



Public Notice

US Army Corps
Of Engineers
Memphis District

REPLY TO ATTN: Joe Brougher
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-3472
Fax : (901) 544-0211
E-Mail: Joseph.F.Brougher@usace.army.mil

PUBLIC NOTICE NO:
MVM-2003-328

PUBLIC NOTICE DATE:
September 27, 2004

EXPIRATION DATE:
October 27, 2004

POSTMASTER PLEASE POST UNTIL

Joint Public Notice
Corps of Engineers
and
State of Arkansas

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces applications submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: U. S. Fish & Wildlife Service
White River National Wildlife Refuge
P. O. Box 205
St. Charles, Arkansas 72140
(870) 282-8200

LOCATION: The project vicinity is south of St. Charles, in Arkansas County, Arkansas as shown on the attached map(s). The site is located at approximate latitude 34.3448 and longitude -91.1091 on the St. Charles 7.5-minute quadrangle map (Section 15, Township 4S, Range 1W).

PURPOSE: The purpose of this project is to increase efficiency and flexibility in manipulation of water levels on an existing moist soils management area used for waterfowl habitat on the refuge.

DESCRIPTION OF WORK: The applicant proposes to construct approximately 14,900 feet of levees within farmed wetland areas and install water control structures at five locations. The control structures would be flashboard risers on 24-inch pipes. The levees would be approximately 2 feet in height, have a 6 foot top width, with 3H: 1V side slopes to produce a base width of 18 feet (see attachment labeled "types of water control structures"). Direct impacts to wetlands would be approximately 6.16 acres. The deposition of fill materials into wetlands requires Corps authorization.

MITIGATION: At this time, no plan to offset the expected impacts has been proposed by the applicant.

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WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. Commentors are requested to also furnish a copy of their comments to the State Permits Branch, Water Division, Arkansas Department of Environmental Quality (ADEQ), 8001 National Drive, Little Rock, Arkansas 72219-8913. The Department will consider all relative comments in their decision to grant or deny water quality certification for the proposed activity. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a reconnaissance survey of the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the project, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

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COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Joe Brougher at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3472. The Corps may provide copies of all comments, including the names and address of commenters, to the applicant for consideration and response prior to a decision. Commentors are requested to also furnish a copy of their comments to the State Permits Branch, Water Division, Arkansas Department of Environmental Quality (ADEQ), 8001 National Drive, Little Rock, Arkansas 72219-8913. The Department will consider all relative comments in their decision to grant or deny water quality certification for the proposed activity.

Comments should be received by **October 27, 2004**.

