



**US Army Corps  
of Engineers**

Vicksburg District  
4155 Clay Street  
Vicksburg, MS 39183-3435  
www.mvk.usace.army.mil



# Public Notice

APPLICATION NO.:	MVK-2016-321
EVALUATOR:	Ms. Charlene Mosley
PHONE NO.:	(601) 631-5264
E-MAIL:	Charlene.P.Mosley@usace.army.mil
DATE:	November 9, 2016
EXPIRATION DATE:	November 30, 2016

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District is considering an application for a Department of the Army permit for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Arkansas Department of Environmental Quality, are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address, and the Arkansas Department of Environmental Quality, Post Office Box 8913, Little Rock, Arkansas 72219-8913, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged and/or fill material into waters of the United States.

Name of Applicant:  
Mr. Andrew Collins  
Stonehill, LLC  
2200 Rodney Parham Road Suite 221  
Little Rock, Arkansas 72212

Name of Agent:  
Mr. John R. Pownall  
Thomas Engineering Company  
3810 Lookout Road  
North Little Rock, Arkansas 72211

Location of Work: Section 36, Township 3N- Range 12W, Latitude 34.85430, Longitude -92.23488, within Bayou Meto Drainage Basin (8-digit USGS HUC 08020402), Pulaski County, Arkansas.

**Description of Work:** (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for an after-the-fact Department of the Army permit to conduct regulated activities in jurisdictional areas for the purpose of developing a residential area in Pulaski County, Arkansas. The applicant's stated purpose is to develop a 51-lot residential subdivision with associated roads, drainage culverts, and sewer infrastructure.

The proposed Bear Paw Subdivision would be constructed on a 13-acre parcel of land. The development would be comprised of approximately 51 single-family residential house lots, associated roads/streets, and utilities as a planned residential development. The majority of the development would be constructed in an upland area.

Approximately 472 linear feet of an ephemeral stream have already been filled. The applicant proposes to fill an additional 131 linear feet of the same ephemeral stream. Approximately 6,500 cubic yards of rock, shale, and clay would be used as fill for the development.

The applicant has proposed to mitigate for the unavoidable loss of stream functions and values by performing permittee responsible mitigation. The applicant proposes to reroute the stream to the northern boundary of the property.

The vegetative communities within the wetland areas are Post oak, Mockernut hickory, Farkleberry, Eastern red cedar, Saint John wort, Persimmon, Muscadine, Virginia creeper, and Sawbrier. Soil within the wetland areas consists of Linker-Urban land complex.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

**State Water Quality Permit:** The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

**Cultural Resources:** The Regulatory Archaeologist has reviewed the latest published version of the National Register of Historic Places, state lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the proposed undertaking upon these properties: The proposed work and/or structures are of such limited nature and scope that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

**Endangered Species:** Our initial finding is that the proposed work will have no effect on the following endangered species or their critical habitats: Red-cockaded woodpecker, Piping Plover, Least tern, Arkansas fatmucket, Running buffalo clover, Rattlesnake-master borer moth, and Northern Long-Eared Bat.

**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 development described in this public notice and apprise this office of any flood plain development permit requirements. Portions of the project are within the 100 year floodplain.

**Evaluation Factors:** The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

**Public Involvement:** The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

**Opportunity for a Public Hearing:** Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

**Notification of Final Permit Actions:** Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/Missions/Regulatory.aspx>, and click on ORM Permit Decisions under Program Links.

  
FOR Thomas A. McCabe  
Chief, Evaluation Section  
Regulatory Branch



1:3,000

There are jurisdictional waters of the U.S. within the project boundary. Any work involving the discharge of dredged or fill material into a jurisdictional water of the U.S. will require a permit.

