

APPLICATION NO. **2008-00290**

JOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATE OF ARKANSAS
(25-Day Comment Period)
(Comment Expiration Date – August 16, 2008)

TO WHOM IT MAY CONCERN: **Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.**

Point of Contact. If additional information is desired, please contact the project manager, Timothy Scott, telephone number: (501) 324-5296, mailing address: Little Rock District Corps of Engineers, Regulatory Office, PO Box 867, Little Rock, Arkansas 72203-0867, e-mail address: <mailto:tim.scott@usace.army.mil>

Project Information. Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Mr. Forrest Moudy
Post Office Box 878
Danville, Arkansas 72833**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with the construction and installation of five water control structures across the drainage outlets of two oxbow sloughs and three wetland areas located adjacent to the Petit Jean River near Danville, Arkansas. The proposed project is located in section 26, T. 5 N., R. 23 W., in Yell County, Arkansas.

The purpose of the project is to enhance the existing wetlands by improving and increasing the hydrologic period and the water depth. The primary purpose is for enhancement of wetland conditions, the control of erosion around the outlets, access across the outlets to other properties, and to regulate water levels to improve waterfowl and fisheries habitat for recreational purposes.

The project consists of installing five earthen water control structures. Water control structures will be 50, 60, 85, 260, and 275 feet in length. The estimated footprint of control structures 2 and 3 within jurisdictional waters are 3,000 square feet and 5,000 square foot, for a total of 0.18 acres of impacts. The estimated footprints of structures 3, 4, and 5 in wetlands are 4,000, 2,000, and 1,000 square feet for a total of 0.16 acres of impacts. There will be five 18-inch by 30-inch

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steel pipes installed for erosion control. Water control structure 2 will have an 86-foot by 18-inch steel pipe with an 8-foot by 30-inch riser which will result in increasing the water depth in the slough to a maximum of 8 feet. This will impound approximately 7.5 acres of the slough. Water control structure 3 will have a 76-foot by 18-inch pipe, with a 6-foot by 30-inch riser and will increase water elevations approximately 5.5 feet. This will impound 3.0 acres of the original slough channel. Both of these sloughs frequently dry up during the summer months. The proposed water elevations will extend primarily to the original ordinary high water mark of the slough channel. The applicant proposes to increase the fishing opportunities by maintaining water at these levels for a longer period. Water control structure 4 is within a manmade ditch and will replace a beaver dam. Control structure 4 will impound 43.0 acres of fields, forest land that has been clear-cut, food plots, and standing hardwood. Water control structures 5 and 6 will replace existing road crossings. Structure 5 will seasonally inundate existing scrub/shrub and herbaceous wetlands, and bottomland hardwoods totaling 22.0 acres. Shallow, moist soil unit areas and flooded green-tree areas will be created as a result of these structures.

The applicant has utilized the Natural Resources Conservation Service to assist in his wetland enhancement design. Proposed compensation for wetland fill can be mitigated by hardwood planting of adjacent farmed wetlands or pasture wetlands located on the property. Compensation credits may also be obtained by the enhancement methods used on the existing wetlands and aquatic habitat.

The location and general plan for the proposed work are shown on the enclosed sheets.

Water Quality Certification. By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality (ADEQ) in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the comment period and a public hearing, if held, a determination relative to water quality certification will be made. 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.

Cultural Resources. The National Register of Historic Places has been consulted; and it has been determined that there are no properties currently listed in the Register, or eligible for inclusion therein, which would be affected by the proposed work. A Corps staff archeologist also will review topographic maps and data on reported sites in the area. If it is determined that further review is not warranted, these reviews will constitute the full extent of cultural resources investigation by this office unless we are made aware, as a result of comments received in response to this notice or by other means, of the existence of specific structures or sites which might be affected by the proposed work.

Endangered Species. Our preliminary determination is that the proposed activity will not affect listed Endangered Species or their critical habitat. A copy of this notice is being furnished to the

CESWL-RO

U.S. Fish and Wildlife Service and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Flood Plain. We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain Management.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit which involves the discharge of dredged or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

Public Involvement. Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **August 16, 2008**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in 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 proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal 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, flood plain 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.

