



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**REPLY TO ATTN:** James L. Snell  
U.S. Army Corps of Engineers  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Telephone: (901) 544-0733  
Fax (901) 544-0211  
EMail: James.L.Snell@usace.army.mil  
**POSTMASTER PLEASE POST UNTIL:** October 10, 2008

**PUBLIC NOTICE NO:**  
MVM-2008-326 (JLS)

**PUBLIC NOTICE DATE:**  
September 10, 2008

**EXPIRATION DATE:**  
October 10, 2008

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**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 an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

**APPLICANT:** Craighead County Judge  
511 Union Street, Suite 119  
Jonesboro, Arkansas 72401  
870-933-4500

**Agent:** FTN Associates, Ltd.  
3 Innwood Circle, Suite 220  
Little Rock, Arkansas 72211  
501-225-7779

**LOCATION:** The project is located in parts of Section 21, Township 15N, Range 3E in Craighead County, Arkansas, at approximate latitude 35.918 and longitude - 90.777 on the Bono, Arkansas 7.5 minute quadrangle map. The approximate 300-acre site is located 1.5 miles east of US Highway 63. Specifically, the project area is located just west of Hasbrook Road and south of Harlan Hurd Road, near Bono, in Craighead County, Arkansas (Figure 1 and Figure 2).

**PURPOSE:** The purpose of this project is to provide residents of Jonesboro, Arkansas and surrounding areas within the county the use of a public recreational lake. The lake will also serve as flood storage to prevent localized flooding in the area.

**DESCRIPTION OF WORK:** Craighead County proposes lake construction on a 300-acre site. The area is primarily uplands with a few low-lying areas associated with channels throughout the project area. Within the project area a 108-acre lake will be constructed and the remaining 192-acre area will be developed into a public park. The first phase of the project includes clearing and logging of the proposed lake construction site. Check dams and sediment ponds will be constructed within channels of existing streams during logging and clearing activities (Figure 1). A dam will be constructed at the western edge of the project area across Whaley Slough Ditch (Figure 2 preliminary drawing). Prior to inundation of the proposed lake site, existing intermittent channels and ephemeral channels exhibiting OHWM (ordinary high water mark) will be cleared of vegetation along their banks. In addition, rock check dams and sediment pond spillways (24 total) will be constructed within channels during clearing and logging of the proposed site. Check dams will be constructed of riprap and will be placed within the channel bottom (Figure 1). Sediment pond spillways will consist of native fill materials encased on the surface with riprap that will also be placed within the bottom of existing stream channels. Upon completion of clearing, the lake will be inundated by way of dam construction along the project areas western boundary. One wetland (1.25-acre) and a total of six channels (2.3 miles), including a named intermittent channel (Whaley Slough Ditch) will be impacted by the proposed project (Figure 3). The proposed mitigation for the wetland impact will be to establish wetland and riparian areas that border the lake. Upon completion of construction and revegetation of the lake margins, these fringe areas will be identified and protected as mitigation areas. The proposed mitigation for the impact of 2.3 miles of stream channels is the lake itself. The agent believes that the lake could be used to replace the functions and values provided by the stream channels. Another potential mitigation vehicle is the headwater area of channels upslope of the lake.

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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. 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 Department of Arkansas Heritage has reviewed the proposed project and determined that the undertaking will have no effect on historic properties. The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, 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.

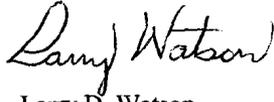
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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.

**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** Send comments to the Corps of Engineers, Memphis District and Arkansas Department of Environmental Quality. Comments may be sent via mail or e-mail to the following: James L. Snell at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894; e-mail: [james.l.snell@usace.army.mil](mailto:james.l.snell@usace.army.mil); and Bob Singleton, State Permits Branch, Water Division, Arkansas Department of Environmental Quality, 8001 National Drive, Little Rock, Arkansas 72219-8913; e-mail: [singleton@adeq.state.ar.us](mailto:singleton@adeq.state.ar.us).

