



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	<u>MVK-2021-793</u>
EVALUATOR:	<u>Ms. Tarmiko Graham</u>
PHONE NO.:	<u>(601) 631-5540</u>
E-MAIL:	<u>Tarmiko.V.Graham@usace.army.mil</u>
DATE:	<u>July 20, 2022</u>
EXPIRATION DATE:	<u>August 9, 2022</u>

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-RD, and the Arkansas Department of Environmental Quality at Post Office Box 8913, Little Rock, Arkansas 72219-8913, and must reach these offices by the cited expiration date.

The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Arkansas Department of Environmental Quality (certifying authority). In accordance with Certification Rule part 121.6, once the applicant submits a certification request, the Corps of Engineers will notify the certifying agency of the reasonable period of time for them to act upon the certification.

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. Richard Penn
City of Sherwood
31 Shelby Road
Sherwood, Arkansas 72120

Name of Agent:

Mr. Colby Marshall
Garver, LLC
2049 East Joyce Blvd.
Fayetteville, Arkansas 72703

Location of Work: Sections 19 and 20, T3N-R11W, Latitude 34.883434, Longitude -92.22151, within the Kellogg Creek 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 a Department of the Army permit to conduct regulated activities in "Waters of the U.S." for the purpose of drainage improvements to Jacksonville-Cato Road in Sherwood, Arkansas. The purpose of the project is to elevate the roadway above the flood plain, straighten geometry for safety purposes and to accommodate traffic for a growing community.

The proposed project site is located near Cato-Elementary School and extends along Jacksonville-Cato Rd. for 1.7 miles and ends at State Highway 107. The project would include straightening the geometry, raising the elevation, widening the roadway, increasing the Right-of-Way (ROW) width, drainage improvements, and adding bike lanes and sidewalks.

Approximately 1.4 acres of forested wetlands and approximately 647 linear feet of an intermittent stream would be impacted for the proposed drainage improvements. Approximately 2,911 cubic yards of fill material and 336 cubic yards of concrete fill would be placed in the jurisdictional areas.

The Applicant proposes to purchase the required compensatory mitigation credits from a USACE Vicksburg District approved mitigation bank.

The dominant wetland vegetation within the project area consists of groundseltree (*Baccharis halimifolia*), black willow (*Salix nigra*), lamp rush, tapered rosette grass (*Dichanthelium acuminatum*), horsebrier, black tupelo (*Nyssa sylvatica*), red maple, fescue sedge (*Carex festucacea*), sweet-gum, water oak (*Quercus phellos*), hop sedge (*Carex lupulina*) and lizard's-tail. Riparian vegetation within the project area consists of American sycamore (*Platanus occidentalis*), white oak (*Quercus alba*), Chinese privet (*Ligustrum sinense*), annual ragweed (*Ambrosia artemisiifolia*), and goldenrod (*Solidago sp.*). Soils within the project area consists of Leadvale silt loam, Guthrie-leadvale complex and Linker gravelly fine sandy loam.

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, 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 permit area is composed (entirely) of low-lying wetlands with no existing or subsided natural levee landforms: and therefore, has a very low potential for yielding unidentified cultural deposits that may be eligible for the National Register of Historic Places.

Endangered Species: Threatened and Endangered Species for this area include the Eastern Black Rail, the Piping Grouse, the Red Knot and the Running Buffalo Clover. The Corps has determined that the proposed activity would have no effect on these species as the project location does not contain suitable habitat for either species.

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 development described in this public notice and apprise this office of any flood plain development permit requirements. The project is located 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.

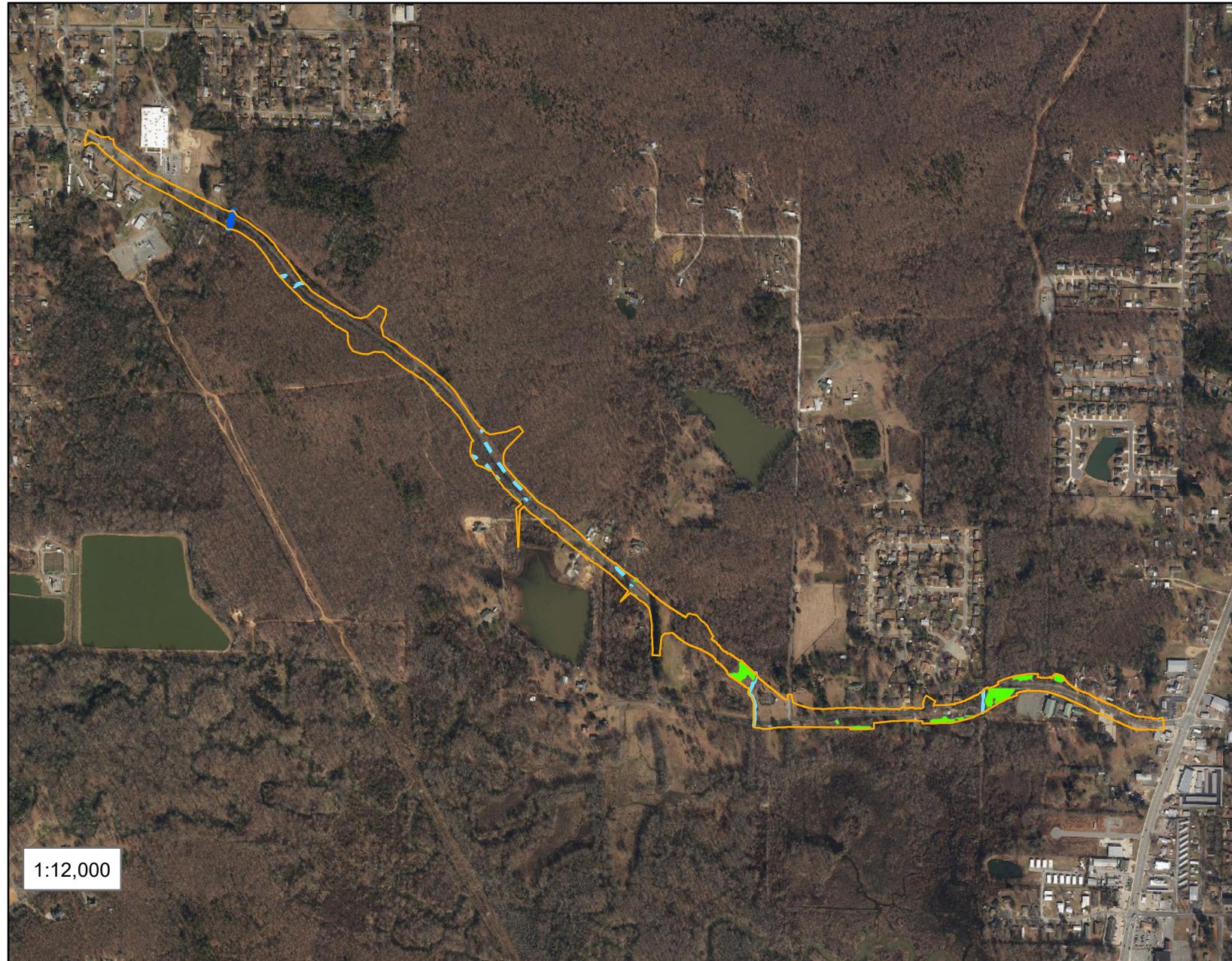
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine 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>.

for *Anthony R Lobred*
Bryan Williamson
Chief, Permit and Evaluation Branch
Regulatory Division



There are jurisdictional waters of the U.S. within the project boundary.

Legend



Project Boundary (24.59 Acs.)



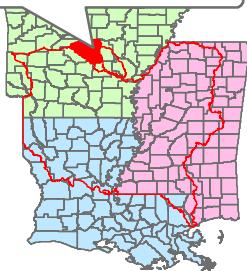
Jurisdictional Wetlands (2.07 Acs)

Perennial Stream (139 L.F.)

Intermittent Streams (548 L.F.)

Ephemeral Streams (1,352 L.F.)

Pulaski County, AR



11 July 2022

MVK-2021-793

Jurisdictional Determination

Jacksonville-Cato Road

City of Sherwood

Sherwood, Pulaski County, AR

Preliminary
Jurisdictional Determination

Prepared by
Arel Simpson

Project Site



US Army Corps
of Engineers



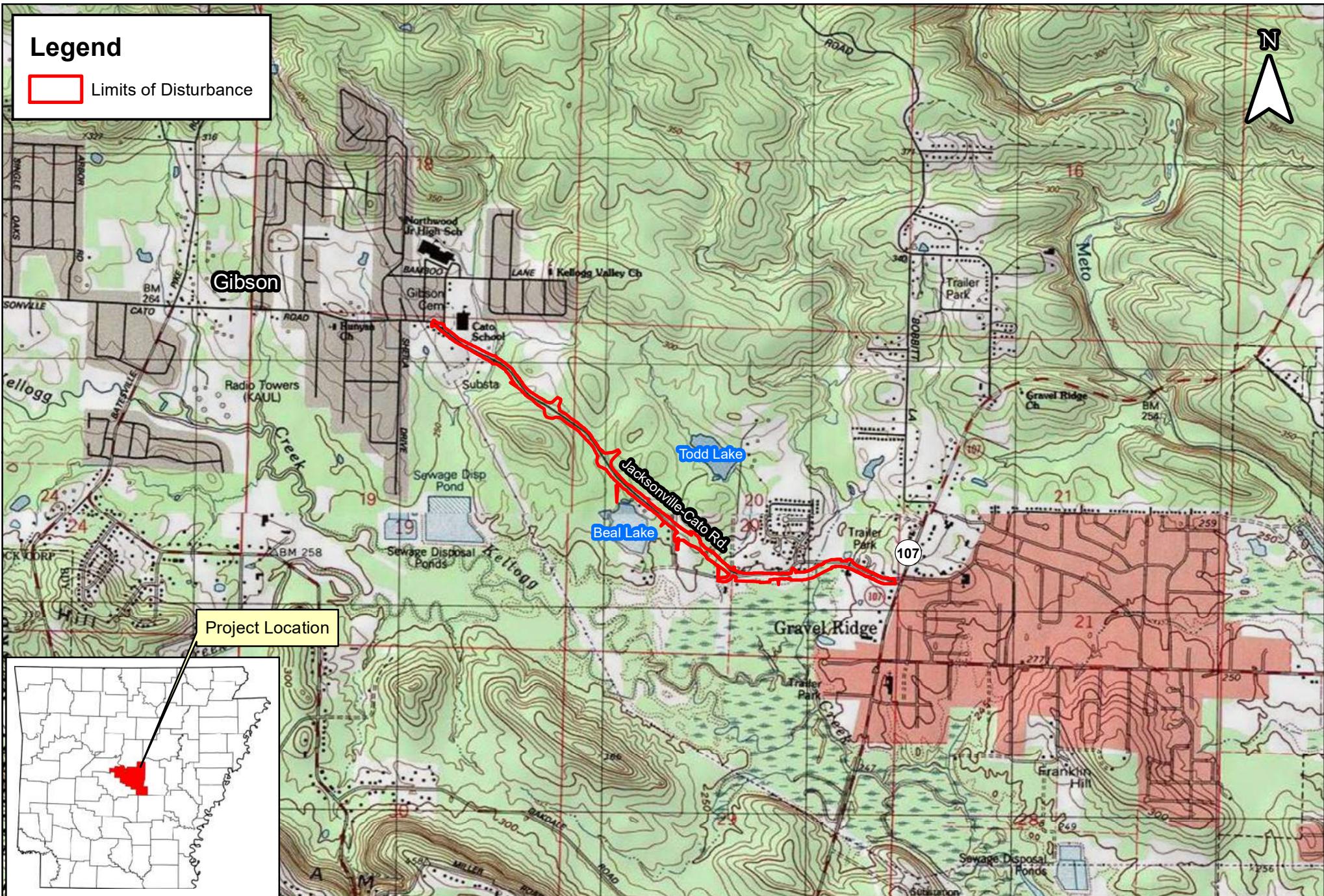
Regulatory Division
Enforcement &
Compliance Branch

0 275 550 1,100 Feet

Enclosure 1

Legend

 Limits of Disturbance



SITE LOCATION MAP

Jacksonville-Cato Road Street and
Drainage Improvements

Sherwood, Pulaski County, Arkansas

USGS Topographic Map; ESRI GIS INFORMATION

Start: Lat: 34.883434°
Long: -92.221510°

End: Lat: 34.872075°
Long: -92.196751°

0 0.25 0.5
Miles

Figure 1



Cato Elementary School

Todd Lake

Beal Lake

107

Legend

- Limits of Disturbance
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine
- Flood Zone AE
- Floodway

NWI WETLAND & FEMA FLOOD MAP

Jacksonville-Cato Road Street and
Drainage Improvements

Sherwood, Pulaski County, Arkansas

2020 ESRI Aerial Imagery; ESRI GIS INFORMATION

Start: Lat: 34.883434°
Long: -92.221510°

End: Lat: 34.872075°
Long: -92.196751°

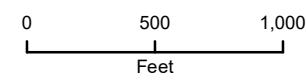
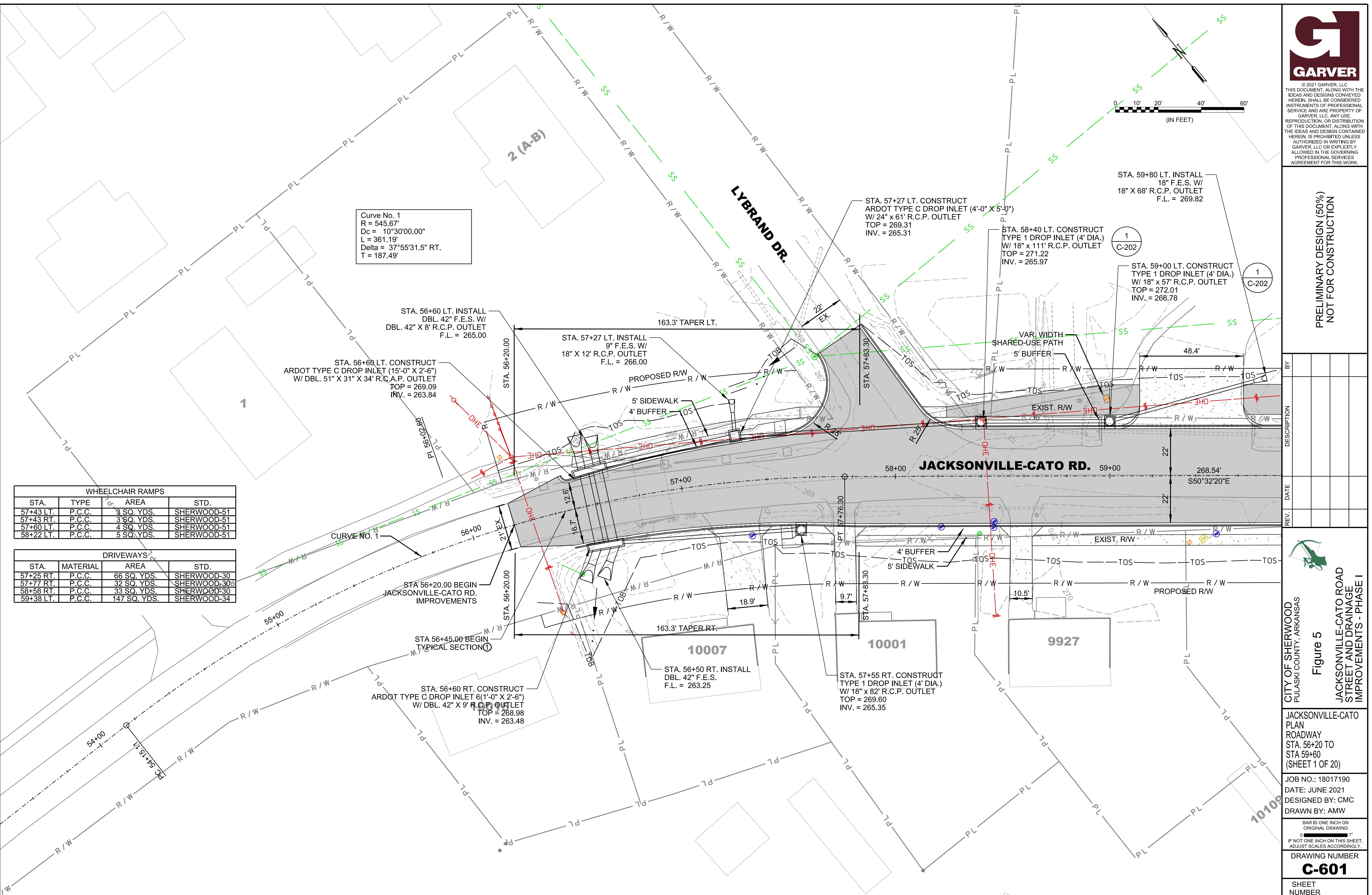


Figure 4

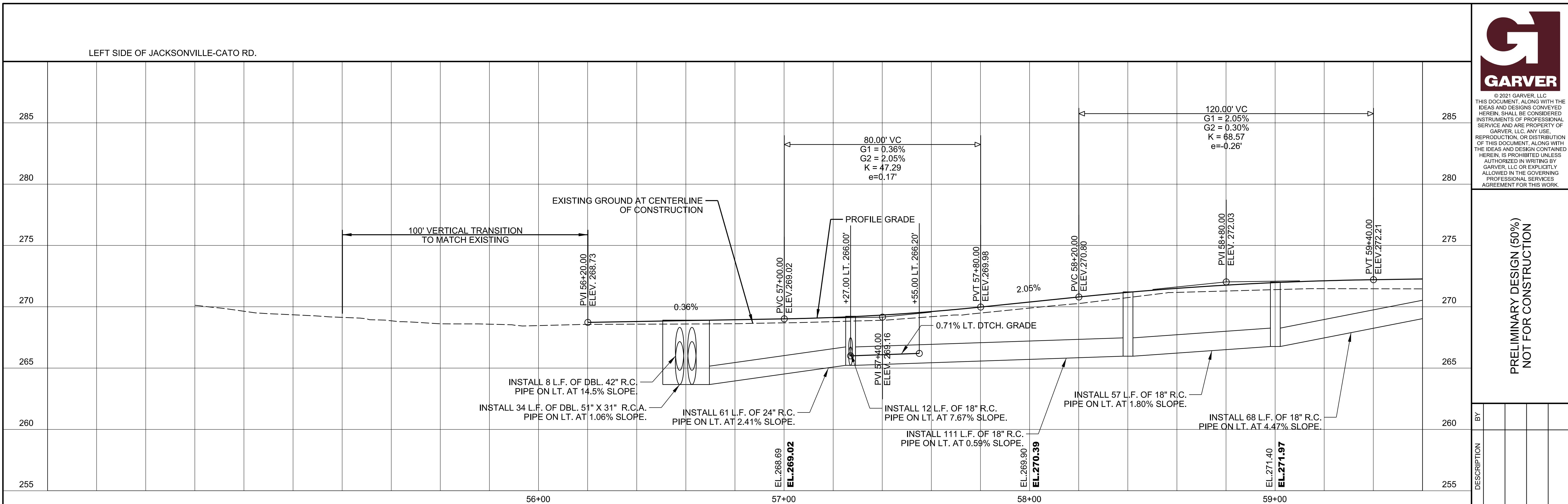


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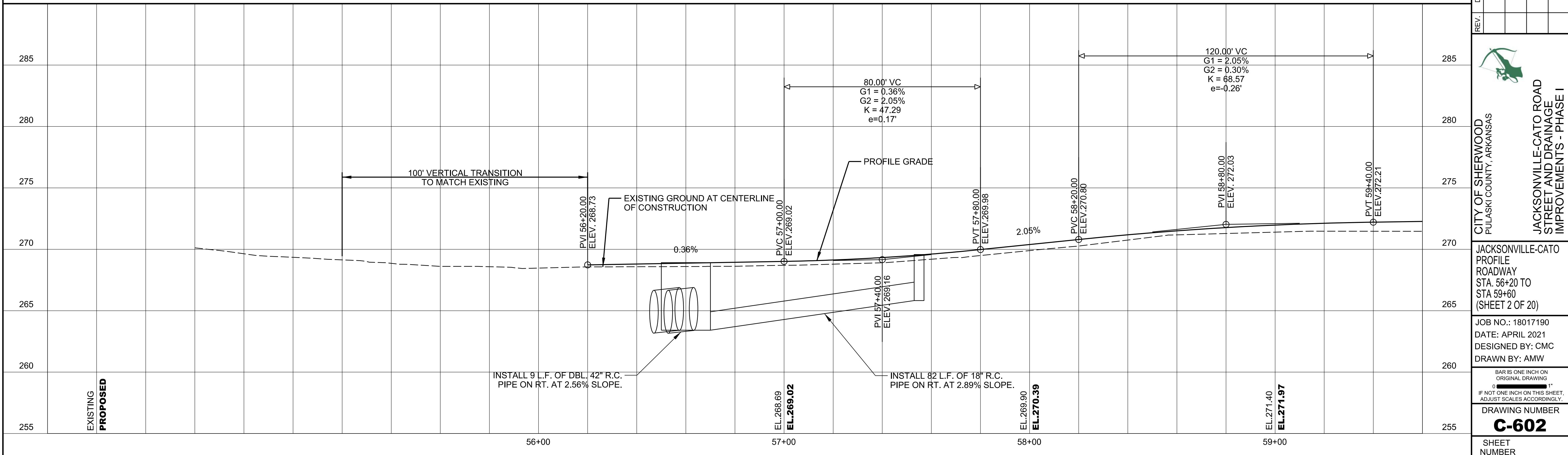
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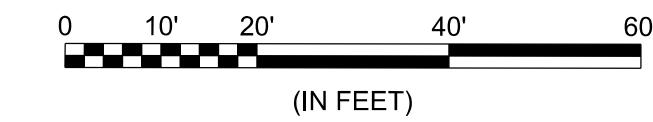


