



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
Sean Cheeseman  
Weyerhaeuser NR

Published: March 20, 2025  
Expires: April 9, 2025

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**Vicksburg District  
Permit Application No. MVK-2024-00612**

TO WHOM IT MAY CONCERN: The Vicksburg District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) **and/or** Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). This public notice will also serve as a joint public notice with The Arkansas Department of Environmental Quality for State Water Quality Certification. The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Sean Cheeseman  
Weyerhaeuser NR  
220 Occidental Avenue  
Seattle, Washington 98104

**AGENT:** Mr. Shawn Clark  
FC & E Engineering, LLC  
Post Office Box 1774  
Brandon, Mississippi 39043

**WATERWAY AND LOCATION:** The project would affect waters of the United States associated with Flat Branch – Ten-mile Creek. The project/review area is located south of U.S. Highway 28 west of Monticello in Section 36, Township 12 South, Range 8 West; at Latitude 33.627742 and Longitude -91.876511; in Drew County, Arkansas.

**EXISTING CONDITIONS:** The site comprises approximately 253 acres adjacent to the rail line south of Highway 278, west of Monticello, Arkansas. The site is located in HUC 08040204, Lower Saline River. The site was previously utilized as a pine plantation. The natural hydrology of the area was largely unaltered. The site has a natural ridge that ran west to east through the center. Surface water contacting the site generally flowed off the ridge to the north and south and collected into upland swales. The upland swales flowed off site and east into unnamed tributaries of Ten-mile Creek, which then flowed to the Saline River.

Vegetation within the project site consists of Loblolly Pine (*Pinus taeda*), Red Maple (*Acer rubrum*), Broomsedge Bluestem (*Andropogon spp*), and Sawtooth Blackberry (*Rubus argutus*). Hydric soils within the project consists of Amy silt loam, very deep, poorly drained; Sacul soils, very deep, moderately well drained, slowly permeable soil; and Tippah silt loam, deep, moderately well drained soils.

## **PROJECT PURPOSE:**

**Basic:** The basic project purpose is construction of a new Engineered Wood Product Mill.

**Overall:** The overall project purpose is to increase the production and availability of TimberStrand® LSL (Laminated Strand Lumber) within Drew County, Arkansas.

**PROPOSED WORK:** The applicant proposes to construct a new mill and associated roads, parking, storage areas and rail spurs. The applicant proposes to impact 7.87 acres of jurisdictional wetlands. Approximately 1.98 acres of impact would be forested wetlands currently in a pine plantation with trees approximately 25 years old, and 5.89 acres of impact would be shrub/herbaceous wetlands in a recently harvested pine plantation.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

During the planning process, alternative sites were considered for the construction of the planned development. These sites potentially contained significantly more jurisdictional wetlands and other waters of the U.S. and therefore were eliminated from consideration. As a result, FC&E identified the chosen site as the best suited for the planned facility. Upon selecting a site, avoidance and minimization factors were considered before identifying the chosen site design as the best suited for the planned development. As described within the wetland permit application, the chosen site design supported the design criteria while minimizing potential impacts to wetlands and “other waters” within the site. The site footprint was continuously refined to achieve the smallest footprint that met the project goals while meeting the applicable design constraints such as rail spur access and stormwater pond locations/site drainage.

**COMPENSATORY MITIGATION:** The applicant offered the following compensatory mitigation plan to offset unavoidable functional loss to the aquatic environment: The required mitigation would be purchased from an approved mitigation bank located within the same watershed as the impacts prior to the commencement of the planned project.

**CULTURAL RESOURCES:**

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application, utilizing the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC), to determine if any threatened, endangered, proposed, or candidate species, as well as proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has determined that the proposed activity would have no effect on the Piping Plover, Red-Cockaded Woodpecker, and Rufa Red Knot. Also, the Corps has made a preliminary determination that the proposed project may affect species and critical habitat listed below. No other ESA-listed species or critical habitat will be affected by the proposed action.

Eastern Black Rail, Ouachita Fanshell, Pink Mucket, Rabbitsfoot and Winged Mapleaf

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification may be required from the Arkansas Department of Environmental Quality (ADEQ).

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

**EVALUATION:** 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 benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