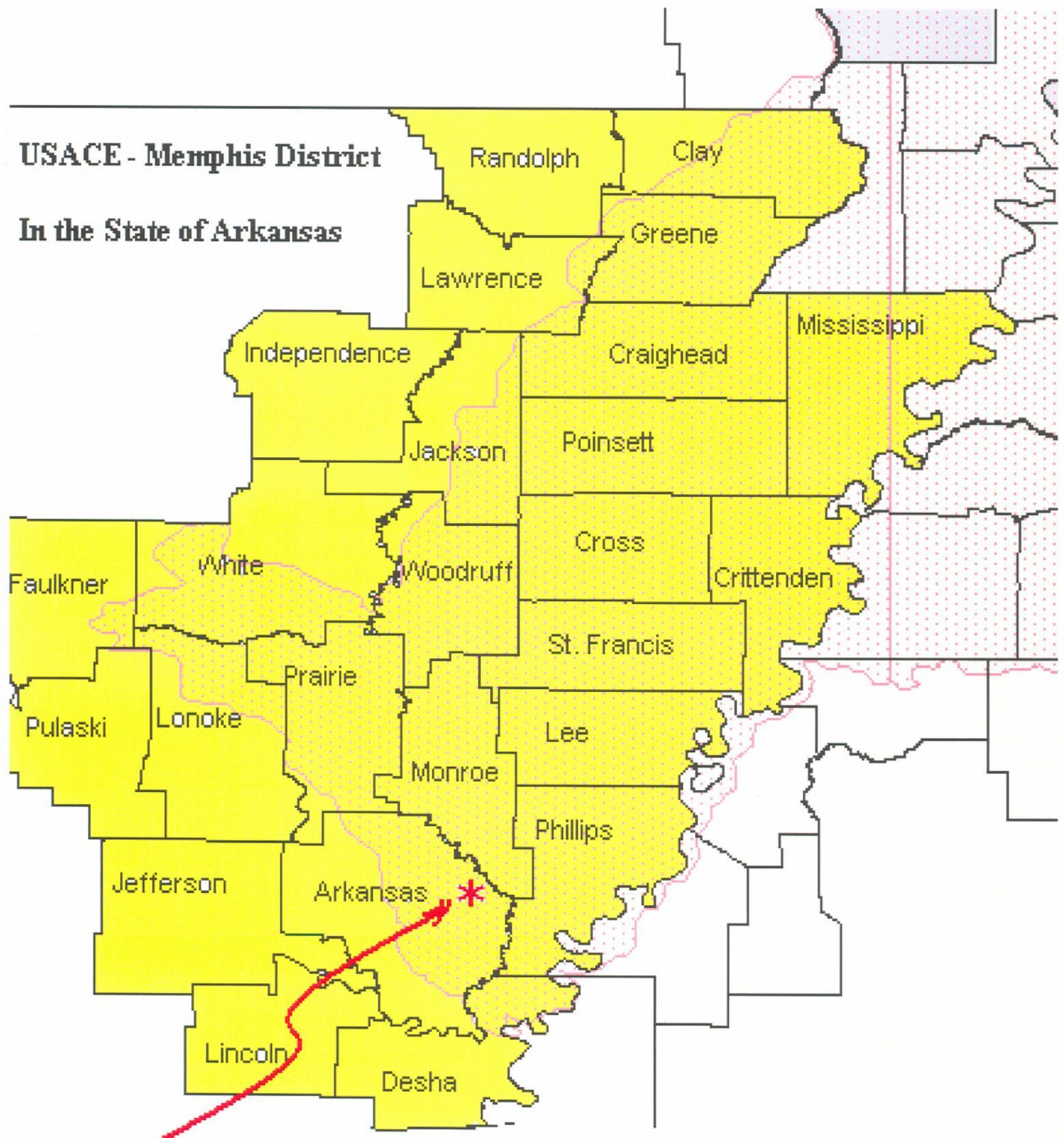


Larry D. Watson
Chief
Regulatory Branch

Attachments

USACE - Memphis District

In the State of Arkansas