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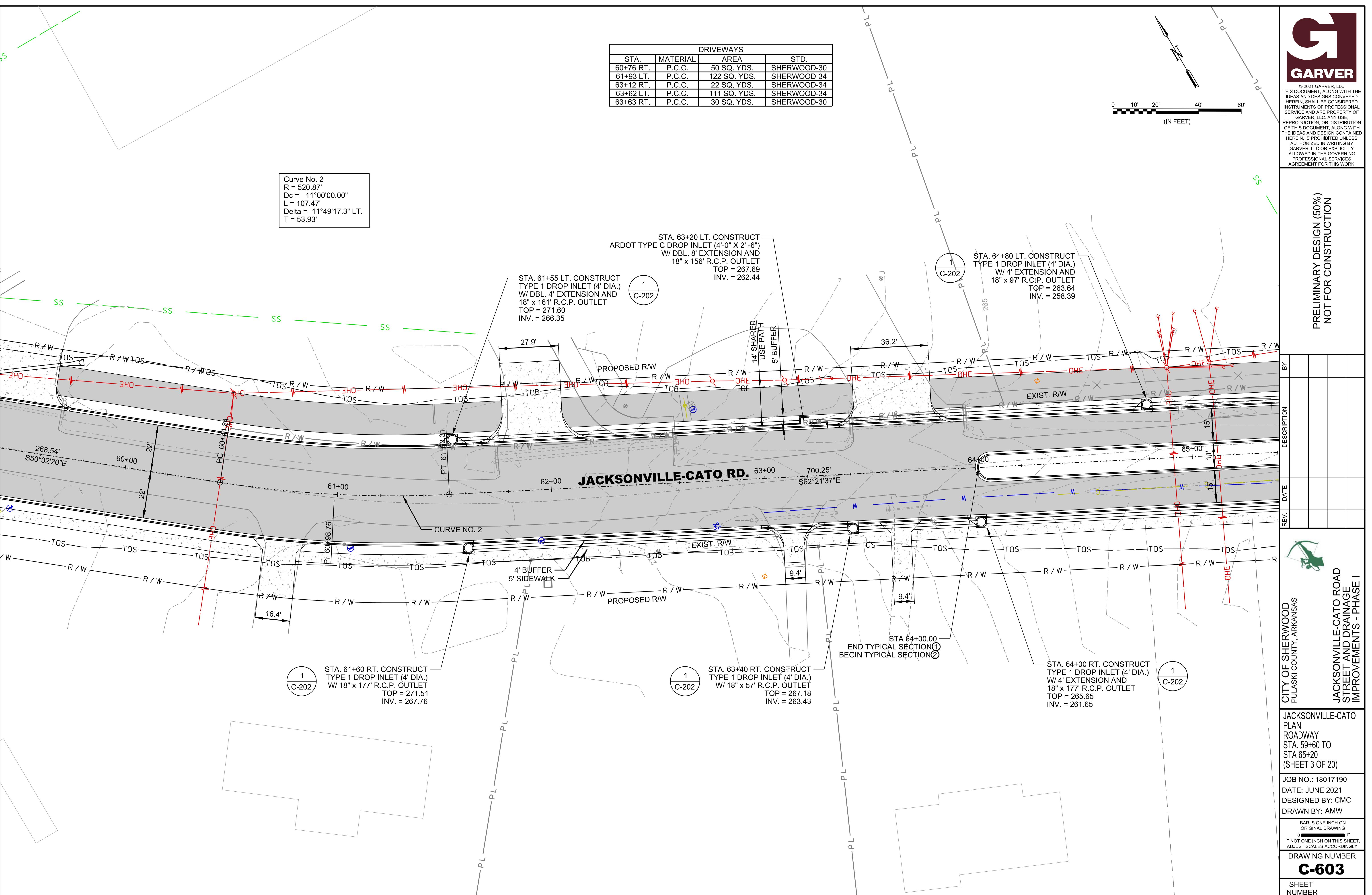


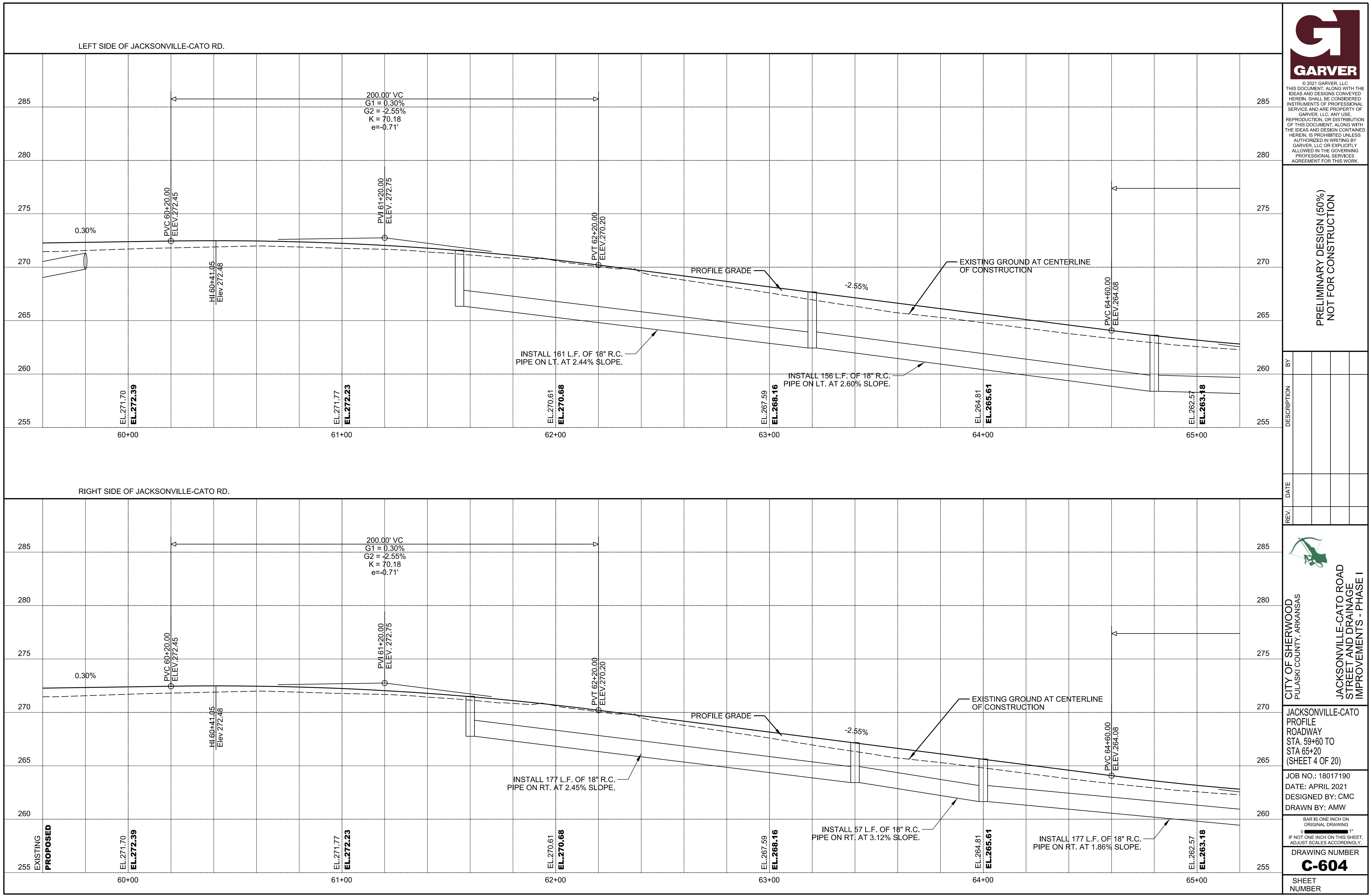
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60+76 RT.	P.C.C.	50 SQ. YDS.	SHERWOOD-30
61+93 LT.	P.C.C.	122 SQ. YDS.	SHERWOOD-34
63+12 RT.	P.C.C.	22 SQ. YDS.	SHERWOOD-34
63+62 LT.	P.C.C.	111 SQ. YDS.	SHERWOOD-34
63+63 RT.	P.C.C.	30 SQ. YDS.	SHERWOOD-30



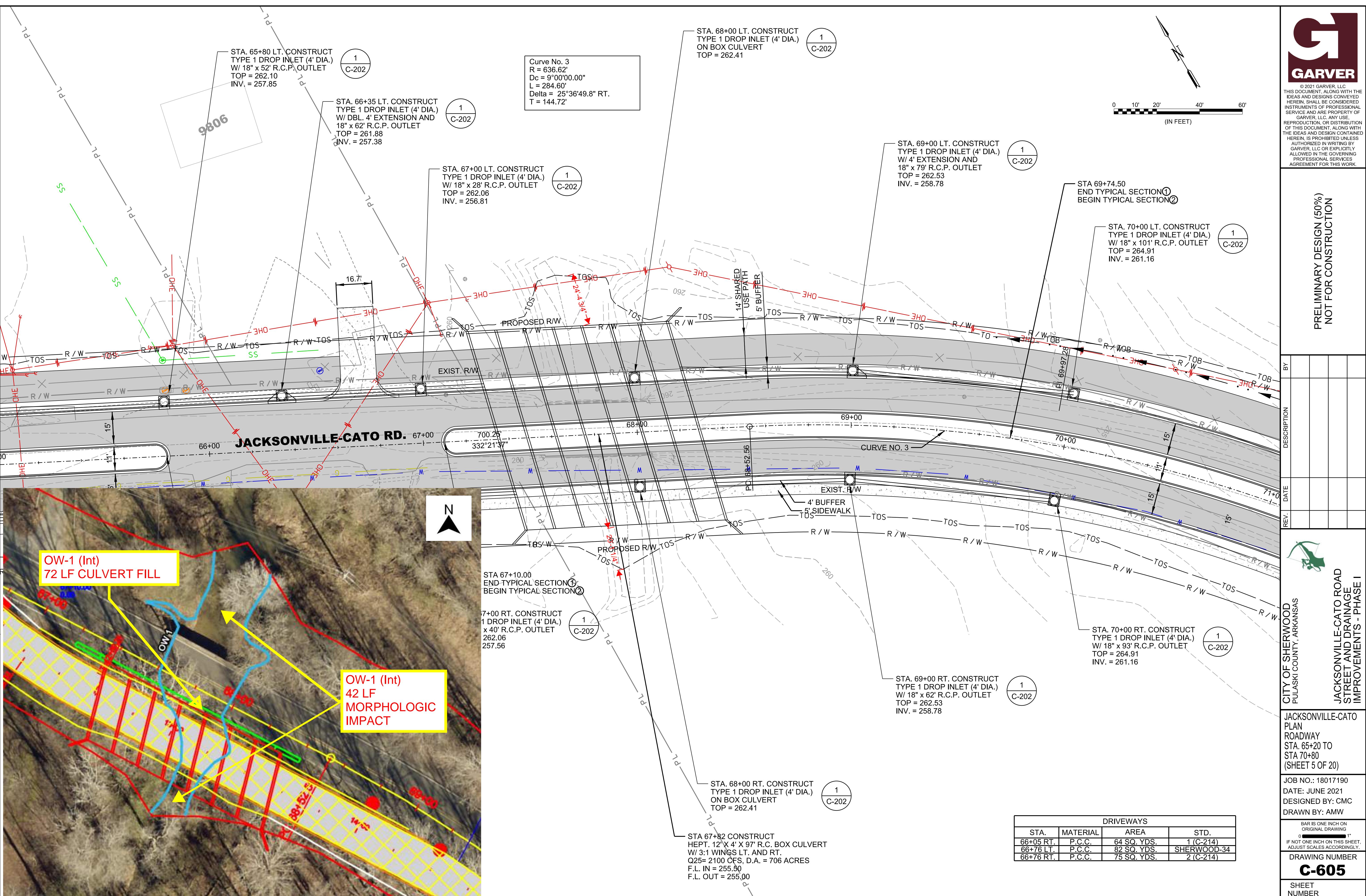
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L = 107.47'
Delta = 11°49'17.3" LT.
T = 53.93'



