



**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-2022-324</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>January 23, 2023</u>
EXPIRATION DATE:	<u>February 23, 2023</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 submitted a certification request to the Arkansas Department of Energy and Environment, Division of Environmental Quality (certifying authority) and the Corps of Engineers has notified 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. Phil Witter
Canfor Southern Pine Inc.
101 Dauphin Street, Suite 600
Strong, Arkansas 71270

Name of Agent:
Mr. Charles Jones
Matrix New World Engineering
2798 O'Neal Lane, Building F
Baton Rouge, Louisiana 70816

Location of Work: Section 16, T18S-R13W, Latitude 33.158372, Longitude -92.447110, within the Lapoile Creek Drainage Basin (8-digit USGS HUC 08040202), Union 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 United States” (waters of the U.S.) for the purpose of expanding an existing sawmill in Urbana, Union County, Arkansas. New facilities within the proposed sawmill expansion will include an expanded log storage yard, log crane, truck staging, chip and saw dust tower, and product storage.

Canfor is one of the world’s largest producers of sustainable lumber, pulp, and paper and is a North American leader in green energy production. CSP is proposing to expand the capacity and improve the efficiency of an existing sawmill located in Urbana, Arkansas. The proposed Urbana Sawmill Expansion (Site) would allow CSP to process more timber by improving efficiency. Construction of the sawmill would provide another much-needed outlet for regional timber. The sawmill would produce softwood dimensional lumber, wood chips, wood shavings, and residuals from regionally sourced southern yellow pine.

Impacts associated with the proposed plant would consist of approximately 4.67 acres of wetlands, approximately 787.17 linear feet of streams and approximately 0.41 acre of pond. Approximately 48,941.22 cubic yards of earthen material and approximately 4,158.50 cubic yards of lime material would be placed in the jurisdictional areas.

Impacts are summarized by impact type and habitat in the table below.

Impact Type	Jurisdictional Feature	Acres	Linear Feet	Fill Quantity (cu. yds.)
Fill	Wetland - PFO	4.40	n/a	45,642.48
	Wetland - PEM	0.27	n/a	765.71
	Intermittent Stream	n/a	233.32	314.09
	Ephemeral Stream	n/a	553.85	202.83
	Pond	0.41	n/a	6,174.61

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

Dominant vegetation on the Site consists of, upland, (UPL), facultative upland (FACU), facultative (FAC), facultative wetland (FACW), and obligate wetland (OBL) plant species. Dominant species identified on the Site include: red maple (*Acer rubrum*, FAC), alligator-weed (*Alternanthera philoxeroides*, OBL), broom-sedge (*Andropogon virginicus*, FAC), giant cane (*Arundinaria gigantea*, FACW), green flat sedge (*Cyperus virens*, FACW), American hornbeam (*Carpinus caroliniana*, FAC), sugar-berry (*Celtis laevigata*, FACW), Indian wood-oats (*Chasmanthium latifolium*, FAC), long-leaf woodoats (*Chasmanthium sessiliflorum*, FAC), Carolina geranium (*Geranium carolinianum*, UPL), honey-locust (*Gleditsia triacanthos*, FAC), American holly (*Ilex opaca*, FAC), lamp rush (*Juncus effusus*, OBL), purple deadnettle (*Lamium purpureum*, UPL), poorman's-pepperwort (*Lepidium virginicum*, UPL), Chinese privet (*Ligustrum sinense*, FAC), sweet-gum (*Liquidambar styraciflua*, FAC), Japanese honeysuckle (*Lonicera japonica*, FACU), cress-leaf groundsel (*Packera glabella*, OBL), dotted smartweed (*Persicaria punctata*, OBL), American sycamore (*Platanus occidentalis*, FACW), swamp chestnut oak (*Quercus michauxii*, FACW), water oak (*Quercus nigra*, FAC), cherry-bark oak (*Quercus pagoda*, FAC), willow oak (*Quercus phellos*, FACW), short-bristle horned beak sedge (*Rhynchospora corniculata*, OBL), southern dewberry (*Rubus trivialis*, FACU), curly dock (*Rumex crispus*, FAC), dwarf palmetto (*Sabal minor*, FACW), narrow plume grass (*Saccharum baldwinii*, OBL), black willow (*Salix nigra*, OBL), peatree (*Sesbania herbacea*, FACW), horsebrier (*Smilax rotundifolia*, FAC), tall goldenrod (*Solidago altissima*, FACU), Chinese tallowtree (*Triadica sebifera*, FAC), white clover (*Trifolium repens*, FACU), American elm (*Ulmus americana*, FAC), bog white violet (*Viola lanceolata*, OBL), and muscadine (*Vitis rotundifolia*, FAC). Soils within the project area consists of Amy silt loam, rarely flooded; Guyton silt loam, frequently flooded; Harleston fine sandy loam; and Warnock 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. Currently this office is coordinating with the State Historic Preservation Officer, Federally-recognized Tribes, and other interested parties regarding potential effects to historic properties that could result from the proposed activity.

