



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2015-93
EVALUATOR:	Ms. Tarmiko Graham
PHONE NO.:	(601) 631-5540
FAX NO.:	(601) 631-5459
E-MAIL:	Tarmiko.V.Graham@usace.army.mil
DATE:	February 18, 2015
EXPIRATION DATE:	March 4, 2015

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, Water Division, 5301 Northshore Drive, North Little Rock, Arkansas 72118-5317, 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 or fill material into waters of the United States.

Name of Applicant:
Dr. Jerry R. Kendall
160 Emerson Place
Camden, Arkansas 71701

Location of Work: Sections 9, 15, and 16, T13S-R16W latitude 33.6069° N, longitude -92.7493° W, within the Two Bayou drainage basin, in Ouachita 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 for the mechanized land clearing and filling of jurisdictional wetlands for the proposed residential and commercial development.

The applicant's stated purpose for the proposed project is to increase the opportunity for economic development within East Camden, Arkansas.

The proposed project is located on a 103-acre tract. The site is divided into two major components of development, residential and commercial/retail. A total of 53 acres are set aside for commercial/retail development including a hotel, cinema, sports grill and other retail components. The remaining 50 acres would encompass a gated residential community and an apartment complex.

A total of 10.36 acres of flatwood wetlands and 830 linear feet of ephemeral drain were identified within the property boundary. All jurisdictional waters would be impacted by the proposed project.

The vegetation at the project site consists of water oak, sweet gum, blackgum, loblolly pine, winged elm, American holly.

Soil in the project area consists of Amy silt loam, a nearly level, poorly drained, slowly permeable soil. The soil is mainly present on broad upland flats, but some large areas are on low stream terraces on flood plains. This soil is considered hydric.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and residential/commercial development requires a Department of the Army Permit.

The applicant proposes to mitigate for the unavoidable loss of wetlands by purchasing credits from an approved mitigation bank.

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 is of such a limited nature and scope that little likelihood exists for the proposed project to impinge upon a historic property. A no affect determination has been

made. Furthermore, the Arkansas Historic Preservation Program stated no known historic properties would be affected by the proposed project on April 13, 2011. Copies of the public notice have been sent to Federally Recognized Tribes and other interested parties for comment on potential effects to historic properties that could result from the proposed activity.

Endangered Species: Our initial finding is that the proposed work would not affect the following endangered species or their critical habitats. The agent coordinated with the U.S. Fish and Wildlife Service concerning the potential presence of the red-cockaded woodpecker and its habitat. A no affect determination was made. Any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

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.

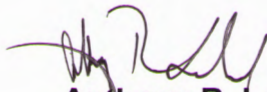
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may 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.