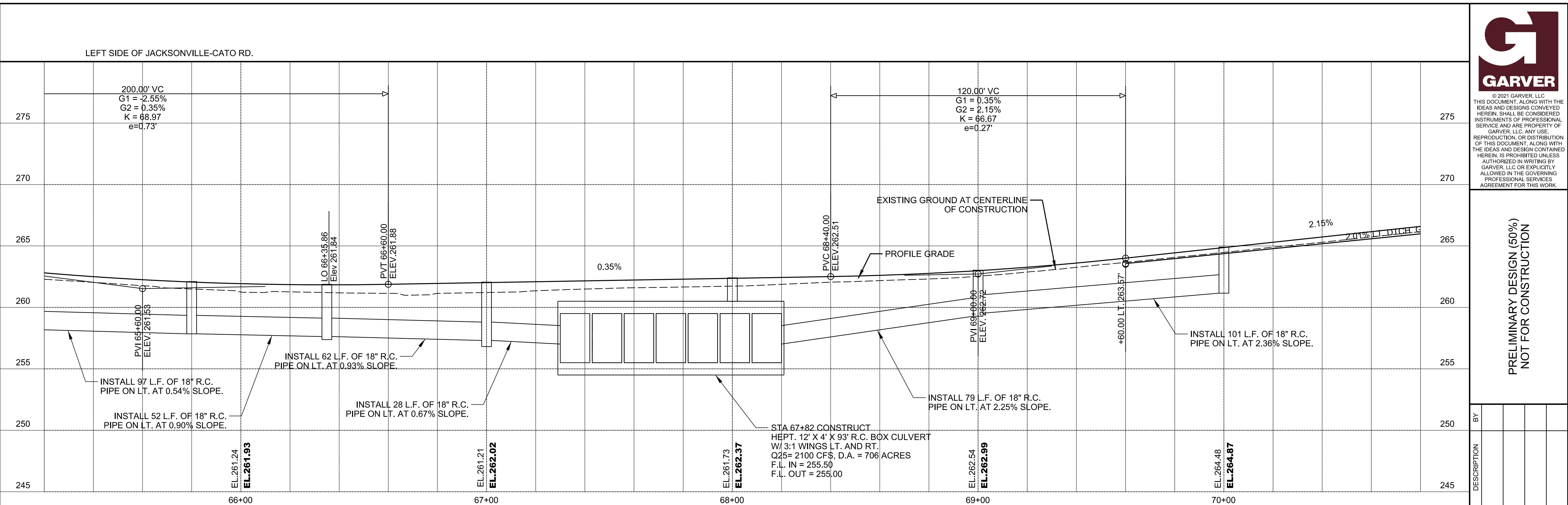


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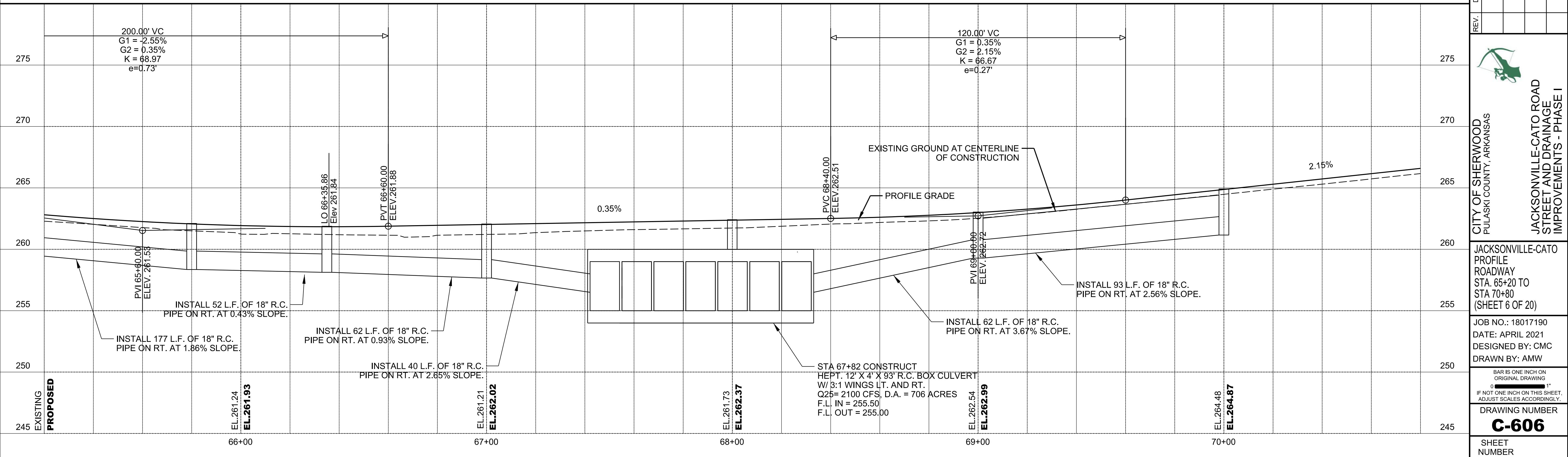
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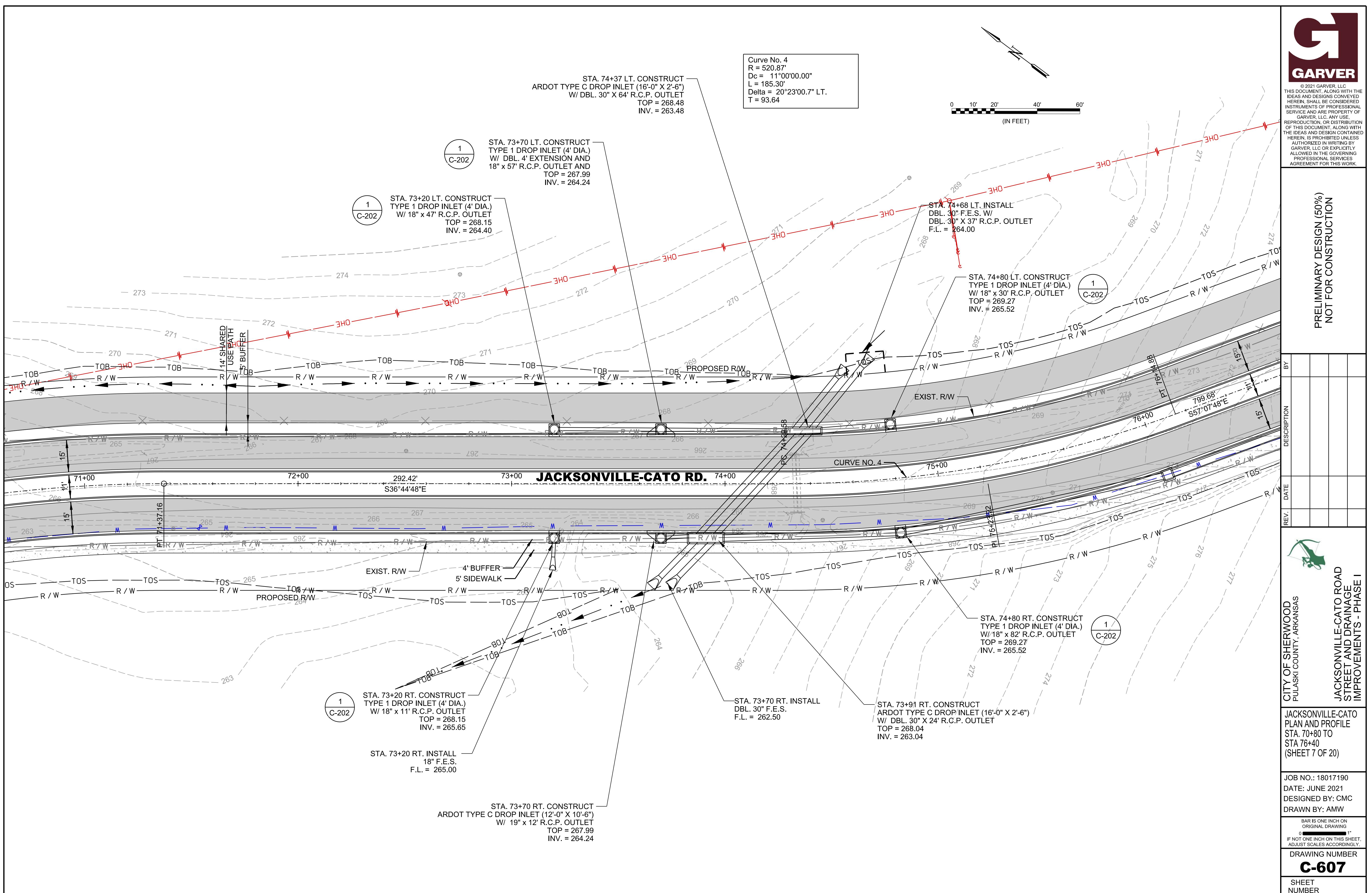
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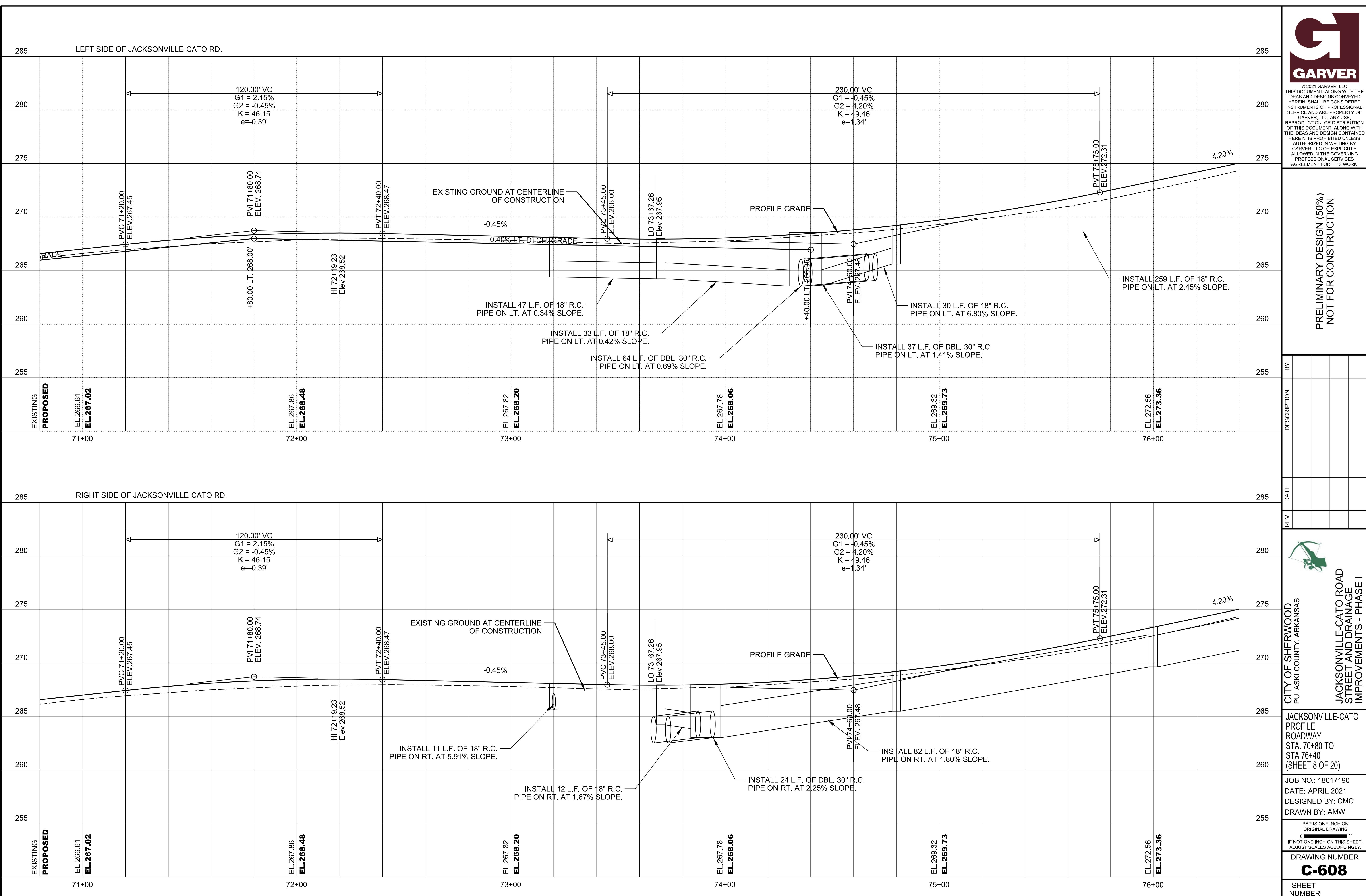


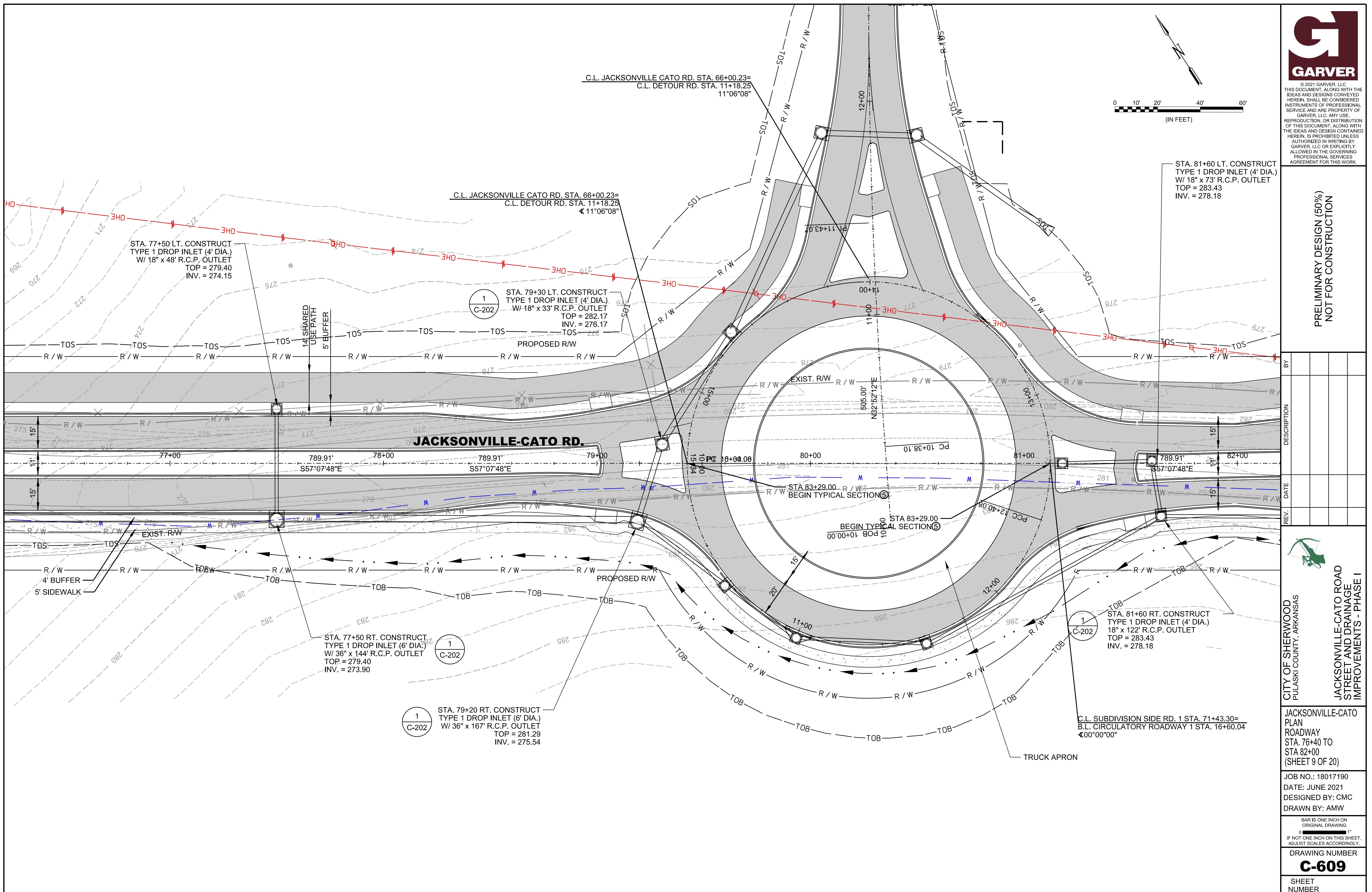
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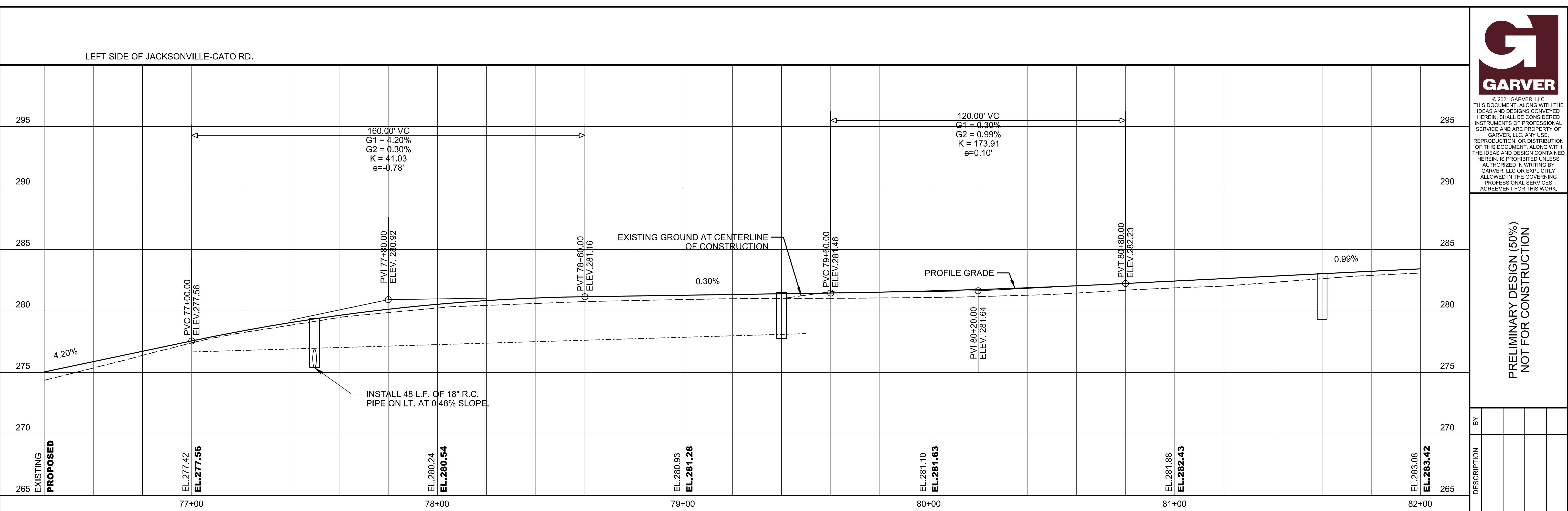




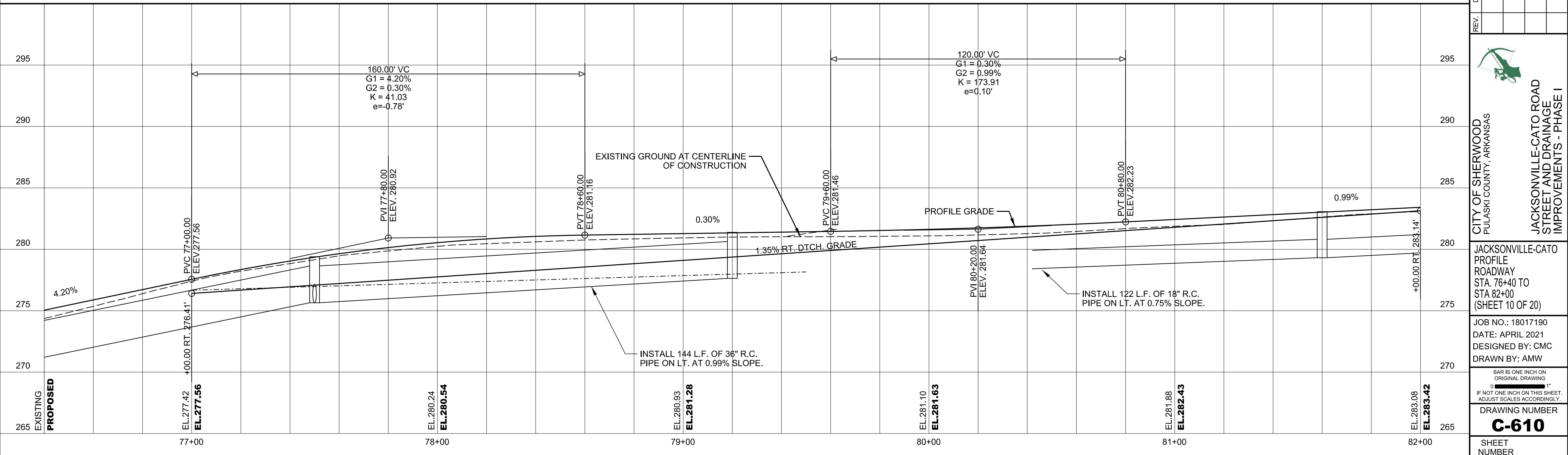
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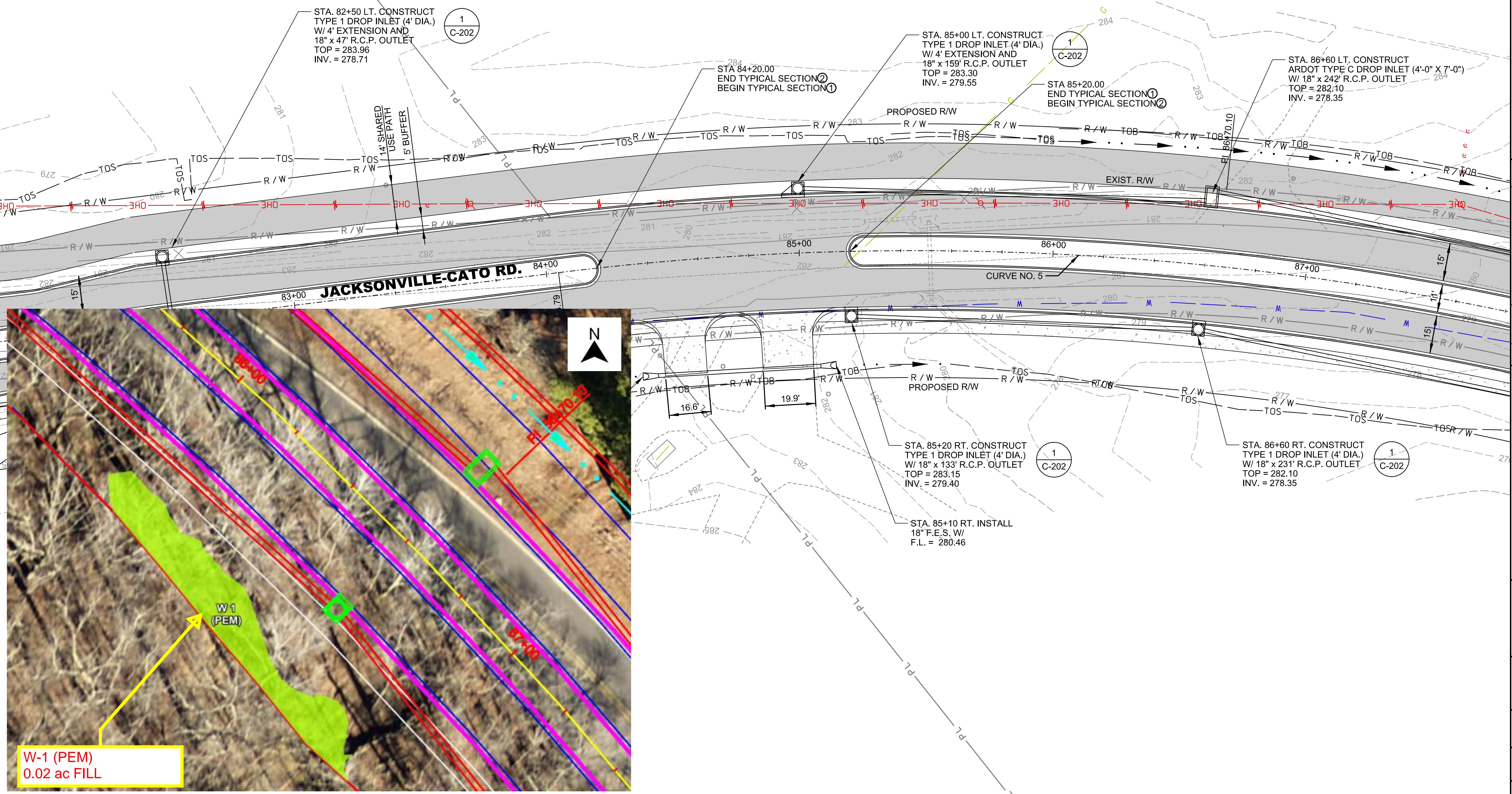
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REV.	DATE	DESCRIPTION	BY
		JACKSONVILLE-CATO ROAD PULASKI COUNTY, ARKANSAS STREET AND DRAINAGE IMPROVEMENTS - PHASE I	GARVER