### Legend

- |   |                                    |   |  |
|---|------------------------------------|---|--|
|  | Project Boundary                   |  | Proposed Stream Location (851 L.F.)      |
|  | Upland Swale (782 L.F.)            |  | Temporary Stream Relocation (114 L.F.)   |
|  | Ephemeral Stream (472 L.F. Filled) |  | Completed Stream Relocation (524 L.F.)   |
|  | Phase 2 Boundary                   |  | Ephemeral Stream (131 L.F. To Be Filled) |

Pulaski County, AR



28 September 2016

**MVK-2016-321**

Jurisdictional Determination  
Bear Paw Addition Phase 2  
Sherwood, Pulaski County, Arkansas

**Preliminary  
Jurisdictional Determination**

Prepared by  
Arel Simpson

Project Site



**US Army Corps  
of Engineers.**



**Regulatory Branch**

**Enforcement Section**



Enclosure 1

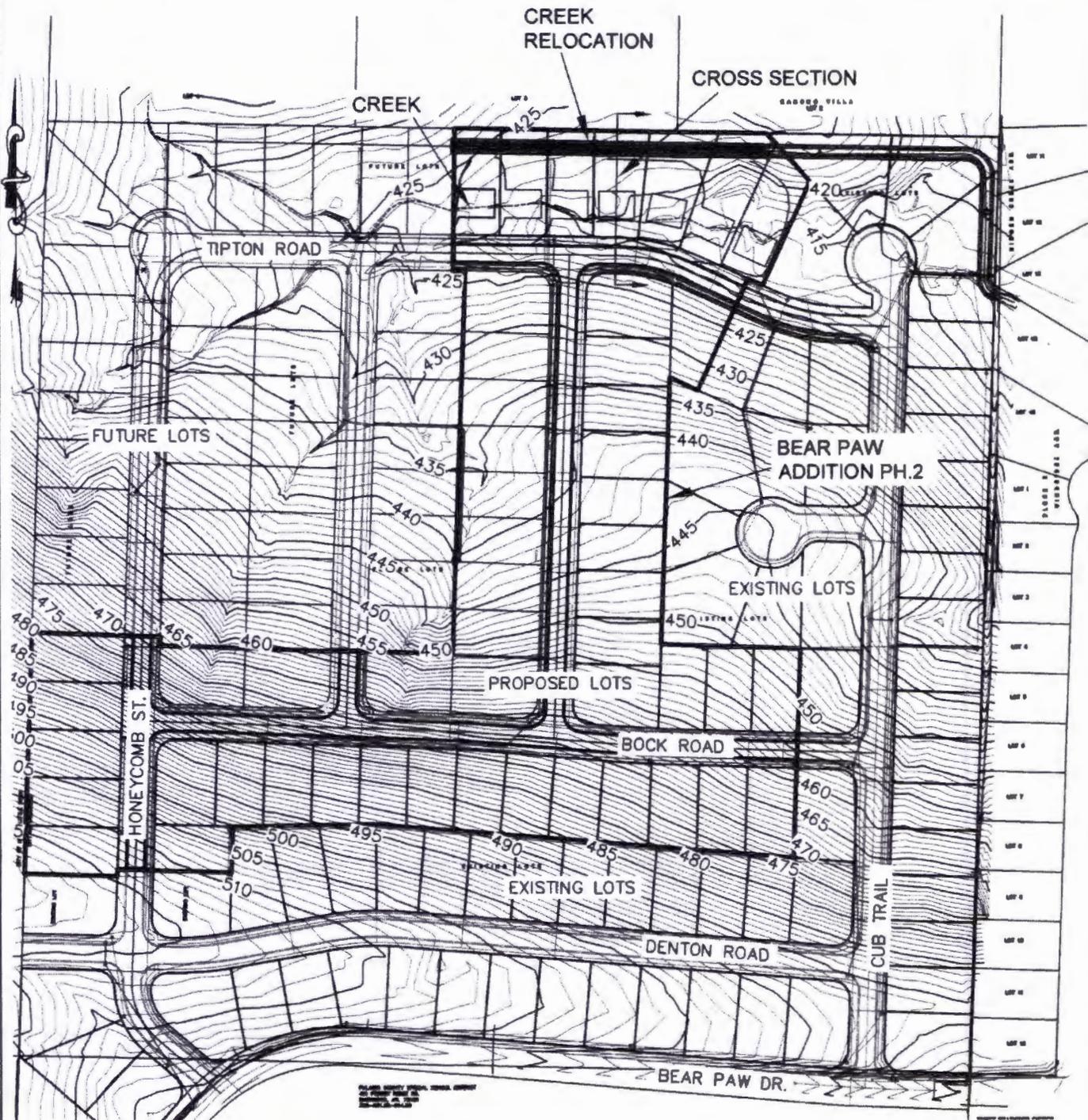


MEMBER NATIONAL SOCIETY  
PROFESSIONAL ENGINEERS

# THOMAS ENGINEERING COMPANY

3810 LOOKOUT ROAD  
NORTH LITTLE ROCK, ARKANSAS 72116  
TELE. No. 501-753-4463 FAX 501-753-6814

CIVIL ENGINEERS—LAND SURVEYORS  
LAND PLANNING & DEVELOPMENT  
RESIDENTIAL—COMMERCIAL—INDUSTRIAL



## PLAN VIEW

DATE: 4/19/2016  
SCALE: 1" = 200'