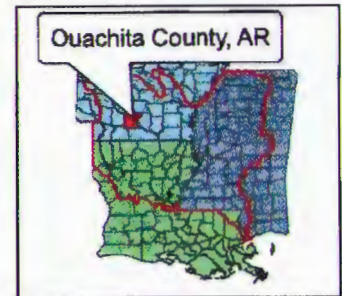
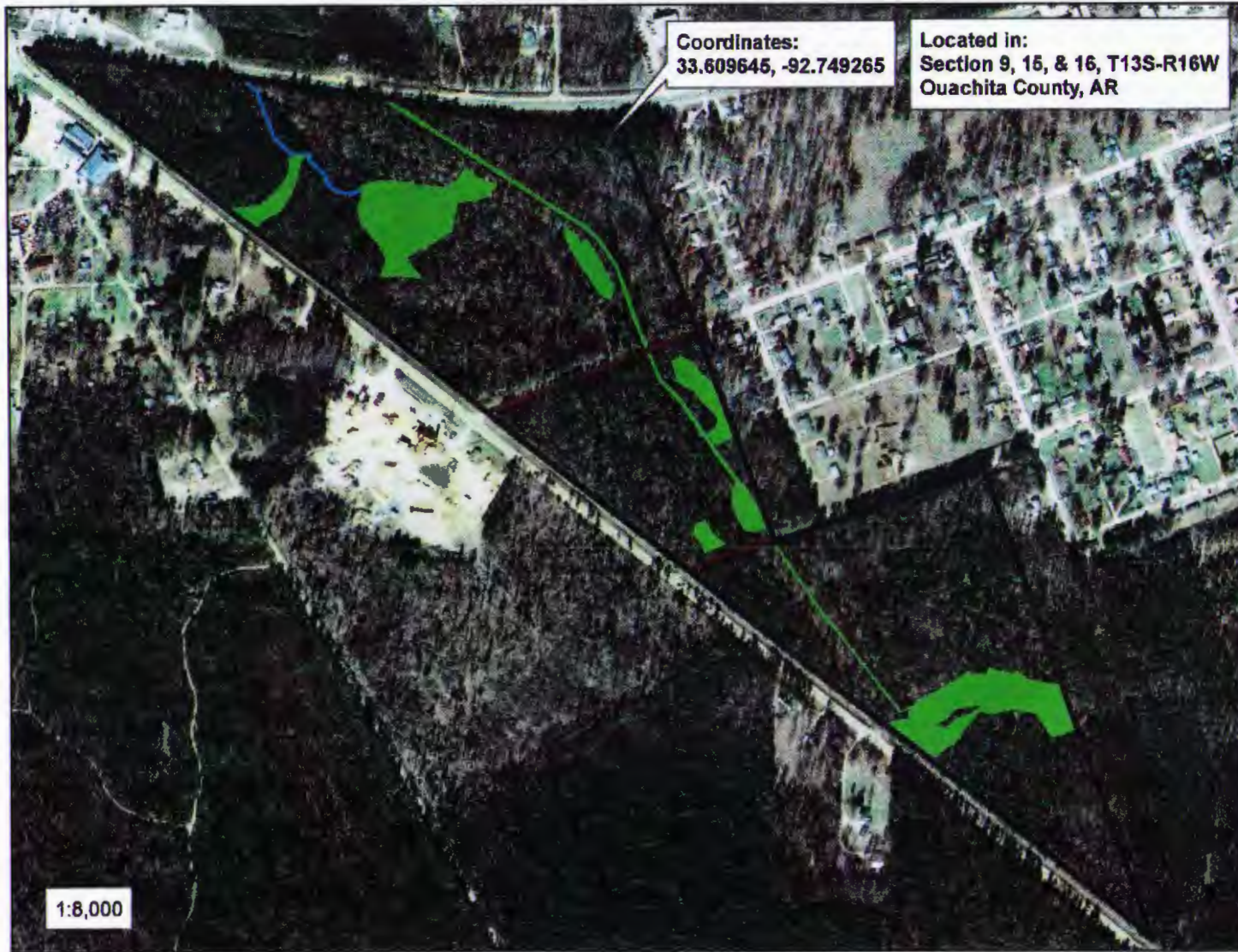
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a

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.



**Anthony R. Lobred
Acting Chief, Evaluation Section
Regulatory Branch**



2 June 2011
MVK-2011-347
 Proposed Development
 Eagle Endeavor, Inc.
 East Camden, Ouachita County, Arkansas
**Preliminary
 Jurisdictional Determination**
 Prepared by
 Arel Simpson



**US Army Corps
of Engineers.**

Regulatory Branch
Enforcement Section

0 195 390 780 Feet

Enclosure 1

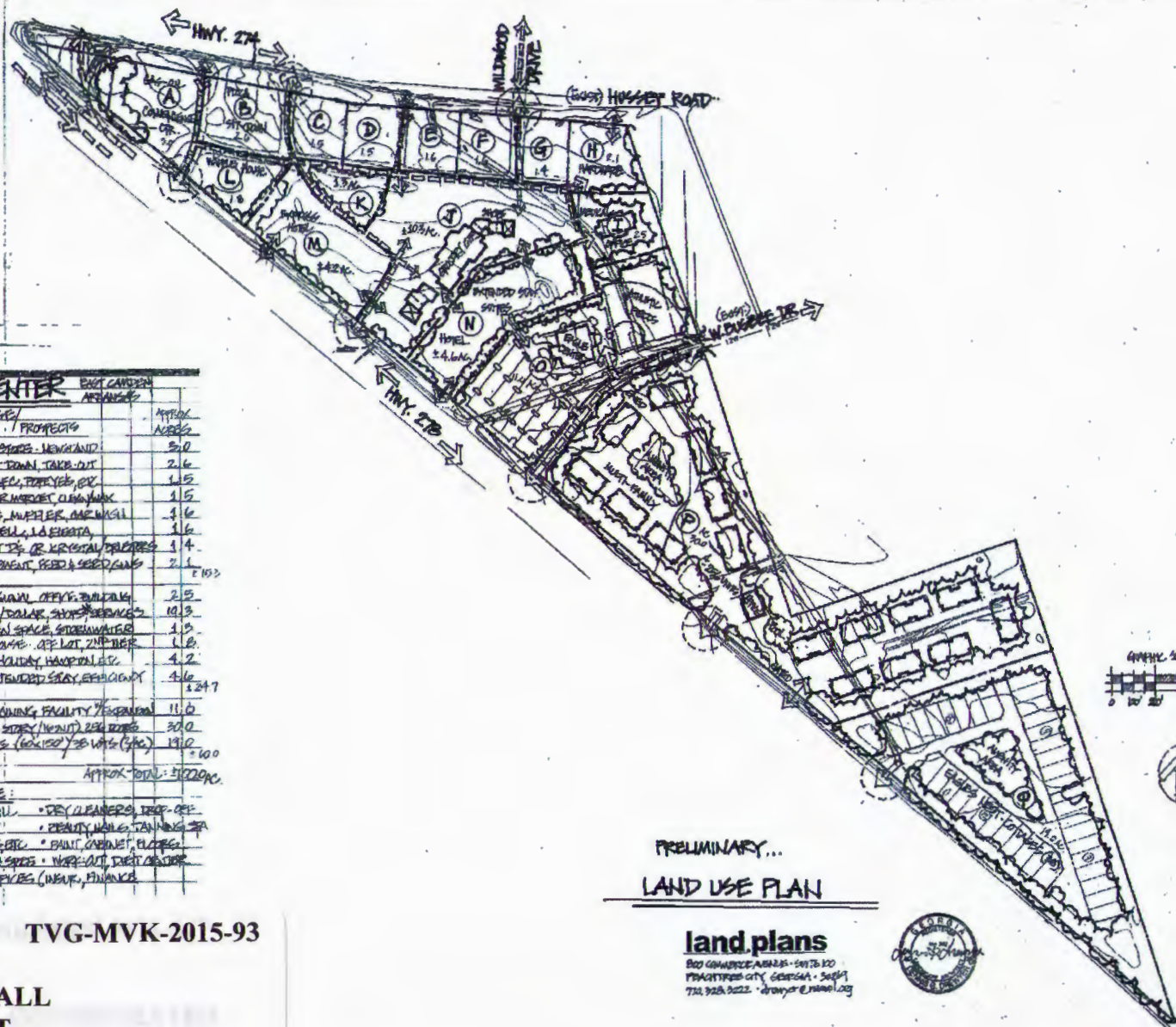
There are jurisdictional wetlands and other waters of the U.S. within the project boundary. A permit is required to work within a jurisdictional wetland and/or other waters of the U.S.