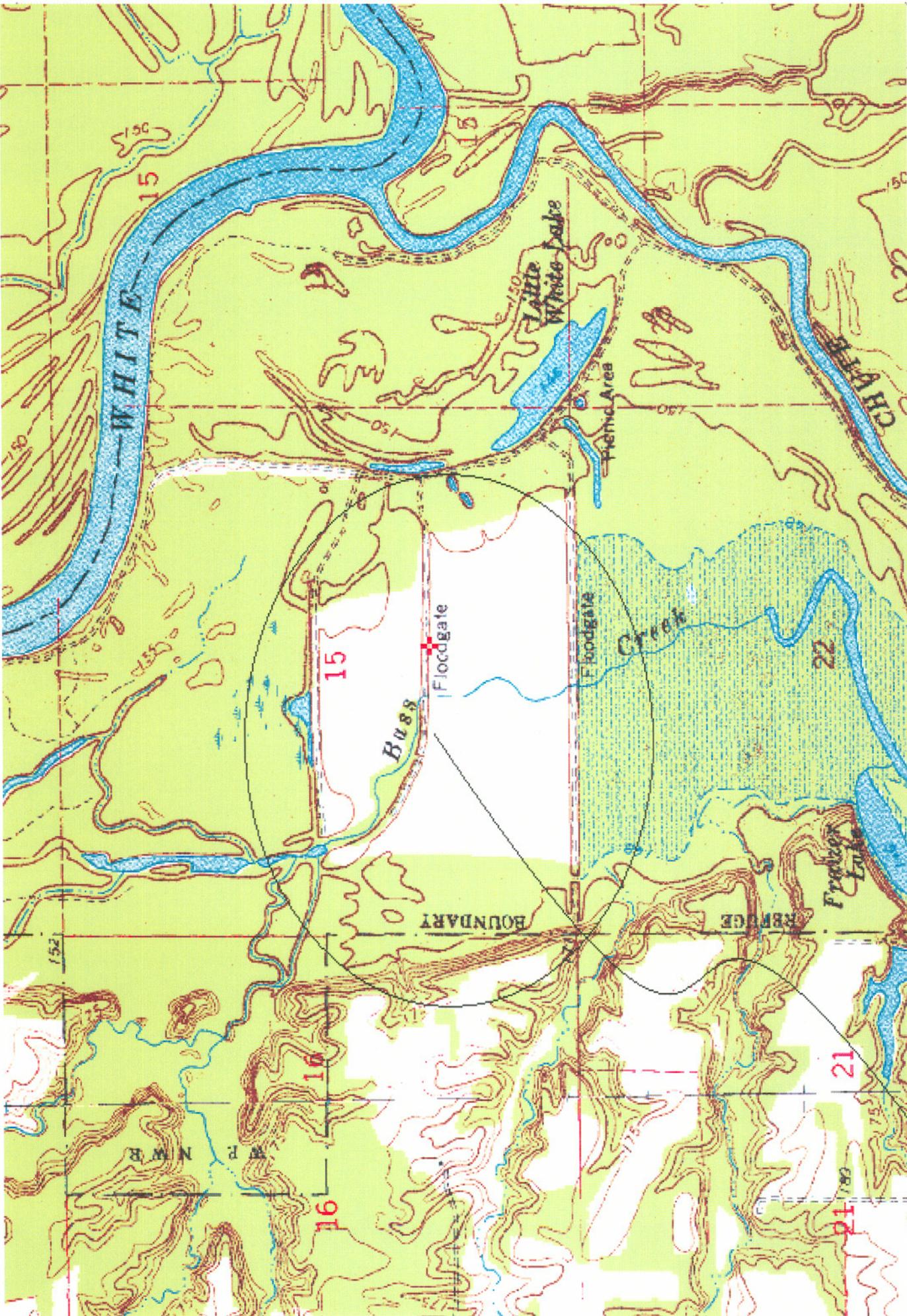


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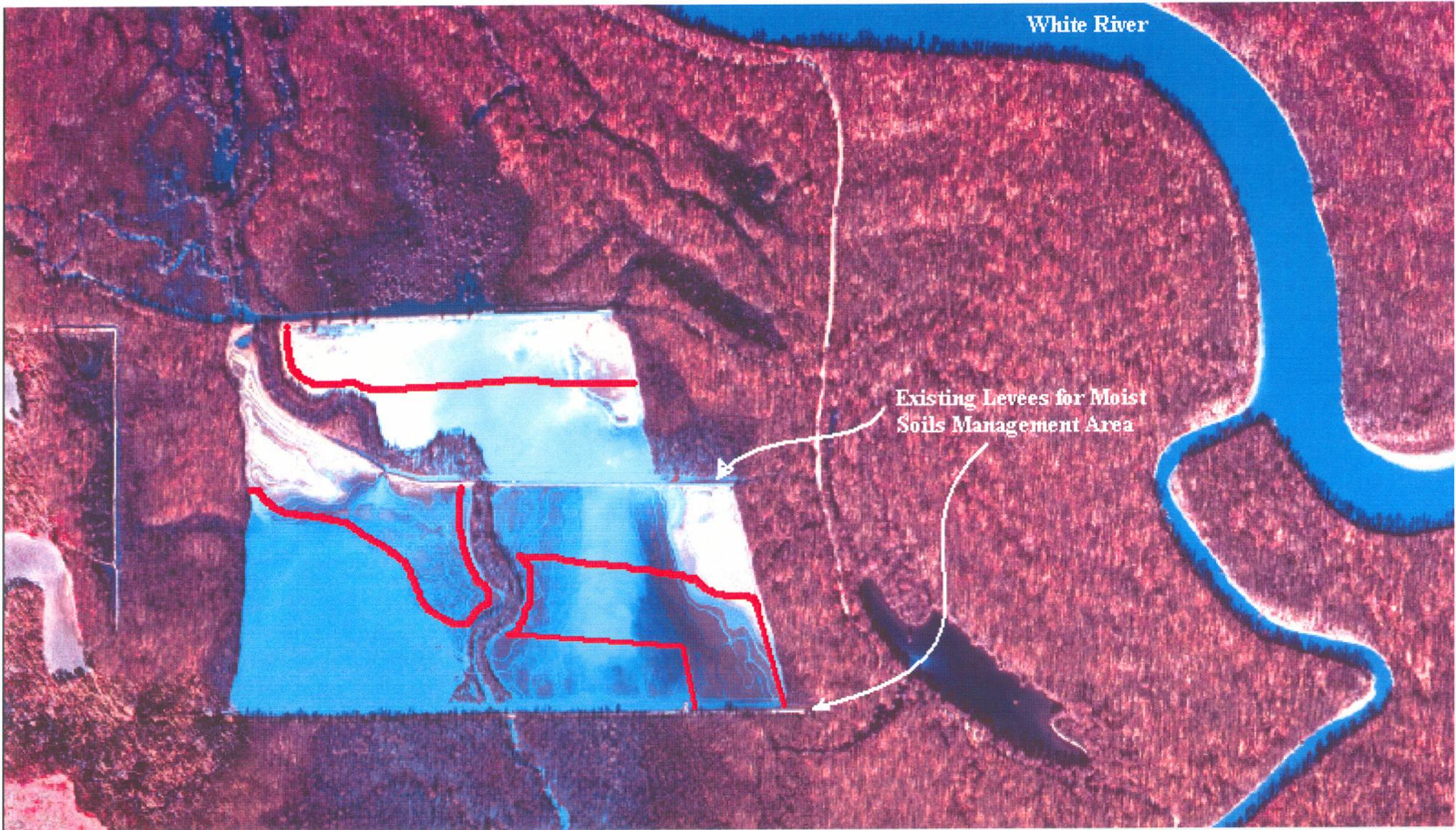