Endangered Species: The Threatened and Endangered Species list gained via the U.S. Fish and Wildlife Service's Information for Planning and Consultation Tool for the project area includes: Northern Long-eared Bat, Eastern Black Rail, Piping Plover, Red Knot, Red-cockaded Woodpecker and Pondberry. 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 not located within the 100-year floodplain.

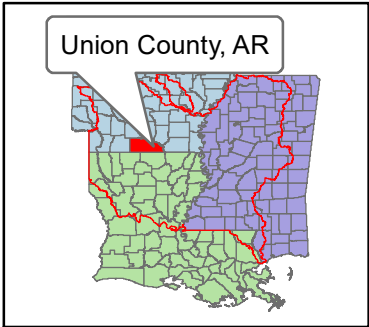
Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may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

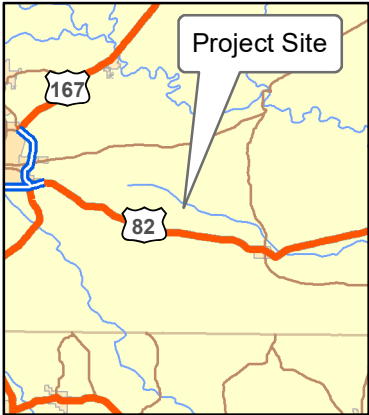
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this 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>.

Bryan Williamson
Chief, Permit and Evaluation Branch
Regulatory Division



20 July 2022
MVK-2022-324
 Jurisdictional Determination
 Urbana Sawmill Expansion
 Urbana, Union County, Arkansas
**Preliminary
 Jurisdictional Determination**
 Prepared by
 Arel Simpson