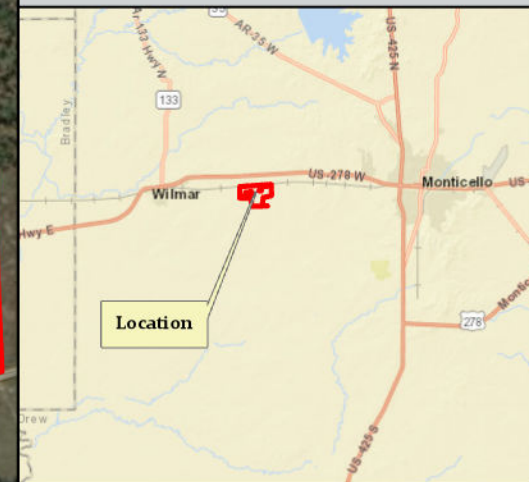
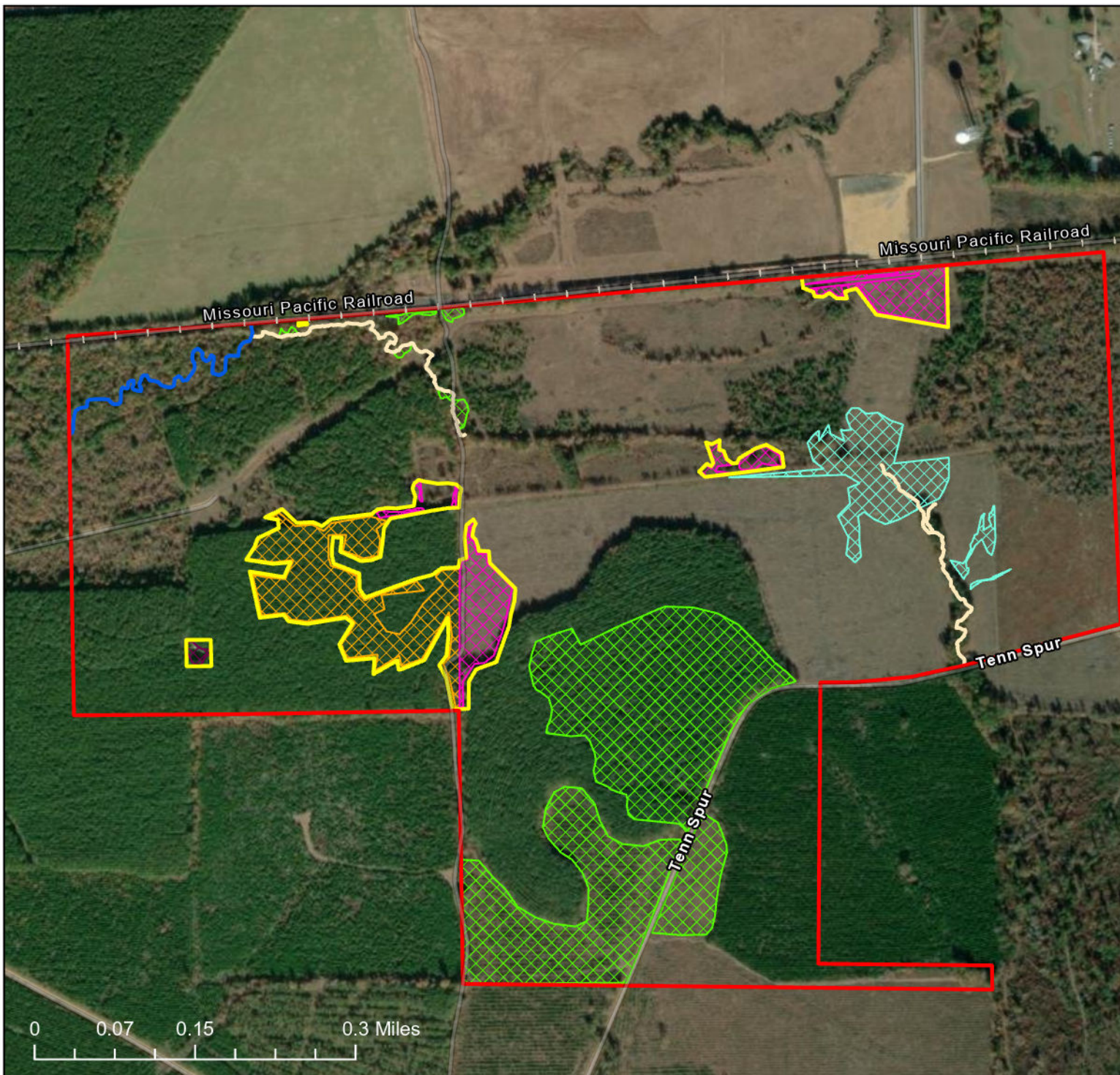
The Vicksburg District will receive written comments on the proposed work, as outlined above, until April 9, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Tarmiko Graham at Tarmiko.V.Graham@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Vicksburg District, Attention: CEMVK-RD, 4155 East Clay Street Vicksburg, Mississippi 39180. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

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>.

**Andy Sanderson  
Chief, Arkansas and Louisiana Branch  
Regulatory Division**





**Legend**

Project Boundary	Non-Jurisdictional PFO Wetland (8.43-acres)
AJD Boundary	Non-Jurisdictional PSS Wetland (5.6-acres)
Jurisdictional RPW (1803.5 Linear Feet)	Non-Jurisdictional Pond (0.18-acres)
Jurisdictional PFO Wetland (35.17-acres)	Non-Jurisdictional Upland Swale
Jurisdictional PSS Wetland (5.94-acres)	

\*There are wetlands or other waters of the U.S. within the project area.  
ENCLOSURE 1