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Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps. Comments should be received by October 10, 2008.



Larry D. Watson  
Chief  
Regulatory Branch

Attachments

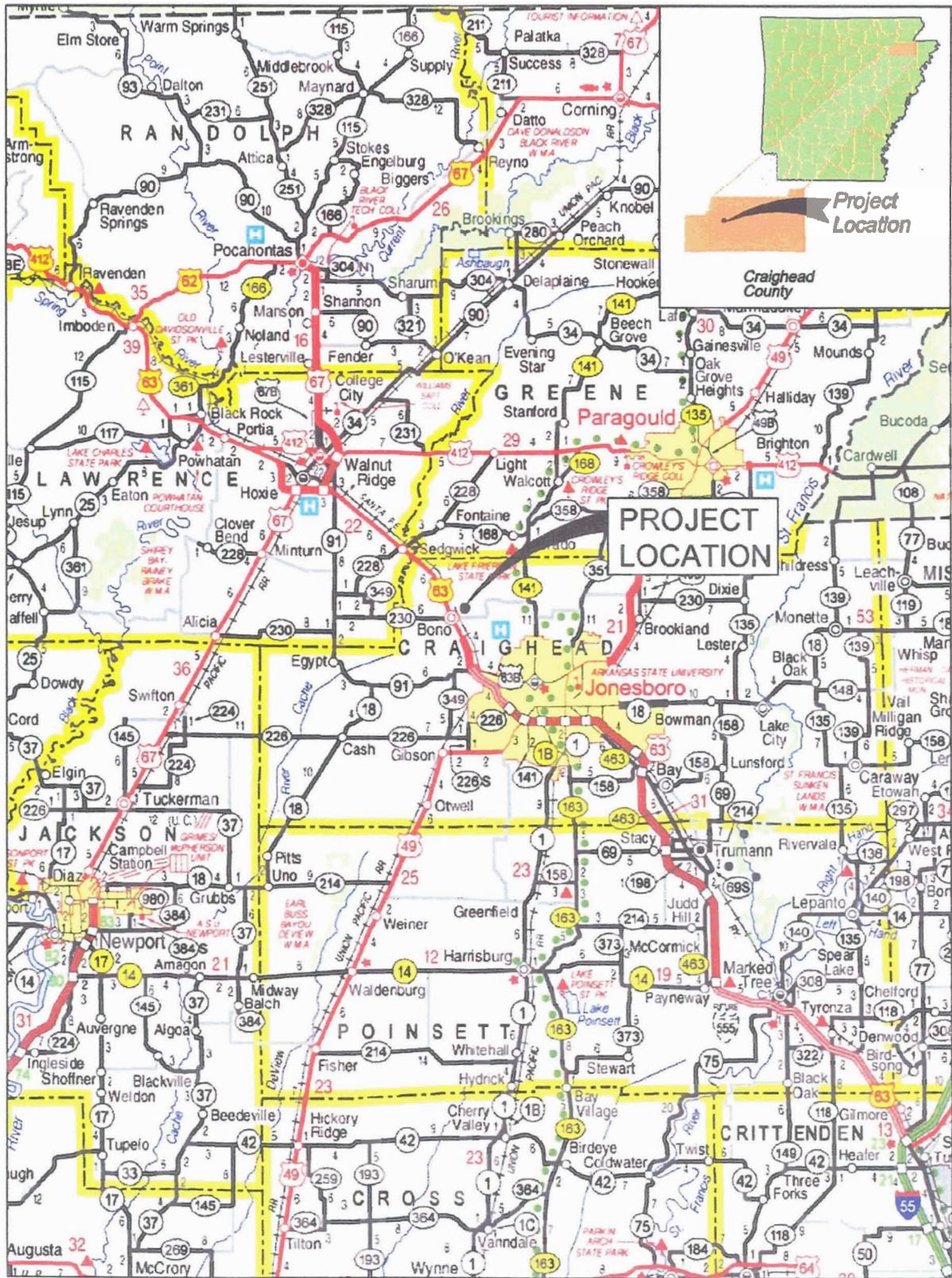


Figure 1. Vicinity map.