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Site Vicinity
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Quad Map Vicinity
MVTI 2003-328



Site Aerial
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Proposed Levees shown in Red



DUCKS UNLIMITED

TYPES OF WATER CONTROL STRUCTURES

FLASHBOARD RISERS

Flashboard risers allow managers to control water levels. These structures are used in waterfowl areas for moist soil management because water depths can be regulated to permit feeding by waterfowl. Flashboard or stoplog risers (*Figure #2*) are half-round risers (large diameter pipes cut in half lengthwise) equipped with flashboards or stoplogs. These risers can be made of steel or corrugated pipe or may be metal boxes fabricated from flat steel.

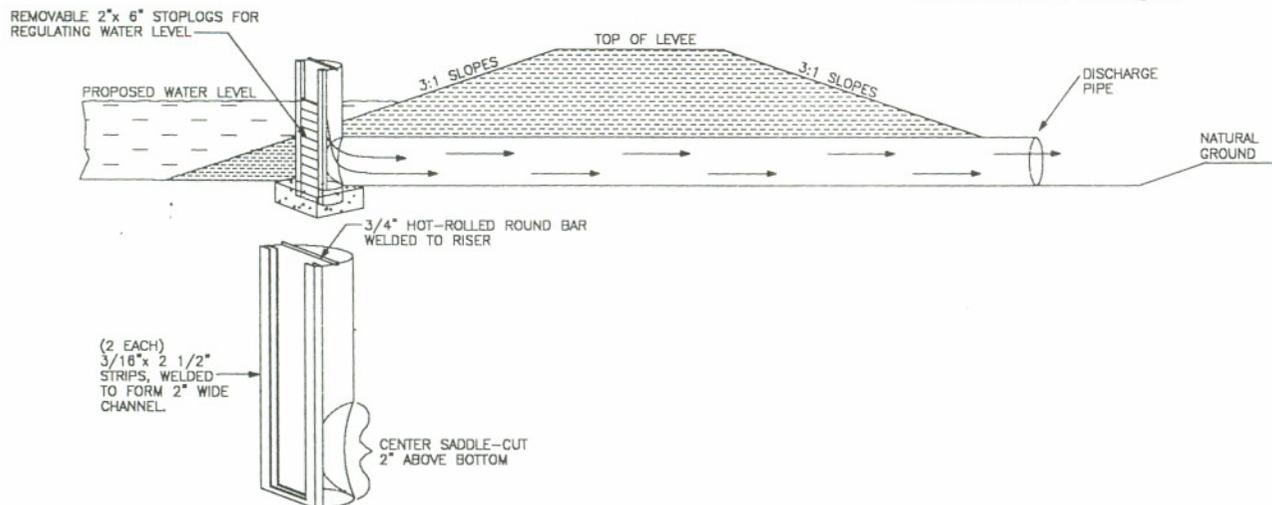
ADVANTAGES

1. Allows control of water level during flooding and drawdown. Depending on the size of the stoplogs or boards, water can be gradually stepped up or down to allow waterfowl access to new feeding areas.
2. Allows storm runoff to pass through the structure while maintaining the water level desired for management purposes.
3. Insures easy management of water levels through insertion or removal of boards. No attention is required during most storm events.

DISADVANTAGES

1. Structure protrudes into impoundment, usually necessitating a catwalk or boat for access.
2. Running water attracts beavers that may dam the riser opening.
3. Exposed stoplogs can be vandalized or added/removed by someone other than the manager.

Flashboard Riser (Figure #2)



SOUTHERN REGIONAL OFFICE — WETLANDS ENGINEERING