0 10' 20' 40' 60'
(IN FEET)

Curve No. 5
R = 1145.92'
Dc = 5'00"00.00"
L = 521.44'
Delta = 26°04'19.1" RT.
T = 265.31'

DRIVEWAYS			
STA.	MATERIAL	AREA	STD.
84+52 RT.	P.C.C.	45 SQ. YDS.	SHERWOOD-34
84+94 RT.	P.C.C.	53 SQ. YDS.	SHERWOOD-34

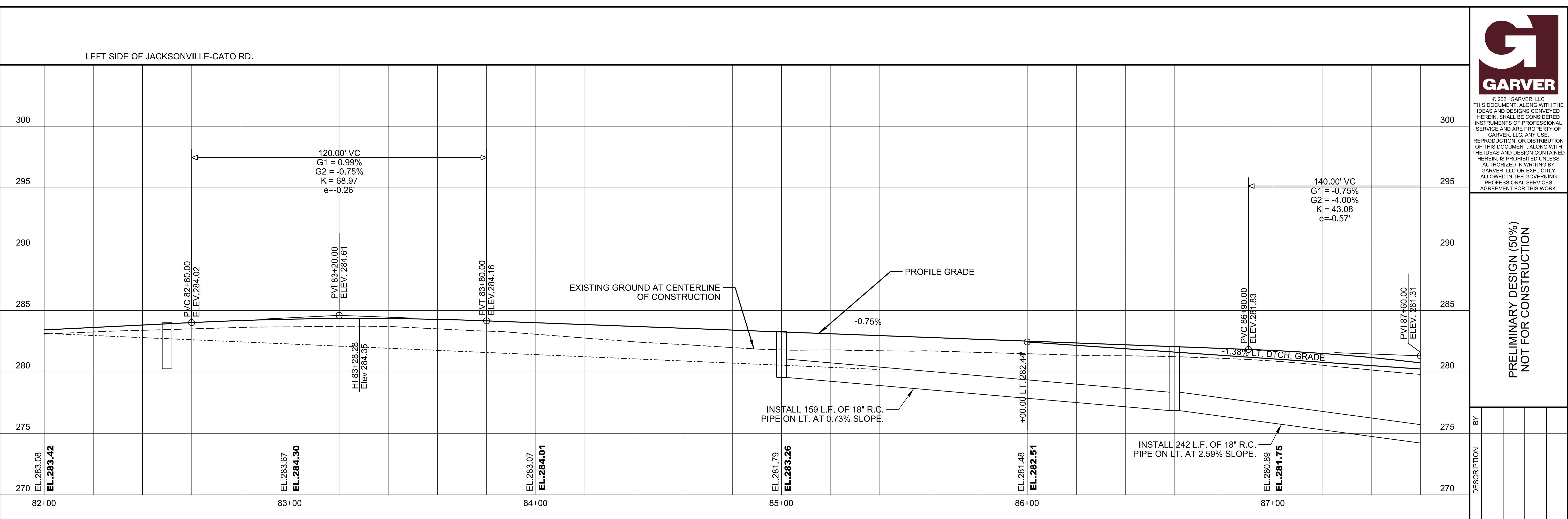




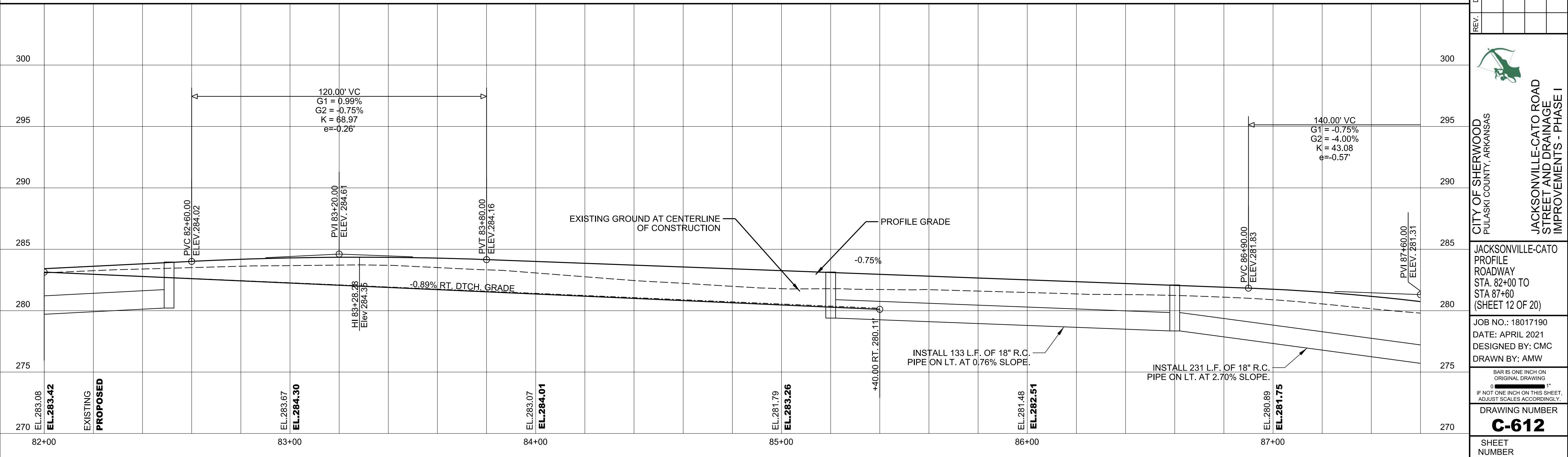
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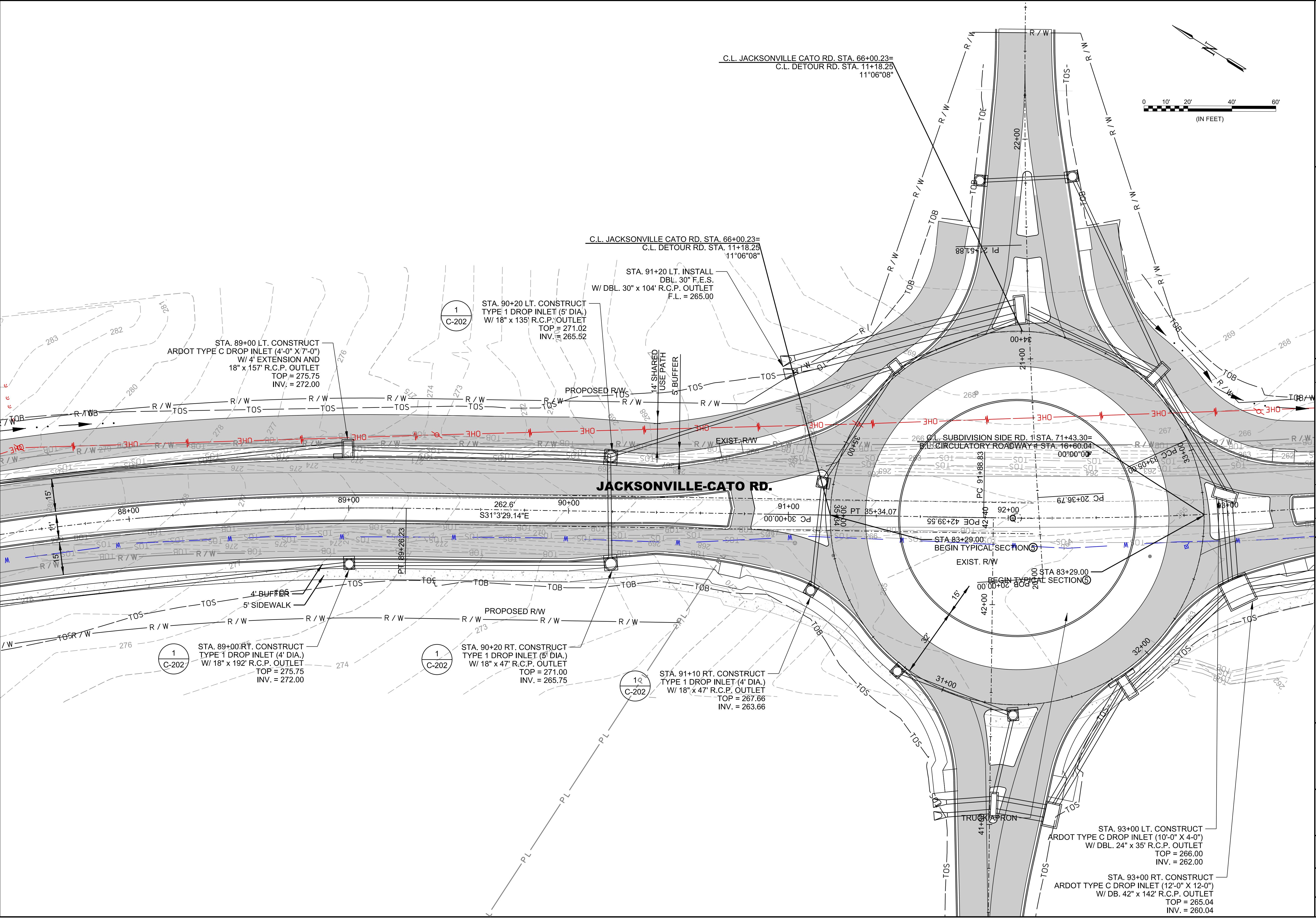
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A HISTORY OF THE AMERICAN PEOPLE

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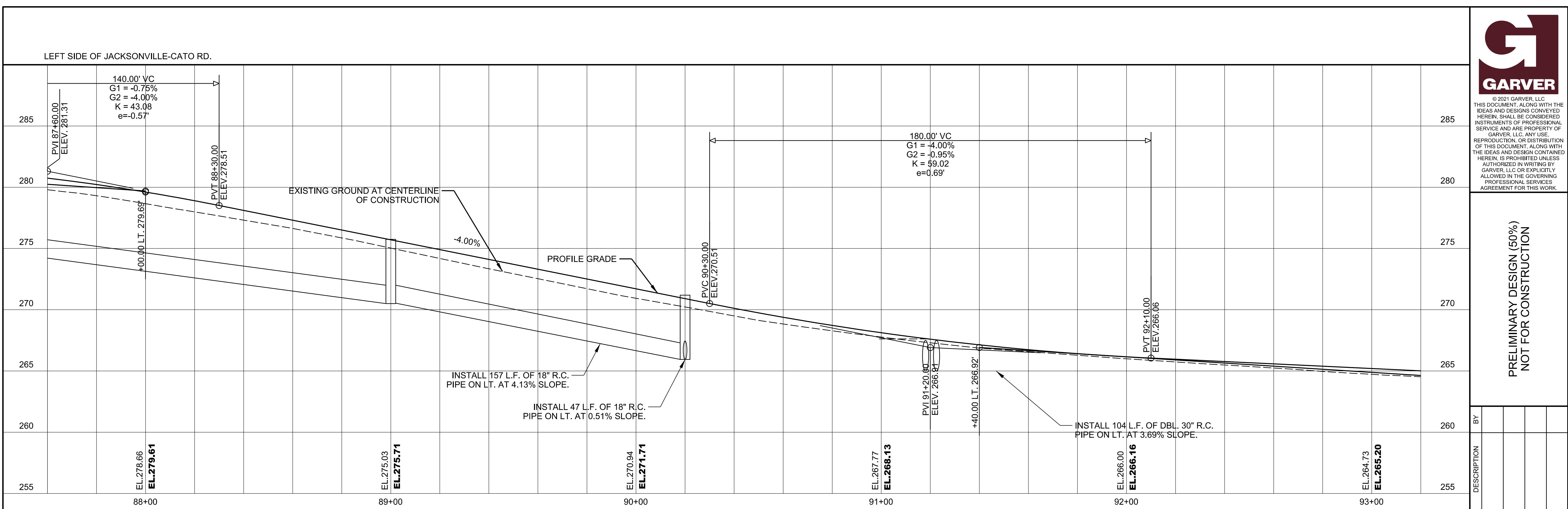




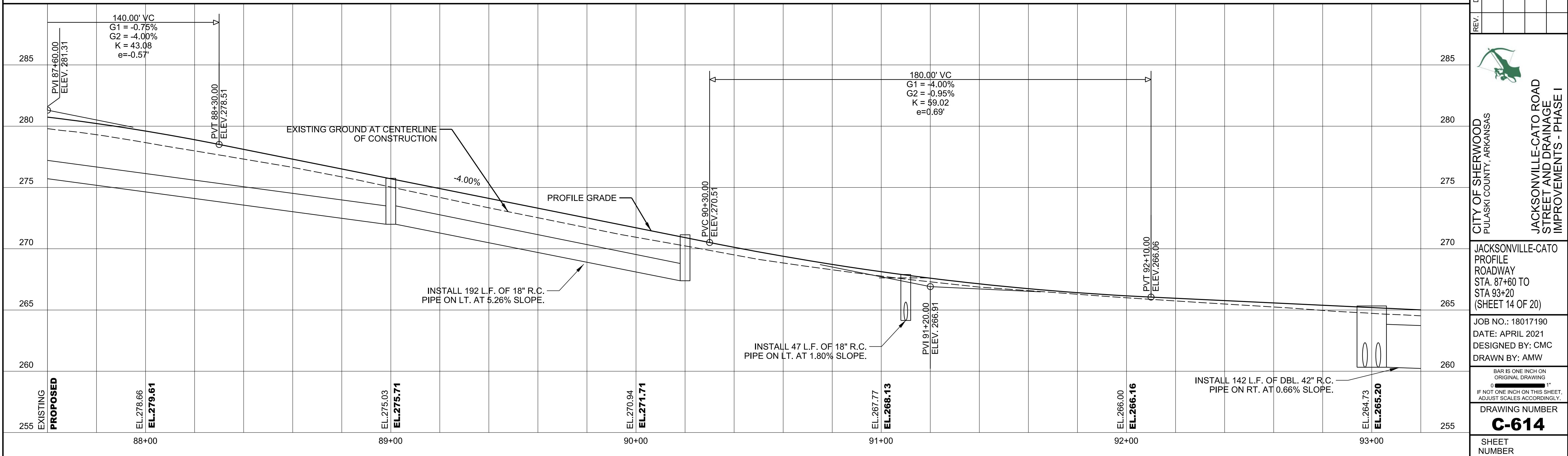
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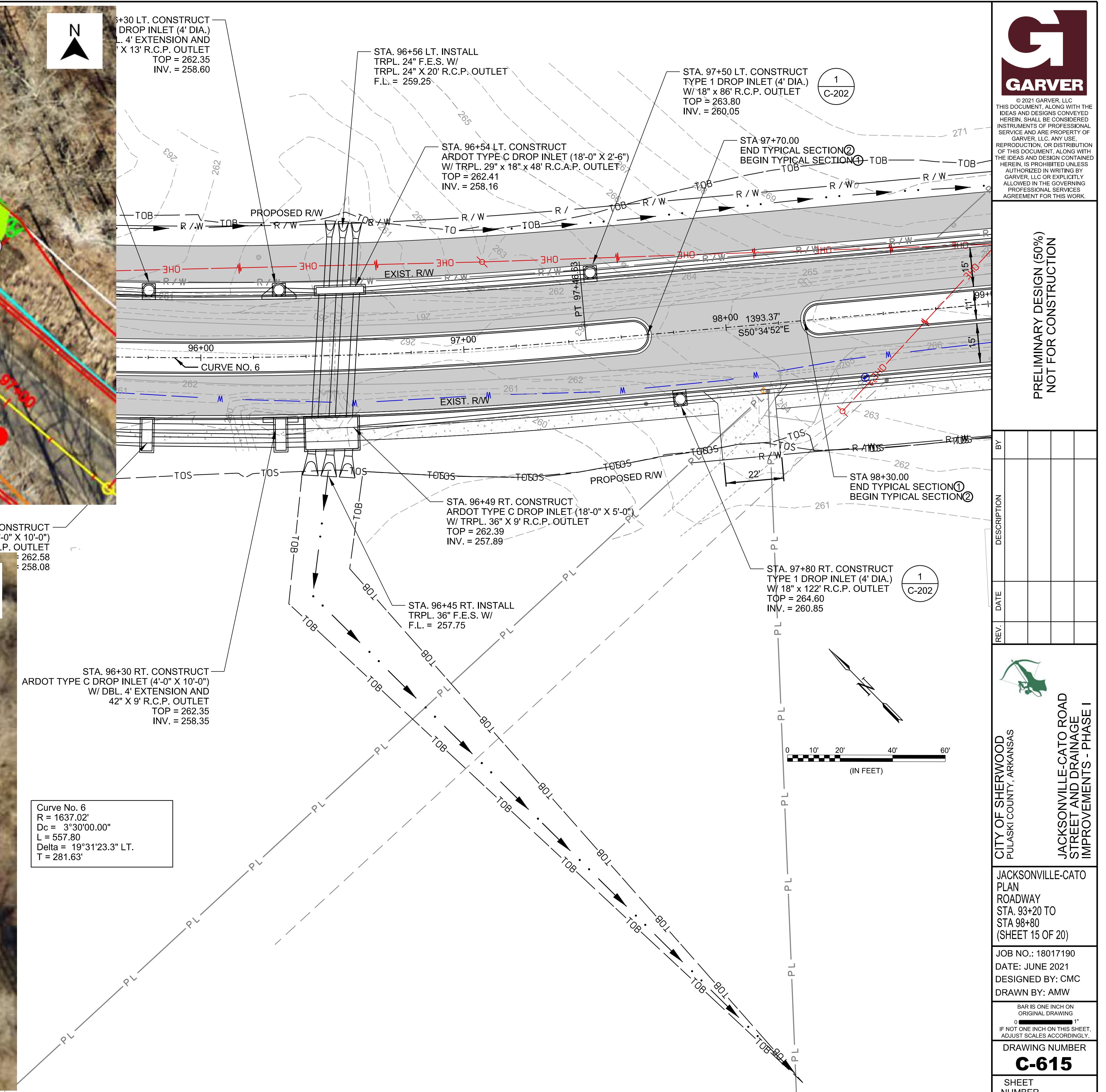
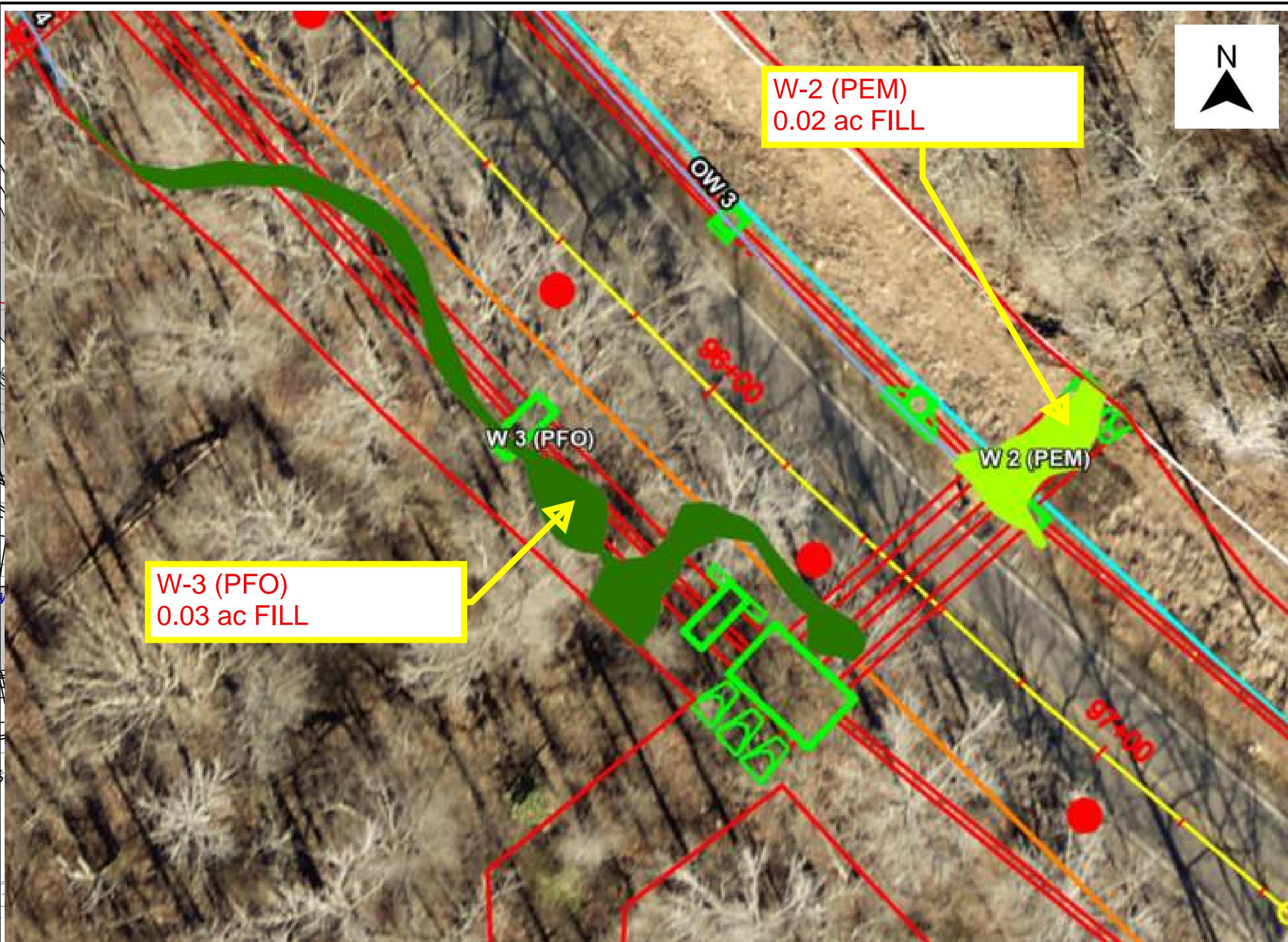
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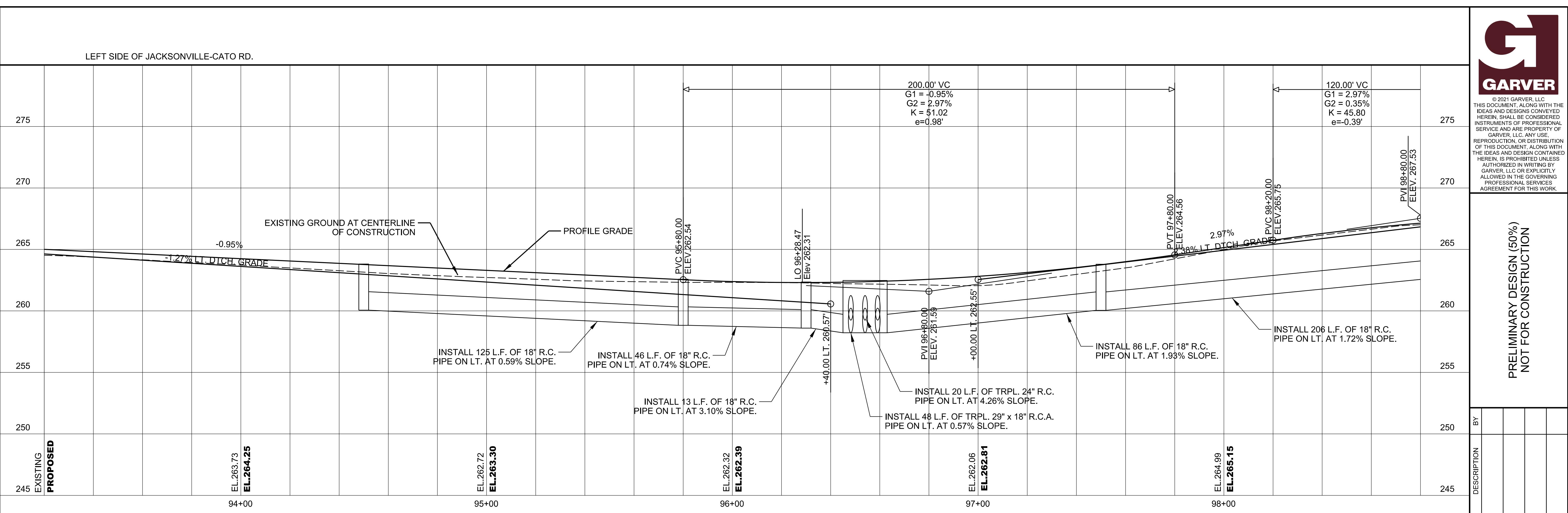
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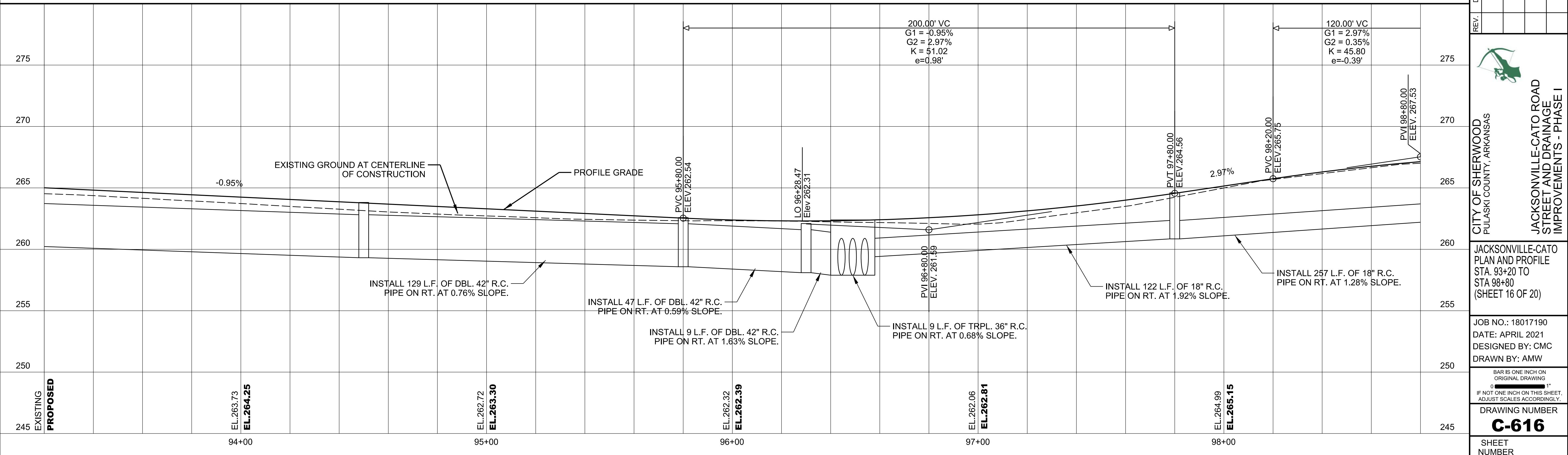


