



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2015-406 (JFB)

NOTICE DATE:
February 5, 2016

EXPIRATION DATE:
Attn: Postmaster,
Please Post Until  **March 6, 2016**

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:

Ronnie Young
Quapaw Timber Company, LLC
2844 Cyrene Drive
Hernando, Mississippi 38632

AGENT:

Heath D. Garner
Enercon Service, Inc.
1601 Northwest Espressway, Suite 1000
Oklahoma City, Oklahoma 73118

PURPOSE: The applicant is proposing to create a greentree reservoir for waterfowl habitat management.

LOCATION: The project is located in Section 19, Township 8N, and Range 1W in Woodruff County, Arkansas, at approximate latitude 35.30652°N and longitude -91.13534°W on the AR - McCrory 7.5 minute quadrangle map (see Figures 1 and 2).

DESCRIPTION OF WORK: The applicant proposes to remove 3 existing dilapidated culverts and replace them with two box-style flashboard riser water control structures (as shown on Figure 2, 3 and 4). Currently, the property has levees around the timber. However as part of the improvements, approximately 1,800 linear feet of levee would require restoration to regain structural integrity. The work would be accomplished by a track mounted excavator and/or back hoe, and bulldozer with excavation of soil from both the surrounding borrow ditch and 4-6 foot area inside the existing levees. Soil utilized from inside the levee would be pushed up with a small bulldozer so that no inside borrow pit is created and wetland functions can be easily restored after project completion. As a result, approximately 0.16 acre of wetland at the toe of the levee would be temporarily impacted by the work.

AVOIDANCE, MINIMIZATION, & COMPENSATION: According to the applicant, avoidance of impacts is not feasible since the project is already in place and minimization is not possible since the area is already leveed and the real estate cannot be relocated outside of a forested wetland system. However, impacts to forested wetlands will be minimal, as timber and vegetation have been previously removed from an area 4-6 feet around most of the inside of the existing levee. Borrow material from the adjoining borrow ditch will also be minimal and will not result in fill within jurisdictional waters of the United States. In an effort to minimize impacts to the forested wetland community, back-grading techniques will be employed that will include surficial scraping or pushing of soils from inside the levee onto the existing levee to increase levee base and reduce slopes. This technique will not result in an additional borrow ditch inside the levee, thus avoiding conversion from wetlands to "other waters" and maintaining wetland function. Impacts to forested wetland communities inside the levee will be temporarily increased by 0.16 acres using this method. Areas that will experience back-grading and surficial borrow inside the levee will be reforested.

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 would be no endangered species or critical habitat affected by this proposal. However, this notice is being coordinated with the United States Fish and Wildlife Services (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 review of the National Register of Historic Places indicated no known resources within the project area. However, 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 require a survey of the project area.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain 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 of Engineers 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: Joe Brougher
167 North 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

State Permits Branch, Water Division
Arkansas Department of Environmental Quality
ATTN: Lazendra Hairston
5301 North Shore Drive
Little Rock, Arkansas 72118-5317
E-mail: hairstonl@adeq.state.ar.us

