

November 28, 2005

*Board of Directors*

*President*

Kathleen Velek

*1<sup>st</sup> Vice President*

Henri Jean Carey

*2<sup>nd</sup> Vice President*

Candy Roman

*Treasurer*

Susan Leon

*Membership*

Henri Jean Carey

Nell O'Neal

*Membership Treasurer*

Mary Ann Littlefield

*Action Chair*

Ruth Bell

*Education*

Marion Fulk

*Environment*

Nancy Clark

*Planning and Zoning*

Lynn Parker

*Programs*

Shirley McFarlan

*Public Relations*

Linda Joslin

*VIPS*

Carol Young

*Newsletter*

Janet Berry

TO: The Corp of Engineers

FROM: League of Women Voters of Pulaski County

RE: Comment on proposed reclamation of the Fouche Wetlands

The League of Women Voters has long supported the Fouche's clean up and return to a wetlands. We concur with and support the City of Little Rock's plan to develop the Fouche as a wetlands park, With the help of Audubon Arkansas, the City is making progress toward that goal. However, progress is slow, and the polluted areas identified by your study call for more financial and technical resources than the City and Audubon Arkansas have available to them. We are especially concerned about the proposed expansion of the BFI Landfill, an existing landfill sited in the Fouche wetland. It is an example of a use that is inappropriate in a reclaimed wetland. We hope that as your plans for restoring the Fouche proceed, the BFI landfill will be shut down and the Fouche protected from possible drainage or flooding from it.

The League supports the restoration of the Fouche, and is supportive of your reclamation plan for it.

Ruth Bell, Action Chair, League of Women Voters of Pulaski County

**Ellis, Jim D SWL**

---

**From:** Jim Lynch [jrlynch@ualr.edu]  
**Sent:** Monday, November 28, 2005 12:32 PM  
**To:** Ellis, Jim D SWL  
**Cc:** Smethurst, Julia A SWL  
**Subject:** Fourche Bottomland Acquisition

MR. ELLIS --

I have received and read the Corps of Engineers DSEIS for the Fourche Bottomlands Acquisition. On behalf of the Coalition of Little Rock Neighborhoods I believe this proposal to greatly enhance the flood control protections in the City of Little Rock as well as provide an outstanding opportunity to conserve and protect for public enjoyment the Fourche Creek vicinity. The proposal to acquire acreage and construct public nature appreciation facilities closely dovetails with the Master Parks Plan of the City of Little Rock. This approach also reinforces the plans of Audubon Arkansas to restore the Fourche Creek area and make it available as an outdoor environmental education asset for our community.

The Coalition of Little Rock Neighborhoods, organized since 1990, endorses the Fourche Bottomlands Acquisition plan. Would you please add our endorsement to the public comments as solicited by the Fact Sheet dated October 20 2005?

Thank you.

JIM LYNCH

President  
Coalition of Little Rock Neighborhoods  
c/o 16 Lenon Drive  
Little Rock, Arkansas 72207

Daytime 501.569.3302  
Evening 501.661.0406

## Ellis, Jim D SWL

---

**From:** Trudie Cromwell [twcromwell@comcast.net]  
**Sent:** Monday, November 28, 2005 4:13 PM  
**To:** Ellis, Jim D SWL  
**Cc:** Kathy Johnson; 'Jim Lynch'  
**Subject:** Support for Project Fourche Bayou Basin  
**Attachments:** HNA letter twc.doc

Mr. Ellis,

Please accept the Height's Neighborhood Association letter of endorsement for the Corps' Fourche Bayou Basin acquisition project, see attachment.

Thank you.

*Trudie*

Trudie Cromwell, Vice President, HNA  
5400 Country Club Blvd., 72207  
twcromwell@comcast.net  
Phone: 501-663-8668  
Cell: 501-350-1099  
Fax: 501-671-6936





*Heights Neighborhood Association*  
*P.O. Box 7228*  
*Little Rock, Arkansas 72217*

November 28, 2005

Re: Project Name — Fourche Bayou Basin

Mr. Jim Ellis  
c/o Dept. of the Army  
LR District Corps of Engineers

Dear Mr. Ellis:

The Heights Neighborhood Association strongly endorses the proposal of the Corps of Engineers to acquire approximately 1,750 acres of the Fourche Bayou Basin of bottomland hardwoods for flood control and environmental preservation and design. We anticipate that the area would remain substantially undeveloped, but that if you were to get the funds appropriated by Congress, the Corps would build boardwalks and interpretative graphics for public use in this area.

This idea closely parallels the City of Little Rock's Master Parks Plan for the Fourche Bottoms and the Arkansas Audubon plant to restore the Fourche vicinity into a one-of-a-kind urban environmental park.

Yours truly,

*Trudie Cromwell*

Trudie Cromwell, Vice President  
Heights Neighborhood Association

cc: Kathy Johnson, President, HNA  
Jim Lynch, President, Coalition of Little Rock Neighborhoods

## Ellis, Jim D SWL

---

**From:** clayton johnson [chjohnson@uams.edu]  
**Sent:** Monday, November 28, 2005 4:34 PM  
**To:** Ellis, Jim D SWL  
**Subject:** Fourche Bayou Basin

Dear sirs and madams,

> I believe that Allied Waste, Inc. dba BFI, Inc. with a Model Fill Land  
> Fill in the middle of the two Fourche Creek branches should not be  
> allowed a permit to expand.  
>  
>  
>  
>  
> As shown in ADEQ, Genesis Environmental Consulting, Inc. and BFI's  
> Second and Third Quarter Leachate Reports, there are problems.  
>  
>  
>  
>  
> As we know, engineers can fix any problem given enough time and money.  
> But the Fourche Creek issue is one that common sense can control.  
> First, we should never have allowed a landfill where three major creeks converge:  
> Fourche, Coleman and Rock which drain much of western Pulaski County.  
>  
>  
>  
>  
> The Coleman Farm area, which BFI is advertising in the Arkansas  
> Democrat Gazette to acquire support for permit to increase the  
> capacity of the existing landfill, by enticing local residents with  
> the promise of a park sometime in the future. BFI also needs to  
> harvest the soil from Coleman Farm for cover for the landfill. This  
> dirt will be moved by conveyor belt across Mabelvale Pike. Ultimately  
> this 50" pit is planned to form a fishing lake in Coleman Park.  
>  
>  
>  
>  
> According to the Corp maps, Coleman Farm is in the 500 year flood  
> plain, the 100 year flood plain, the floodway, contain wetlands and in  
> the Additional Areas to be Acquired.  
>  
>  
>  
>  
> We would like to see the Corp's Fourche Creek Project go forward  
> without the additional problems brought on by an expanding BFI, Inc. landfill.

Also, mayor Dailey says he wants to know when the end date is - this seems to be something that is unlikely to be uncovered since BFI has made these agreements before and then not kept them.

It is time they shut this operation down as previously agreed and move to a location more fitting to place the garbage of all the surrounding counties (meaning, they need to start putting their trash in their own back yards).

>

>  
>  
>  
>  
> Thank you for your consideration,

Clayton Johnson - Pres./Meriwether NA

Vice Pres./CLRN

=====  
=====

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

=====  
=====

## Ellis, Jim D SWL

**From:** BnFree2@aol.com  
**Sent:** Tuesday, November 22, 2005 10:09 AM  
**To:** Ellis, Jim D SWL  
**Cc:** Jim\_Lynch@swbell.net; pamadcock@sbcglobal.net  
**Subject:** RE:sws:DSEIS Fourche Bayou Basin Comment -BFI, Inc.

I believe that Allied Waste, Inc. dba BFI, Inc. with a Model Fill Land Fill in the middle of the two Fourche Creek branches should not be allowed a permit to expand.

As shown in ADEQ, Genesis Environmental Consulting, Inc. and BFI's Second and Third Quarter Leachate Reports, there are problems.

As we know, engineers can fix any problem given enough time and money. But the Fourche Creek issue is one that common sense can control. First, we should never have allowed a landfill where three major creeks converge: Fourche, Coleman and Rock which drain much of western Pulaski County.

The Coleman Farm area, which BFI is advertising in the Arkansas Democrat Gazeete to acquire support for permit to increase the capacity of the existing landfill, by enticing local residents with the promise of a park sometime in the future. BFI also needs to harvest the soil from Coleman Farm for cover for the landfill. This dirt will be moved by conveyor belt across Mabelvale Pike. Ultimately this 50" pit is planned to form a fishing lake in Coleman Park.

According to the Corp maps, Coleman Farm is in the 500 year flood plain, the 100 year flood plain, the floodway, contain wetlands and in the Additional Areas to be Acquired.