Legend

Property Boundary	Jurisdictional Wetland (10.36 Acs.)
Existing Access Roads	Ephemeral Stream (830 L.F.)

CEMVK-OD-FE TVG-MVK-2015-93

DR. JERRY R. KENDALL
 KENDALL INTEREST



EAGLE CENTER		EXIST. CARPENTERS
MAP KEY	PROJECT / LAND USE / PROJECTS	APPROX. ACRES
A	GAS/CONVENIENCE STORE - NEW/EXIST	2.0
B	PIZZA CHAIN - GET DOWN TAKE OUT	2.6
C	CHICKEN CHAIN - WFC, POLY, etc.	1.5
D	AUTO PARTS - AFTER MARKET CLEANING	1.5
E	TIRE - ALL CHANGE, MUFFLER, OIL CHANGE	1.6
F	MEXICAN - TACO BELL, L.A. BURRITO	1.6
G	FISH CHAIN - CANT. IS. OR RESTAURANT	1.4
H	HAIRDRESSER - EQUIPMENT, FRESH SERVICES	2.1
I	MEDICAL - PROFESSIONAL OFFICE BUILDING	2.5
J	GROCERY CENTER/DOLLAR STORE SERVICES	10.3
K	CITY PARK - GREEN SPACE, STORAGE	1.3
L	MOBILE HOME PARK - OFF LOT 2/10/10	1.0
M	EXPRESS HOTEL - HOLIDAY HOMES/ETC.	4.2
N	SUITE HOTEL - EXTENDED STAY, EFFICIENT	4.6
O	EAGLE CENTER TRAINING FACILITY EXPANSION	11.0
P	MULTI-FAMILY (2-STORY) NEW/EXIST	30.0
Q	SINGLE FAMILY LOTS (EXISTING) 1/2 A.C.	13.0
		APPROX. TOTAL: 51.20 AC.

*** SHOPS TO INCLUDE:**

- SPEEDY BUREAU
- DRY CLEANERS, DRY CLEANING
- PIZZA DELIVERY
- FRESH MARKET, FRESH PRODUCE
- CLOTHING, SHOES, etc.
- PAINT, CARPENTRY, ETC.
- ORGANIC MEAT STORE
- WAREHOUSE, DISTRIBUTION
- STORE FRONT OFFICES (INSUR., FINANCE)