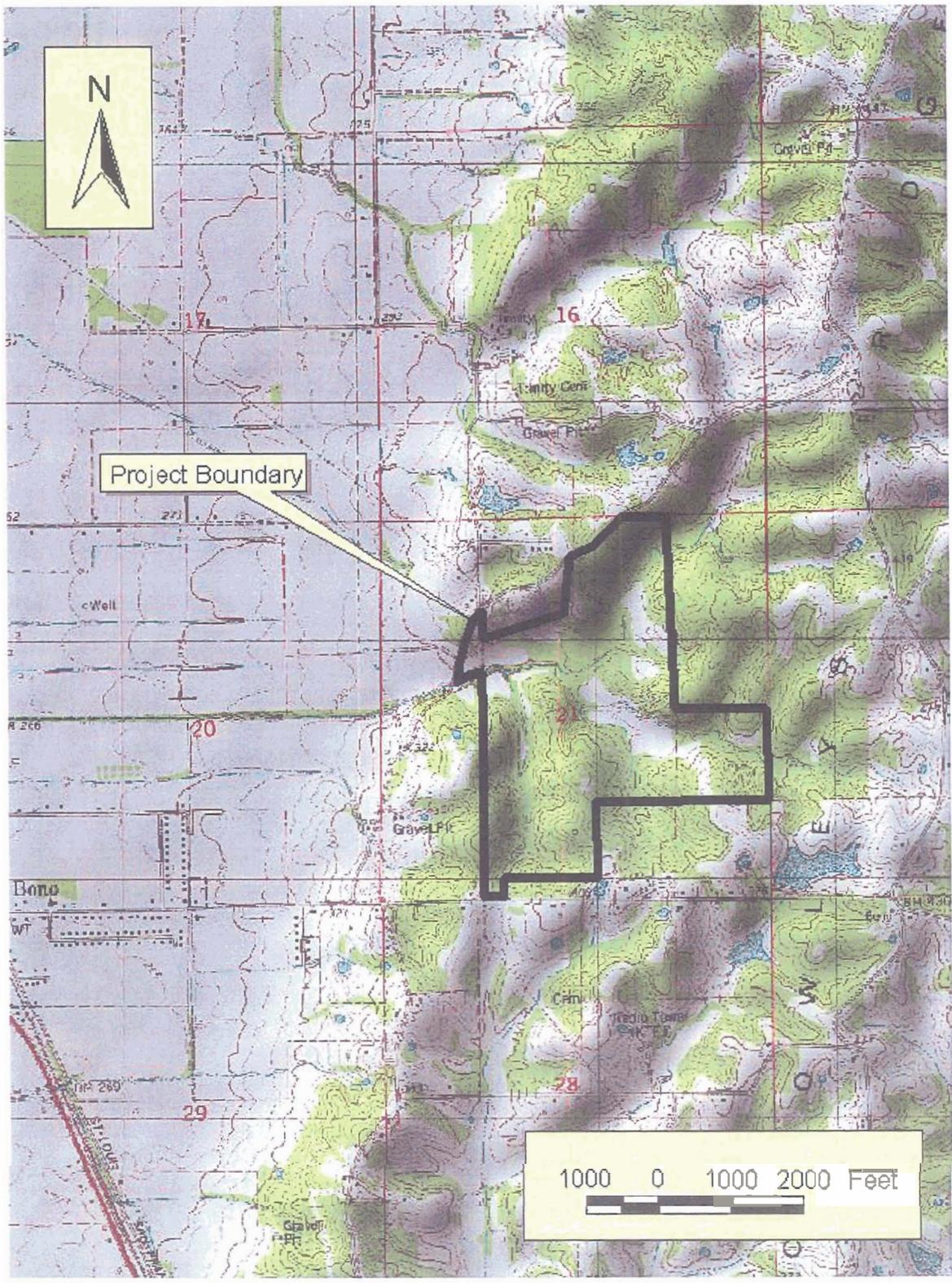


Figure 2. Map showing an overview of the project area, based on USGS topographic quadrangle Bono, ARK (7.5-minute series).