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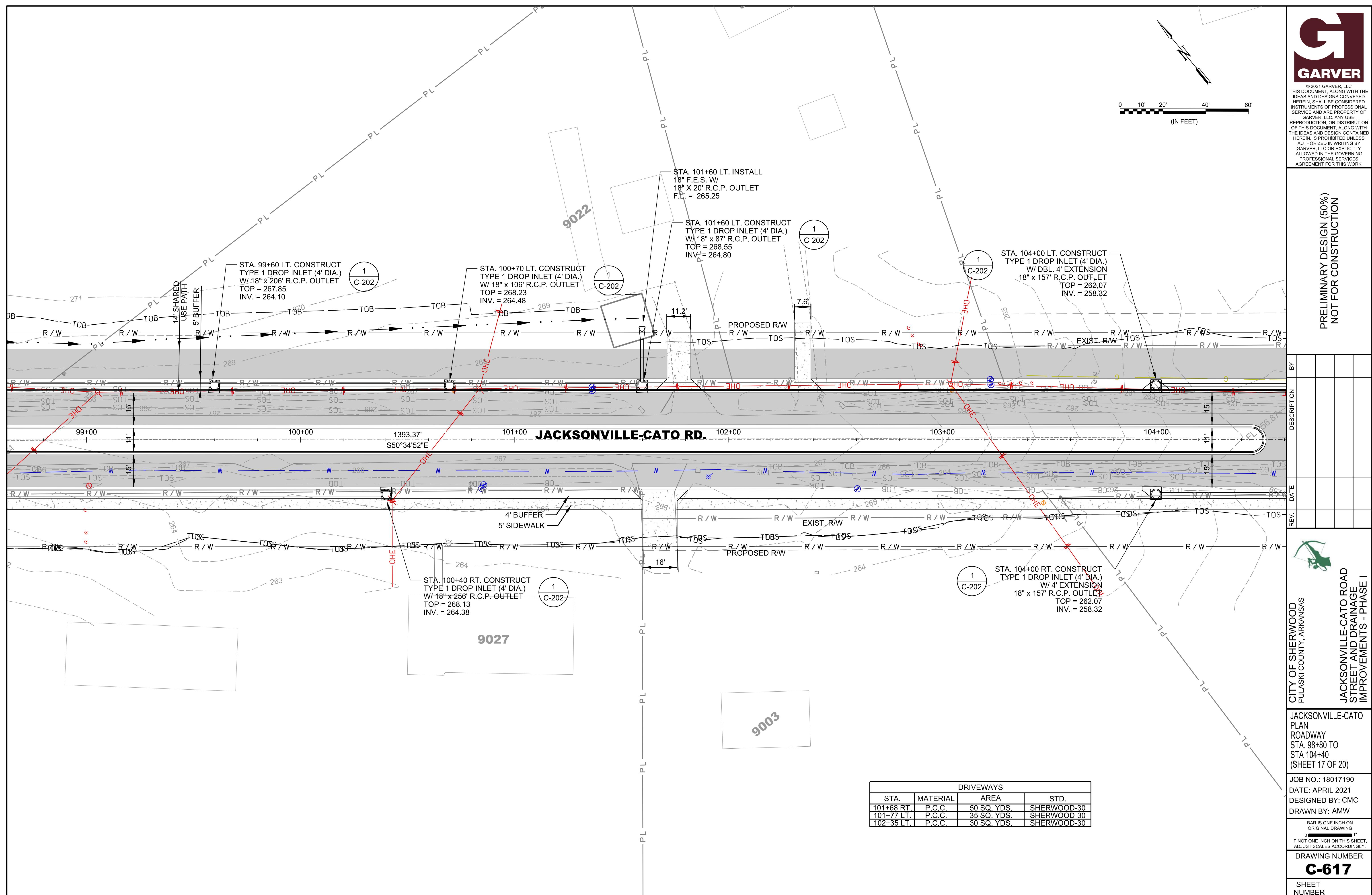


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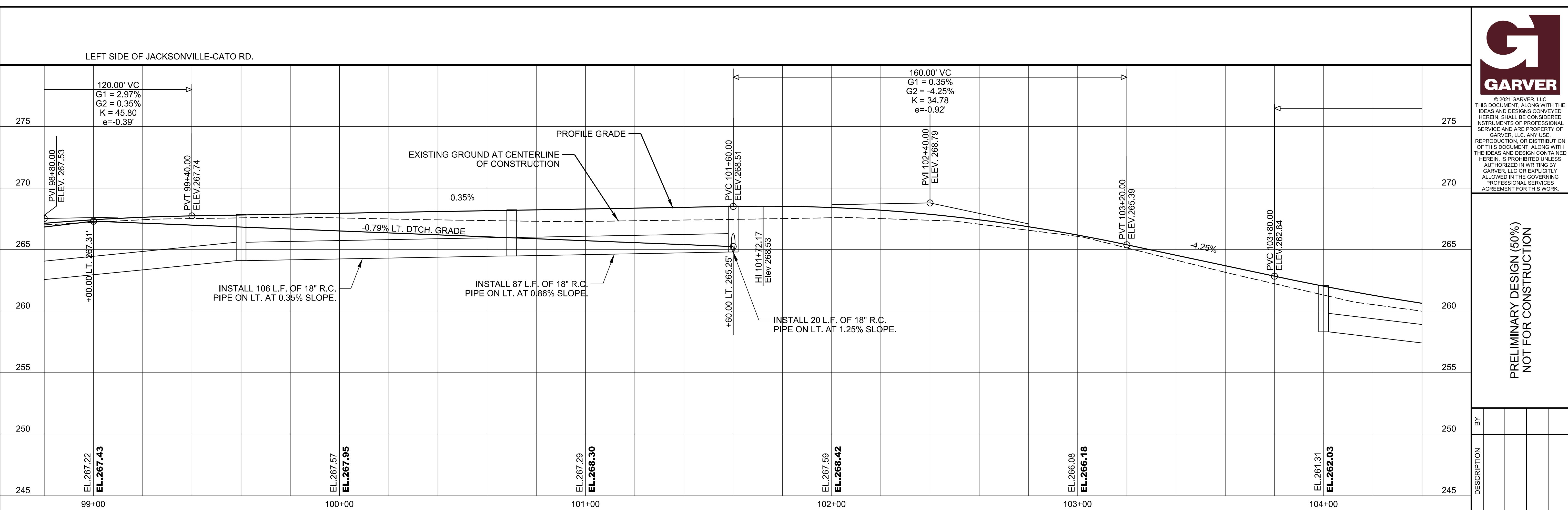




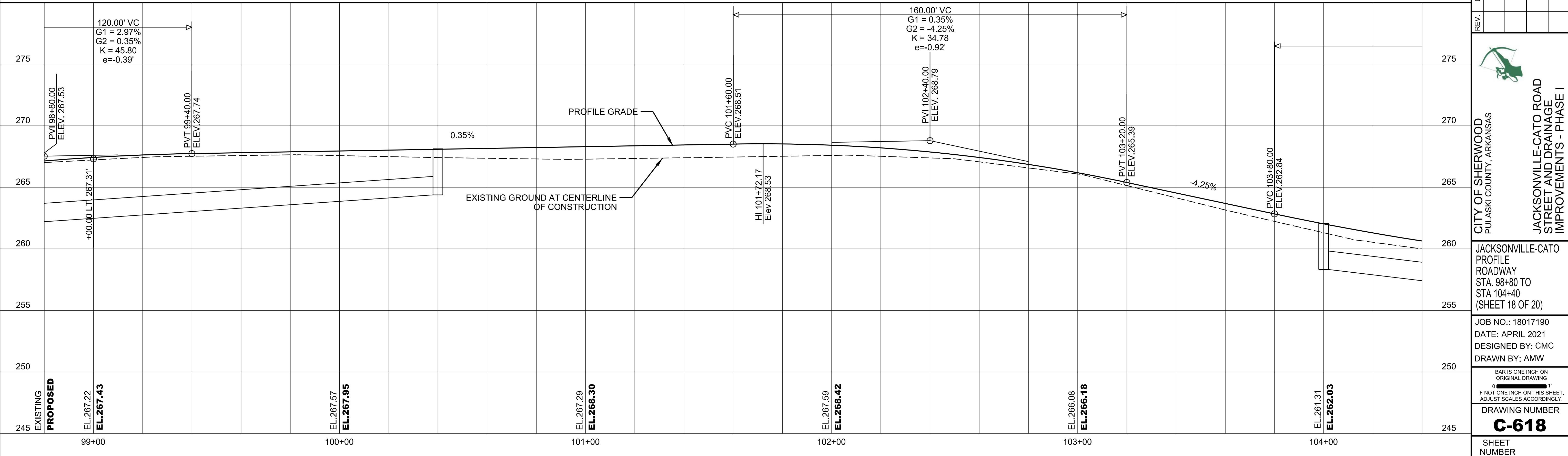
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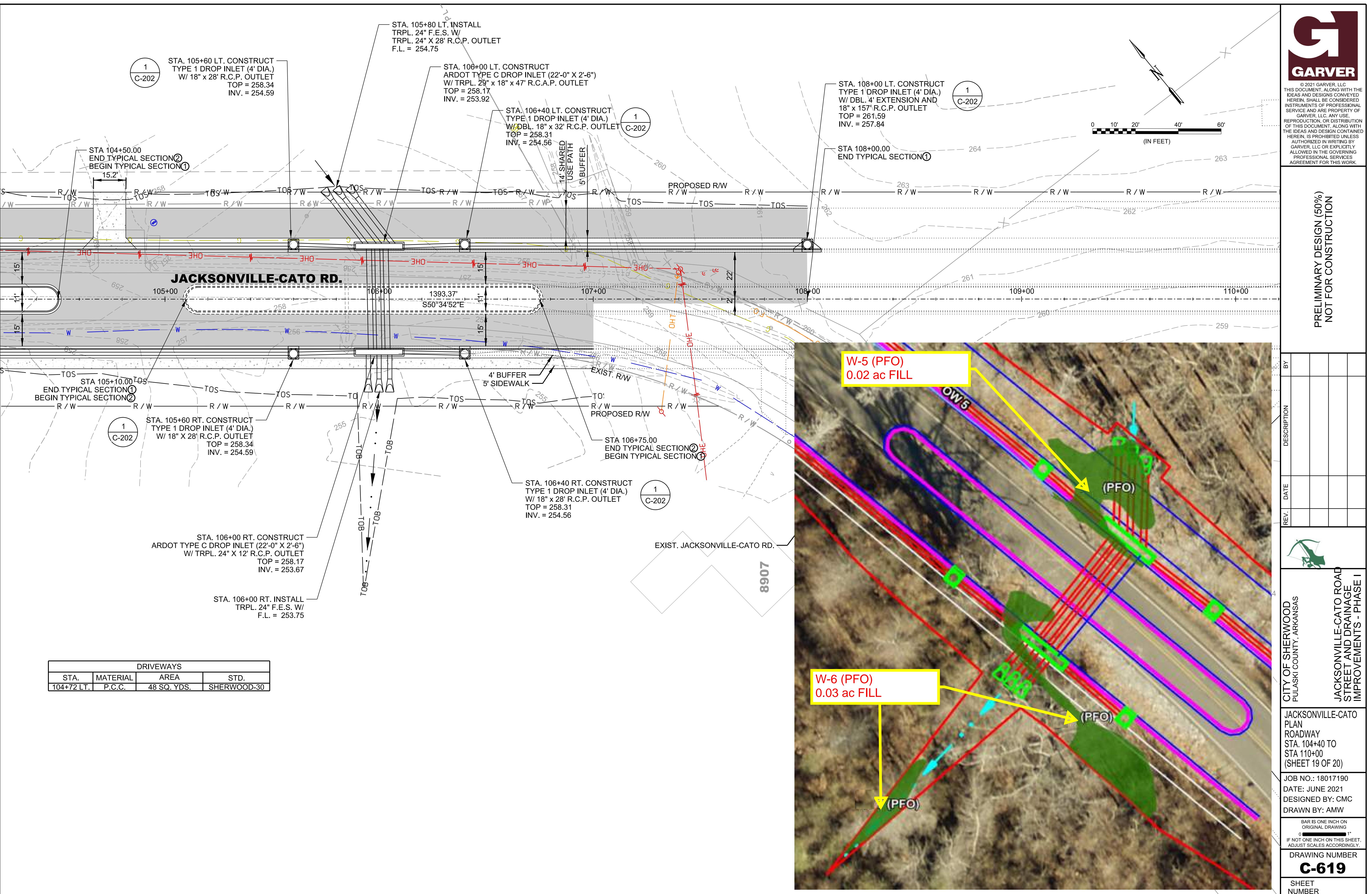
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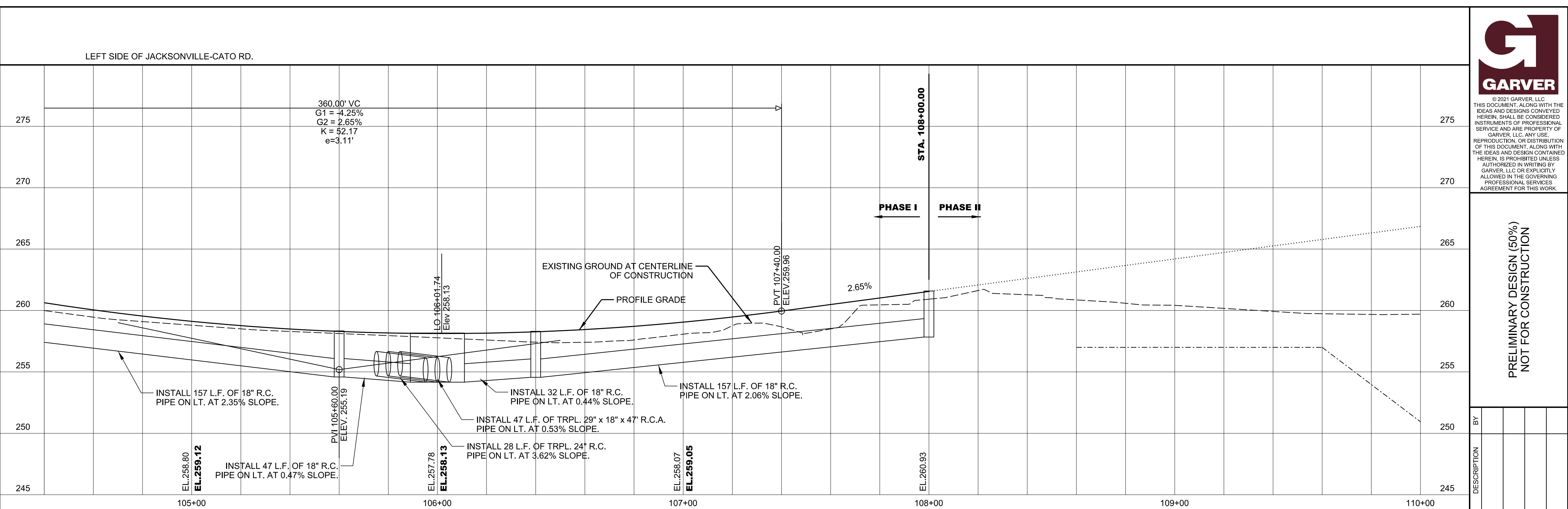