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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 public hearings shall state, with particularity, the reasons 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.

NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

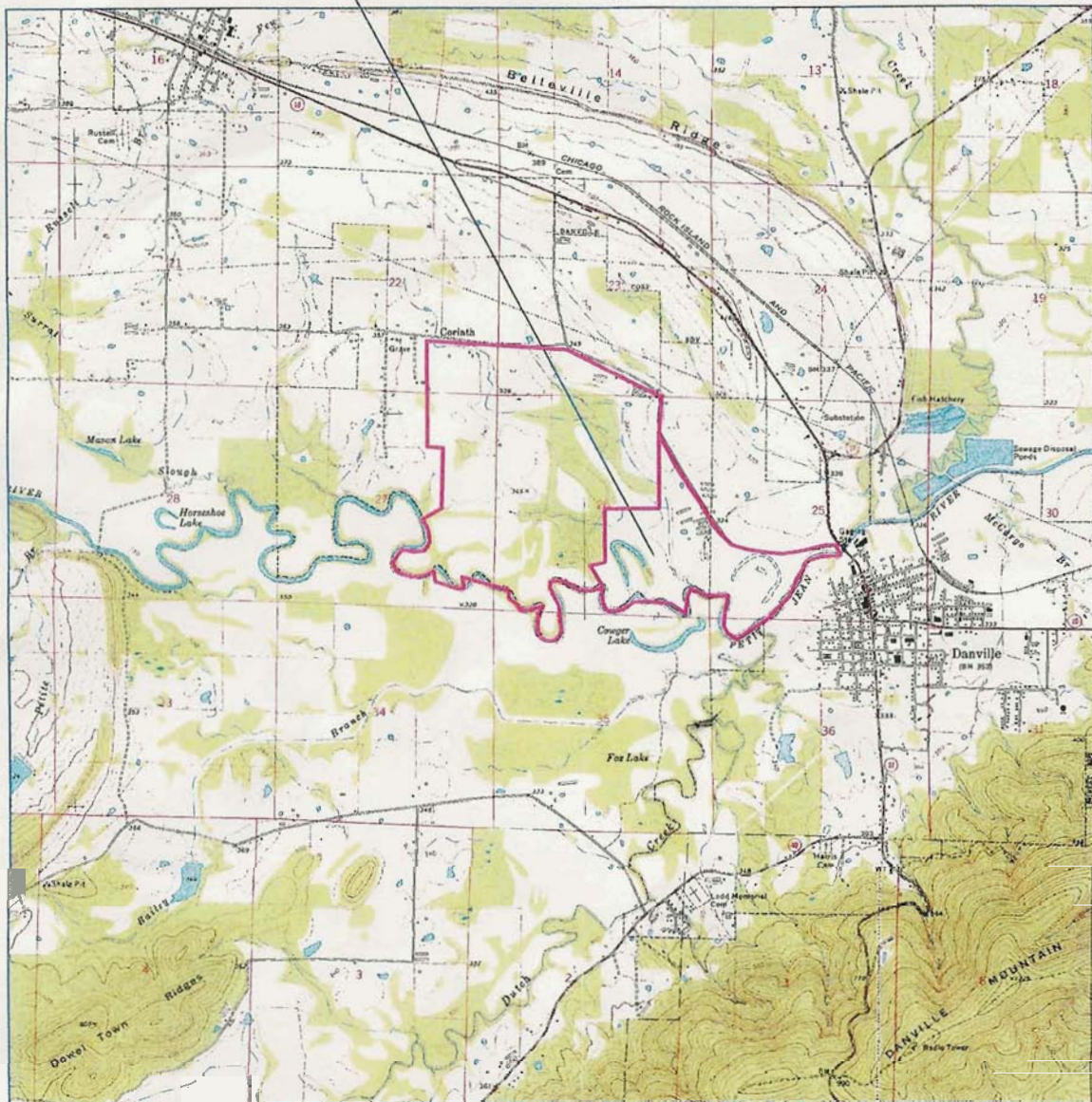
Enclosures

Approximate Coordinates of Project Center

Latitude: **35.0564** Longitude: **-93.4233**

UTM Zone: **15** North: **462310** East: **3879376**

PROJECT AREA