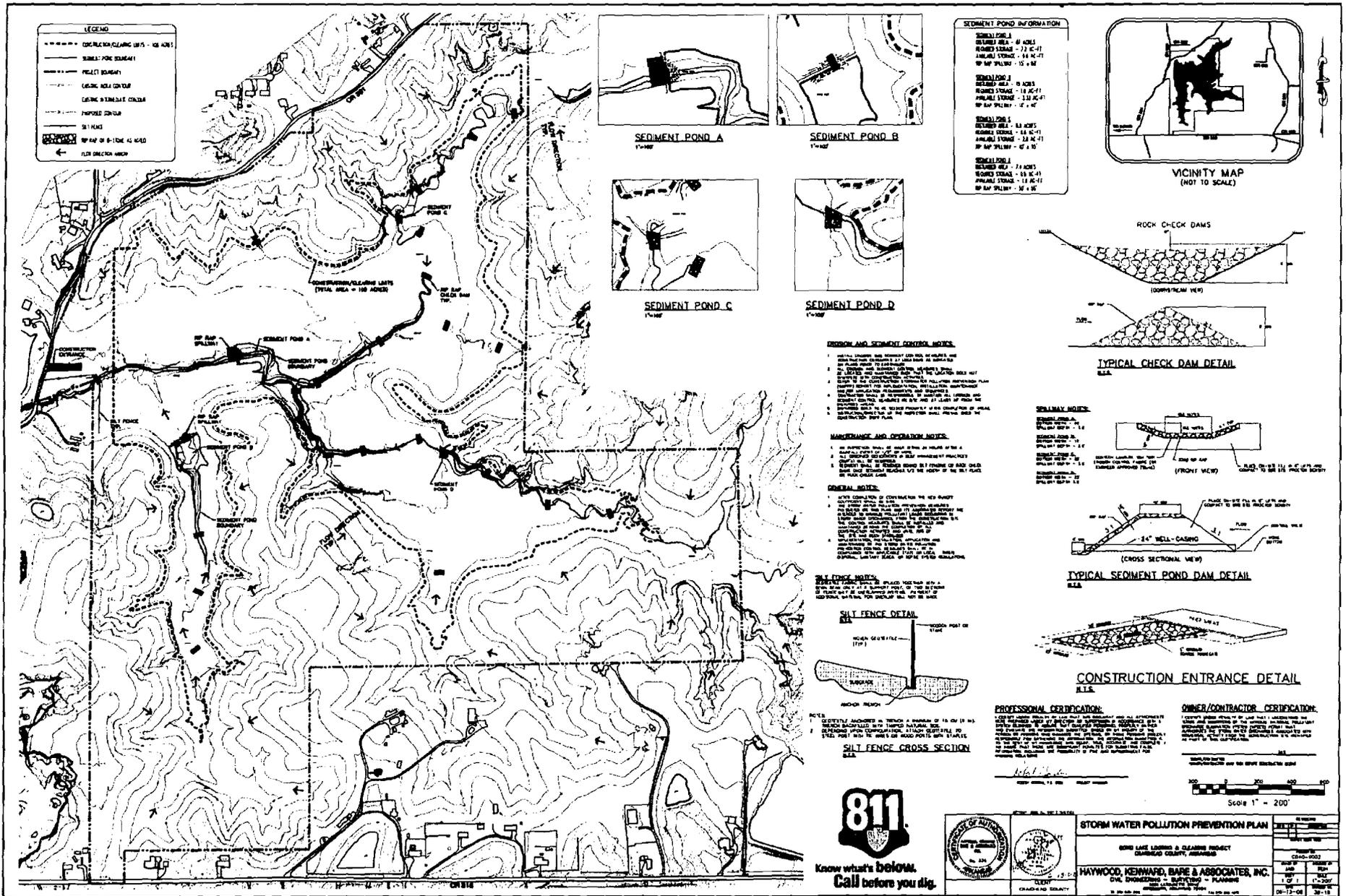


Figure 1.