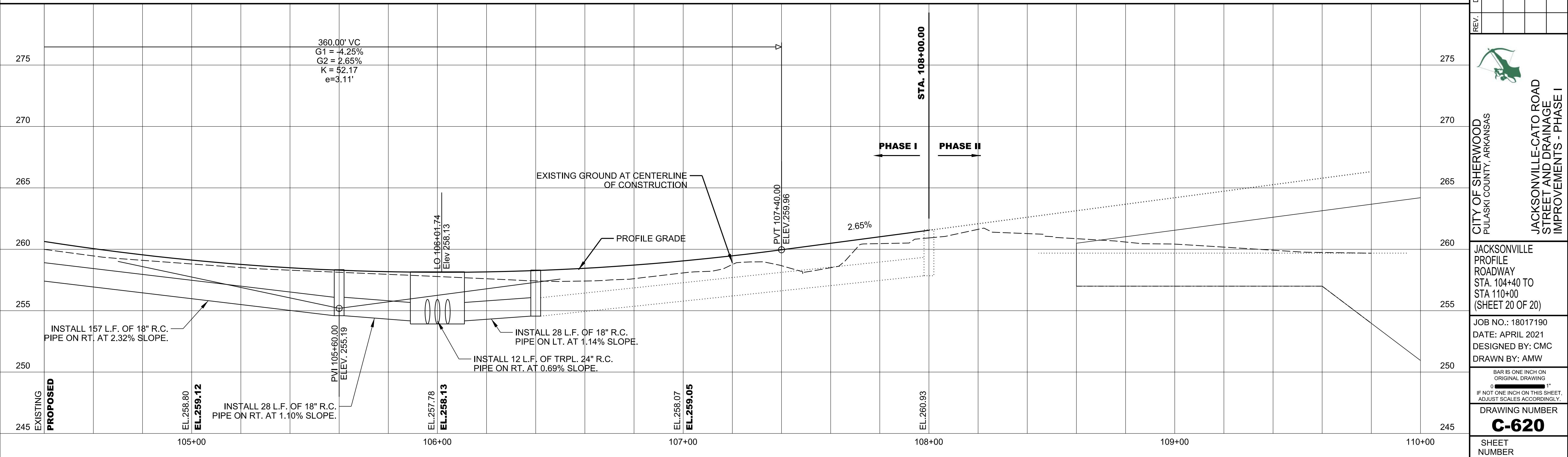
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RIGHT SIDE OF JACKSONVILLE-CATO RD.



0 10' 20' 40' 60'
(IN FEET)

PRELIMINARY DESIGN (50%)
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CITY OF SHERWOOD
PULASKI COUNTY, ARKANSAS
JACKSONVILLE-CATO ROAD
STREET AND DRAINAGE
IMPROVEMENTS - PHASE II

JACKSONVILLE-CATO
PLAN
ROADWAY
STA. 106+40 TO
STA 110+00
(SHEET 1 OF 20)

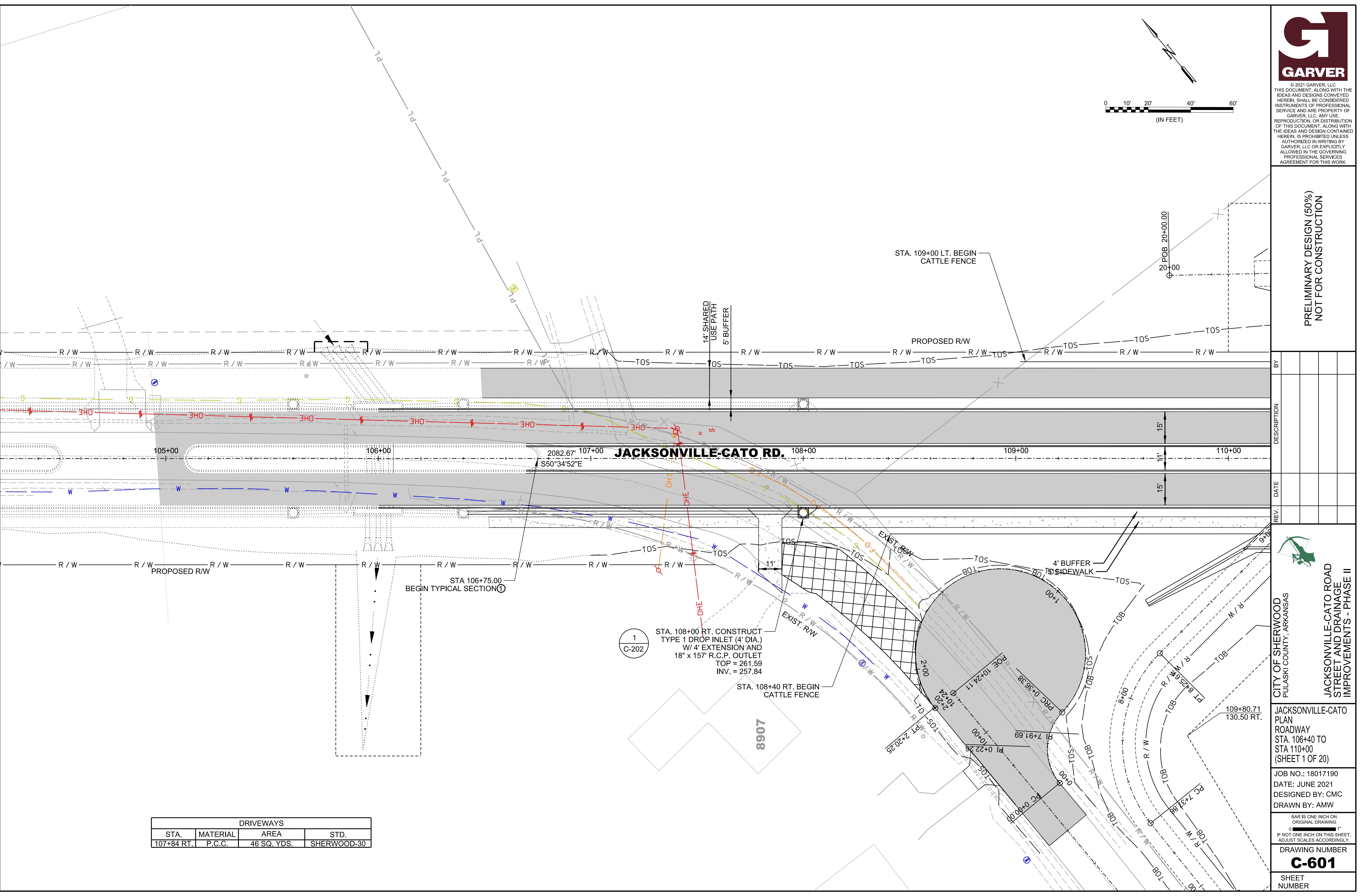
JOB NO.: 18017190
DATE: JUNE 2021
DESIGNED BY: CMC
DRAWN BY: AMW

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IF NOT ONE INCH ON THIS SHEET,
ADJUST SCALES ACCORDINGLY.

DRAWING NUMBER

C-601

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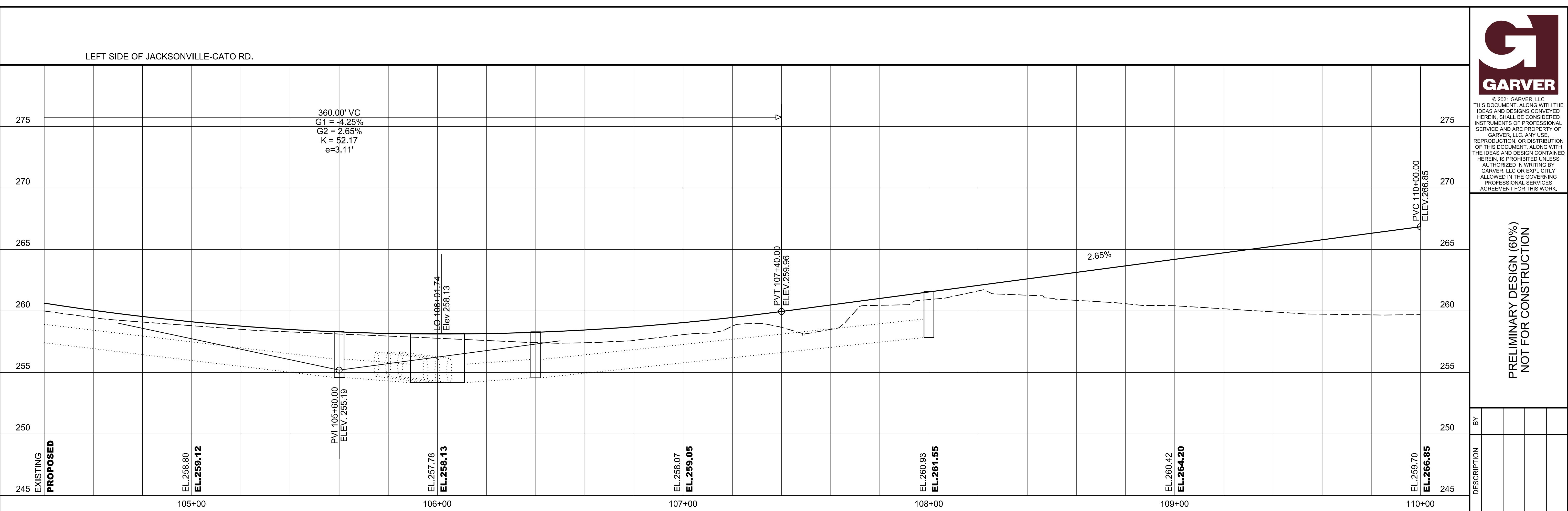




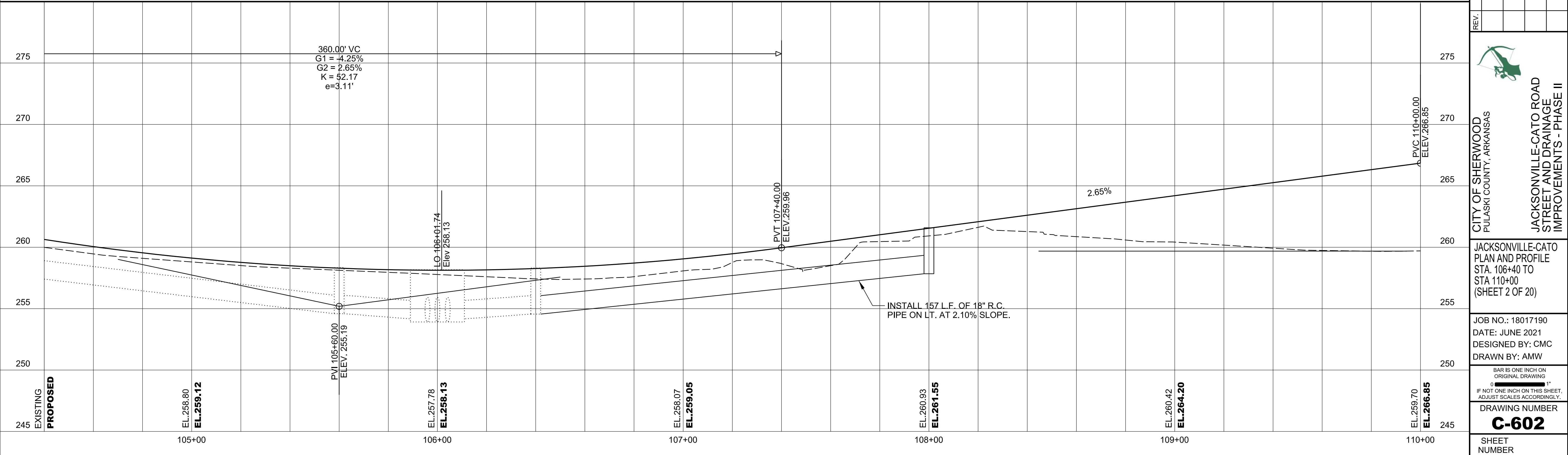
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LEFT SIDE OF JACKSONVILLE-CATO RD.