**US Army Corps
of Engineers®**

Regulatory Branch
Enforcement Section

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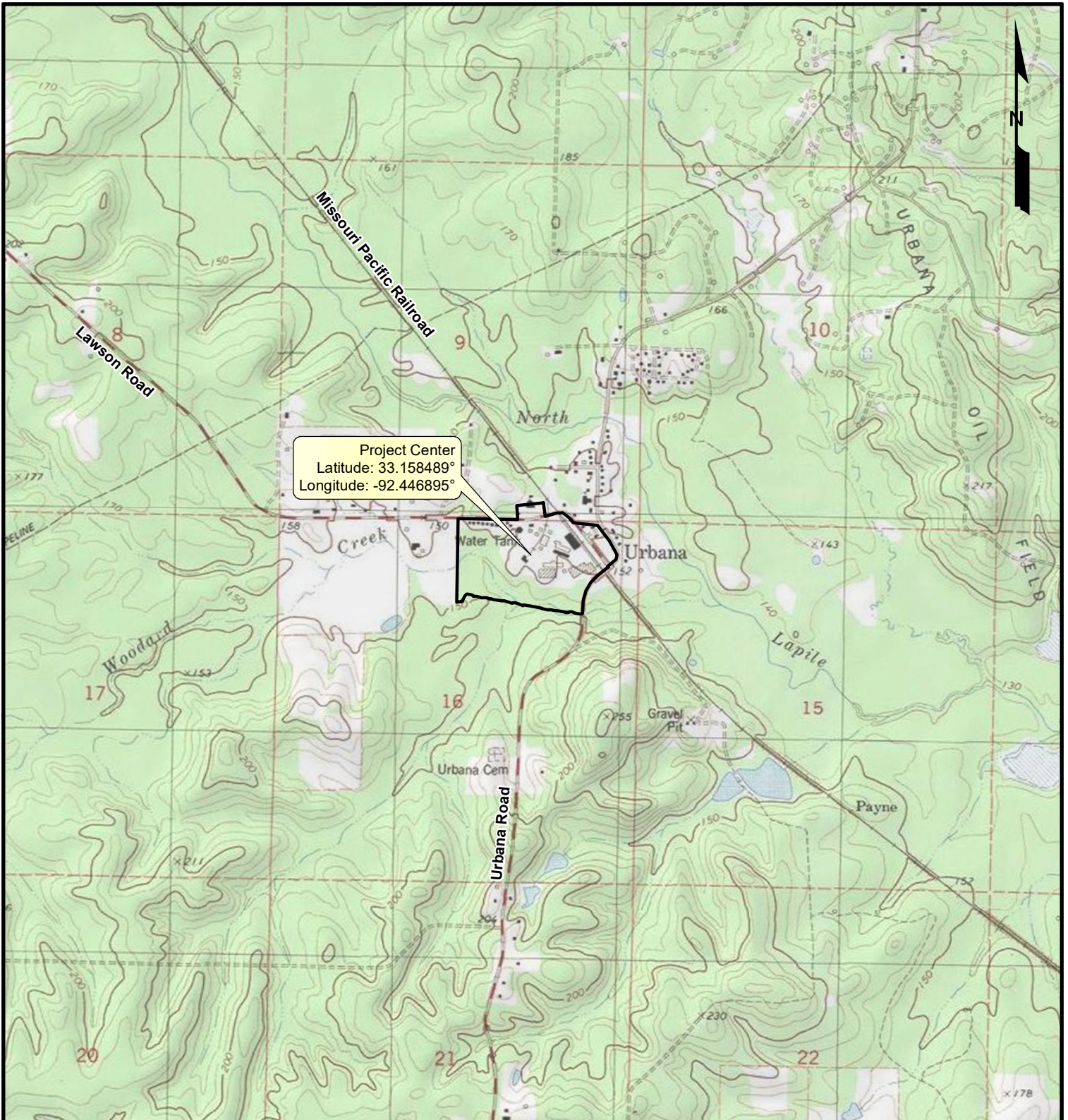
Enclosure 1

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There appears to be jurisdictional waters of the U.S. within the project boundary. Any work that involved clearing and filling of jurisdictional waters of the U.S. will require a permit.

Legend

- Project Boundary
- Jurisdictional Wetlands (14.64 Acs.)
- Log Pond (0.58 Ac.)
- Woodard Creek (1,967 L.F.)
- Intermittent Streams (836 L.F.)
- Ephemeral Streams (687 L.F.)



Legend

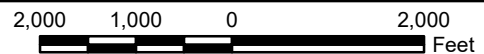
 Sawmill Site Boundary (63.27 acres)

Site Location Map

Section 404 Permit Application
Urbana, Union County, Arkansas

Canfor Southern Pine, Inc.