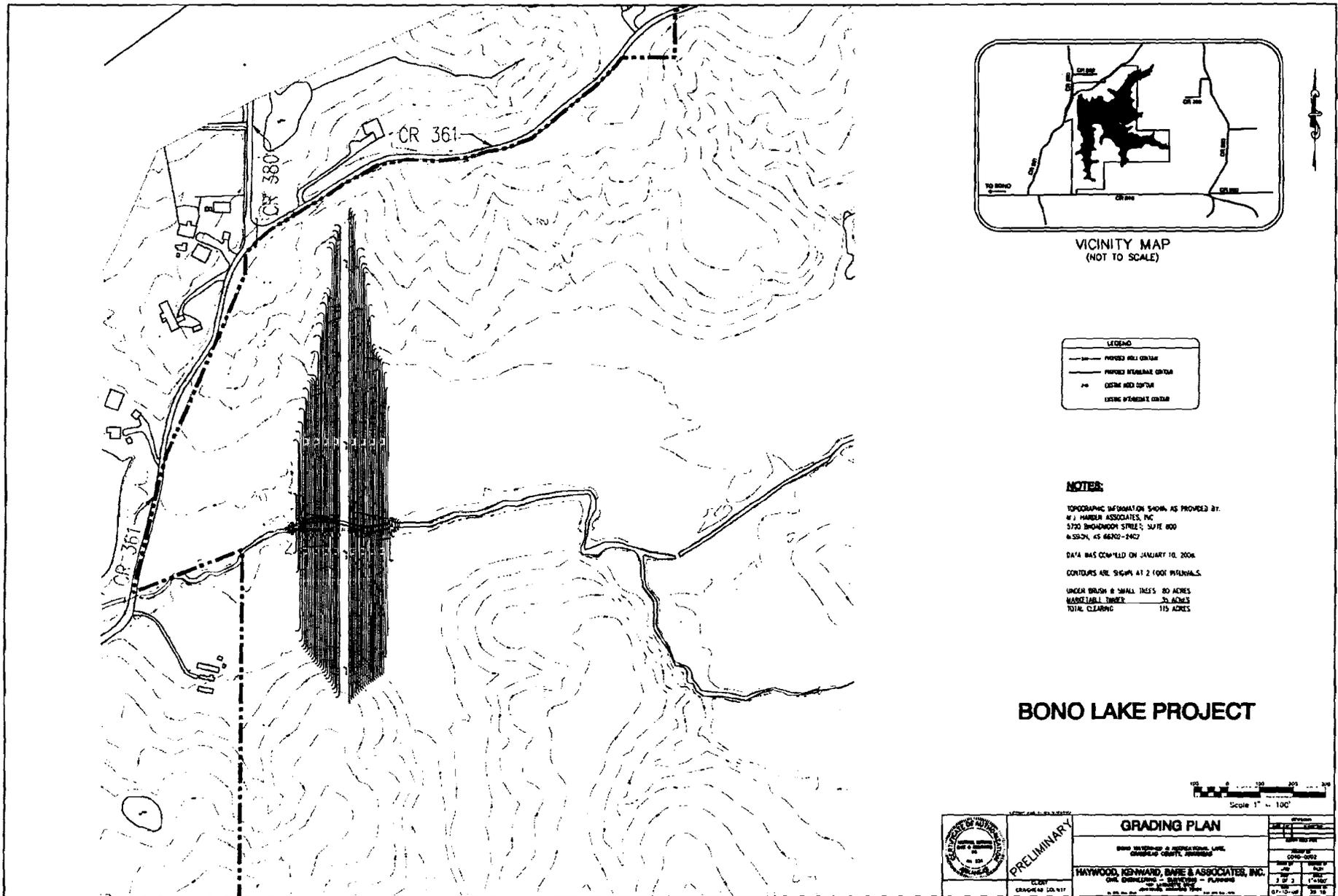


Figure 2.