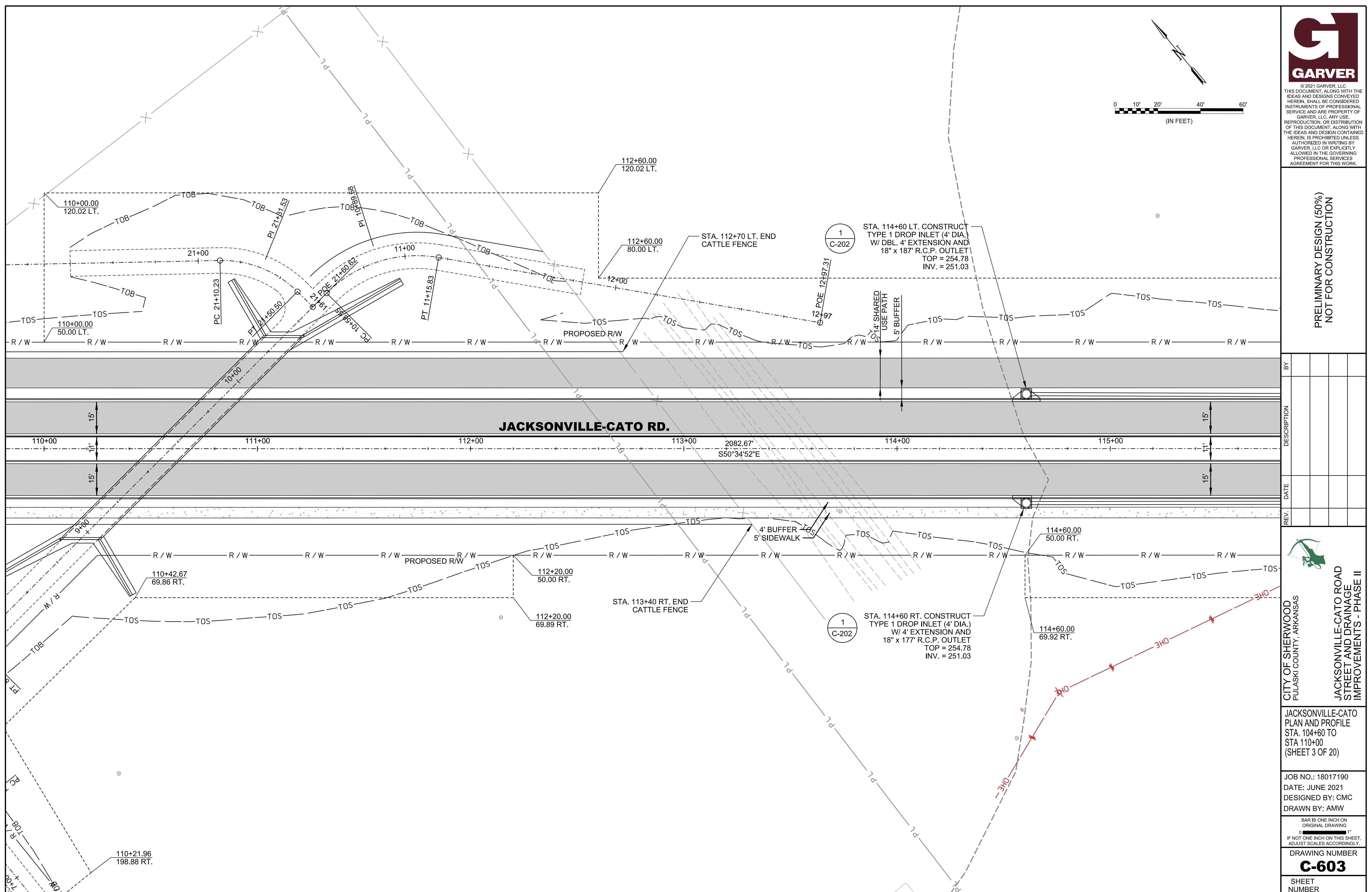


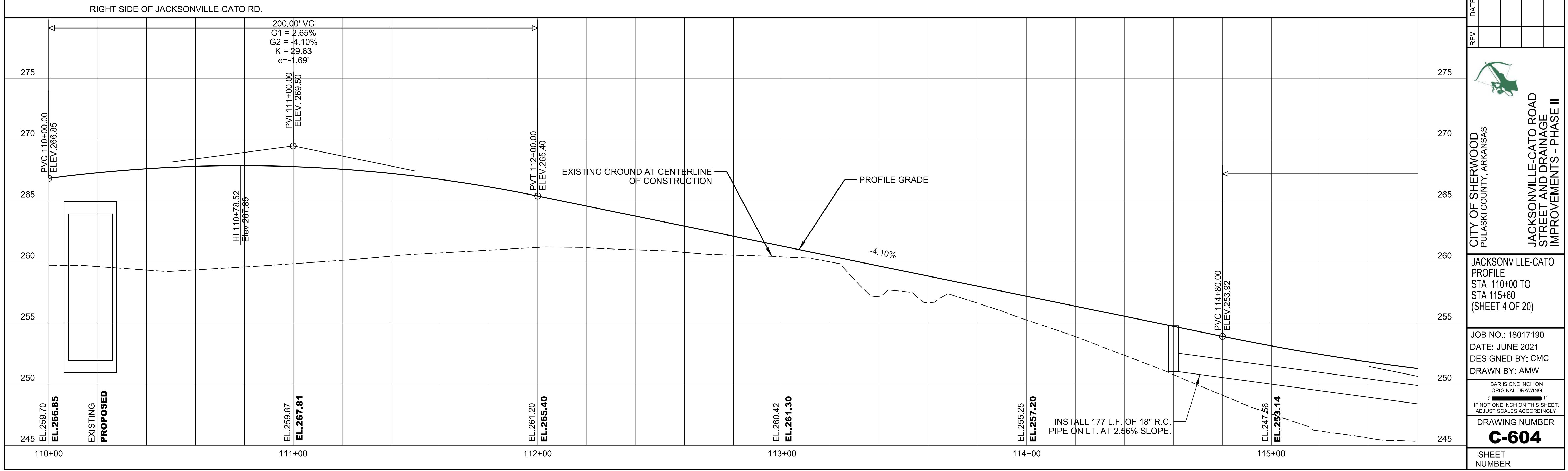
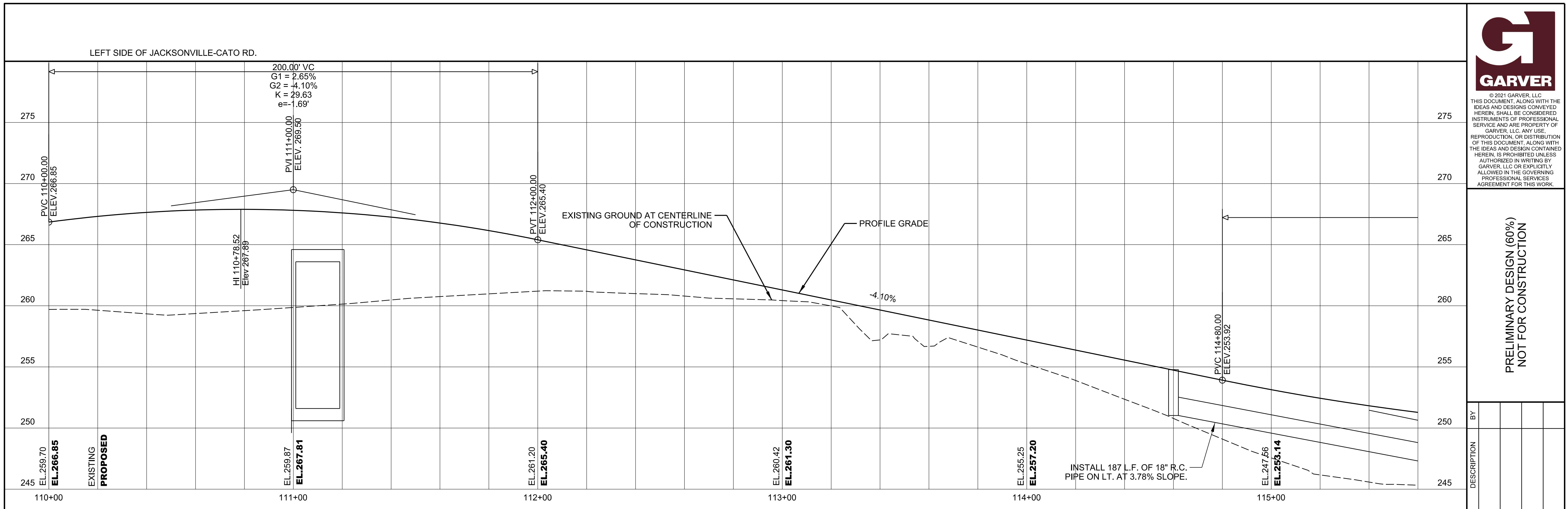
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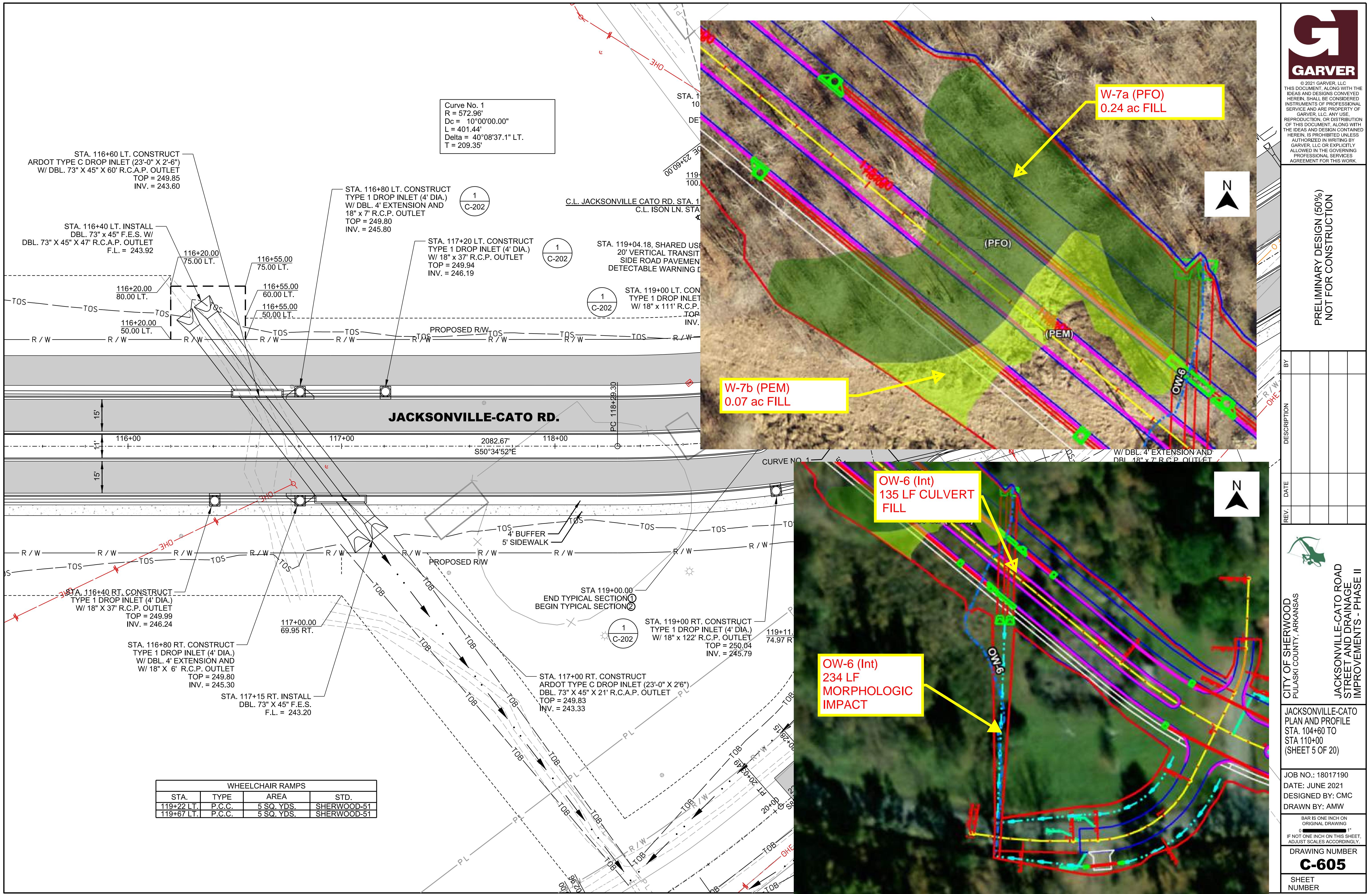


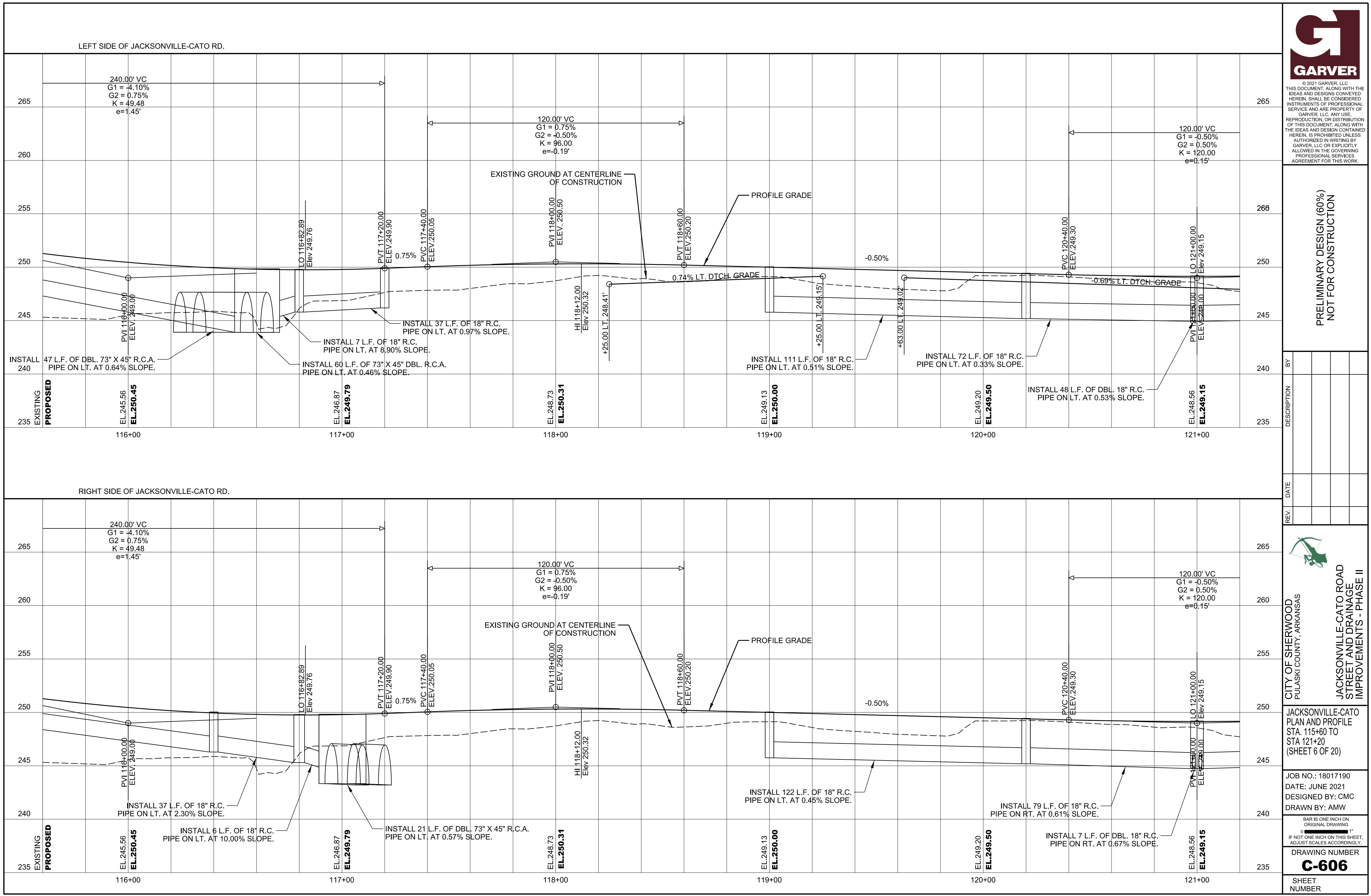


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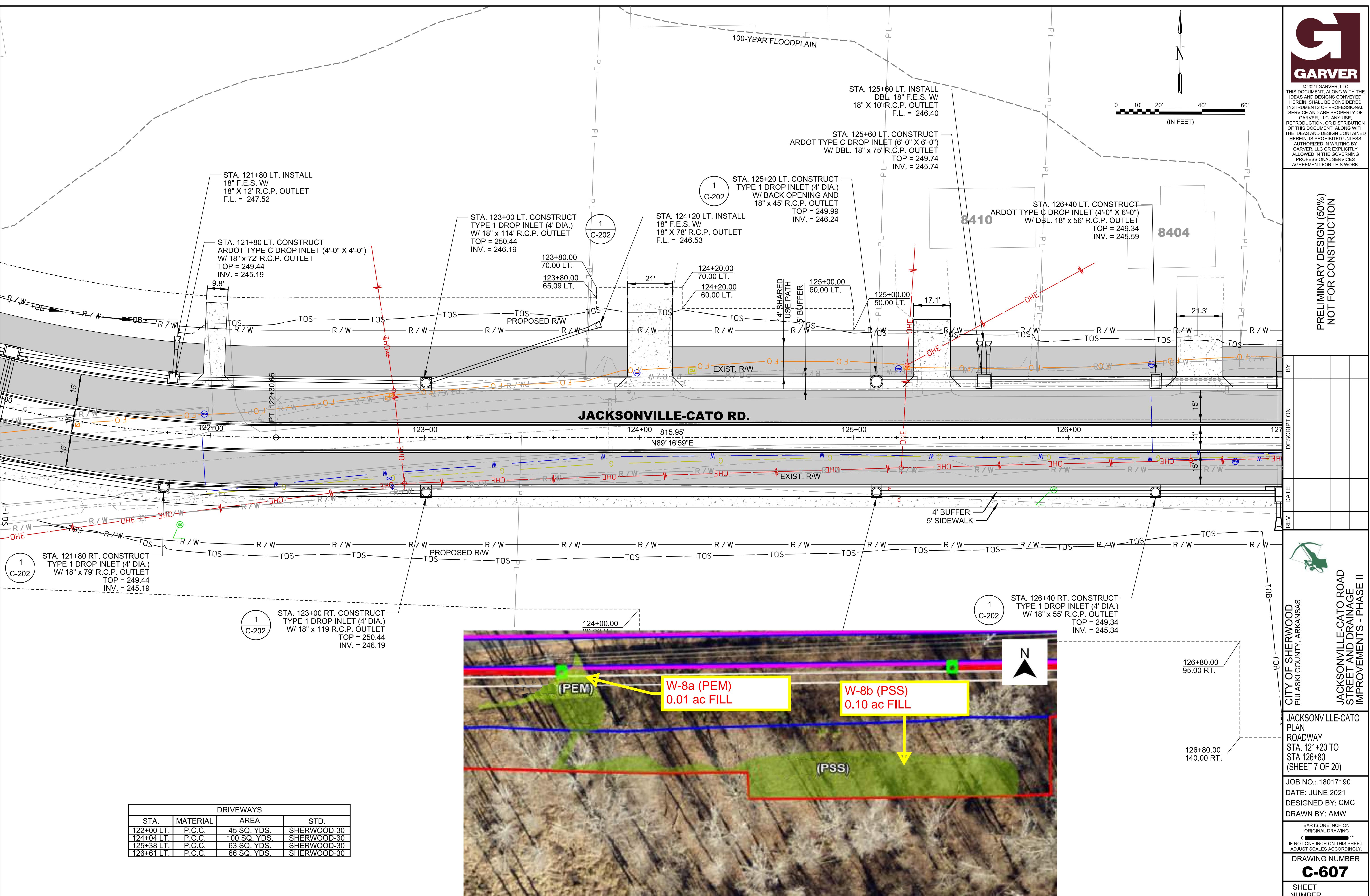


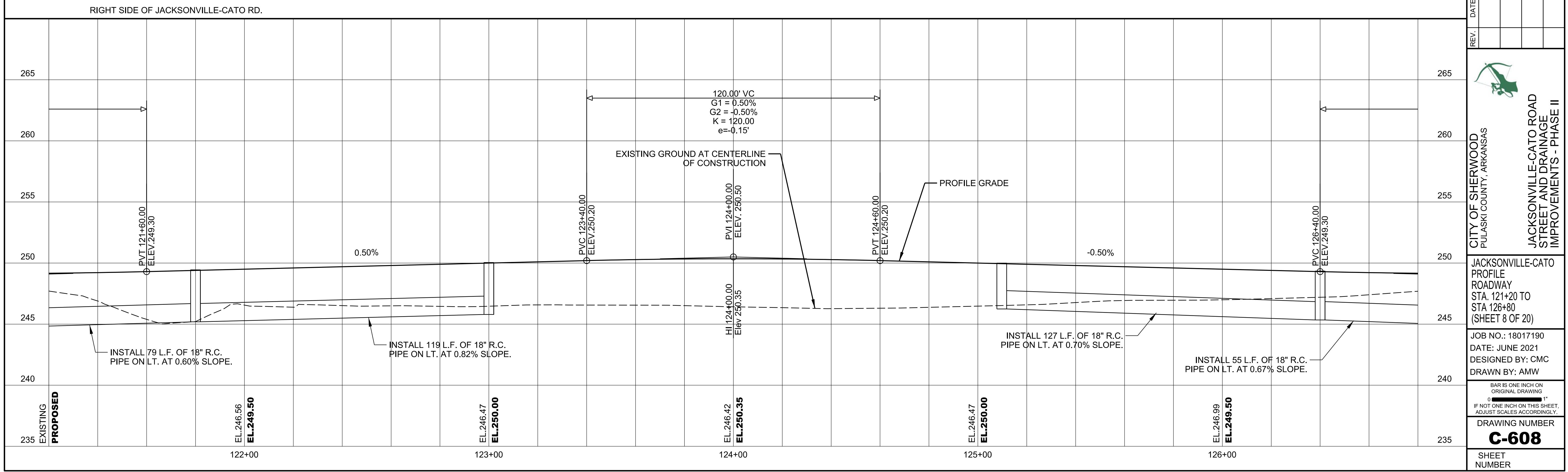
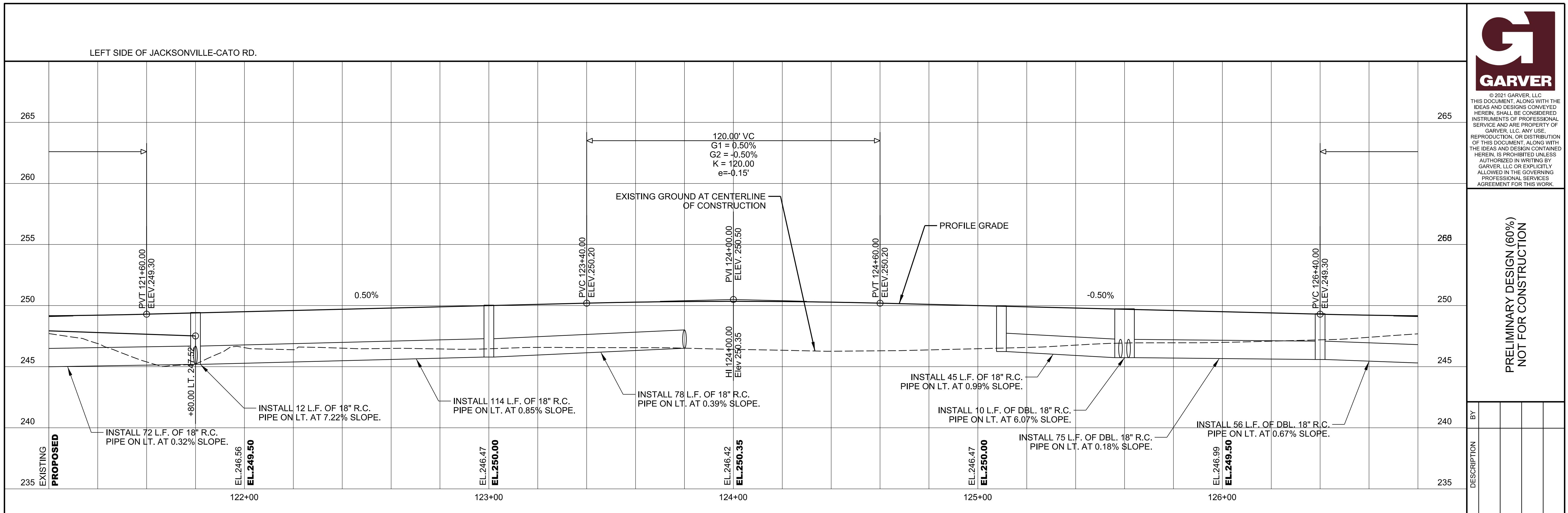