We would like to see the Corp's Fourche Creek Project go forward without the additional problems brought on by an expanding BFI, Inc. landfill.

Thank you for your consideration,

Sharon Woodson Stark  
Little Rock

**Ellis, Jim D SWL**

---

**From:** Smethurst, Julia A SWL  
**Sent:** Monday, November 28, 2005 1:41 PM  
**To:** 'Jim Lynch'  
**Cc:** Ellis, Jim D SWL  
**Subject:** RE: Fourche Bottoms study mailing list

Thanks for your comments. We will add you to the notification list.

**Julia Smethurst**  
Project Manager

<mailto:julia.a.smethurst@usace.army.mil>  
*tel: (501) 324-5602 fax: (501) 324-5605*  
Planning Section, Little Rock District  
US Army Corps of Engineers  
700 W. Capitol  
P.O.Box 867  
Little Rock, Arkansas 72203-0867

---

**From:** Jim Lynch [<mailto:jrylynch@ualr.edu>]  
**Sent:** Monday, November 28, 2005 12:49 PM  
**To:** Smethurst, Julia A SWL  
**Subject:** Re: FourcheMapNov15 2004, plate1.pdf

MS. SMETHURST --

I did receive the file with the Fourche Bottoms map and I was able to open it.

Thanks very much for your help !

Best Regards,

JIM LYNCH

President  
Coalition of Little Rock Neighborhoods  
Daytime 569-3302  
Evening 661-0406

P.S.

I learned about the 45-day public comment on the Fourche Bottomland project

11/29/2005

## Ellis, Jim D SWL

**From:** RDesmar246@aol.com  
**Sent:** Monday, November 21, 2005 11:30 AM  
**To:** Ellis, Jim D SWL  
**Cc:** BnFree2@aol.com; Jim\_Lynch@swbell.net; bmoore@littlerock.state.ar.us  
**Subject:** Re: Comments on Supplemental Environmental Impact Statement for the ...

To: [Jim.D.Ellis@swl02.usace.army.mil](mailto:Jim.D.Ellis@swl02.usace.army.mil)

Re: Comments on Supplemental Environmental Impact Statement for the Fourche Bayou Basin

As a resident of Little Rock with a home in the Fourche Basin, I am pleased that the Corps is acquiring the property in the Bottoms to preserve and make accessible for recreation this valuable urban wetlands. I have lived here over twenty years and watched with dismay as the quality of the Creek water declined and the wetland area was steadily reduced in size. Sedimentation from development upstream turned the Creek brown after rains. Inadequate sewage capacity along the creek spill filth into the surrounding area after every significant rain. The creek widened as trees on the banks toppled into it. The threat of a filth laden flood as in 1978 is always upon us. Now another major threat looms with the expansion of the BFI landfill and the introduction of massive quantities of commercial waste - some hazardous - into the system. Expansion of nearby UALR and new housing developments strains sewage systems already overflowing into the creek. Behind all this has been a lack of systematic sampling and protection from either the city or the state ADEQ. Simple management practices such as enforcing setback provisions from the creek for development were and are ignored. EPA and state rules against discharges into the creek also were ignored. The results are evident in the dismal water quality stats in the report and in the groundwater sampling in the BFI reports at ADEQ. Dichloroethane, a signature component of leaded gas, is the most worrisome discovery - high levels of metals and e-coliiform also appear. Sewer lines crossing the property and paralleling proposed trails are old, cracked, and sure to overflow bringing a public health problem to those looking for healthy recreation.

It is my profound hope, that by working with the community, the Corps can help resolve some of these concerns rather than adding to them as it has in the past by rubber stamping development that threatened wetlands.

Ralph Desmarais  
4821 Darragh Dr.  
Little Rock, AR 72204

## **Anslow, Patricia M SWL**

---

**From:** BnFree2@aol.com  
**Sent:** Monday, November 14, 2005 9:42 AM  
**To:** Anslow, Patricia M SWL  
**Subject:** RE:sws:DSEIS Fourche Bayou Basin project

I have just become aware of this report. Knew about Little Rock having Fourche Bottoms Park and Audubon and the trails, wetland, wildlife project.

Our neighborhood groups have been receiving information on BFI, Inc. and their request for a permit to dig a fifty foot lake on the Coleman Farm property on which they have an option. According to your map this appears to be in the 500 year floodplain, floodways, wetlands with every imaginable reason not to allow this huge lake to be dug with the dirt transported across Mabelvale to use as cover for their Model Landfill.

Presently BFI, Inc. is advertising in the Arkansas Democrat-Gazette to join them in getting a permit to enlarge the Landfill bringing it to various heights, up to 450 feet, and destroying the wetlands of the Coleman property.

My question is: what are we doing with a dump in the middle of Fourche Bayou?

Sharon Woodson Stark  
5304 Park Village  
Little Rock, AR  
501.570.0336  
Wakefield Neighborhood Association  
Southwest Little Rock United for Progress.



November 28, 2005

Jim D. Ellis  
Julia A. Smethurst  
Planning, Environmental and Regulatory Division (Planning Branch)  
Department of the Army Little Rock District, Corps of Engineers  
Post Office Box 867  
Little Rock, Arkansas 72203-0867

Re: Public Draft, Limited Evaluation Report and Supplemental Environmental  
Impact Statement for Acquisition of 1750 Acres of Bottomland with Nature  
Appreciation Facilities

Dear Mr. Ellis and Ms. Smethurst:

This letter is sent on behalf of Build Coleman Park, Inc., which is a not for profit corporation whose mission is to assist with the planning, construction and operation of Coleman Park, a 150 acre site on the West side of Mabelvale Pike that was part of the Coleman dairy. Of course, the development of Coleman Park cannot be realized without an expansion of BFI's Model Fill landfill, located on the East side of Mabelvale Pike. Attached to this letter is a list of the members of the Board of Directors of Build Coleman Park, Inc. Build Coleman Park, Inc. has an active web site, [www.buildcolemanpark.org](http://www.buildcolemanpark.org) and through this and other outreach programs widespread community support for the construction of Coleman Park has been realized.

We understand that the Corps of Engineers has requested comment about a plan to acquire wetlands in the Fourche Creek bottomlands and to develop recreational facilities east of the railroad tracks. Part of the planned acquisition includes the 150 acres identified for Coleman Park. While we applaud the efforts of the City of Little Rock and the Corps to enhance this unique urban wetland, we support an alternative development design proposed by BFI for Coleman Park. BFI has proposed to develop Coleman Park into a comprehensive park, that will include creating natural bottomland forested hardwood wetlands, a fishing lake, canoe launch, walking trails, sports and recreational fields and a playground. The community has worked with BFI to design Coleman Park in a manner that will be compatible with and actually enhance the Fourche Creek Basin nature appreciation facilities, while at the same time providing opportunities for the children and families in our community that will not otherwise be available. After development of Coleman Park, it will be donated to the City of Little Rock and can become part of the protected urban wetlands. We oppose the the proposal for Coleman





Ellis/Smethurst Letter  
November 28, 2005  
Page 2

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Park as described in the Corps proposal because it will deprive the City of Little Rock and its residents of the much needed recreational features, flood storage improvements, and environmental benefits planned for Coleman Park.

We urge you to incorporate BFI's Coleman Park design into your plans for Fourche Creek.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Joan Stapp" followed by "James McCarthy". The signature is written in black ink on a white background.

**BUILD COLEMAN PARK, INC.  
MEMBERS AS OF 11/28/05**

James McCarthur, President Build Coleman Park, Inc.; President and General Manager, Global Services

Donna Hall, Principal, Geyer Springs Elementary School

Dale Stevener, Consultant, Build Coleman Park, Inc.

Tyrone McGraw, Head Basketball Coach, Philander Smith College

William Hawkins, University of Arkansas Medical System

Carolyn Foster, Board of Directors, Geyer Springs Neighborhood Association

Betty Snyder, Board of Directors, Geyer Springs Neighborhood Association

Michael A. Miller, Board of Directors, Geyer Springs Neighborhood Association

Carolyn Heitman, Board of Directors, John Barrow Neighborhood Association

Joa Stafford Humphries, Board of Directors, Geyer Springs Neighborhood Association

Doris Wright, Board of Directors, John Barrow Neighborhood Association



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

NOV 17 2005

*mw* 11/30/05

Colonel Wally Z. Walters  
District Engineer  
Corps of Engineers  
Little Rock District  
700 West Capitol  
P.O. Box 867  
Little Rock, AR 72203-0867

Dear Colonel Walters:

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) Regulations for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Limited Reevaluation Report and Supplemental Draft Environmental Impact Statement (SDEIS) for the proposed acquisition of 1,750-acres of bottomland hardwoods with nature appreciation facilities for environmental preservation and recreation.

