

US Army Corps  
of Engineers  
Memphis District

# Public Notice

FILE NUMBER: MVM-2014-307 (RCW)

NOTICE DATE:  
May 1, 2015

Attn: Postmaster,  
Please Post Until

EXPIRATION DATE:  
May 30, 2015



## Joint Public Notice

### U.S. Army 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:**

John W. Allison  
Allda Farms  
P.O. Box 1089  
Conway, Arkansas 72033  
Business Phone: (501) 329-9330

**Agent:**

Josh H. Seagraves  
JS Environmental LLC  
114 Madison Village Drive  
Benton, Arkansas 72015  
Business Phone: (501) 860-5369

**PURPOSE:** According to the applicant, the purpose of this project is to allow better access to the property during times of high water, allow the property owner to better control water levels on the property for agricultural and recreational purposes, and to construct six duck hunting blinds.

**LOCATION:** The project is located in Sections 15 and 22, Township 5 North, Range 3 West in Woodruff County, Arkansas, at latitude/longitude 35.04929° N/-91.30898° W (Attachment 1: Project Location).

**DESCRIPTION OF WORK:** The applicant's proposed project is a revision to the original proposal published in a public notice dated January 9, 2015. The applicant made changes to the configuration and location of the proposed levees as described in the original public notice. The revised proposal would be to construct two levees, one north and one south of an existing cross levee (Attachment 2: Allda Farms Project Layout). The total length of the two levees is 5,710 feet. Additionally, six spurs (2,250 ft in total length) will be constructed to provide access to duck hunting blinds. Levees will be constructed with a 3h:1v side slopes and seeded to prevent erosion (Attachment 3: Typical Levee Cross Section). The maximum levee height is 4 feet with an average height of 3 feet. Average base width is 26.5 feet. The applicant would also establish a field road as shown on the Project Layout attachment. There would be no fill involved with the construction of this road; the applicant would remove the area intended for the road from crop production. A total of 4.8 acres of jurisdictional wetlands will be filled during the construction of the proposed project. An estimated 16,800 cubic yards of fill will be required for construction of the levees and spurs. The material will come from the area to be seasonally inundated; therefore, the net volume of fill will be near 0 cubic yards. Two stop-log type water control structures will be installed, one in each levee, to provide water control for the site. The control structures will allow water control in 6 inch increments and will be wide enough to allow easy access for debris removal.

The applicant's proposed work would entail a discharge of fill material into waters of the U.S. and requires authorization from the U.S. Army Corps of Engineers.

**AVOIDANCE/MINIMIZATION:** According to the applicant, impacts to wetlands were minimized by constructing them to the lowest height necessary to inundate the area. In a normal year, levees will be overtopped by flood events.

**MITIGATION:** According to the applicant, proposed compensatory mitigation will be provided in two forms, which include fill removal of an 850-foot section of levee known to provide den sites for beavers and restoration of wetlands by planting native hardwood trees on an 11.0 acre parcel, shown on the attached figure (Attachment 2: Allda Farms Project Layout).

**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 the 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:** Our preliminary determination is that there are no endangered species or critical habitat affected by this proposal. However, this notice is being coordinated with the USFWS. Any comments USFWS 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:** A cultural resources survey report was conducted for the project area in October, 2014. The applicant provided the report to the Arkansas State Historic Preservation Office. The Deputy State Historic Preservation Officer indicated in a letter dated November 24, 2014, to the applicant's agent that based on the information presented in the report, they concur that the proposed undertaking will have no effect on historic properties. The Memphis District will evaluate any further information provided by the State Historic Preservation Officer, Tribal Historic Preservation Officers, other tribal representatives and the public in response to this public notice.

**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 notify 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; Federally recognized 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. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps project. We are not a proponent or are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

**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:

U.S. Army Corps of Engineers Memphis District  
ATTN: Reginald Wuornos  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
E-mail: [reginald.c.wuornos@usace.army.mil](mailto:reginald.c.wuornos@usace.army.mil)  
phone: (901) 544-0731  
fax: (901) 544-0211

Mark Hathcote  
State Permits Branch, Water Division  
Arkansas Department of Environmental Quality  
5301 North Shore Drive  
Little Rock, Arkansas 72118-5317  
E-mail: [hathcote@adeq.state.ar.us](mailto:hathcote@adeq.state.ar.us)

The Corps may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the “**Pending IP**” tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.

