



**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2017-572
EVALUATOR:	Mr. Andy Sanderson
PHONE NO.:	(601) 631-5083
E-MAIL:	Andy.Sanderson@usace.army.mil
DATE:	April 19, 2018
EXPIRATION DATE:	May 9, 2018

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. William Calhoun Partee, Jr.
P1 Family LTD Partnership
Post Office Box 667
Magnolia, Arkansas 71754

Name of Agent:
Mr. Perrin Calhoun Partee
P1 Family LTD Partnership
Post Office Box 667
Magnolia, Arkansas 71754

Location of Work: Section 17, T13S- R16W, Latitude 33.6044°N, Longitude -92.7741°W, within the Freeo Creek-Ouachita River watershed of the Upper Ouachita Drainage Basin (8-digit USGS HUC: 08040102), 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 an after-the-fact Department of the Army permit for activities conducted in jurisdictional areas for the purpose of constructing a greetntree reservoir (GTR). The purpose of the proposed project is to provide beneficial habitat for migrating waterfowl and waterfowl hunting opportunities. The GTR would be approximately 25 acres in size. The applicant has already constructed two levees and installed the flashboard riser system in both needed to create and operate the GTR. Approximately 0.05 acre of unauthorized fill was placed within two jurisdictional areas to create the levees. Each levee contains a 20 foot long by 36 inch diameter steel pipe and flashboard riser. Approximately 73.52 cubic yards of fill has been discharged into jurisdictional areas for the construction of the levees. No additional discharge of fill material is required. A management plan will be provided that specifies the duration and frequency of inundation. In addition, a relift pump would be used to withdraw water from Woodard Lake during years where otop flooding and rainfall is not sufficient to fill the GTR. Approximately 200 feet of poly-pipe would carry water from the pump to the GTR. Should the GTR need to be completely filled from water withdrawal using the relift pump, the applicant estimates it would take approximately 3 million gallons of water from Woodard Lake.

The vegetative communities within the project area are dominated by American elm, willow oak, bitter pecan, overcup oak, water oak, and sweetgum. Soil within the project site consists of Ouachita silt loam with a hydric component percentage rating of 15.

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 would have no effect on the following threatened and endangered species or their critical habitats: Ouachita rock pocketbook mussel, Pink mucket mussel, Rabbitsfoot mussel, Spectaclecase mussel, and Winged mapleleaf mussel. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat would be addressed in our evaluation of the described work.

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>.

Thomas A. McCabe
Thomas A. McCabe
Chief, Evaluation Section
Regulatory Branch



**Approx. Project Coordinates:
33.605187 -92.774837**

Legend

-  Project Area
-  Forested Wetlands (51.34 Acres)
-  Other Waters (4.83 Acres)
-  Unauthorized Fill (0.05 Acres)



December 14, 2017
MVK-2017-572
 Perrin Partee
 Unauthorized Fill
 Greentree Reservoir
 Ouachita County, AR
 Preliminary
 Jurisdictional Determination
 Prepared by:
 Robert G. Ulmer, Jr.




Regulatory Branch
 Enforcement Section

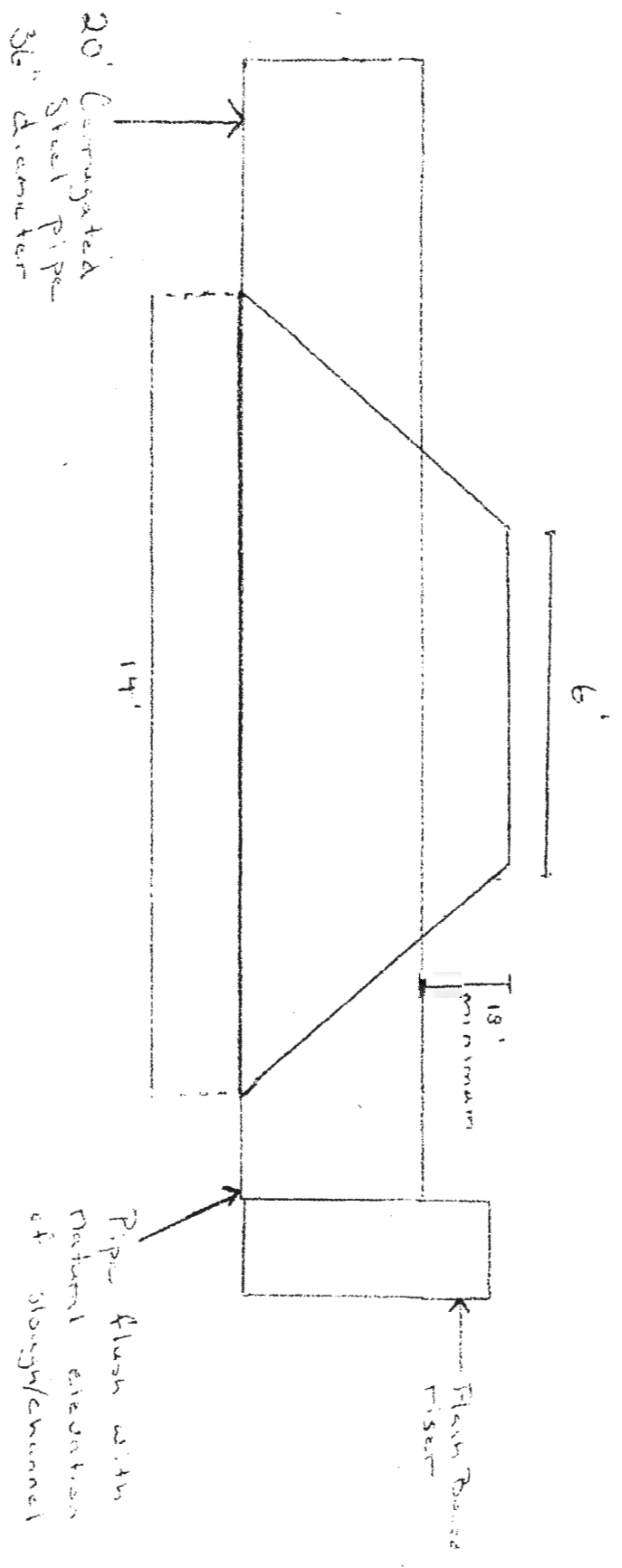
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



USGS The National Map: National Boundaries Dataset, National Elevation Dataset, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; U.S. Census Bureau - TIGER/Line; HERE Road Data



Levee profile
142, ETRAP
GTR