On behalf of the U.S. Environmental Protection Agency, we strongly support the U.S. Army Corps of Engineers plans to proceed with purchase of the 1,750 acres of bottomland hardwoods as was envisioned in the 1981 Report of the Chief of Engineers when planning flood control in the Fourche Bayou Basin plan. This decision is consistent with the original plan, and is a significantly sized tract that will provide both additional water storage and filtration, as well as important habitat, immediately and over the future when this area might otherwise have been subjected to developmental pressures. The Corps of Engineers is to be commended for taking this important step to bring the Fourche Basin project to closure.

EPA rates the DEIS as "LO," i.e., EPA has "Lack of Objections " to the proposed action as described in the DEIS. Our classification will be published in the Federal Register according to our responsibility under Section 309 of the Clean Air Act to inform the public of our views on proposed Federal actions. If you have any questions, please contact Michael Jansky of my staff at 214-665-7451 or by e-mail at [jansky.michael@epa.gov](mailto:jansky.michael@epa.gov).

EPA appreciates the opportunity to review the DEIS. Please send our office two copies of the FEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20460.

Sincerely yours,

Rhonda M. Smith, Chief  
Office of Planning and  
Coordination (6EN-XP)



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
P.O. Box 26567 (MC-9)  
Albuquerque, New Mexico 87125-6567



IN REPLY REFER TO:

November 16 2005

ER 05/897

Colonel Wally Z. Walters  
District Engineer  
U.S. Army Corps of Engineers  
ATTN: Ms. Julia Smethurst, Project Manager  
PO Box 867  
Little Rock, Arkansas 72203-0867

Dear Colonel Walters:

The U.S. Department of the Interior has reviewed the Limited Reevaluation Report and Supplemental Draft Environmental Impact Statement (DEIS) for Acquisition of 1,750-acres of Bottomland with Nature Appreciation Facilities, Fourche Bayou Basin, Arkansas. In this regard, we have NO COMMENT.

Thank you for the opportunity to review this document.

Sincerely,

Stephen R. Spencer  
Regional Environmental Officer

U.S. DEPARTMENT OF THE INTERIOR  
Office of Environmental Policy and Compliance  
P.O. Box 26567 (MC-9)  
Albuquerque, New Mexico 87125-6567



# The Department of Arkansas Heritage

Mike Huckabee, Governor  
Cathie Matthews, Director

Arkansas Arts Council

Arkansas Historic  
Preservation Program

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars  
Cultural Center

Old State House Museum



## Arkansas Natural Heritage Commission

1500 Tower Building  
323 Center Street  
Little Rock, AR 72201  
(501) 324-9619

fax: (501) 324-9618  
tdd: (501) 324-9811

e-mail: [info@arkansasheritage.org](mailto:info@arkansasheritage.org)

website:

<http://naturalheritage.com>

An Equal Opportunity Employer



Date: December 1, 2005

Subject: Public Draft, Limited Reevaluation Report and  
Supplemental Environmental Impact Statement for  
Acquisition of 1,750-acres of Bottomland with  
Nature Appreciation Facilities

ANHC No.: F-COEL-05-073

Mr. Randy Young, Chairman  
Technical Review Committee  
101 E. Capitol, Suite 350  
Little Rock, AR 72203

Dear Mr. Young:

Staff members of the Arkansas Natural Heritage Commission (ANHC) have reviewed the Public Draft of the Limited Reevaluation Report and Supplemental Environmental Impact Statement for the Acquisition of 1,750-acres of Bottomland with Nature Appreciation Facilities. Acquisition of the land and construction of the Nature Appreciation Facilities were originally part of the flood control project recommended by the Chief of Engineers in 1981. A 1983 Record of Decision excluded this section of the project from funding. The project, as recommended in the 1981 report, was authorized by Section 401(a) of the Water Resources Development Act of 1986. After requests by the City of Little Rock, the Corps agreed to prepare a limited reevaluation report for the land acquisition and nature appreciation facilities. This report evaluated costs, environmental impacts, and project changes. The report concluded that the land acquisition for environmental protection and flood reduction with nature appreciation facilities is consistent with policy and within the Division Commander's authority to approve.

This agency is supportive of the acquisition of 1,750-acres within the Fourche Bayou Basin. This area is a highly significant urban wetland. The Forested Channel natural community appears to be of high natural quality, and one of the few remaining examples in the area. Also, with increased urban development in Little Rock, these bottoms are increasingly important in terms of flood water storage. ANHC staff worked for the inclusion of this feature in the original project design. Had the project been funded at that time, some of the wetland fills that have since occurred could have been averted.

The opportunity to comment is appreciated.

Sincerely,

Cindy Osborne  
Data Manager

CC: Julia Smethurst, Corps of Engineers, Little Rock District



# The Department of Arkansas Heritage

Mike Huckabee, Governor  
Cathie Matthews, Director

November 18, 2005

Ms. Julia A. Smethurst  
Project Manager  
Little Rock District Corps of Engineers  
Planning, Environmental and Regulatory Division  
Post Office Box 867  
Little Rock, Arkansas 72203-0867

RE: Pulaski County - Little Rock  
Section 106 Review - COE  
Fourche Bayou Basin Nature Appreciation Facilities  
AHPP Tracking No: 49674

- Arkansas Arts Council
- 
- Arkansas Natural Heritage Commission
- 
- Delta Cultural Center
- 
- Historic Arkansas Museum
- 
- Mosaic Templars Cultural Center
- 
- Old State House Museum

Dear Ms. Smethurst:

My staff has reviewed the draft Supplemental Environmental Impact Statement and the draft report entitled "Fourche Creek Basin Nature Appreciation Facilities Historic Properties Review of the 1750-Acre Bottomland Acquisition and Phase I Survey of Approximately 3 Miles Access Roads and Foot Trails in the City of Little Rock and within the Ozark-Arkansas-Ouachita Region, Pulaski County, Arkansas" by Historic Preservation Associates. This report meets the standards contained in "A State Plan for the Conservation of Archeological Resources in Arkansas" and is acceptable. We concur with the recommendations of the author that the construction of the access road in the vicinity of the Allis Mill should be monitored by a professional archeologist to determine if evidence of the mill exists in the area. A report of the monitoring should be submitted to this office for review after the monitoring is complete.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,

  
Ken Grunewald  
Deputy State Historic Preservation Officer

## Arkansas Historic Preservation Program

1500 Tower Building  
323 Center Street  
Little Rock, AR 72201  
(501) 324-9880  
fax: (501) 324-9184  
tdd: (501) 324-9811

e-mail:  
info@arkansaspreservation.org  
website:  
www.arkansaspreservation.org

cc: Mr. Christopher G. Davies, Little Rock District Corps of Engineers  
Dr. Ann M. Early, Arkansas Archeological Survey  
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma

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# The Department of Arkansas Heritage

Mike Huckabee, Governor  
Cathie Matthews, Director

November 10, 2005

Ms. Julia A. Smethurst  
Project Manager  
Little Rock District Corps of Engineers  
Planning, Environmental and Regulatory Division  
Post Office Box 867  
Little Rock, Arkansas 72203-0867

RE: Pulaski County - Little Rock  
Section 106 Review - COE  
Fourche Bayou Basin Limited Reevaluation Report  
AHPP Tracking No: 49674

- Arkansas Arts Council
- 
- Arkansas Natural Heritage Commission
- 
- Delta Cultural Center
- 
- Historic Arkansas Museum
- 
- Mosaic Templars Cultural Center
- 
- Old State House Museum

Dear Ms. Smethurst:

My staff has reviewed the Limited Reevaluation Report and Supplemental Environmental Impact State for Acquisition of 1,750-Acres of Bottomland with Nature Appreciation Facilities.

On June 4, 2003, we recommended that a cultural resources survey be conducted in areas of new construction. This work has been completed by Historic Preservation Associates but we have no record that the report was submitted to our office for Section 106 review. The District Archeologist has forwarded a copy to my staff and we will review this document as expeditiously as possible.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please contact Steve Imhoff of my staff at (501) 324-9880.

