

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2014-169

NOTICE DATE:
September 29, 2014

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
⇒ **October 29, 2014**

**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:

Mr. Adam G. Hart
Triple M Partners, LLC
1560 W Beebe Capps, Suite C #102
Searcy, Arkansas 72143
(501) 279-2493

AGENT:

Mr. Adam W. Whitlow
Whitlow Engineering Services, Inc.
301 East Lincoln Avenue, Ste. 2
Searcy, Arkansas 72143
(501) 279-9200

DESCRIPTION OF WORK: The proposed work entails construction of an earthen dam across Cobbite Branch, which requires permit authorization from the Corps of Engineers. As a result, approximately 130 linear feet of the stream will be directly impacted by placement of fill material for construction of the dam with approximately 1,820 linear feet of stream being converted to deep water habitat. This figure includes 1,190 linear feet of Cobbite Branch and approximately 630 linear feet of an unnamed tributary that would be within the proposed impoundment. The areas surrounding the existing creek are comprised of uplands. The dam would be constructed by the use of select fill material compacted to 95% standard proctor installed in eight-foot lifts with a compacted clay core. The dam would include a concrete spillway structure with riprap which would also be seeded and mulched for erosion control and stabilization. The resulting structure would have a top with of 12 feet, have 3H:1V side slopes, and be approximately 20 feet in height at its tallest location. The structure is designed to have approximately 5 feet of freeboard at full pool.

The applicant's intent of this project is of course to maximize water frontage for the development and minimize the adjacent impact. The applicant indicates that another option explored was a shallower two levee system. From an impoundment scenario, the applicant felt this may come close to the equivalent amount of water frontage, but it would have the same, if not more, stream impact. This option was not chosen because the applicant felt construction logistics of a two levee system would not be feasible. The applicant contends that the creation of approximately 20 acres of aquatic habitat for the impoundment and construction of the bypass channel along the base of the levee adequately offsets impacts for this project. See the attached diagrams and plats for additional information (attachments 4 and 5).

PURPOSE: The purpose of this project is to create a lake that is approximately 20 acres in size on the subject property, which would be developed into a subdivision community with 2-7 acre lots surrounding the proposed lake.

LOCATION: The project vicinity is approximately two miles southwest of Searcy in White County, Arkansas at 35.21838° / longitude -91.77395° on the Garner 7.5-minute quadrangle map (Attachments 1, 2, and 3) .

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 email to the following:

U.S. Army Corps of Engineers, Memphis District
ATTN: Joe Brougher
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
e-mail: joseph.f.brougher@usace.army.mil
Phone: (901) 544-3472
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

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 should be received by the expiration date listed on page one of this notice.

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 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.

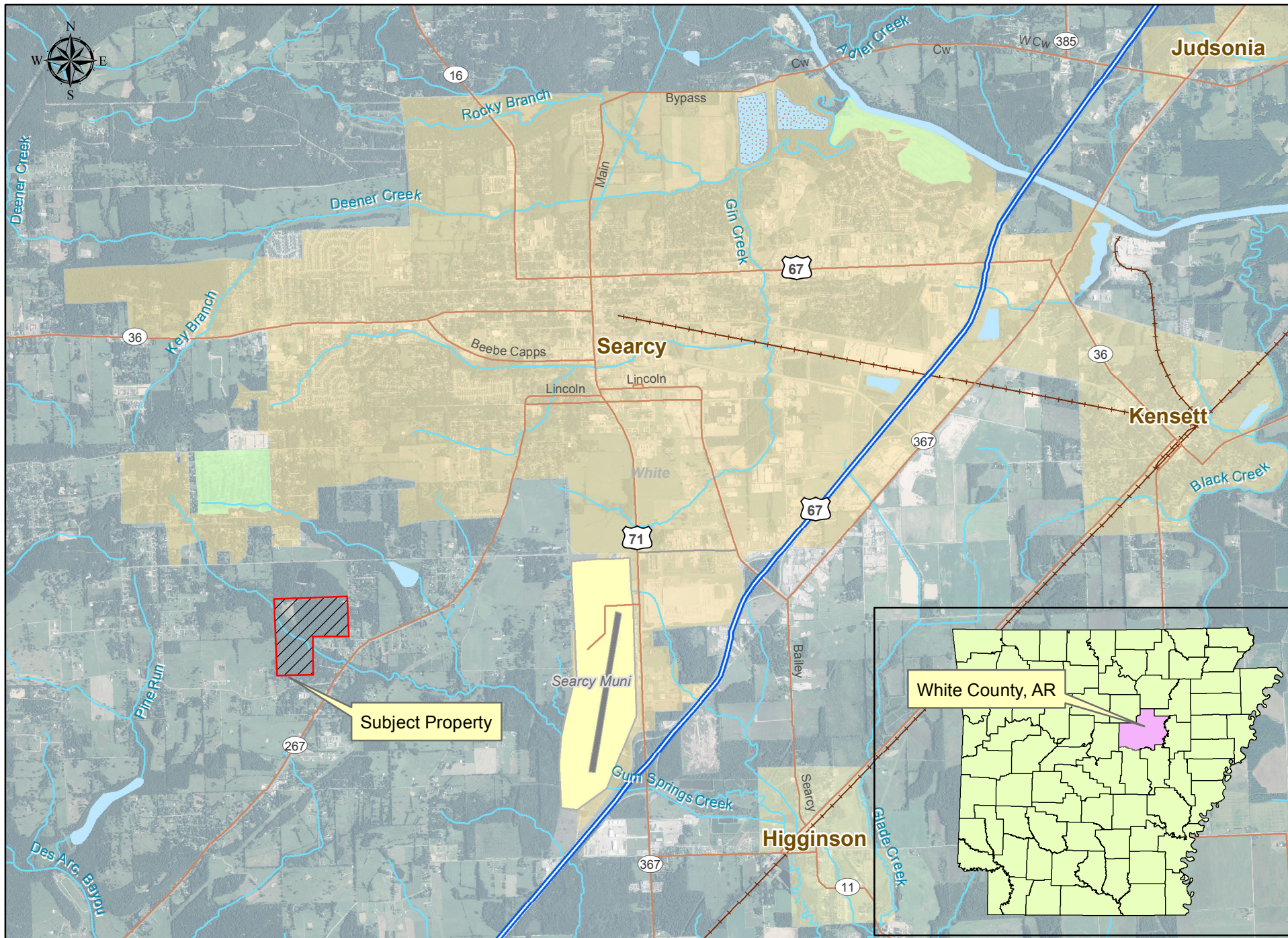
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Federally recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers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