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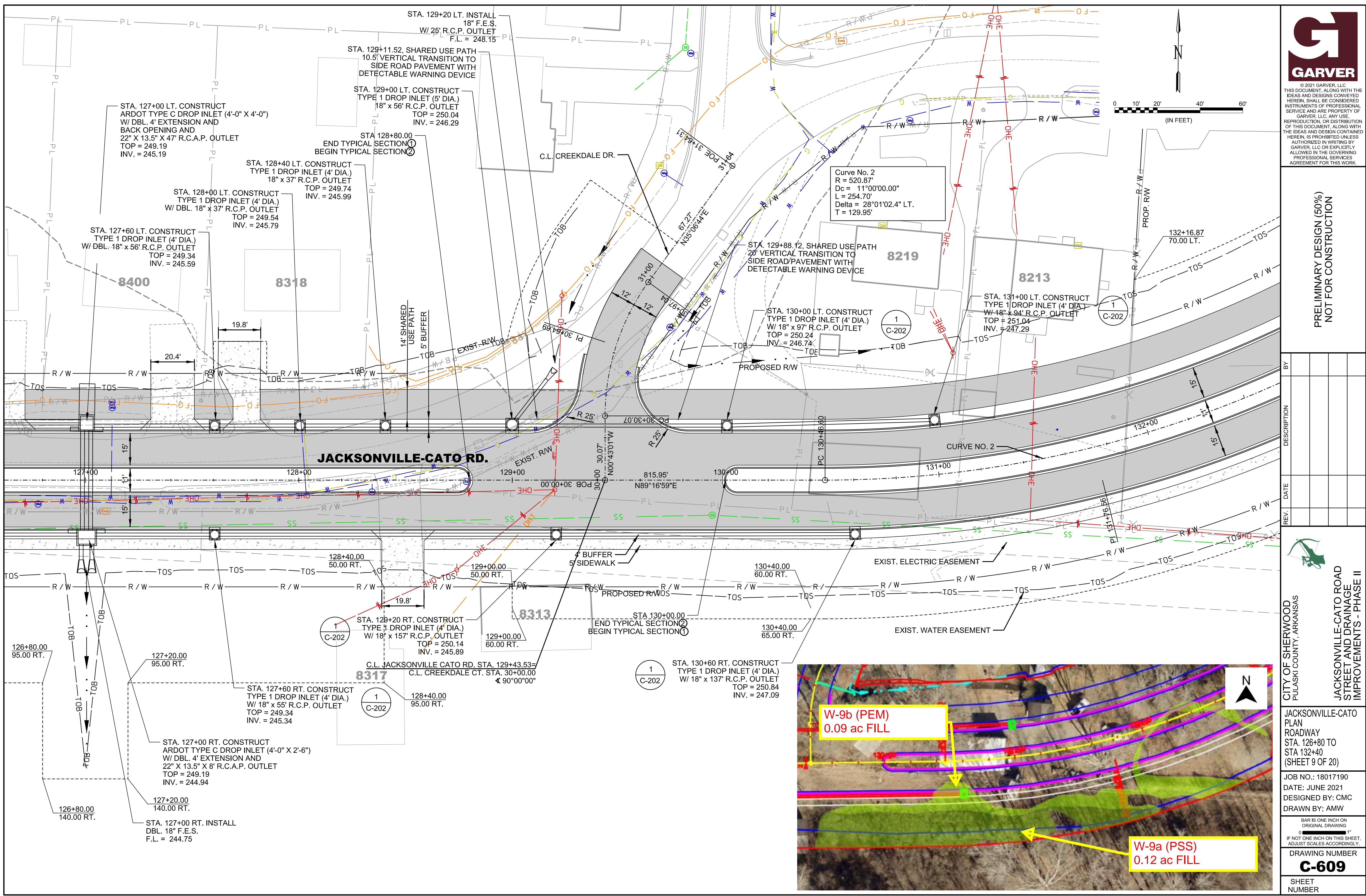


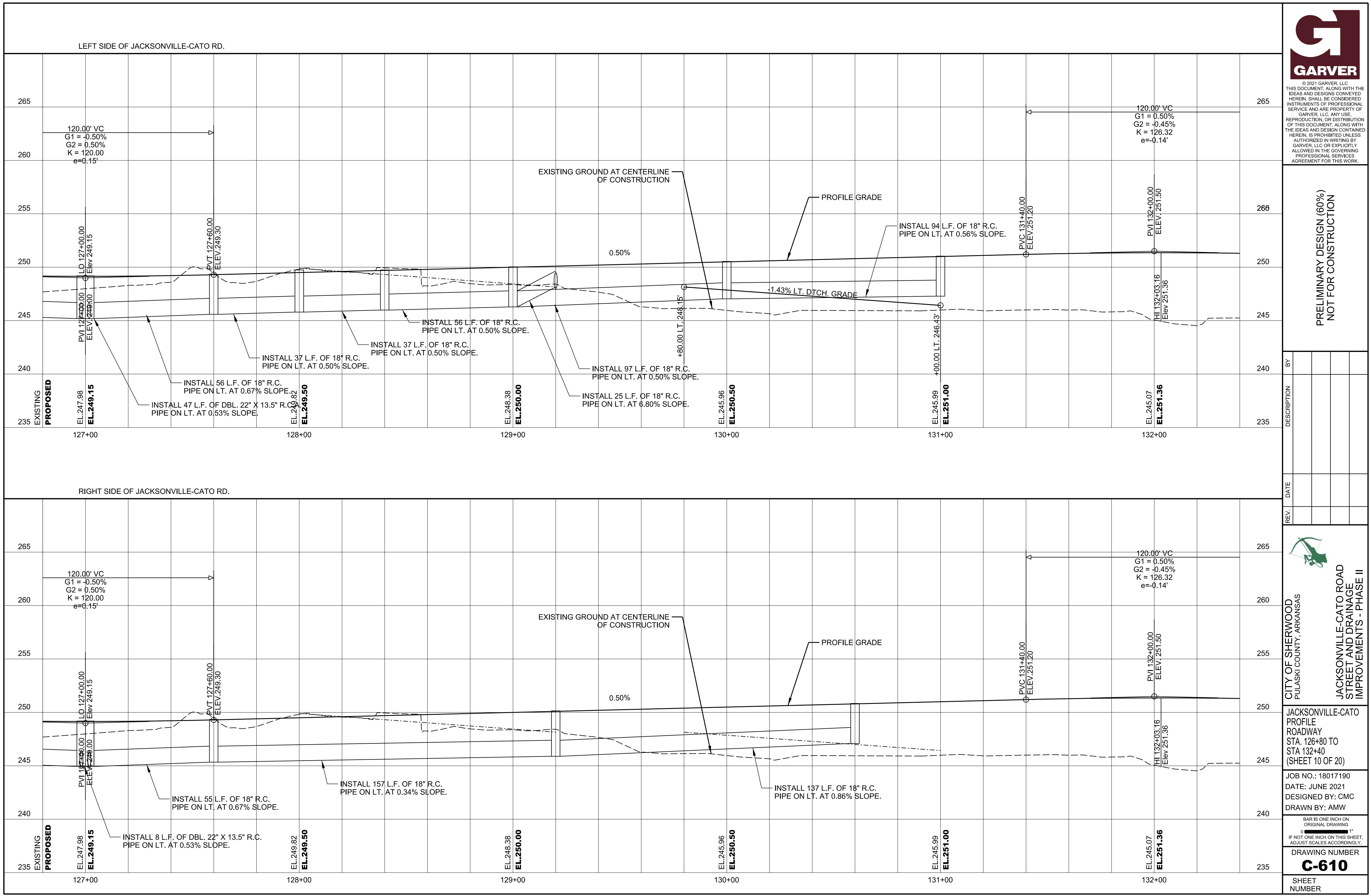
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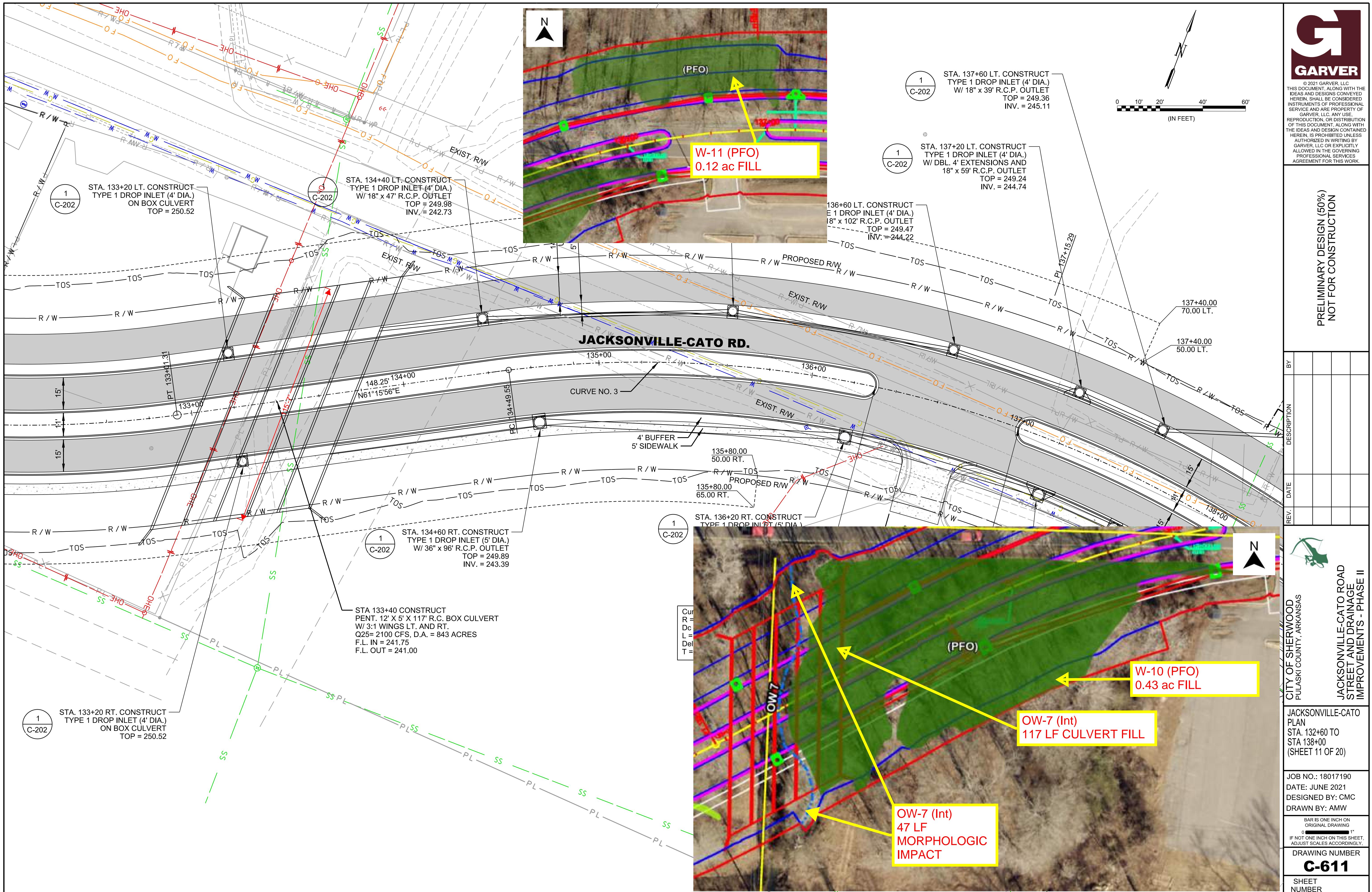
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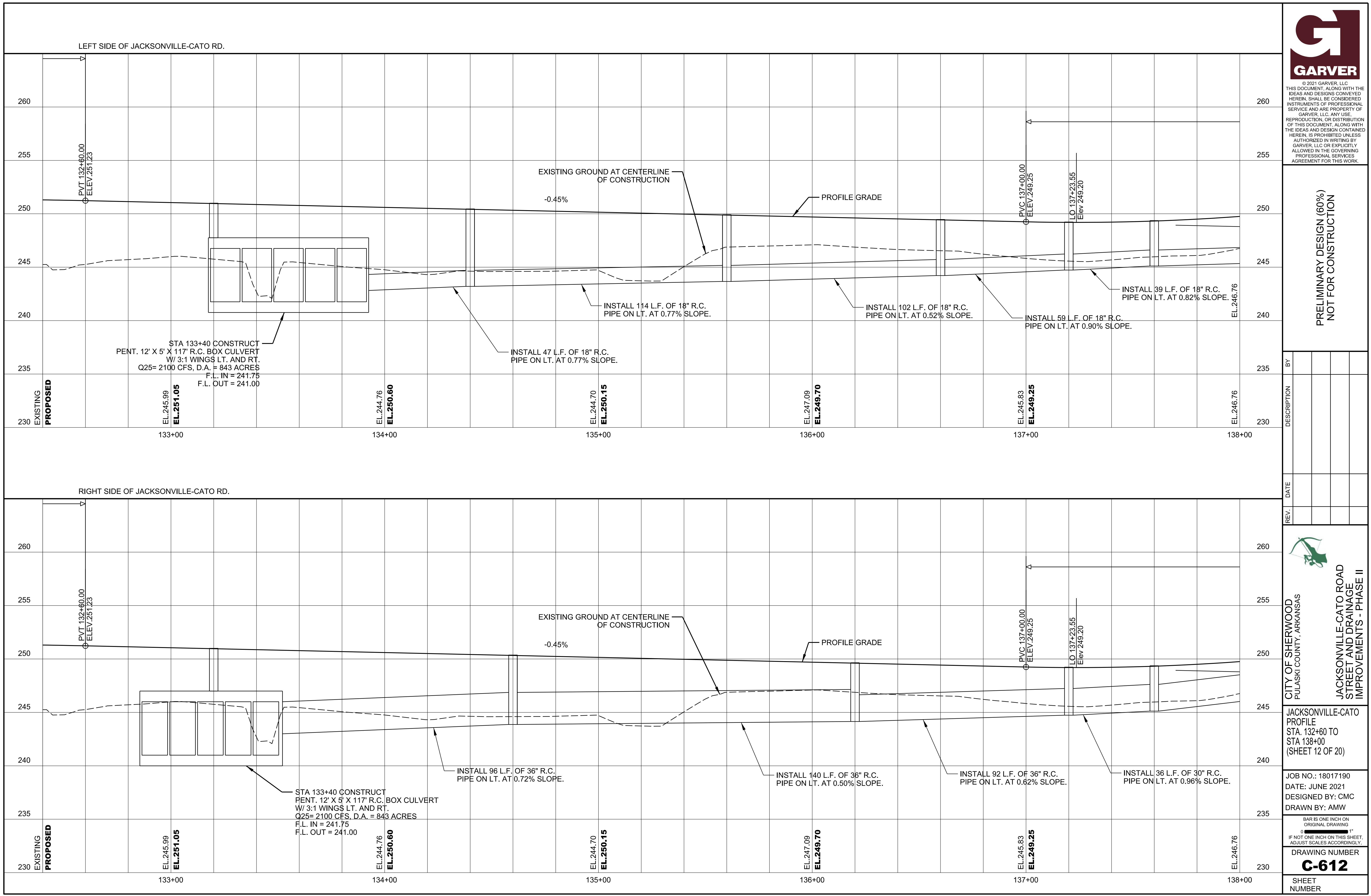
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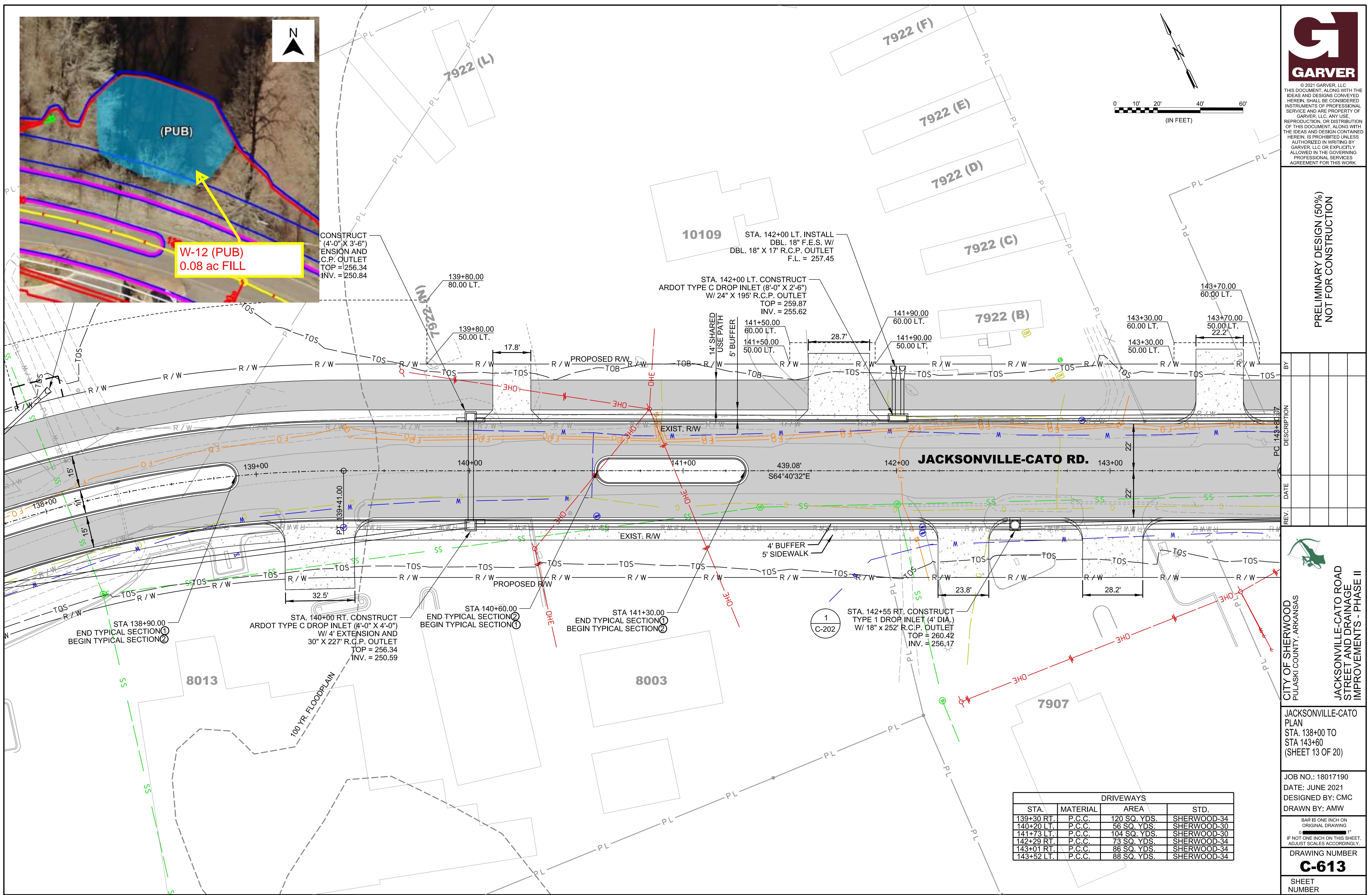


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JACKSONVILLE-CATO ROAD
STREET AND DRAINAGE
IMPROVEMENTS - PHASE II

JACKSONVILLE-CATO

..: 18017190
UNE 2021
ED BY: CMC
BY: AMW

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