Sincerely,

Ken Grunewald  
Deputy State Historic Preservation Officer

cc: Mr. Tracy L. Copeland, State Clearinghouse  
Mr. Christopher G. Davies, Little Rock District Corps of Engineers  
Dr. Ann M. Early, Arkansas Archeological Survey  
Ms. Carrie V. Wilson, Quapaw Tribe of Oklahoma



## Arkansas Historic Preservation Program

1500 Tower Building  
323 Center Street  
Little Rock, AR 72201  
(501) 324-9880  
fax: (501) 324-9184  
tdd: (501) 324-9811  
e-mail:

info@arkansaspreservation.org

website:

www.arkansaspreservation.org

An Equal Opportunity Employer





**FEMA**

**FEDERAL EMERGENCY MANAGEMENT AGENCY  
REGION VI  
MITIGATION DIVISION**

**PUBLIC NOTICE REVIEW**

We have no comments to offer     We offer the following comments

**WE WOULD REQUEST THAT THE LOCAL  
FLOODPLAIN ADMINISTRATOR BE CONTACTED FOR  
THE REVIEW AND POSSIBLE PERMIT REQUIREMENTS  
FOR THIS PROJECT**

REVIEWER MITIGATION DIVISION

DATE 11-7-05





REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
LITTLE ROCK DISTRICT, CORPS OF ENGINEERS  
POST OFFICE BOX 867  
LITTLE ROCK, ARKANSAS 72203-0867

*Richardson*  
*10-7-05*

October 3, 2005

Planning, Environmental and Regulatory Division  
Planning Branch

AR Regional Director  
FEMA, Region VI  
Federal Regional Center  
800 North Loop 288  
Denton, TX 76210

MT DIVISION - Region VI	
LOG#	<i>05-10-1092</i>
Received	<i>10 / 7 / 05</i>
BY	<i>ce</i>
DE-LOG	
BY	

Dear Mr. :

On behalf of the Corps of Engineers, enclosed for your review and comment is a copy of the Draft Supplemental Environmental Impact Statement (DSEIS) for the Fourche Bayou Basin Limited Reevaluation Report (LRR), Arkansas. The DSEIS has been prepared in accordance with the National Environmental Policy Act (NEPA) and the U.S. Army Corps of Engineers NEPA Implementing Regulation ER 200-2-2.

The 45-day public comment period will end 28 November 2005. Comments may be sent to the following e-mail address: [jim.d.ellis@usace.army.mil](mailto:jim.d.ellis@usace.army.mil). Questions regarding this report may be addressed to Ms. Julia Smethurst, project manager, at 501-324-5602, or Mr. Jim Ellis at 501-324-5629.

Sincerely,

*Julia A Smethurst*

Julia A. Smethurst  
Project Manager

Enclosure

*05-10-5032*

Date Rec'd:	<i>10-6-05</i>		
Initiator:	<i>H</i>		
	Action	Info	Initial
RD			<input checked="" type="checkbox"/>
DRD			<input checked="" type="checkbox"/>
XA			
EO			
EA			
RR			
NP			
IM	<input checked="" type="checkbox"/>		
AR			
FCO			
MERS			<input checked="" type="checkbox"/>
File			
Suspense			
Date:	<i>10-21-05</i>		



November 28, 2005

Ms. Julia Smithurst  
Planning Division  
U.S. ARMY CORPS OF ENGINEERS  
Little Rock District  
700 West Capitol Avenue  
Little Rock, Arkansas 72201

RE: Public Comments  
Supplemental Environmental Impact Statement and Limited Reevaluation Report  
Fourche Bayou Basin

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Dear Ms. Smithhurst:

Please accept this letter and the accompanying attachments and figures that are submitted on behalf of BFI Waste Systems of Arkansas, L.L.C (BFI) and its attachments as comments on the Supplemental Environmental Impact Statement (SEIS) and the Limited Reevaluation Report (LRR) prepared by the U.S. Army Corps of Engineers (USACE). The SEIS and LRR were prepared to support the reevaluation of the by the U.S. Congress to exclude acquisition of 1,750 acres within the Fourche Creek Bottomlands from funding. In 1983, Congress funded the Fourche Creek channelization project for flood control. At that time a proposed 1,750 acre bottomlands acquisition and recreational area development was rejected for funding. The 1,750 acre area under consideration for acquisition was a single, contiguous parcel of bottomland wetlands as identified in Attachment A, a figure originally presented in the SEIS. This parcel is hereinafter referenced as the Initial Project Area. The SEIS and LRR continue to propose recreational facilities within the Initial Project Area, but substitute lands that are non-contiguous to the Initial Project Area, including lands west of Mabelvale Pike. These new lands comprise the parcel hereinafter referenced as the Proposed Project Area. The purported rationale for the substitution of properties is to eliminate properties with potential hazardous substances, and substitute properties with the potential to be developed such that the project area could be adversely impacted. (1) As expressed in the SEIS and LRR, the vast majority of the 1,750 acres of bottomlands in the project are proposed to be left "unconstructed" to preserve/protect the

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(1) The potential legal implications of this substitution could jeopardize the Congressional funding for this project.

bottomland hardwoods in the Initial and Proposed Project Areas.

These comments primarily address a 124 acre tract of land west of Mabelvale Pike, which was formerly part of the Coleman Dairy. This area is identified in Attachment B, a figure originally presented in the SEIS and referenced hereinafter as the Coleman Park property. The SEIS includes an incorrect description of the proposed BFI landfill expansion project and does not acknowledge the proposed utilization of the Coleman Park property. Furthermore, the SEIS incorrectly suggests that the proposed BFI development would encroach into the Proposed Project Area, potentially resulting in adverse impacts and reduced beneficial impacts to the Proposed Project Area.

The purpose of these comments is to correct the record regarding BFI's proposed landfill expansion project, which does not encroach upon the Proposed Project Area. BFI's proposed landfill expansion project is limited to the lands located east of Mabelvale Pike that are currently used for landfill operations. None of the lands identified in the SEIS for acquisition are part of the proposed landfill expansion. Furthermore, these comments correct the record regarding BFI's proposed utilization of the Coleman Park property. The Coleman Park property is a parcel of land previously used as upland pasture lands in support of the Coleman Dairy operations in Little Rock. This area is highlighted on the attached Figure 1. BFI has acquired an option to purchase the Coleman Park property. BFI's proposed plans for Coleman Park include an improvement and development strategy for approximately 124 of the 1,750 acres designated for acquisition. The Coleman Park area is on the western side of Mabelvale Pike and west of the Initial Project Area. The remainder of this letter is organized to provide: (i) a brief introduction of the proposed landfill development activities; (ii) a brief summary of the proposed Coleman Park development strategy; and (iii) a formal response and a series of comments to the SEIS and the LRR.

### **Landfill Expansion Project Synopsis:**

BFI proposes to expand the existing landfill located on the east side of Mabelvale Pike shown on Figure 1. The proposed expansion will include a lateral expansion within the diked parcel of land east of Mabelvale Pike and a vertical expansion that places new waste on top of the existing landfill. The landfill will be designed to meet the Arkansas Department of Environmental Quality (ADEQ) Solid Waste regulations. The entire landfill expansion will be confined to the existing landfill site.

Expansion of the landfill will require the need for a borrow source of soil and low-permeability materials necessary for landfill construction. BFI proposes to excavate the borrow materials needed for construction from the previously referenced Coleman Dairy property located on the west side of Mabelvale Pike. The excavated materials will be excavated from the Coleman Dairy property, temporarily stockpiled within the Coleman Dairy property, and ultimately placed on a conveyor system for transport across Mabelvale Pike to the landfill site where the materials will be used for landfill construction. The total volume of soil removed from the Coleman Dairy property will be approximately 536 acre feet or 864,746 cubic yards.

## **Coleman Park Development Synopsis:**

The strategy for the proposed BFI landfill expansion project includes: (i) soil excavation on the adjacent Coleman Dairy property; (ii) development of an extensive wetland and bottomland hardwood park; and (iii) development of a diverse public-access recreational and educational park on the Coleman Dairy property. This area will be hereinafter referenced as the Coleman Park. As part of these proposed development activities, a significant amount of additional flood storage will be provided to help protect this area in Southwest Little Rock from flooding during low-frequency storm events. The proposed Coleman Park development strategy includes the following integral components.

- Coleman Dairy Property (Total) ~124 acres
- Coleman Park Constructed Wetlands ~53 acres
- Coleman Park Constructed Pond ~11 acres
- Coleman Park Athletic Fields ~17 acres
- Coleman Park Picnic Areas ~8 acres
- Coleman Park Canoe Launch Area ~4 acres
- Undeveloped Setbacks and Easements ~31 acres

The soil materials needed to support the landfill expansion activities will be excavated in phases from the Coleman Dairy property. The initial phase will remove the topsoil from the future fishing pond and stockpile the materials for future use in developing wetlands and bottomland hardwoods. Additional soil will be excavated from the pond and stockpiled for future landfill expansion activities. Future stages of the Coleman Park will be developed incrementally to minimize the amount of disturbed area and to allow the seasonal re-vegetation of disturbed areas. In all stages, the topsoil will be initially removed and stockpiled, followed by the excavation of the non-topsoil materials. As described in subsequent sections of this letter, stormwater management during the staged development is a primary consideration and extensive phasing plans have been developed.