Gregg Williams  
Chief  
Regulatory Branch

Attachments

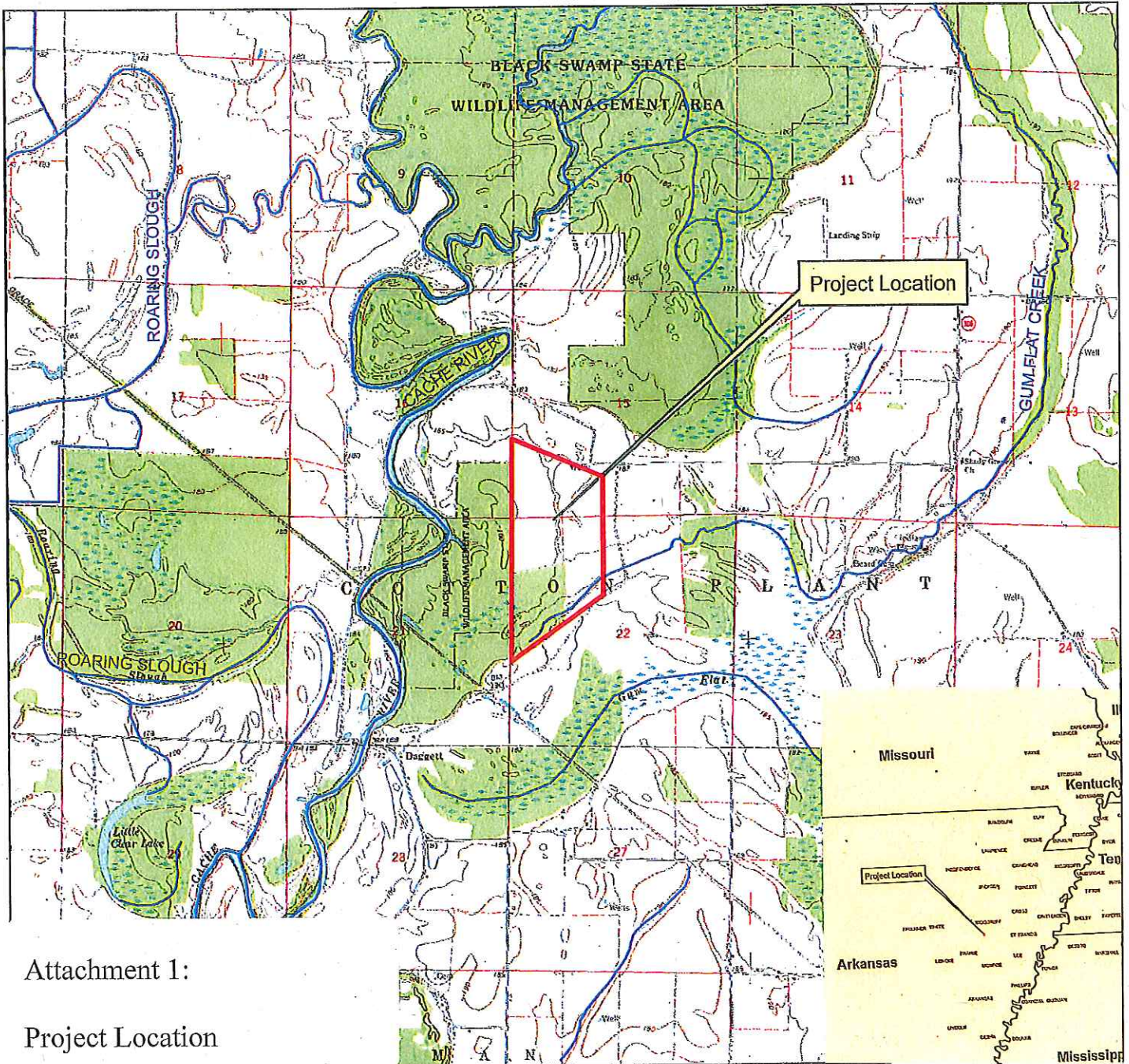
# MVM-2014-307, Allda Farms Water Control and Waterfowl Enhancement

Location Map, Cotton Plant, AR Quad  
 Zone 15  
 Sections 15 & 22, T-5N, R-3W  
 Lat/Lon: 35.050734° N/-91.308919° W