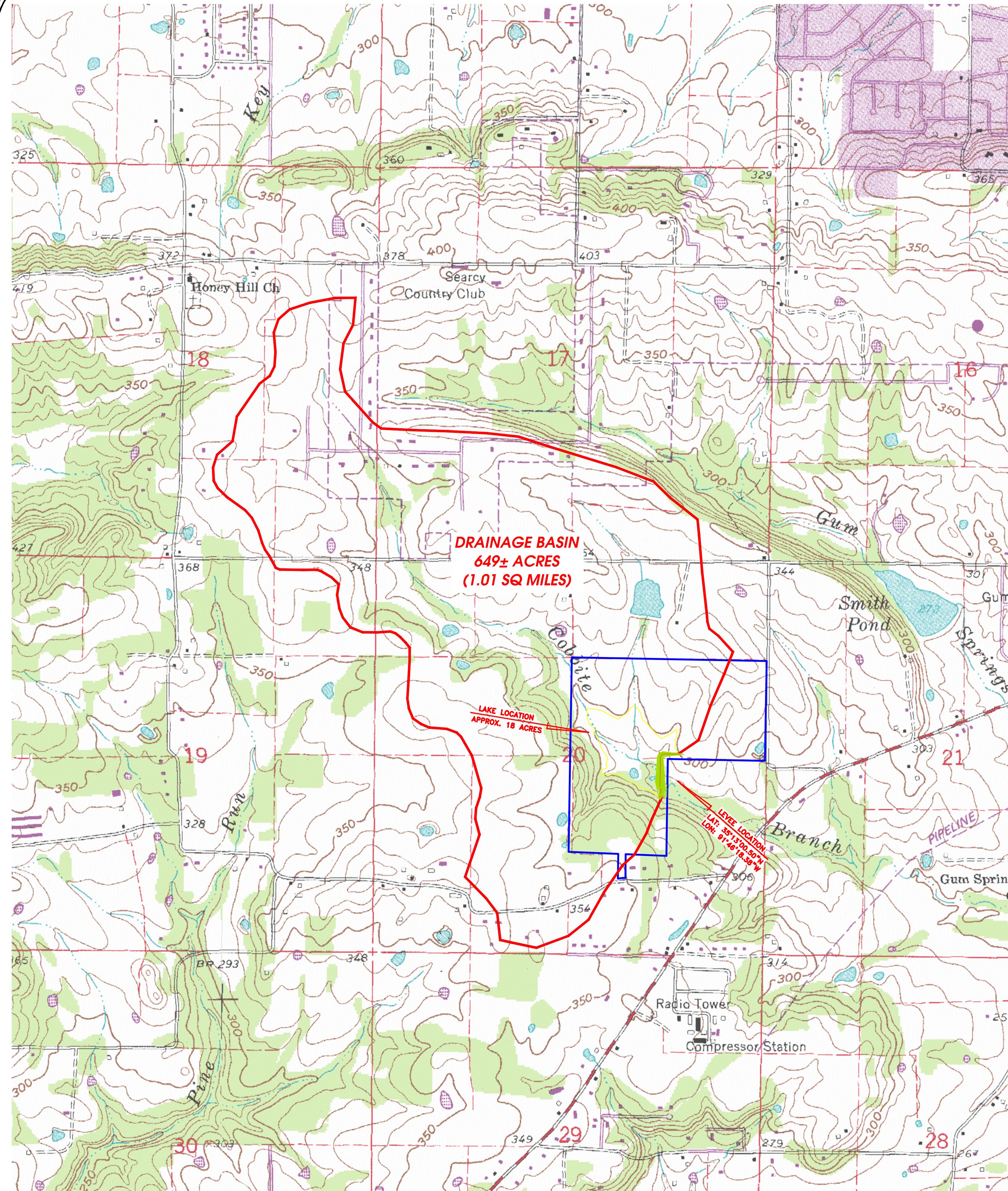
For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending 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.

A handwritten signature in black ink, appearing to read "Gregg Williams", is positioned above the printed name.