The Corps of Engineers 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

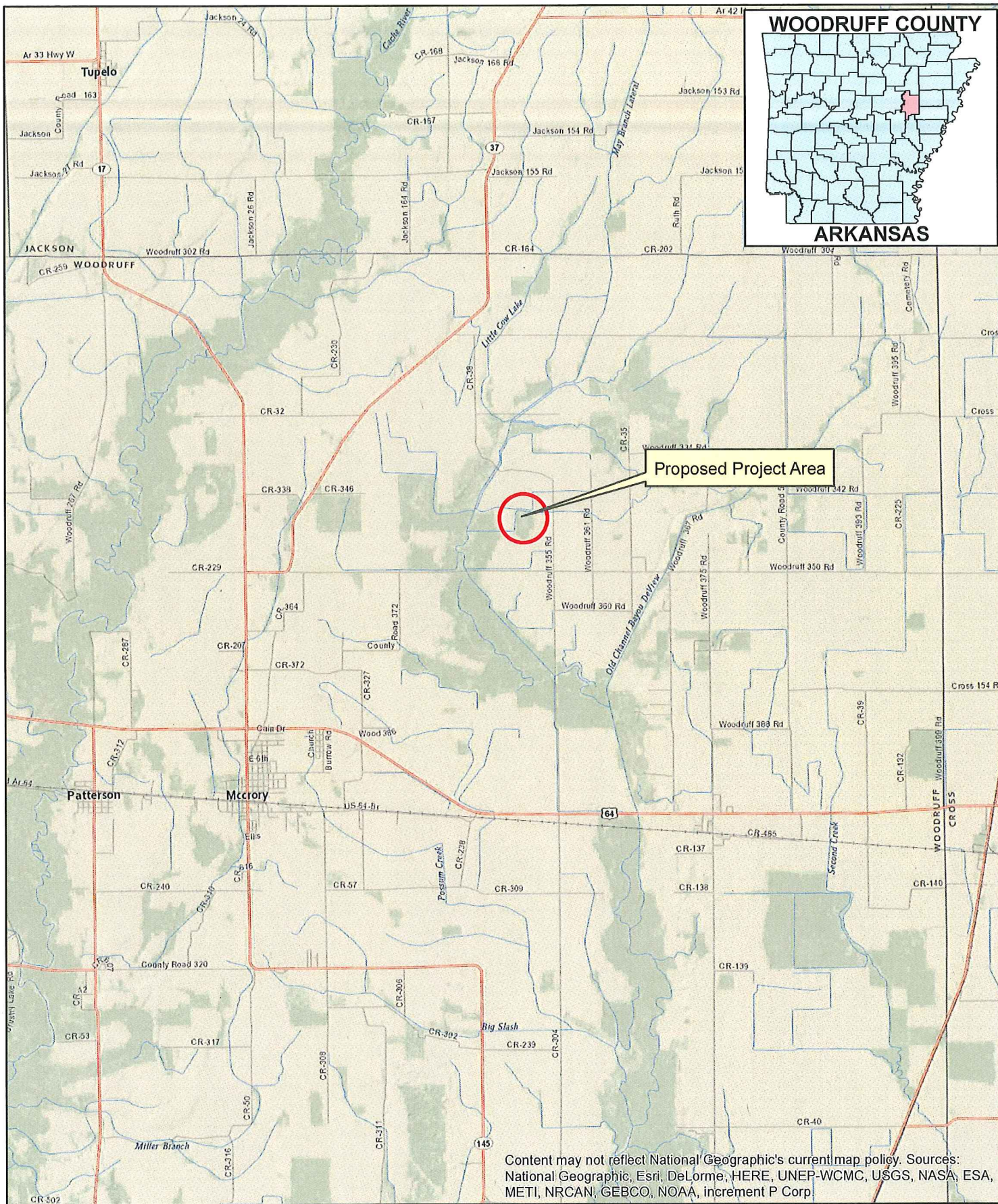


Figure 1. Proposed project site vicinity map

QUAPAW TIMBER COMPANY

**Quapaw Timber Company
Proposed GTR
Woodruff County, Arkansas**



Drawn by: H. Garner
Date: 11/19/2015

Projection: NAD83 UTM Zone 15 North

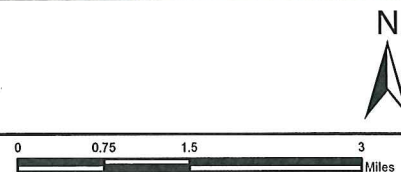




Figure 2. Proposed GTR conversion plans on USGS topographic map



QUAPAW TIMBER COMPANY

Drawn by: H. Garner
Date: 11/19/2015

Quapaw Timber Company
Proposed GTR
Woodruff County, Arkansas

Projection: NAD83 UTM Zone 15 North

Drain
Duck Hole
WCS
Levee_Restoration
Existing_Levees
Existing_Trail
drg_s_ar147.sid
RGB
Red: Band_1
Green: Band_2
Blue: Band_3

0 125 250 500 Feet





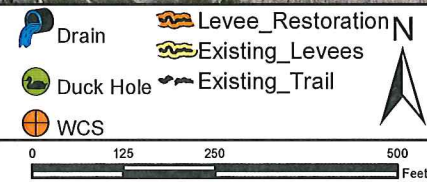
Figure 3. Proposed GTR conversion plans on 2014 aerial imagery