 LATITUDE 35-03-31
 LONGITUDE 93-24-40



PURPOSE: ENHANCE EXISTING WETLANDS BY CONSTRUCTING WATER CONTROL STRUCTURES

DATUM: NAD83
 COORDINATE SYSTEM: ARKANSAS STATE PLANE, NORTH ZONE, US FOOT
 PROJECTION: LM

ADJACENT PROPERTY OWNERS:

VICINITY MAP

DANVILLE USGS QUADRANGLE
 YELL COUNTY, ARKANSAS
 Sec. 26, T5N, R23W

5280'

ACTION NO. 2008-00290

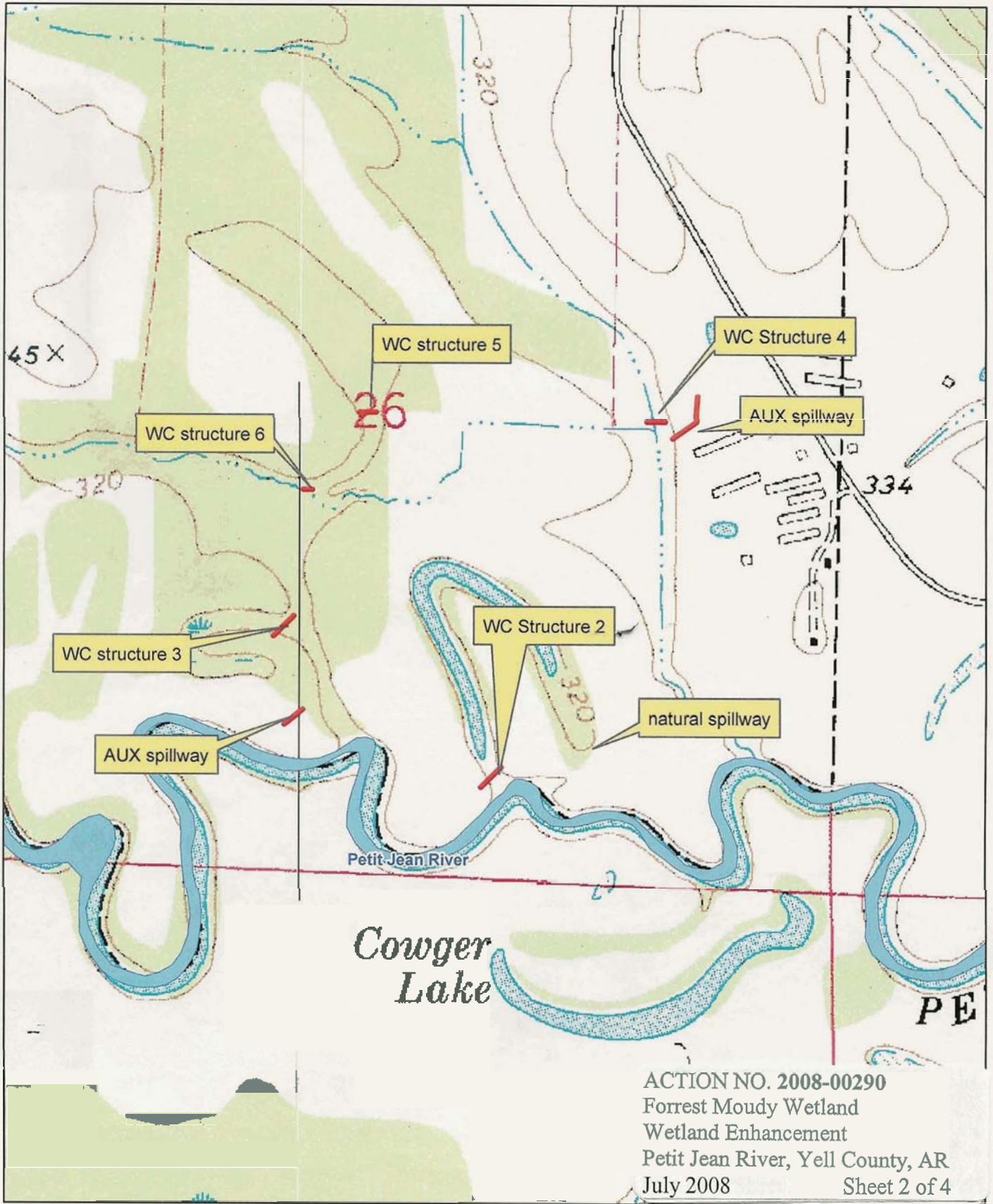
Forrest Moudy Wetland
 Wetland Enhancement
 Petit Jean River, Yell County, AR
 July 2008