As shown on Drawing Number 1, Coleman Park will be developed to provide a diverse environment for the public, including the development of soccer fields, practice ballfields, picnic and playgrounds, a canoe launch area, and a series of walking and jogging trails. These public recreational areas will be developed as soon as practicable in the early stages of the overall project. The heart of the Coleman Park, however, will be the extensive wetland and bottomland hardwood development. Upon completion of the excavation within the future wetland areas and the pond, the stockpiled topsoil will be replaced in the wetland areas and the wetland vegetation, including bottomland hardwoods, will be planted throughout the areas. The wetland and bottomland hardwood areas will be constructed with locally depressed areas to allow water to pond within the wetland. The wetland areas will be connected to Rock Creek, Fourche Creek and Coleman Creek to allow occasional flooding of the areas. The goal of the wetlands development component of the project is to establish the designated wetland areas as bottomland hardwood flats that will compliment the existing Fourche Creek Bottomlands.

The Coleman Park development will also be connected to the proposed University of Arkansas Little Rock (UALR) Track and Field Complex as shown on Drawing Number 1. UALR owns the property to the north of (and contiguous with) the future Coleman Park area formerly known as the Asher Drive Inn. UALR's Master Plan calls for this property to be developed as a competition-level facility for both track and field and soccer activities. As part of the Coleman Park development, BFI will provide for grading of the UALR property to accept the new athletic complex.

BFI has developed the conceptual plans for Coleman Park in coordination with Build Coleman Park Coalition, a grassroots coalition of community leaders and other community supporters of the Coleman Park development. The Build Coleman Park Coalition has provided, and will continue to provide BFI with comments and ideas regarding the local neighborhood's needs and desires for the park. Attached for your reference are artist renderings of the proposed Coleman Park developments. You can see these renderings and other information at [www.BuildColemanPark.org](http://www.BuildColemanPark.org).

### **Public Comment to the SEIS and the LRR**

As will be described in these public comments, it is believed that BFI's proposed development strategy for Coleman Park is completely consistent with the proposed USACE plan. However, when this development strategy is compared to the USACE plan as outlined in the SEIS and the LRR, BFI believes that these proposed developments reduce adverse environmental impacts and significantly better utilize the natural resources with regards to the following eight topical areas: (i) preservation/protection; (ii) flood control; (iii) wetlands development; (iv) bottomland hardwood preservation/enhancement; (v) recreational/environmental opportunities for the public; (vi) post-development water quality; (vii) water quality during construction; and (viii) cost sharing. The remainder of this document is organized to provide a brief summary of the USACE proposed strategy for the Coleman Park parcel with regards to each of these seven topical areas followed immediately by a description of the proposed alternative strategy that includes the development of Coleman Park

(i) Preservation/Protection: The SEIS and LRR promote preservation and protection of the Proposed Project Area. The narrative in these reports includes a lengthy discussion of the benefits of a park and nature center on the eastern side of the 1,750 acre parcel to help achieve this objective. The Coleman Park parcel is on the extreme western side of the proposed parcel and is physically divided from the other portions of the parcel by Mabelvale Pike. It will be difficult to preserve and protect this parcel in its current natural setting because it is at a significantly higher elevation and physically separated from the eastern parcel. Under BFI's proposed Coleman Park development strategy, this area will be developed into a public park and a wetland and bottomland hardwood preserve. Extensive new plantings are proposed to help enhance this area, not merely preserve it in its natural condition. Under the proposed strategy, BFI has proposed a source of funding that will generate over \$2.0 million to help maintain the park and wetland/hardwood preserve that will significantly help achieve the objectives desired by USACE. Attachment C includes a copy of the proposed Community Commitment Agreement that has been endorsed by the Build Coleman Park Coalition and has been submitted to the City of Little Rock for review and consideration.

(ii) Flood Control: The SEIS and LRR appear to have a small net fill into the floodplain of about 1 ac-ft on the eastern side of the 1,750-acre parcel but there is no discussion of flood volume compensation or a discussion of the potential negative impacts to flood storage under the USACE proposal, nor is there any reference to the requirements established by the Federal Emergency Management Agency (FEMA) regarding the compensation for the filling needed to support the proposed plan. In 1995, the City of Little Rock required BFI to mitigate filling activities that had occurred in the floodway of Fourche Creek during the early phases of the landfill development prior to BFI's ownership of the landfill site. BFI's mitigation effort could only be accomplished through the construction of a large flood shortage basin and a series of pumps to maintain adequate compensatory flood storage. The floodway management strategy approved at that time by the City of Little Rock and USACE involved permanent pumps that maintain the required flood storage volumes in the storage basin located on the landfill property. As part of BFI's proposed landfill expansion design, the City of Little Rock has requested that BFI advance a development and mitigation plan to eliminate the need for long-term pumping. BFI responded to the City's request by utilizing the proposed excavation and development strategy at Coleman Park. BFI's proposed efforts will eliminate the necessity to maintain active pumping at the landfill for flood control after closure of the expanded landfill. Under the proposed flood mitigation strategy, Coleman Park will be developed in a manner that will provide additional flood storage for low-frequency storm events through excavation and development of the wetland and bottomland hardwood preserve. As a result, the pumping strategy will no longer be necessary at the landfill after closure of the expanded landfill. There will also be a net increase in overall flood storage capacity for both the 100-year flood and low-frequency storm events. The revised flood storage proposal has been presented formally to FEMA with the requisite request for a conditional letter of map revision (CLOMR) required by FEMA and the City of Little Rock prior to any filling in the floodway of Fourche Creek. As demonstrated in the CLOMR request (copy attached to these comments), BFI's proposed development strategy results in a net gain of flood storage, additional protection from flooding during low-frequency storm events, and the elimination of the long-term active pumping. None of these important flood management benefits will be available under the proposed development included in the SEIS and the LRR.

(iii) Wetlands: The SEIS and LRR reference the importance of wetlands in the Fourche Bayou Basin. Currently, there are fewer than five acres of wetlands in the Coleman Dairy parcel, as the elevation of the area is typically six to eight feet above the base flow elevation of Fourche Creek. These wetlands appear to be manmade as a result of ponds that were excavated for the grazing dairy cattle. BFI's proposed strategy includes the excavation of an approximately 11 acre pond and the development of approximately 53 acres of high-quality wetland and bottomland hardwoods. These wetlands will be created by significant excavation of soils in the area down to within approximately one foot of the base flow elevation of Fourche Creek. The existing topsoil and surficial hydric soils in the area will be excavated and stockpiled and will ultimately be placed as the uppermost soil in the newly created wetlands. Waters from Rock Creek, Coleman Creek, and Fourche Creek will be allowed to recharge the newly created wetlands. In this manner, BFI's proposed Coleman Park development strategy will significantly increase the size and enhance the quality of the wetland habitat in the area, not merely "preserve" a few acres of low quality stock pond wetlands.

(iv) Natural Bottomland Hardwood Forest: In the SEIS, it is noted that the 1,750-acre tract is the last remaining significant tract of natural bottomland hardwood forest in the area. While this is true of the vast majority of the 1,750-acre parcel, it does not appear to be the case on the referenced Coleman Park parcel. Specifically, the portions of the referenced USACE purchase located west of Mabelvale Pike, including the Coleman Park property, are at a significantly higher elevation than Fourche Creek and currently consist of former pasture land, not hardwoods. The highest density of hardwoods in this area is along the banks of Fourche, Rock, and Coleman Creeks. Under the proposed alternative development strategy, a minimum 50-foot wide buffer zone adjacent to each of the creeks is protected, providing for preservation of the existing hardwoods. In addition, significant new planting of bottomlands hardwoods is proposed under the alternative strategy. The proposed source of funding would help assure the establishment and ultimate preservation of these new resources. It is noted that part of the Coleman Park development includes the creation of recreational ballfields in the areas previously used as pasture. In the SEIS and LRR, USACE proposes to “maintain” these pasture lands. In the BFI strategy, while only a limited amount of trees will be planted in this area, there will be a limited amount of impervious surfaces and very large areas of relatively flat contours and pervious ground cover that promote infiltration of stormwater. Therefore, BFI believes that the USACE goal of protection of resources will be provided under the proposed strategy. BFI plans to deed the Coleman Park property to the City of Little Rock, therefore, eliminating the possibility for future adverse development of this property.