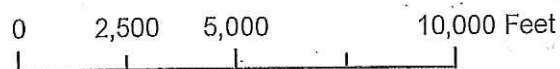
## Legend

- dist\_river&creeks
- dist\_major\_roads



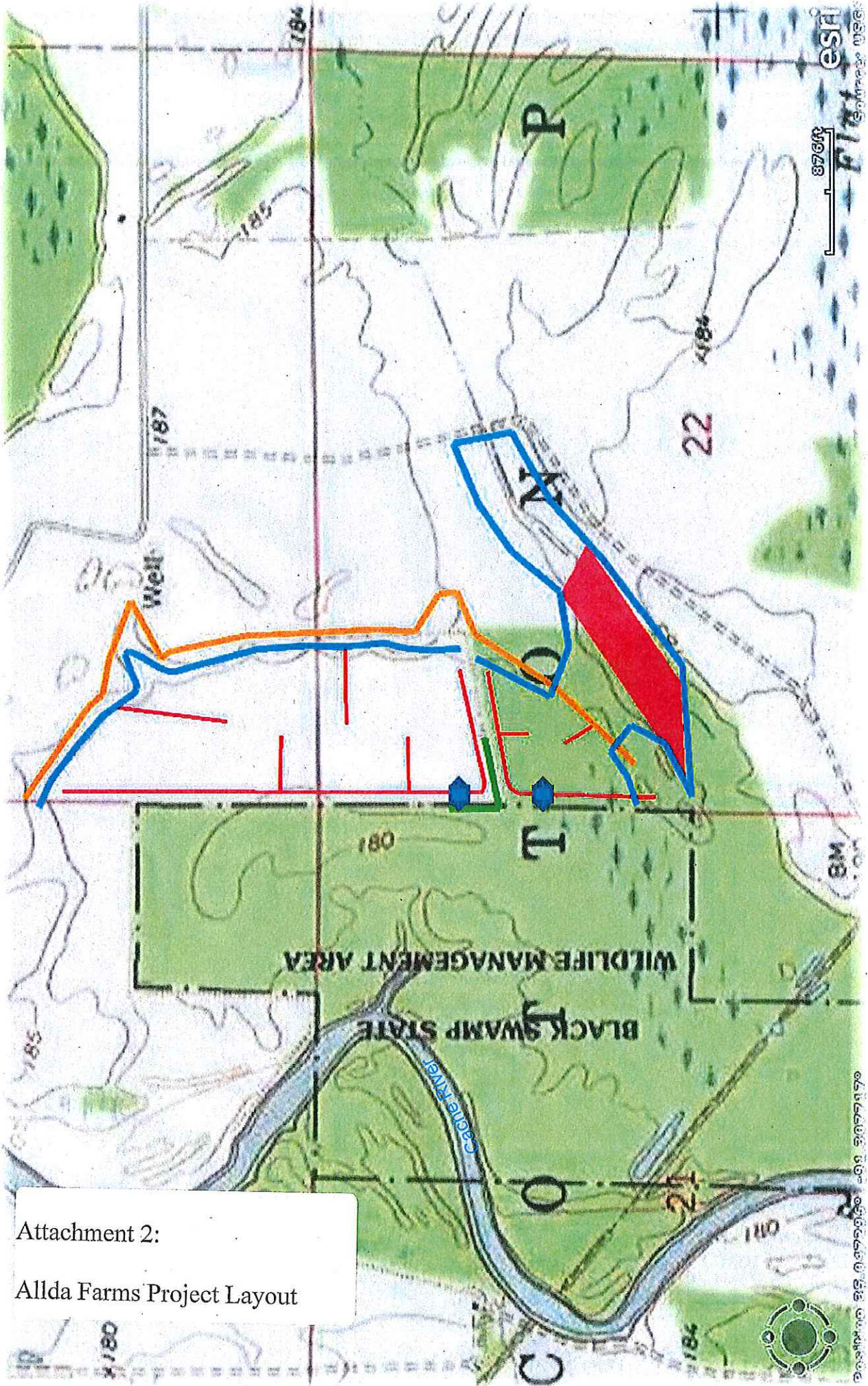
Attachment 1:

Project Location



Attachment 2:

Allda Farms Project Layout



- Proposed Mitigation
- Stop Log Structure
- Wetland Boundary
- Constructed Levees and Duck Blind Spurs
- Levee Removal
- Field Road

# Allda Farms Project Layout

### Typical Cross Sections

#### Constructed Levees and Spurs



Dimensions:

- Top Width 8 feet
- Max Height 4 feet
- Side slopes 3h:1v
- Base width
  - 32 ft (4 ft high)
  - 26 ft (3 ft high)
  - 20 ft (2 ft high)

Note: The toe of the western slope will be a minimum of 50 feet from the toe of the existing levee.

Scale: 1/8 inch equals 1 foot

Attachment 3:

Typical Levee Cross Section