Urbana Sawmill Expansion



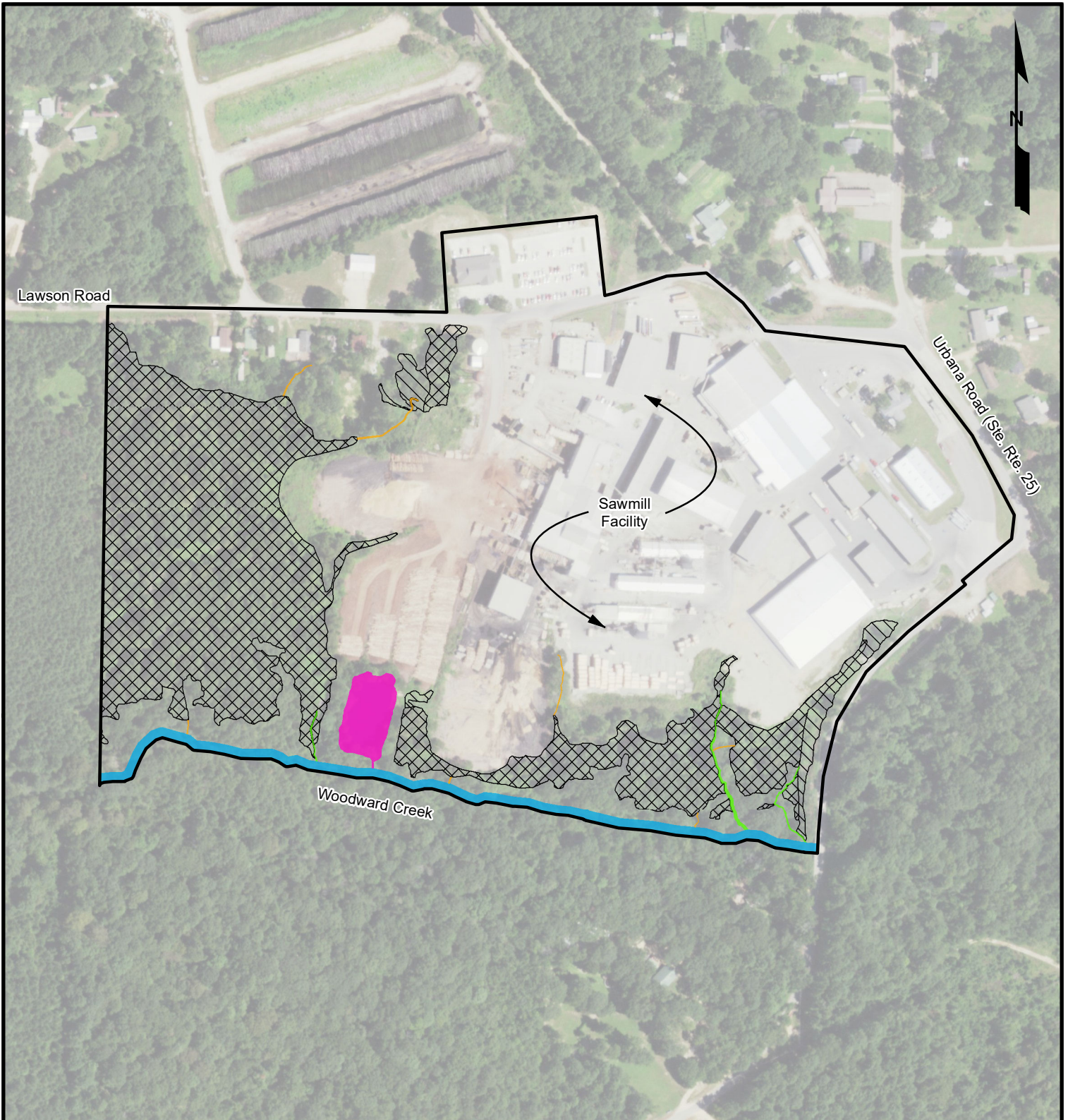
MATRIXNEWORLD
Engineering Progress

Drawn By	LMM
Approved By	CEJ
Date	7/26/2022
Drawing No.	22-0093-A017

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Figure No.

Source: Base map comprised of U.S.G.S. 7.5-minute topographic map, "Urbana, AR" dated 1981.



Legend

Sawmill Site Boundary (63.27 acres)

Wetlands (14.64 acres)

PFO (13.95 acres)

PEM (0.69 acre)

Non-Wetlands Waters (1.83 acres)

Perennial (1.13 acres; 1,967 linear feet)

Intermittent (0.08 acre; 836 linear feet)

Ephemeral (0.04 acre; 687 linear feet)

Pond (0.58 acre)

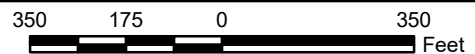
Source: Base map comprised of 2019 aerial photography from USDA/FSA Aerial Photography Field Office, National Agriculture Imagery Program (NAIP).