(v) Recreational and Environmental Opportunities for the Public: The SEIS and the LRR demonstrate the vitality of the Fourche Creek Bottomlands as a recreational and environmental education resource for the public. Under the proposed alternative strategy, significant acreage of wetlands, bottomland hardwoods, and ponds is created for use by the public. This portion of Coleman Park is extensively crossed by a series of boardwalks and trails to provide access and education opportunities for the public. In addition, BFI’s proposed development strategy includes approximately 17 acres of soccer fields and practice ballfields, 8 acres for picnic and playgrounds, and 4 acres for a canoe launch. These areas collectively provide public access for a diverse range of recreational activities. These areas are adjacent to and contiguous with the wetland and bottomland hardwood preserve, which will facilitate access to the newly created environmental resources in the area.

(vi) Post-Development Water Quality : The construction of pond and wetland/hardwood areas within Coleman Park with connections to Rock Creek, Coleman Creek and Fourche Creek will allow the wetland area to function as a water filter during small flood events. The interconnection of the constructed wetland areas will establish natural hydrologic conditions in the areas, where the flood waters will recharge and will be temporarily stored. These conditions will allow a significant portion of the suspended materials to settle out before flowing back into Fourche Creek. Discharge points from the constructed wetlands will include sediment forebays to facilitate removal of coarse sediments. These recharge/discharge areas will also include constructed litter booms or other screening devices to remove floating litter debris. The sediment forebays and litter debris will be cleaned and maintained regularly, with the collected materials being disposed at the BFI landfill. At a minimum, the combination of these best management practice (BMP) devices (i.e., sediment forebays, litter booms, and wetlands) will collectively remove a large percent of the sediment/debris that would otherwise be transported into the lower reaches of Fourche Bottoms. This degree of water quality improvement is not possible by simply preserving the natural upland conditions. Therefore, BFI

believes that the proposed strategy is entirely consistent with the USACE objectives and will significantly improve water quality when compared to the USACE protection and preservation option.

(vii) Water Quality During Construction: During the October 27, 2005 meeting between Pollution Management, Inc. (PMI) and USACE, several questions were raised regarding erosion and sediment control management practices during construction. The answer to controlling stormwater quality, sediment and erosion control during construction is to implement Best Management Practices (BMP's) that will allow BFI to construct the various features on the Coleman property during removal of the clay materials. As described in the previous item, BFI proposes to implement several physical BMPs to provide stormwater protection during and after construction. An additional BMP that is proposed includes the phased construction of the improvements on Coleman Park to facilitate control of stormwater at the site from the perspective of erosion and sediment control. The tentative phasing of the construction improvements is enumerated below and presented visually in the six figures presented in Attachment D.

Phase I: Excavate and stockpile soil from sediment pond; construct Perimeter berm and trail; develop wetland area in northeast corner; grade playground, soccer fields, and practice fields. See Figure 1 in Attachment D.

Phase II: Excavate Stage 1 borrow area; develop picnic/playground, soccer fields, and practice fields; construct canoe launch area. See Figure 2 in Attachment D.

Phase III: Develop Stage 1 wetland/hardwood area; excavate Stage 2 borrow area. See Figure 3 in Attachment D.

Phase IV: Excavate Stage 3 borrow area; continue wetland planting; construct boardwalks. See Figure 4 in Attachment D.

Phase V: Excavate Stage 4 borrow area; continue wetland/hardwood planting. See Figure 5 in Attachment D.

Phase VI: Complete wetland/hardwood planting; remove pond sediment; develop fishing pond and interior trail; construct fishing pier; breach perimeter berms and construct sediment forebays. See Figure 6 in Appendix A.

The perimeter berms will be constructed to the design flood elevation required by the City of Little Rock (i.e., the 25-year, 24-hour storm event) to protect the working area from inundation during low-frequency flood events. Flood events greater than the design storm will result in water overtopping the perimeter berm. This water will, however, be fully captured within the bermed area, thus allowing a portion of the suspended sediment to settle prior to discharge into the Fourche Creek.

(viii) Cost Sharing: The SEIS and the LRR require cost sharing by the City of Little Rock in the amount of 20 percent for land acquisition, 50 percent for nature appreciation facilities, and 100 percent for operation and maintenance. Based on the prevailing market land



vicinity of University and Asher Avenues in Southwest Little Rock, the SEIS-estimated land acquisition cost for the Coleman Park property is grossly undervalued. Under the BFI proposal, the Coleman Park property will be purchased by BFI and ultimately donated to the City of Little Rock, after construction of the nature appreciation facilities proposed for Coleman Park. Through the development of the Coleman Park as a wetland and bottomland hardwood preserve, coupled with the donation of the property to the City of Little Rock, it is apparent that the City of Little Rock will be able to contribute to the USACE project an extremely valuable parcel of land that offers significant recreational features in addition to the unprecedented stormwater management benefits and wetland habitat benefits. BFI believes that this proposed development strategy provides significant cost sharing toward this project, without impacting its already strained budget of the City of Little Rock.

### **Closure**

Attached with this letter is a draft Construction Stormwater Pollution Prevention Plan (SWPPP) for the proposed project. The SWPPP describes the construction phase BMP's and maintenance of these BMP's. BFI will coordinate the development of this SWPPP with Audubon Arkansas to provide maximum protection of Fourche Creek during and following construction. On behalf of BFI, I hope this information is helpful to USACE. If USACE has any questions upon review of this document, please do not hesitate to contact me.