Gregg Williams
Chief
Regulatory Branch



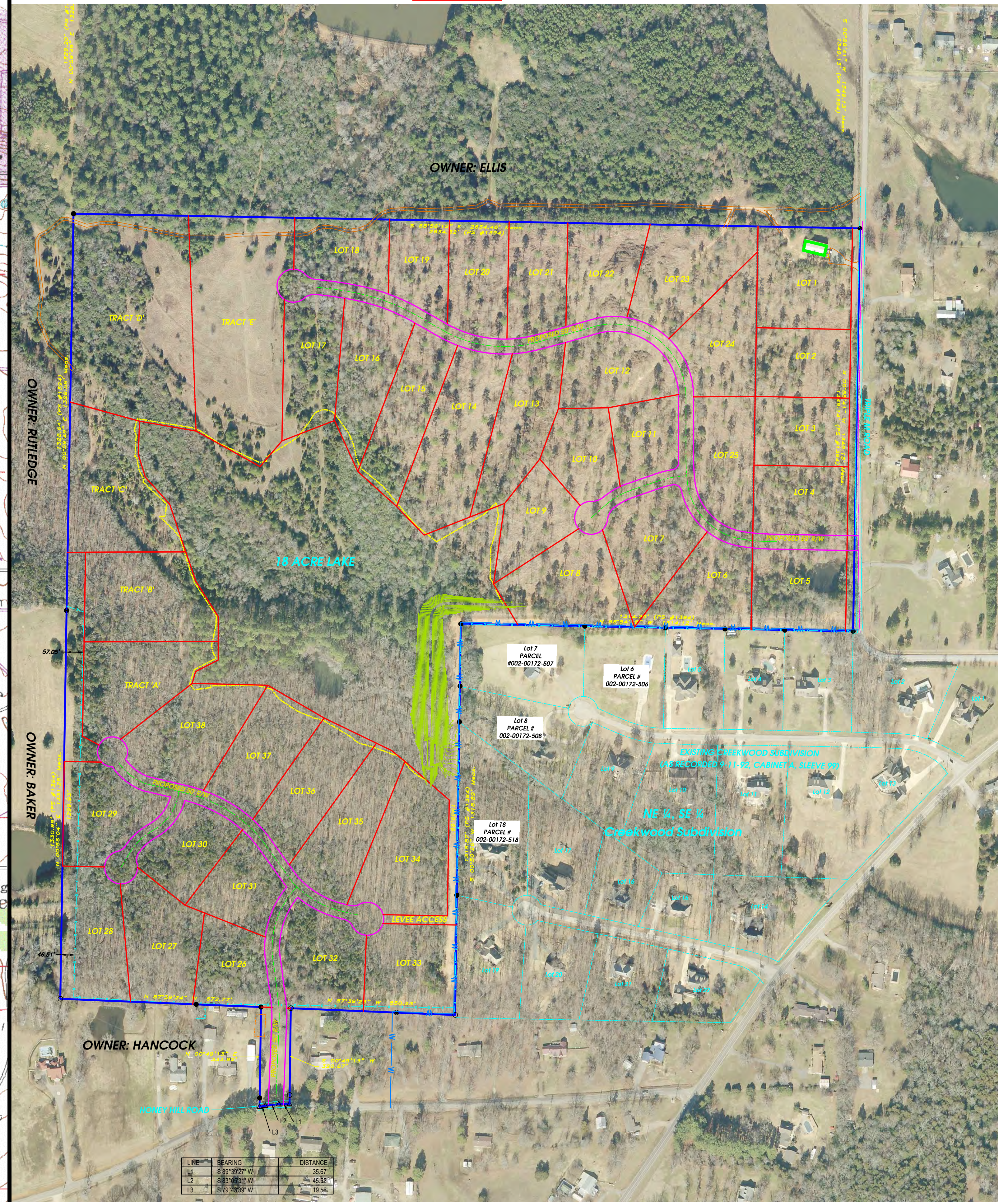
SCALE: 1" = 800'



Attachment 2

Attachment 2

SCALE: 1" = 200'

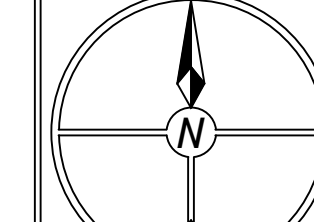
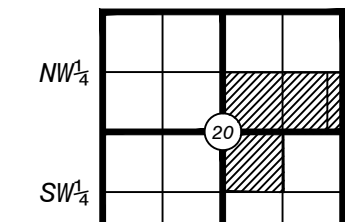


WHITLOW ENGINEERING SERVICES, INC.
301 EAST LINCOLN AVE #2
SEARCY, ARKANSAS 72143
(501) 279-9200 • (501) 279-9205 FAX

Prepared For:

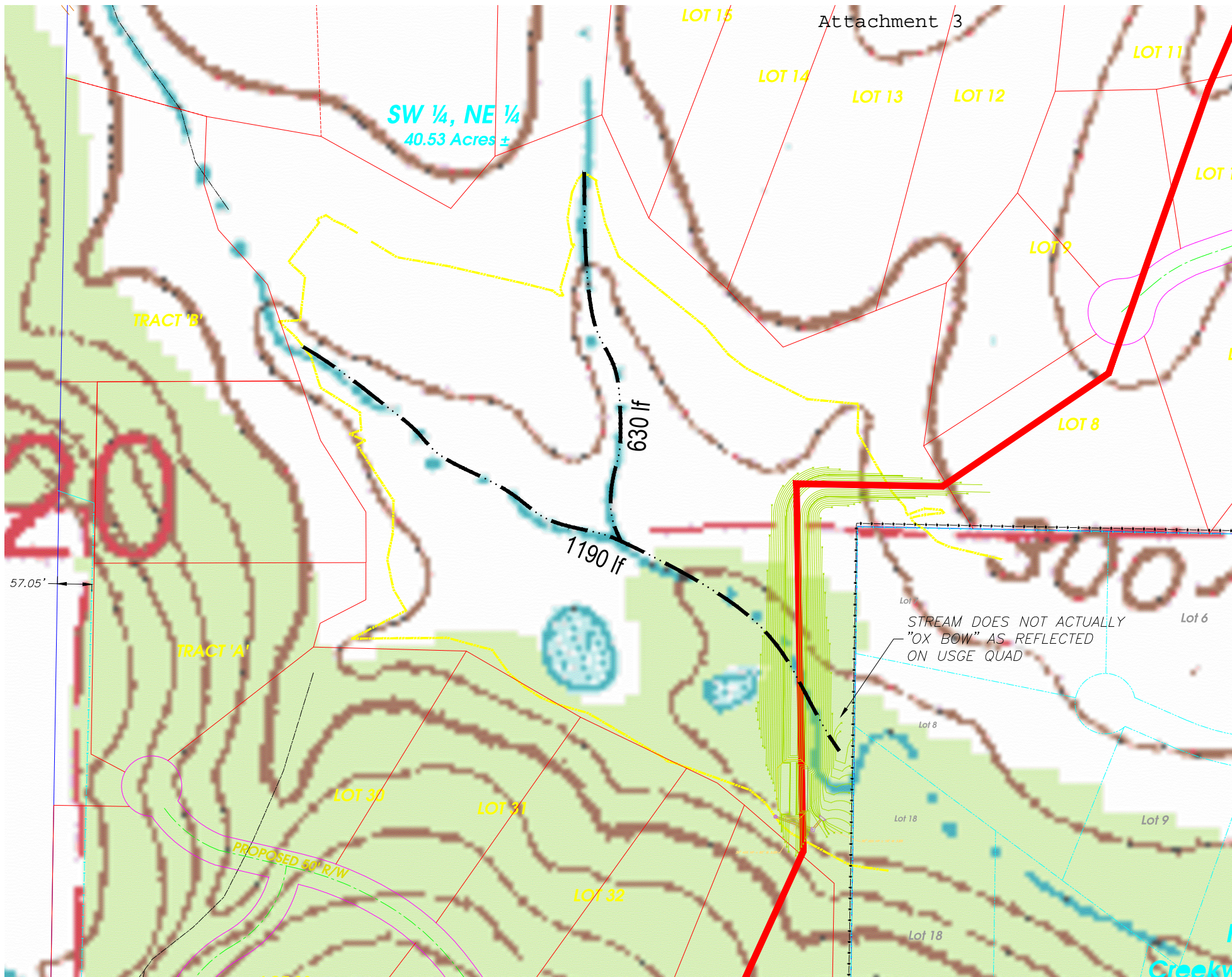
Triple M Partners, LLC.
1560 W Beebe Capps
Suite C #102
Searcy, AR 72143

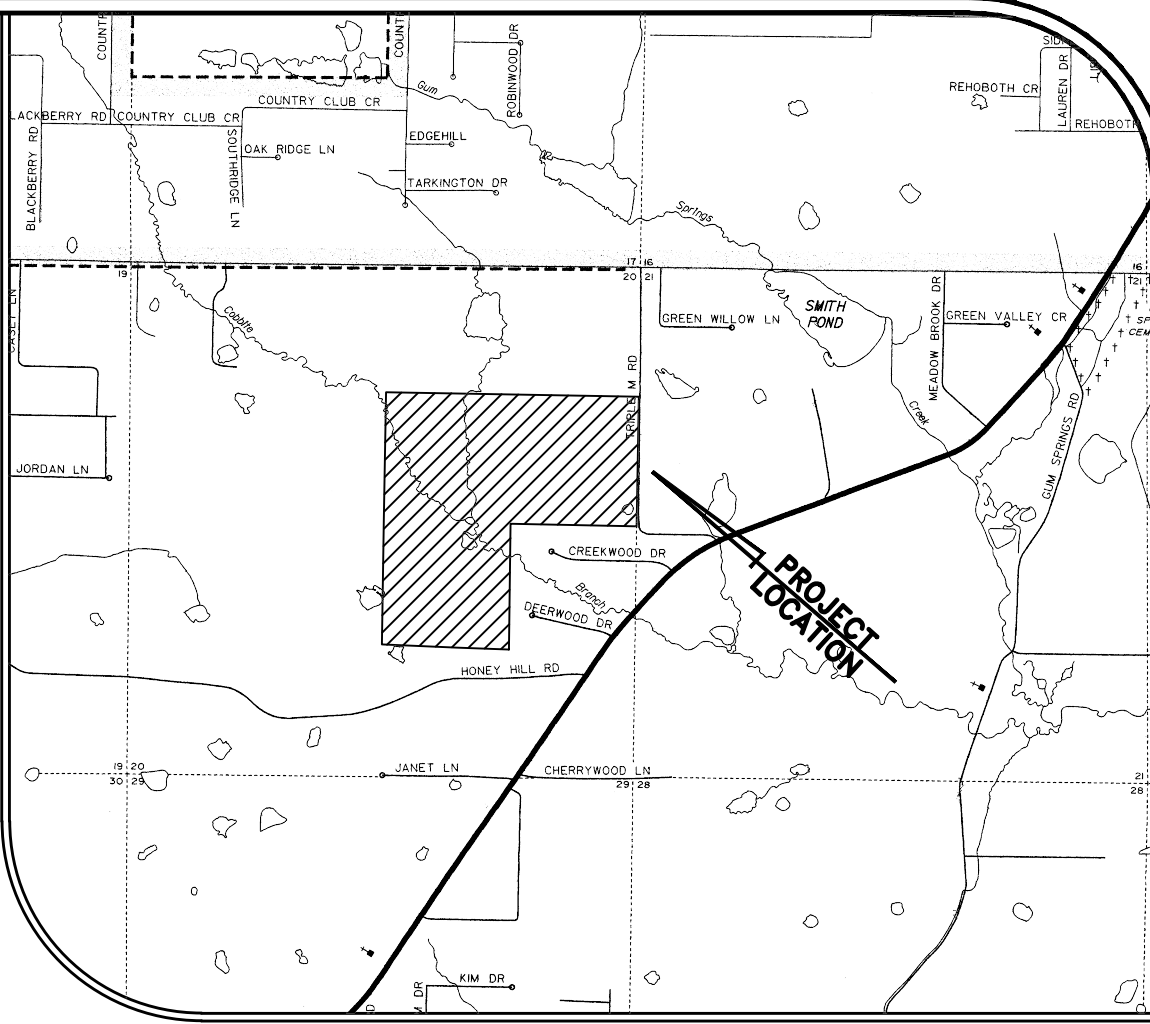
EXHIBIT A - QUAD/AERIAL VICINTY
THE RESERVE
A part of the East 1/2, Section 20, T-7-N, R-7-W
White County, Arkansas