Sheet 1 of 4

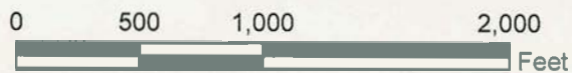
REFERENCE

Project	FORREST MOUDY WETLAND	
Designed	S. A. MATHIS	Date 11/2007
Checked	<i>[Signature]</i>	Date
Approved	<i>[Signature]</i>	Date 12/10/07

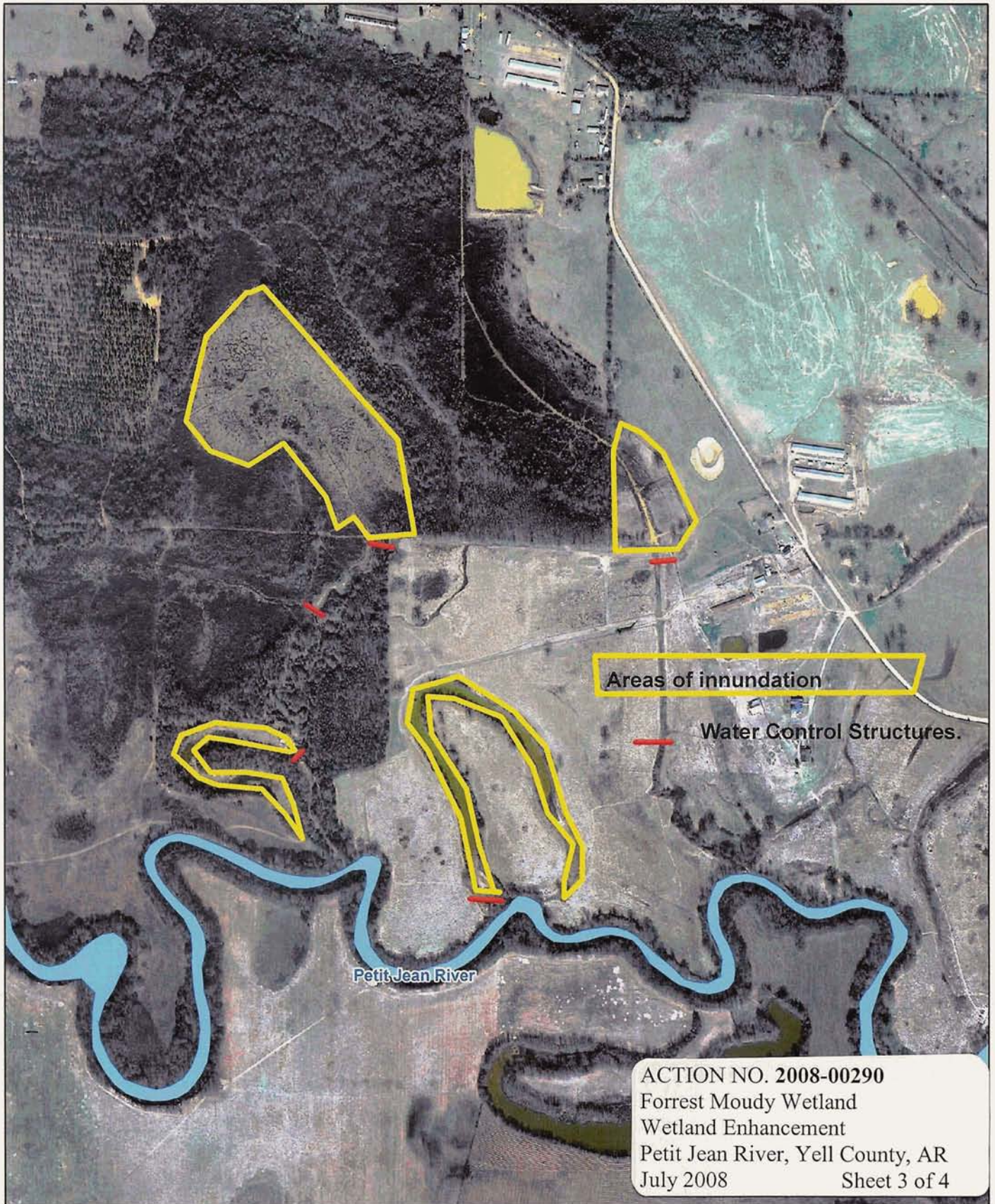
U.S. DEPARTMENT OF AGRICULTURE
 NATURAL RESOURCES CONSERVATION SERVICE
 TECHNICAL SERVICE CENTER FORT SMITH, AR