Sincerely,

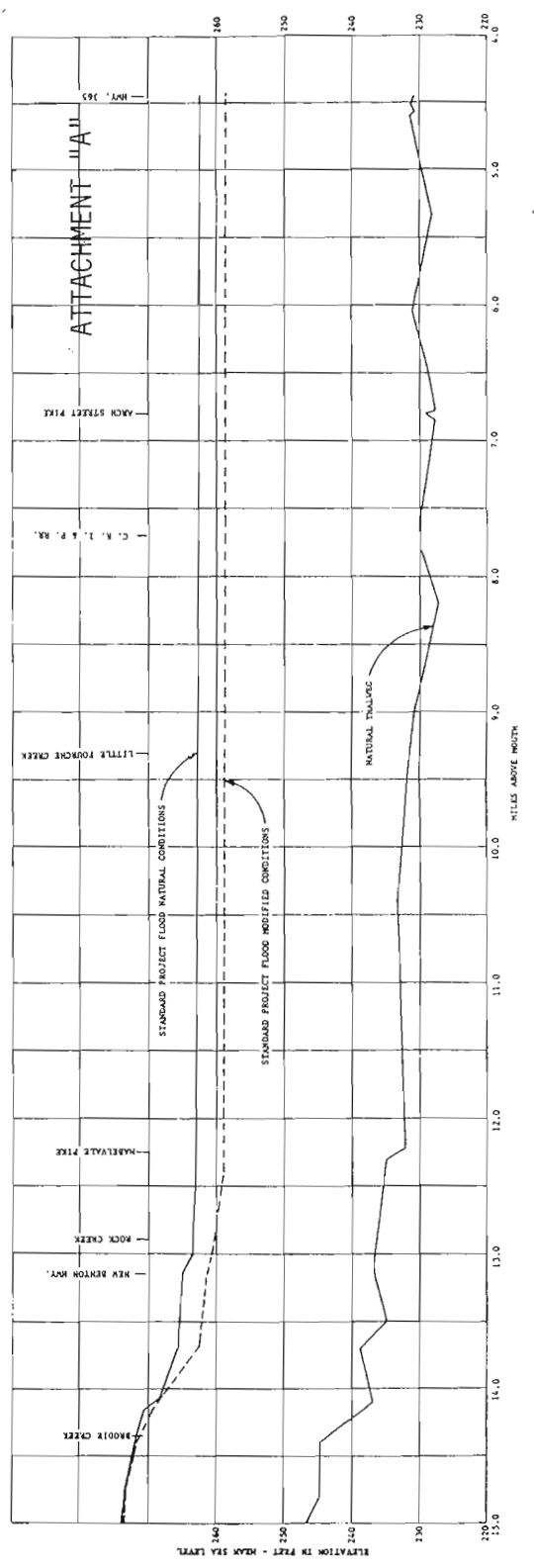
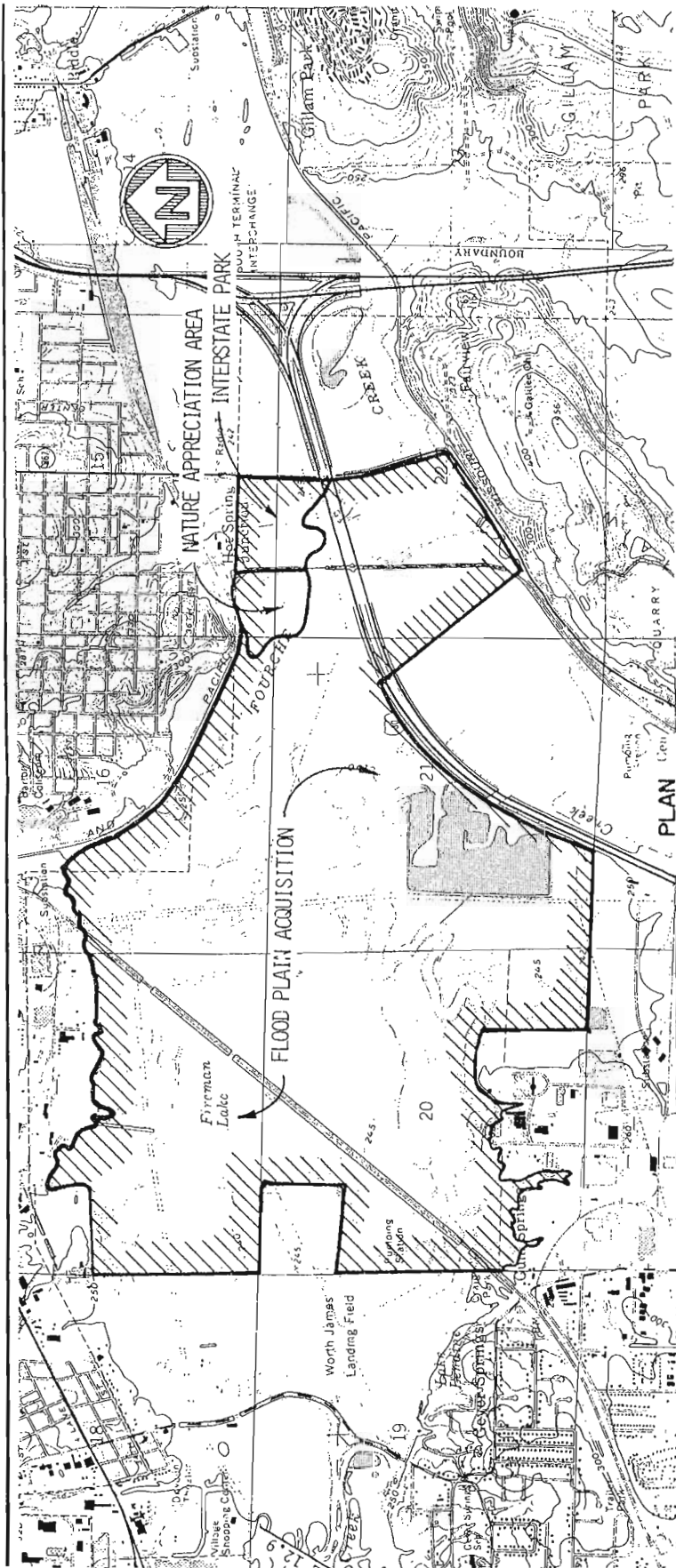
POLLUTION MANAGEMENT, INC.



Wm. Doug Ford, P.E.

WDF/mef

Copy: Jimmy Fleming – BFI Waste Systems of Arkansas  
Johan Linker - BFI Waste Systems of Arkansas  
Robert Bachus – GeoSyntec Consultants  
Chuck Nestrud – Chisenhall, Nestrud, and Julian, P.A.  
Craig Douglas – Craig Douglas Communications  
Dale Stevener – Build Coleman Park Coalition



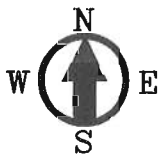
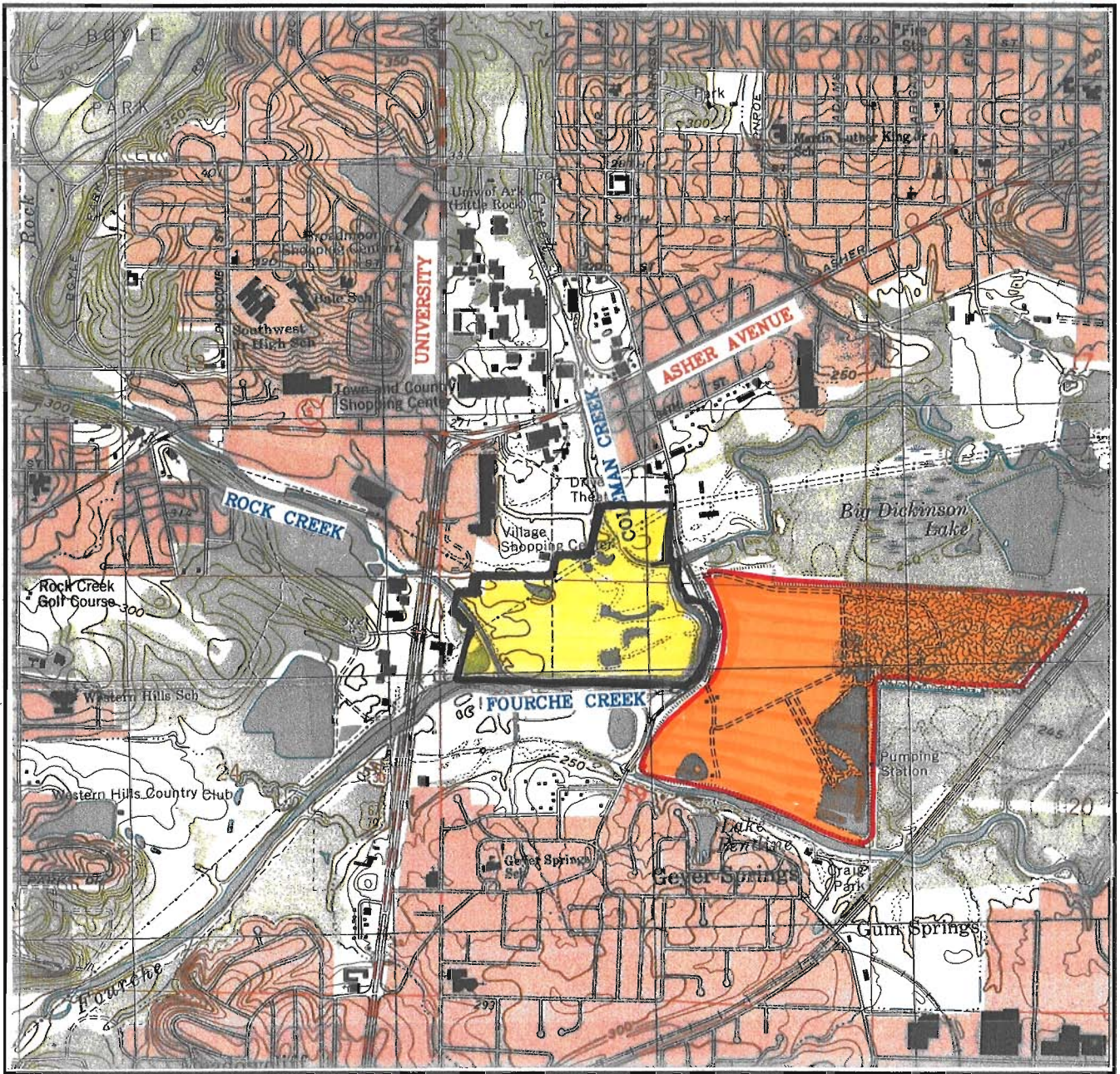


FIGURE NO. 1

- denotes Coleman Property proposed for development into Coleman Park.
- denotes BFI Landfill.



# **Attachment C**

## **404(b)(1) EVALUATION**

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**SHORT FORM**  
Evaluation of Section 404(b)(1) Guidelines

Formal Review Should Follow Close of Public Notice Comment Period.