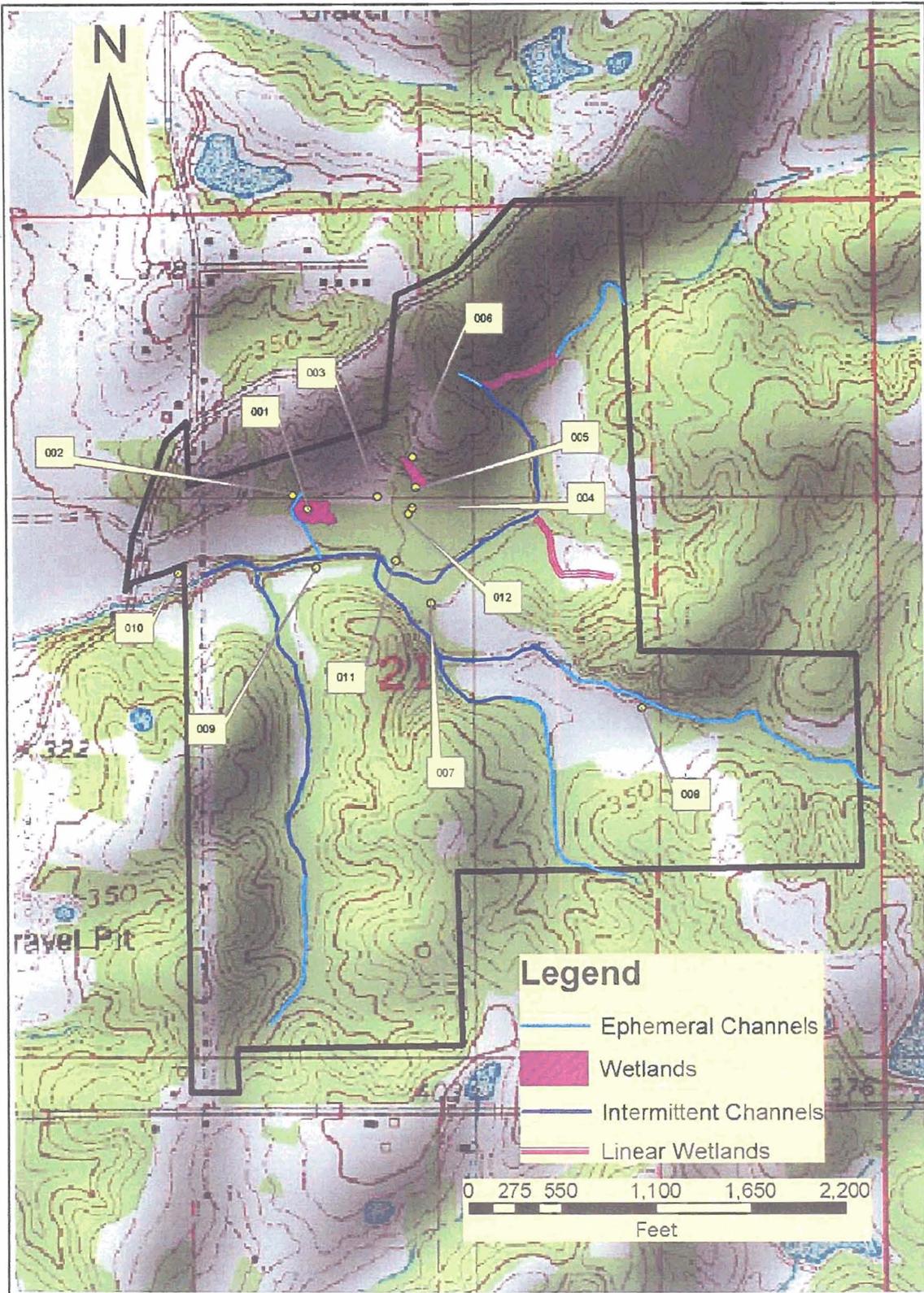


Figure 3. Map showing sampling site locations, wetlands, and other waters of the US, based on USGS topographic quadrangle Bono, ARK (7.5-minute series).