ACTION NO. 2008-00290
Forrest Moudy Wetland
Wetland Enhancement
Petit Jean River, Yell County, AR
July 2008 Sheet 2 of 4

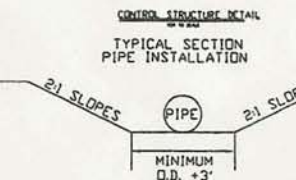
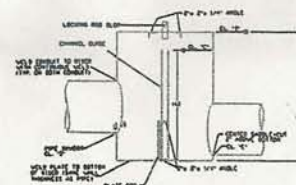
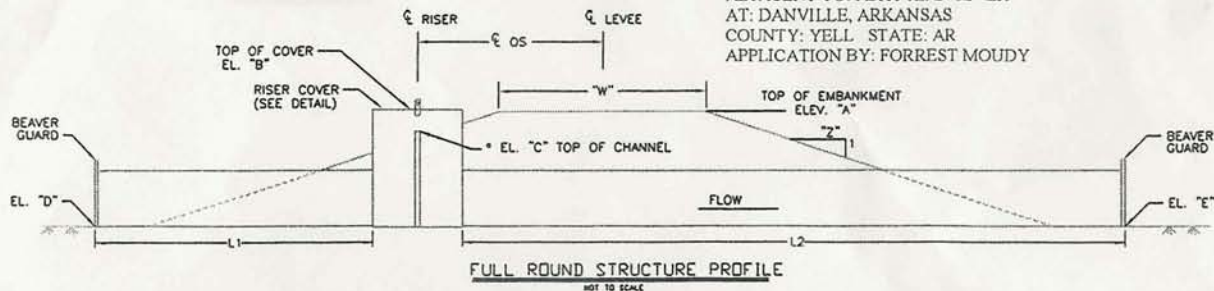