APPLICANT: USACOE, LRD - Fourche Land Acquisition

APPLICATION NUMBER: \_\_\_\_\_

1. Review of Compliance (Section 230.10(a)-(d)).

Preliminary 1/

Final 2/

A review of the permit application indicates that:

a. The discharge represents the least environmentally damaging practicable alternative and if in a special aquatic site, the activity associated with the discharge must have direct access or proximity to, or be located in the aquatic ecosystem to fulfill its basic purpose (if no, see section 2 and information gathered for EA alternative); .....YES [X] NO [ ]\* YES [X] NO [ ]

b. The activity does not appear to: 1) violate applicable state water quality standards or effluent standards prohibited under Section 307 of the CWA; 2) jeopardize the existence of Federally listed endangered or threatened species or their habitat; and 3) violate requirements of any Federally designated marine sanctuary (if no, see section 2b and check responses from resource and water quality certifying agencies); .....YES [X] NO [ ]\* YES [X] NO [ ]

c. The activity will not cause or contribute to significant degradation of waters of the U.S. including adverse effects on human health, life stages of organisms dependent on the aquatic ecosystem, diversity, productivity and stability, and recreational, aesthetic, and economic values (if no, see section 2); ..... YES [X] NO [ ]\* YES [X] NO [ ]

d. Appropriate and practicable steps have been taken to minimize potential adverse impacts of the discharge on the aquatic ecosystem (if no, see section 5) ..... YES [X] NO [ ]\* YES [X] NO [ ]  
\*1/, 2/ see page 3.

2. Technical Evaluation Factors (Subparts C-F)

N/A

Not Significant

Significant

a. Physical and chemical characteristics of the Aquatic Ecosystem (Subpart C-F).

1) Substrate impacts		X	
2) Suspended particulate/turbidity impacts.		X	
3) Water column impacts.		X	
4) Alteration of current patterns and water circulation		X	
5) Alteration of normal water fluctuations/hydroperiod.		X	
6) Alteration of salinity gradients.	X		

b. Biological Characteristics of the Aquatic Ecosystem (Subpart D).

1) Effect on threatened/endangered species and their habitat.	X		
2) Effect on aquatic food web.		X	
3) Effect on other wildlife (mammals, birds, reptiles, amphibians).		X	

c. Special Aquatic Sites (Subpart E).

1) sanctuaries and refuges.	X		
2) wetlands.	X		
3) mudflats.	X		
4) vegetated shallows.	X		
5) coral reefs.	X		
6) riffle and pool complexes	X		

d. Human Use Characteristics (Subpart F).	N/A	Not Significant	Significant
1) Effects on Municipal and Private Water Supplies.	X		
2) Recreational and Commercial Fisheries Impacts.	X		
3) Effects on Water-Related Recreation.		X	
4) Aesthetic Impacts.		X	
5) Effects on parks, national and historical monuments, national seashores, wilderness areas, research sites, similar preserves.		X	
REMARKS: Where a check is placed under the significant category, preparer should add explanation below.			
3. <u>Evaluation of Dredged or Fill Material (Subpart G) 3/</u>  a. The following information has been considered in evaluating the biological availability of possible contaminants in dredged or fill material. (Check only those appropriate.)			
1) Physical characteristics			X
2) Hydrography in relation to known or anticipated sources of contaminants.			X
3) Results from previous testing of the material or similar material in the vicinity of the project.			
4) Known, significant, sources of persistent pesticides from land runoff or percolation .			
5) Spill records for petroleum products or designated (Section 311 of CWA) hazardous substances.			
6) Other public records of significant introduction of contaminants from industries, cities or other sources.			
7) Known existence of substantial material deposits of substances which could be released in harmful quantities to the			X
8) Other sources (Specify).			
List appropriate references (attach sheet if necessary).			
b. An evaluation of the appropriate information in 3a above indicates that there is reason to believe the proposed dredge or fill material is not a carrier of contaminants, or that levels of contaminants are substantively similar at extraction and that the dredged material will be constrained and not allowed to flow beyond the boundaries of the disposal site. The material meets the testing exclusion criteria .....YES [X] NO [ ]			
4. <u>Disposal Site Delineation (Section 230.11(f).</u>  a. The following factors as appropriate, have been considered in evaluating the disposal site.			
1) Depth of water at disposal site.			X
2) Current velocity, direction, and variability at disposal site.			X
3) Degree of turbulence.			X
4) Water column stratification.			X
5) Discharge vessel speed and direction.			
6) Rate of discharge.			
7) Dredged material characteristics (constituents, amount, and type of material, settling velocities).			
8) Number of discharges per unit of time.			
9) Other factors affecting rates and patterns of mixing (Specify).			
List appropriate references (attach sheet if necessary).			
PROJECT DOCUMENTS			
b. An evaluation of the appropriate factors in 4a above indicates that the disposal site and/or size of mixing zone are acceptable ..... YES [X] NO [ ]			



5. Actions to minimize Adverse Effects (Subpart H).

All appropriate and practicable steps have been taken, through application of recommendation of Section 230.70-230.77 to ensure minimal adverse effects of the proposed discharge. .... YES [X] NO [ ]  
List action taken. (attach sheet if necessary)

REFERENCE CE1300, JUNE 1973, GUIDE SPECS.  
CIVIL WORKS CONSTRUCTION-ENGINEERING PROTECTION

N.B. Return to section 1 for final stage of compliance review. See also note 3/, page 3.


6. Factual Determination (Section 230.11)

A review of appropriate information as identified in items 2-5 above indicates that there is minimal potential for short or long-term environmental effects of the proposed discharge as related to:

- a. Physical substrate at the disposal site (review sections 2a, 3, 4, and 5 above) ..... YES [X] NO [ ]
- b. Water circulation, fluctuation and salinity (review sections 2a, 3, 4, and 5) ..... YES [X] NO [ ]
- c. Suspended particulate/turbidity (review sections 2a, 3, 4, and 5) ..... YES [X] NO [ ]
- d. Contaminant availability (review sections 2a, 3, and 4) ..... YES [X] NO [ ]
- e. Aquatic ecosystem structure and function (review sections 2b and c, 3, and 5) ..... YES [X] NO [ ]
- f. Disposal site (review sections 2, 4, and 5) ..... YES [X] NO [ ]
- g. Cumulative impact on the aquatic ecosystem ..... YES [X] NO [ ]
- h. Secondary impacts on the aquatic ecosystem ..... YES [X] NO [ ]

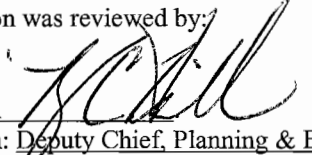
7. Evaluation Responsibility (\*See page 3)

a. This evaluation was prepared by:

Jim Ellis   
Position: Biologist, Planning & Env. Office

Date: 5 MAY 2006

b. This evaluation was reviewed by:

Roger C. Hicklin   
Position: Deputy Chief, Planning & Env. Office

Date: 8 MAY 2006

8. Findings

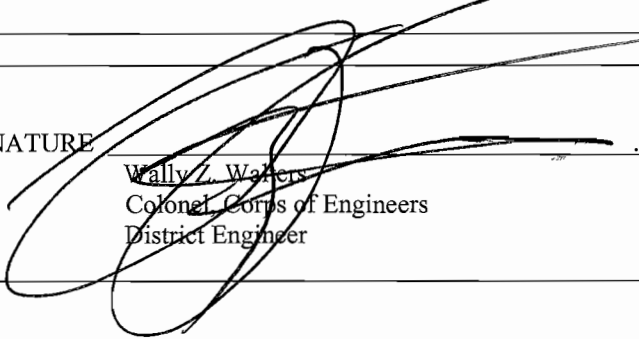
a. The proposed disposal site for discharge of dredged or fill material complies with the Section 404(b)(1) guidelines. .... [X]

b. The proposed disposal site for discharge of dredged or fill material complies with the Section 404(b)(1) guidelines with the inclusion of the following condition: (attach sheet if necessary)..... [ ]

c. The proposed disposal site for discharge of dredged or fill material does not comply with the Section 404(b)(1) guidelines for the following reason(s):

- 1) There is a less damaging practicable alternative ..... [ ]
- 2) The proposed discharge will result in significant degradation of the aquatic ecosystem ..... [ ]
- 3) The proposed discharge does not include all practicable and appropriate measures to minimize potential harm to the aquatic ecosystem ..... [ ]

SIGNATURE

  
Wally Z. Waters  
Colonel, Corps of Engineers  
District Engineer

\* A negative, significant, or unknown response indicates that the permit application may not be in compliance with the Section 404(b)(1) Guidelines.

1/ Negative responses to three or more of the compliance criteria at this stage indicates the proposed projects may not be evaluated using this “short term procedure”. Care should be used in assessing pertinent portions of the technical information of items 2a through d above before completing the final review of compliance.

2/ Negative responses to one of the compliance criteria at this stage indicates that the proposed project does not comply with guidelines. If the economics of navigation and anchorage of Section 404(b)(2) are to be evaluated in the decision-making process, the “short form evaluation process” is inappropriate.

3/ If the dredged or fill material cannot be excluded from the individual testing, the “short form evaluation process” is inappropriate.