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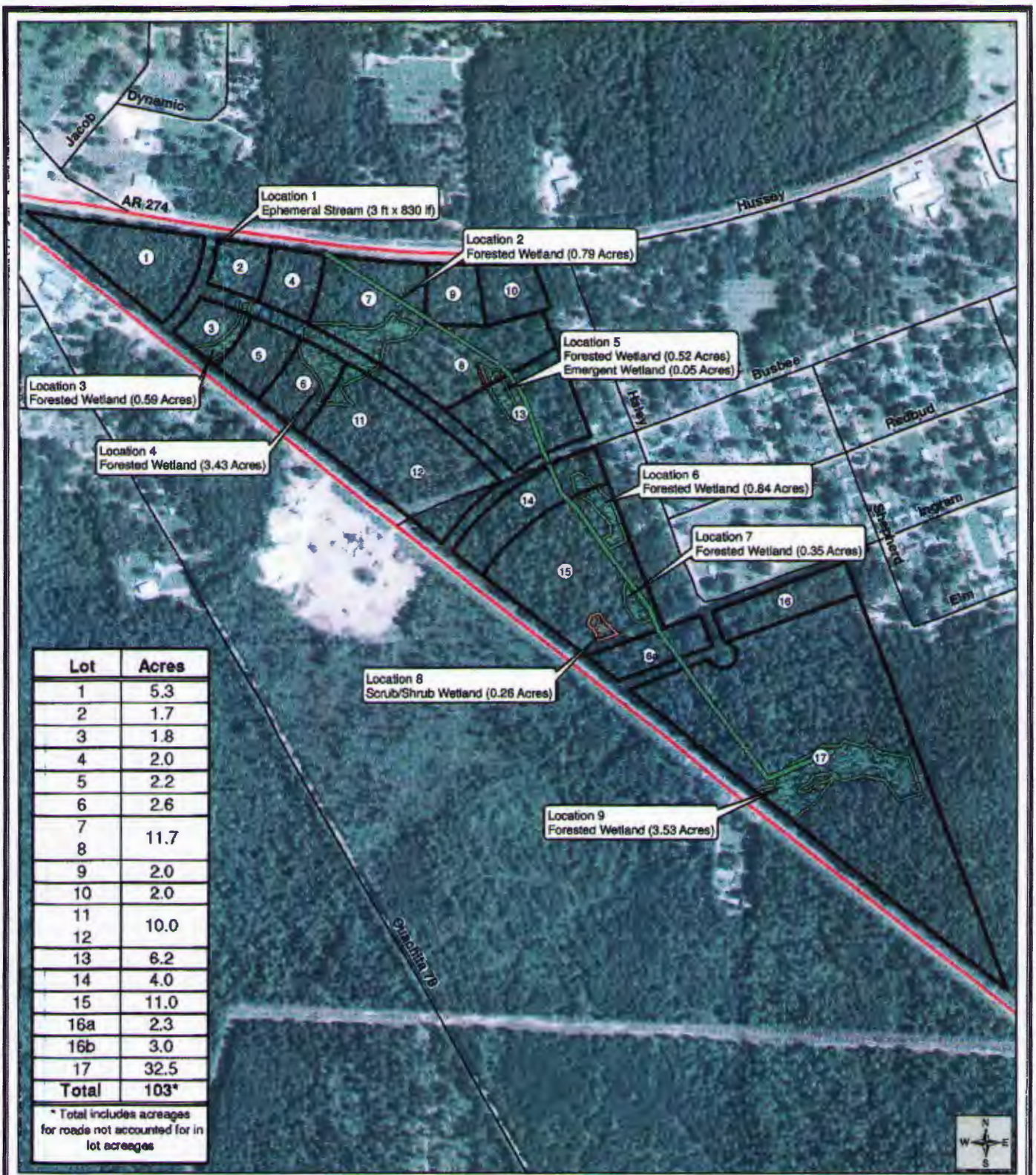
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KENDALL INTEREST

PRELIMINARY...
LAND USE PLAN

land plans

800 COMMERCIAL AVENUE - SUITE 100
FRASERTOWN CITY, GEORGIA - 30424
770.928.2022 - jerry@landplans.com





Lot	Acres
1	5.3
2	1.7
3	1.8
4	2.0
5	2.2
6	2.6
7	11.7
8	2.0
9	2.0
10	2.0
11	10.0
12	10.0
13	6.2
14	4.0
15	11.0
16a	2.3
16b	3.0
17	32.5
Total	103*

* Total includes acreages for roads not accounted for in lot acreages

Figure 1 of 1
Waters of the U.S.
2010 Aerial Map

Eagles Entertainment & Business Complex

Date: June 27, 2011

CEMVK-OD-FE

TVG-MVK-2015-93

DR. JERRY R. KENDALL
KENDALL INTEREST

Eagle Endeavor, Inc.
Ouachita County, Arkansas

Datum: NAD 83
Imagery Source: NAIP
Vector Source: CES & Eagle Endeavor

0 1,000 2,000 Feet

- Ephemeral Stream - 830 ft
- Forested Wetland - 10.05 Acres
- Emergent Wetland - 0.05 Acres
- Scrub/Shrub Wetland - 0.28
- Highway
- Local Road
- Development Lots