OWNER:  
STONEHILL, LLC.  
2200 RODY  
LITTLE RO

CEMVK-OD-FE CPM-MVK-2016-321

MR. ANDREW COLLINS  
STONEHILL, LLC

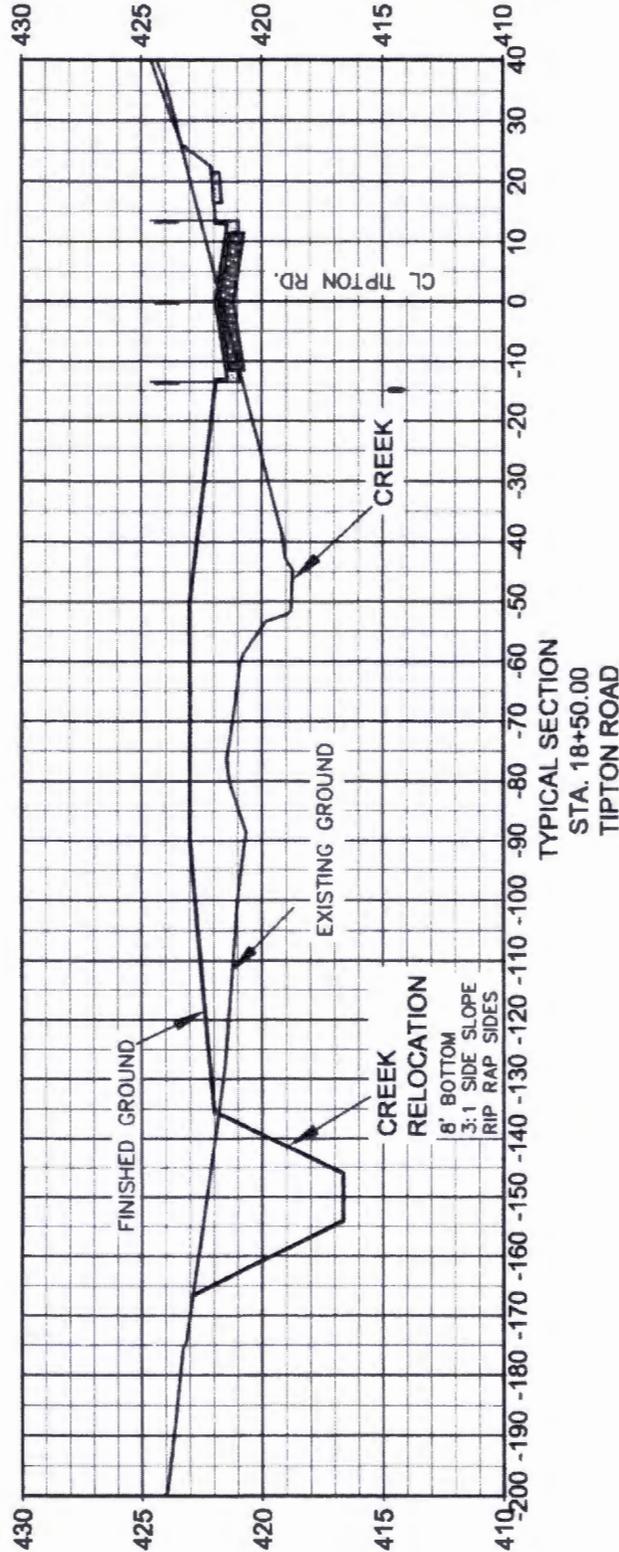


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LAND PLANNING & DEVELOPMENT  
RESIDENTIAL—COMMERCIAL—INDUSTRIAL



DATE: 4/19/2016  
SCALE: 1"= 30' H  
1"= 7.5' V

**SECTION VIEW**

OWNER: \_\_\_\_\_

CEMVK-OD-FE CPM-MVK-2016-321

MR. ANDREW COLLINS  
STONEHILL, LLC