0 1 2
SCALE: 1" = AS SHOWN

No.	Revisions	Date	By	Date:	Project No.
				March 2014	13-028
				File:	
				Hart Booth Rd/Dam Permit Drawings.dwg	
				Drawn By:	
				BJW	
				Sheet:	1 of 3





VICINITY MAP
SCALE: 1"=2000'

LAKE STAGE - STORAGE

ELEVATION	AREA (sf)	CUMULATIVE STORAGE (cf)	CUMULATIVE STORAGE (ac-ft)
280	529	0	0
282	1,156	1,685	0.04
284	22,933	25,774	0.59
286	92,338	141,045	3.24
288	164,273	397,656	9.13
290	251,058	812,987	18.66
292	333,409	1,397,454	32.08
294	463,318	2,194,181	50.37
296	613,126	3,270,625	75.08
298	796,730	4,680,481	107.45

LAKE STAGE -
DISCHARGE

ELEVATION	AREA
295	0 CFS
296	64 CFS
297	470 CFS
298	1,150 CFS



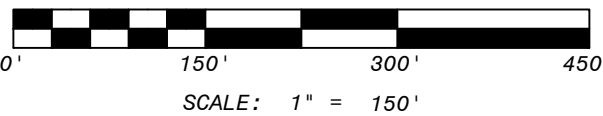
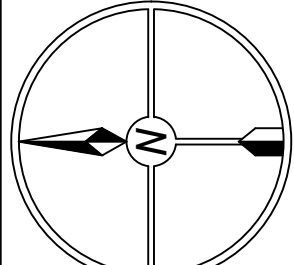
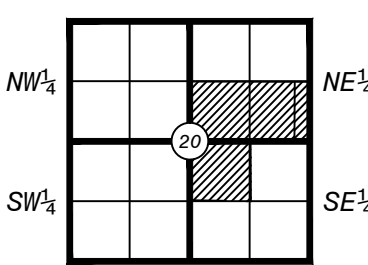
WHITLOW ENGINEERING SERVICES, INC.
301 EAST LINCOLN AVE #2
SEARCY, ARKANSAS 72143
(501) 279-9200 • (501) 279-9205 FAX

Prepared For:

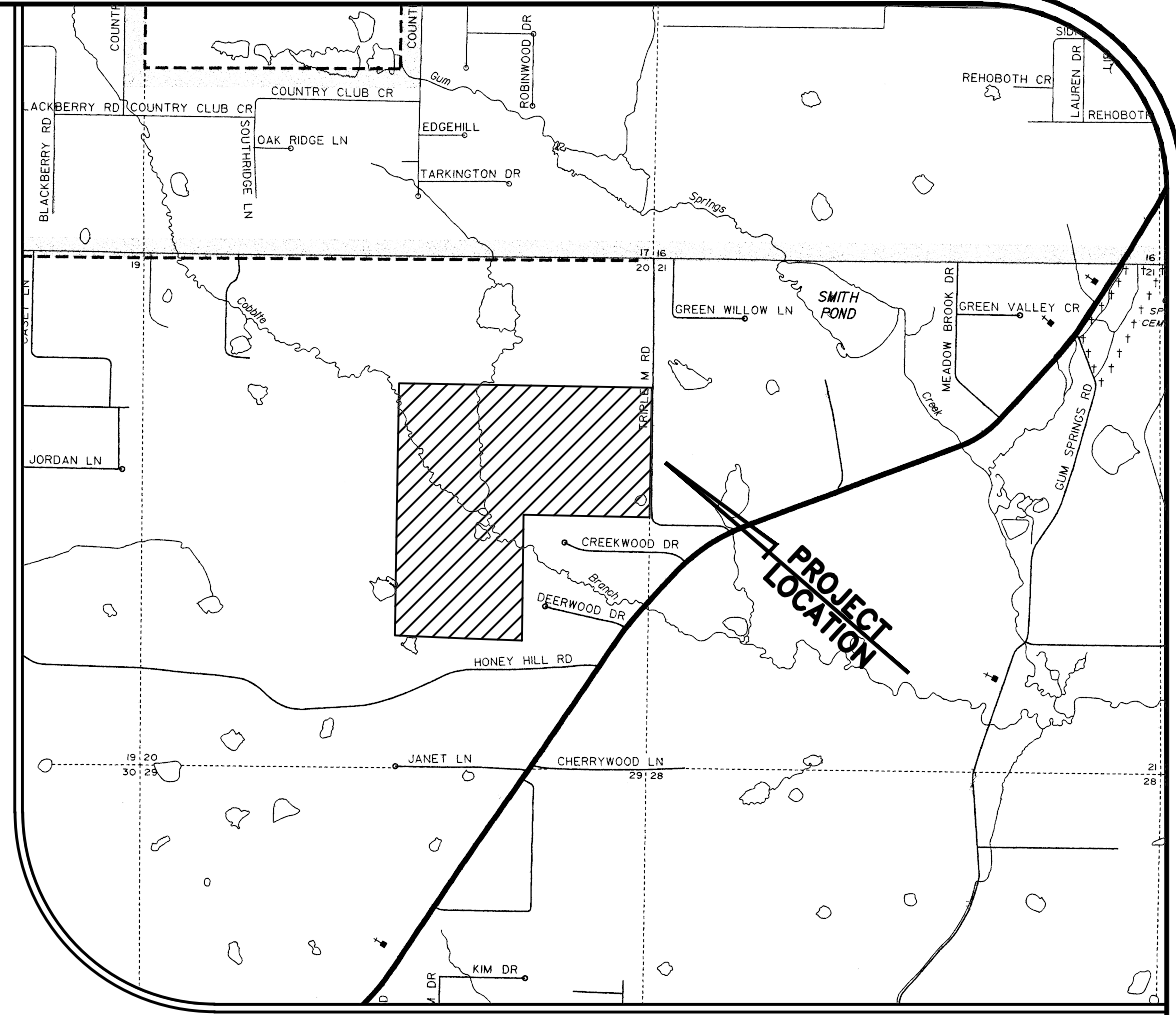
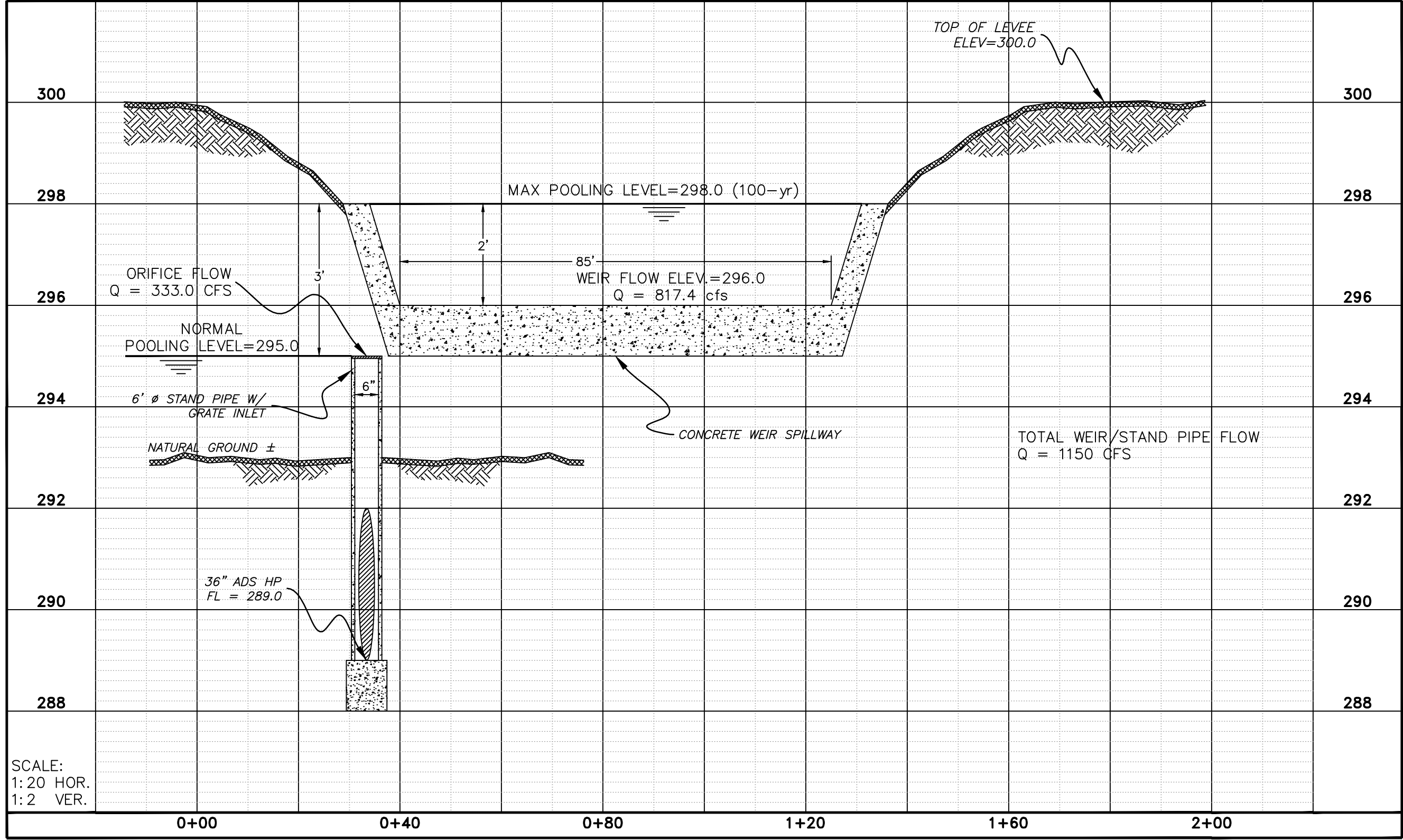
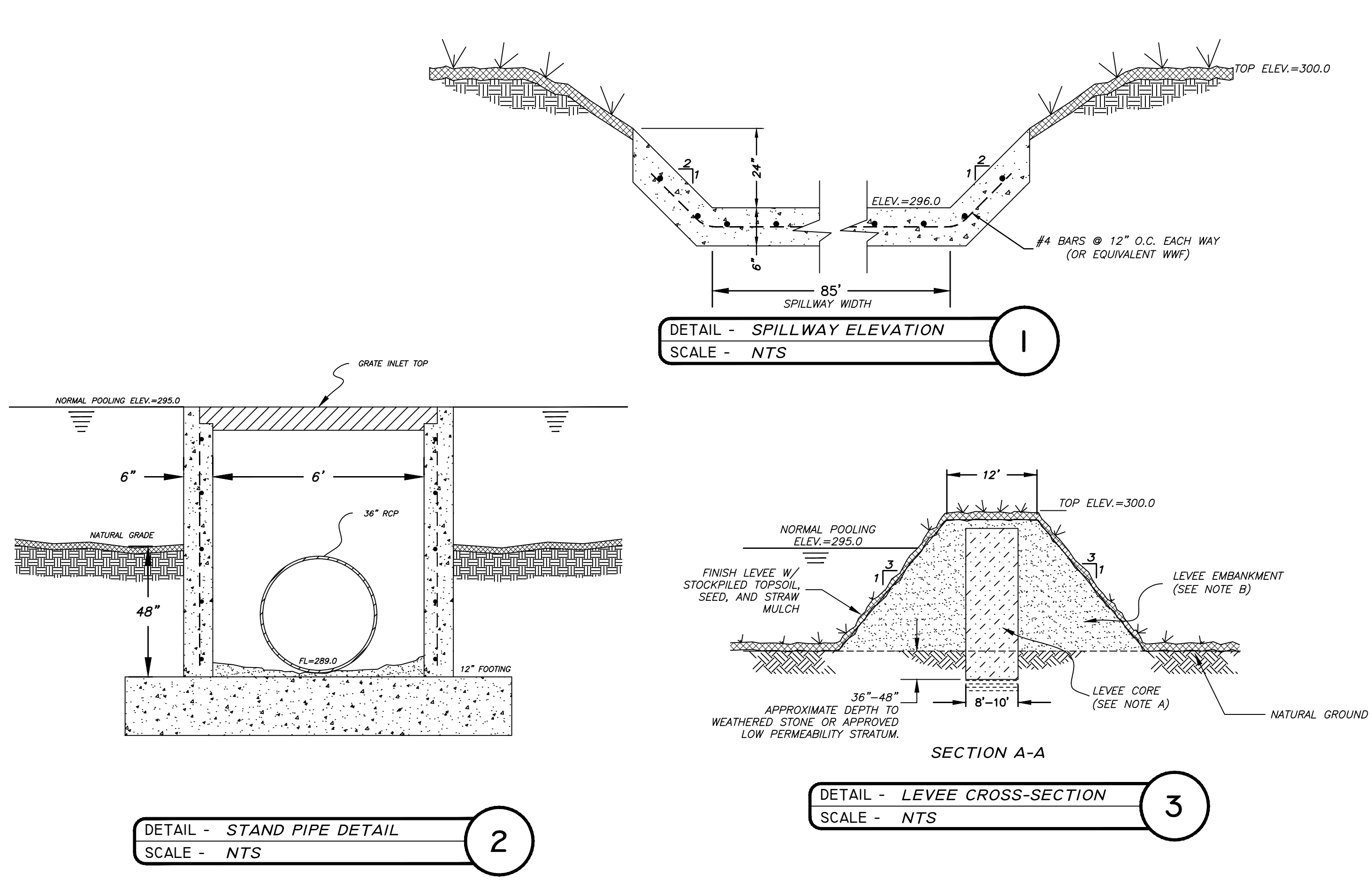