Existing Site Plan

Section 404 Permit Application
Urbana, Union County, Arkansas

Canfor Southern Pine, Inc.

Urbana Sawmill Expansion

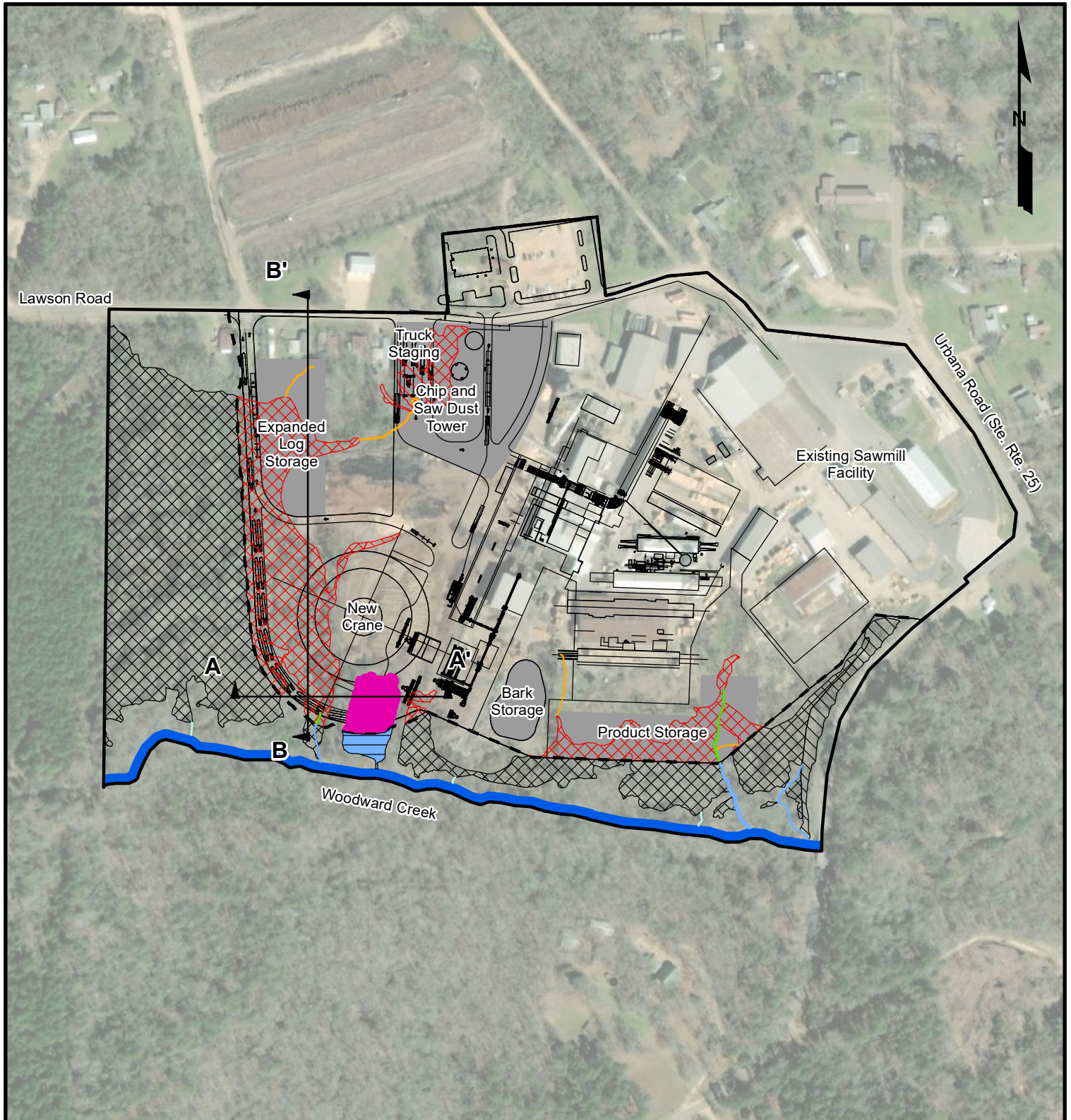


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Engineering Progress

Drawn By	LMM
Approved By	CEJ
Date	7/26/2022
Drawing No.	22-0093-A018

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Figure No.