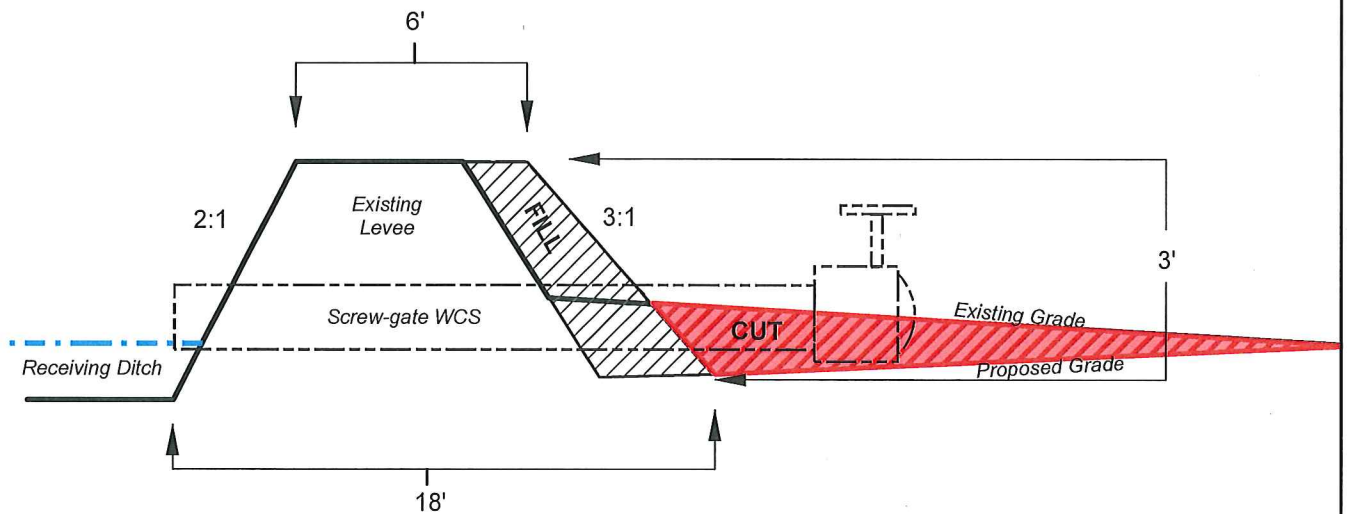
QUAPAW TIMBER COMPANY

Drawn by: H. Garner
Date: 11/19/2015

Quapaw Timber Company Proposed GTR Woodruff County, Arkansas

Projection: NAD83 UTM Zone 15 North





X-SECTION A-A

Not to Scale

LAYOUT VIEW

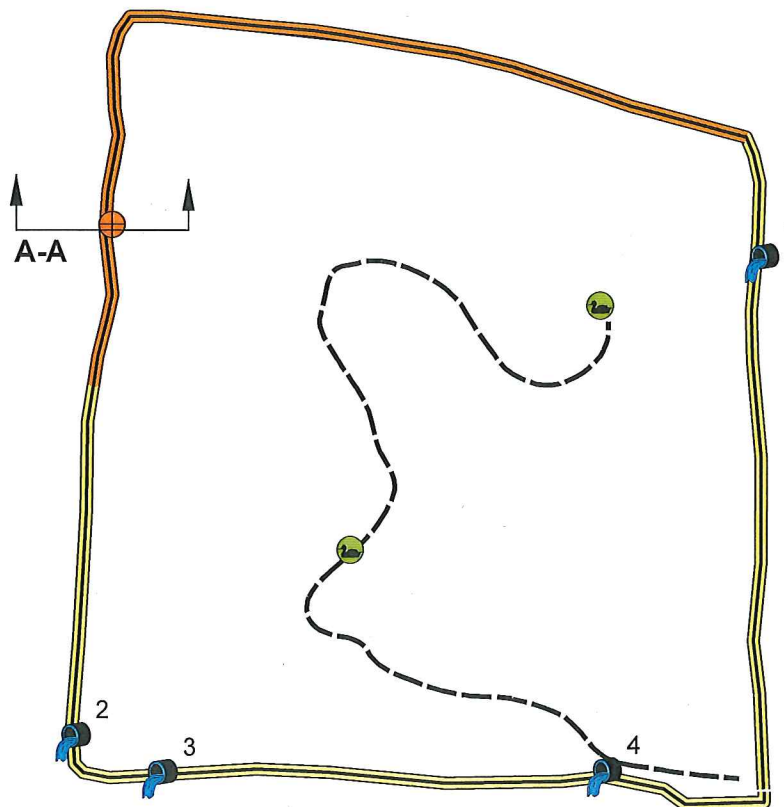
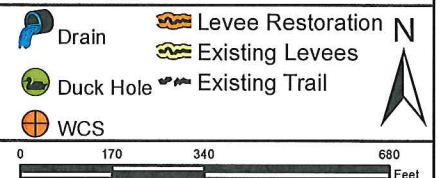


Figure 4. Proposed levee restoration plans cross-section

QUAPAW TIMBER COMPANY

**Quapaw Timber Company
Proposed GTR
Woodruff County, Arkansas**



ENERCON

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