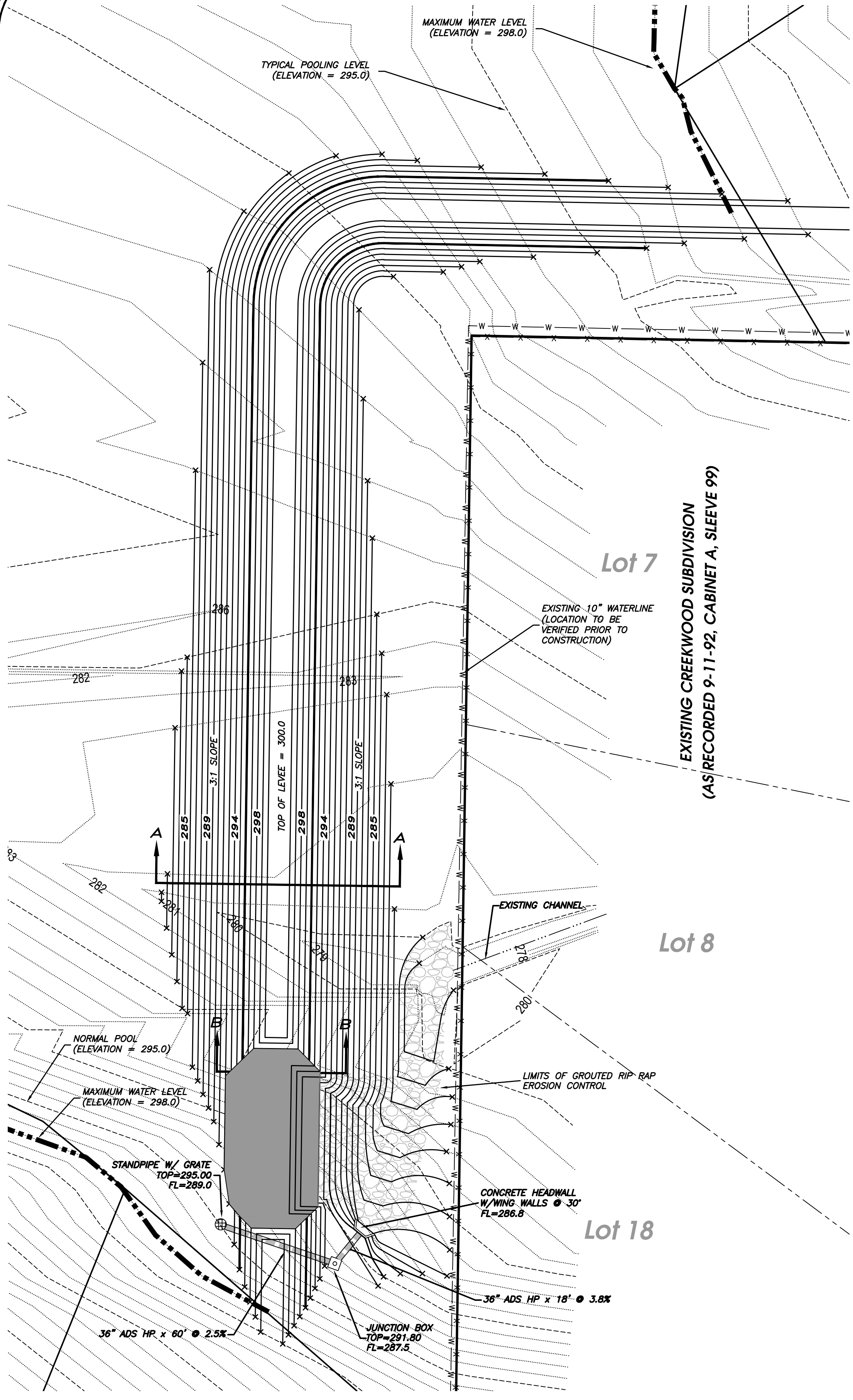
Triple M Partners, LLC.
1560 W Beebe Capps
Suite C #102
Searcy, AR 72143