2008-00290



PROPOSED WETLAND ENHANCEMENT AND FILL

ADJACENT TO: PETIT JEAN RIVER
 AT: DANVILLE, ARKANSAS
 COUNTY: YELL STATE: AR
 APPLICATION BY: FORREST MOUDY



CONTROL STRUCTURE TABLE

STRUCTURE	PIPE SIZE	RISER SIZE	EL. "A"	EL. "B"	EL. "C"	EL. "D"	EL. "E"	"W"	"L1"	"L2"	"OS"	"H1"	"H2"	NO. OF STOPLOG	SLOPES "Z"	C.Y FILL	EM. SPWY ELEV.	DAM LENGTH
WCS 2	18"	30"	326.0'	324.4'	323.9	316.4'	316.2'	12'	10'	76'	12'	8.0'	7.5'	15	4:1	1500	324.4'	275'
WCS 3	18"	30"	327.0'	325.5'	325.0'	319.5'	319.3'	12'	10'	66'	12'	6.0'	5.5'	11	4:1	1000	325.5'	260'
WCS 4	18"	30	325.8'	324.0	323.5'	320.0'	319.8'	12'	10'	48'	13'	4.0'	3.5'	7	4:1	500	323.8'	85'
WCS 5	18"	30"	326.9'	325.5'	324.5'	322.5'	322.3'	12'	10'	36'	12'	2.5'	2.0'	4	4:1	100	324.9'	60'
WCS 6	18"	30"	325.1'	324.5'	324.0'	322.0'	321.4'	12'	10'	44'	8'	2.5'	2.0'	4	4:1	100	325.1'	50'

NOTE: ELEVATION "C" IS FULL SERVICE LEVEL (FSL) AND IS CONTROLLING ELEVATION FOR STRUCTURE INSTALLATION. THIS ELEVATION WILL BE CHECKED WITH ALL STOPLOGS IN PLACE.

Material

Pipe shall be new or used steel smooth steel pipe.

Minimum Thickness
 Steel pipe

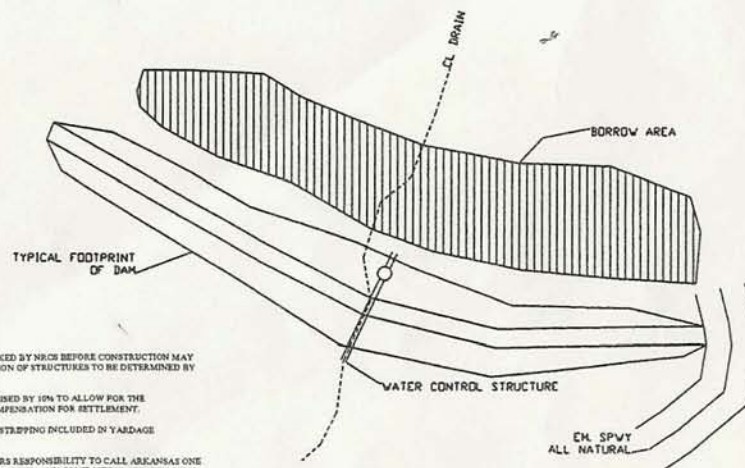
6-10 inch	3/16 in
12-24 inch	1/4 in
26-36 inch	5/16 in
38-48 inch	3/8 in

The structures will have watertight seams, joints, couplings, etc.

PURPOSE: ENHANCE EXISTING WETLANDS BY CONSTRUCTING WATER CONTROL STRUCTURES

DATUM: NAD83
 COORDINATE SYSTEM: ARKANSAS STATE PLANE, NORTH ZONE, US FOOT
 PROJECTION: LM

ADJACENT PROPERTY OWNERS:



GENERAL NOTES

1. ALL WORK TO BE STAKED BY NRC BEFORE CONSTRUCTION MAY BEGIN. EXACT LOCATION OF STRUCTURES TO BE DETERMINED BY NRC ENGINEER.
2. ALL LEVEES TO BE RAISED BY 10% TO ALLOW FOR THE SETTLEMENT. NO COMPENSATION FOR SETTLEMENT.
3. 8" ALLOWANCE FOR STEPPING INCLUDED IN YARDAGE CALCULATIONS.
4. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CALL ARKANSAS ONE CALL 1-800-482-8998 TO VERIFY ANY CONFLICTING UTILITIES PRIOR TO BEGINNING ANY WORK.

TYPICAL PLAN VIEW OF STRUCTURE

NOT TO SCALE

ACTION NO. 2008-00290

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 July 2008

Sheet 4 of 4

WATER CONTROL STRUCTURE DETAIL
 FORREST MOUDY WETLAND, YELL COUNTY, AR

U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE

DATE: 12/19/07

BY: S. A. MATHIS

Project File: 12/19/07