EXHIBIT B - OVERALL LAYOUT
THE RESERVE

A part of the East 1/2, Section 20, T-7-N, R-7-W
White County, Arkansas



No.	Revisions	Date	By	Date:	Project No.
				March 2014	13-028
				File:	
				Hart Booth Rd Dam Permit Drawings.dwg	
				Drawn By:	Sheet:
				BUW	2 of 3



VICINITY MAP
SCALE: 1"=2000'

NOTE A - LEVEE CORE
CLAY CORE TO CONSIST OF SILTY CLAY (CL), SANDY CLAY (CLSC), OR CLAY (CH) HAVING A LIQUID LIMIT OF 40 TO 60 AND PLASTICITY INDEX OF 10 TO 30 AS APPROVED BY SOIL ENGINEER. COMPACTED CLAY CORE SOILS SHALL DEVELOP A PERMEABILITY OF 1×10^{-7} CM/SEC OR LESS. CORE SOILS TO BE COMPACTED TO AT LEAST 95% SP MAXIMUM UNIT DRY WEIGHT ASTM D698 WITHIN A WATER CONTENT RANGE OF -1 TO +3 PERCENT OF THE OPTIMUM WATER CONTENT. CLAY CORE SHALL BE COMPACTED WITH A SHEEP'S FOOT/PAD FOOT MECHANICAL ROLLER. THE SURFACE OF EACH LIFT SHALL BE SCARIFIED AS REQUIRED TO OBTAIN BONDING BETWEEN LIFTS. NORMAL LIFT THICKNESS SHALL BE 8" OR LESS AS APPROVED BY THE SOIL ENGINEER. A NOMINAL MAXIMUM SIZE SHALL BE 4" UNLESS OTHERWISE APPROVED BY THE SOIL ENGINEER.

NOTE B - LEVEE EMBANKMENT
EMBANKMENT FILL SHALL CONSIST OF SILTY CLAY (CL), SANDY CLAY (CLSC), OR SHALE FRAGMENT/SILTY CLAY BLEND HAVING A LIQUID LIMIT OF LESS THAN 45 AND PLASTICITY INDEX OF 7-20 AS APPROVED BY SOIL ENGINEER. EMBANKMENT SOILS TO BE COMPACTED TO AT LEAST 95% SP MAXIMUM UNIT DRY WEIGHT ASTM D698 WITHIN A WATER CONTENT RANGE OF -2 TO +3 PERCENT OF THE OPTIMUM WATER CONTENT. NORMAL LIFT THICKNESS SHALL BE 12" WITH A MAXIMUM PARTICLE SIZE OF 8" OR LESS AS APPROVED BY THE SOIL ENGINEER. FILL SHALL BE PLACED TO PREVENT NESTING OF LARGE STONES AND CREATION OF VOID ZONES. FILL SHALL BE COMPACTED WITH SHEEP'S FOOT/PAD FOOT GRID ROLLERS. THE SURFACE OF EACH LIFT SHALL BE SCARIFIED AS REQUIRED TO OBTAIN BONDING BETWEEN EACH LIFT.

NOTE C - SURFACE PREP
CLEAR, GRUB, AND STRIP TOP SOIL AND ROOTS. PROOF ROLL EXPOSED SUBGRADE TO CONFIRM STABILITY OR REQUIREMENT FOR SELECTIVE UNDERCUT OF WEEK OR UNSUITABLE SOILS AS DETERMINED BY SOIL ENGINEER. SUBGRADE SHALL BE STABLE AT TIME OF FILL PLACEMENT.