Legend

- | | |
|---|--------------------------------------|
| Sawmill Site Boundary (63.27 acres) | Impacted Wetlands (Fill; 4.67 acres) |
| Limits of Clearing | PEM (0.27 acre) |
| Impacted Non-Wetlands Waters (787.17 linear feet) | PFO (4.40 acres) |
| Ephemeral (553.85 linear feet) | Non-Impacted Wetlands (9.96 acres) |
| Intermittent (233.32 linear feet) | PEM (0.41 acre) |
| Pond (0.41 acres) | PFO (9.55 acres) |
| Non-Impacted Non-Wetlands Waters (2,704.71 linear feet) | |
| Ephemeral (133.40 linear feet) | |
| Intermittent (603.86 linear feet) | |
| Perennial (1,967.44 linear feet) | |
| Pond (0.16 acres) | |

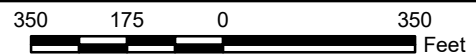
Source: Base map comprised of ESRI World Imagery.

Proposed Site Plan

Section 404 Permit Application
Urbana, Union County, Arkansas

Canfor Southern Pine, Inc.

Urbana Sawmill Expansion

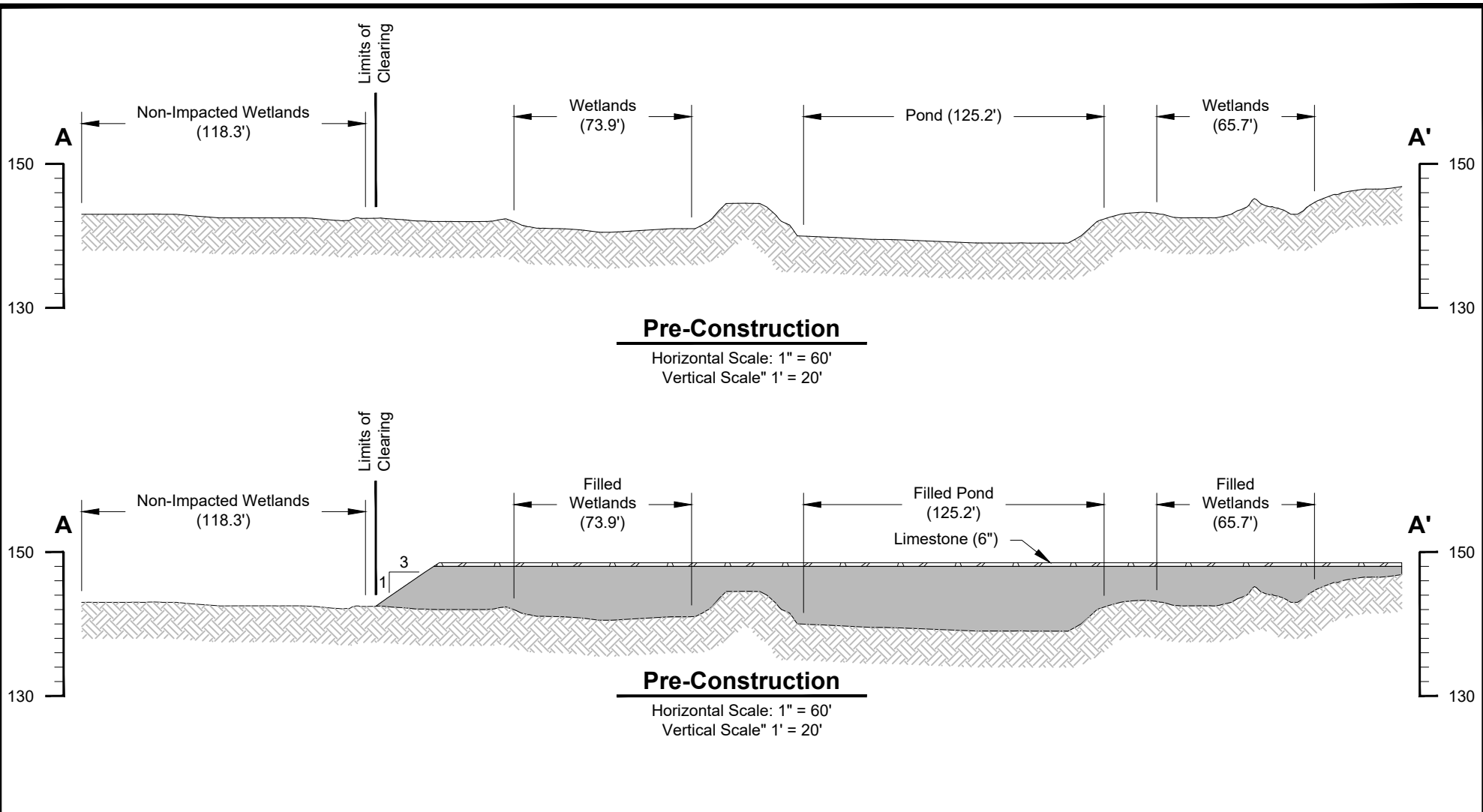


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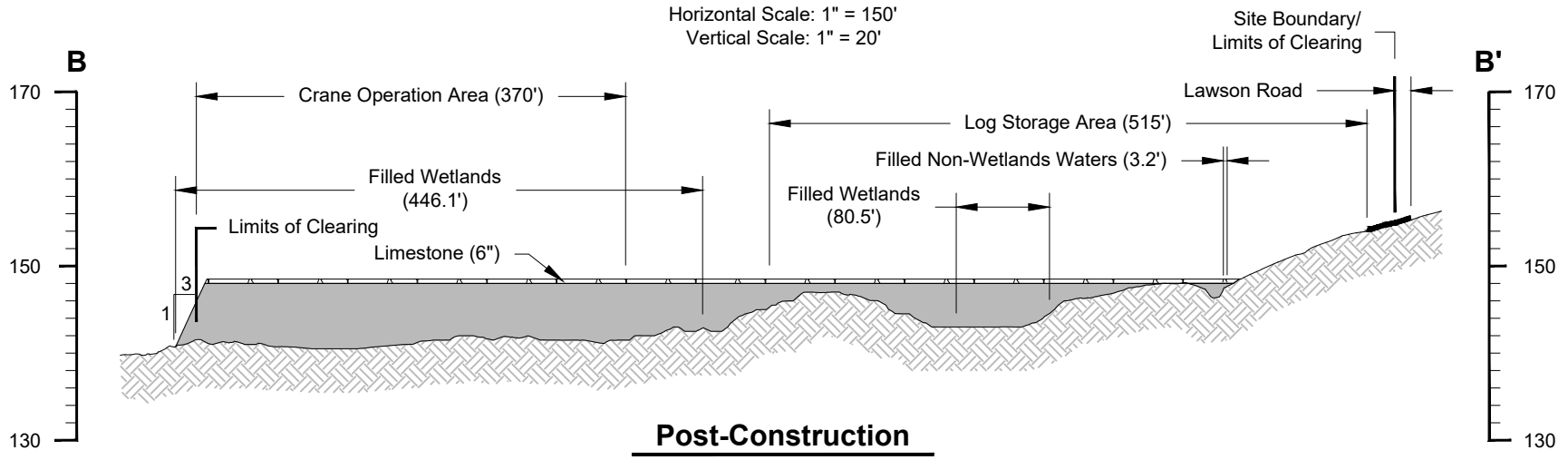
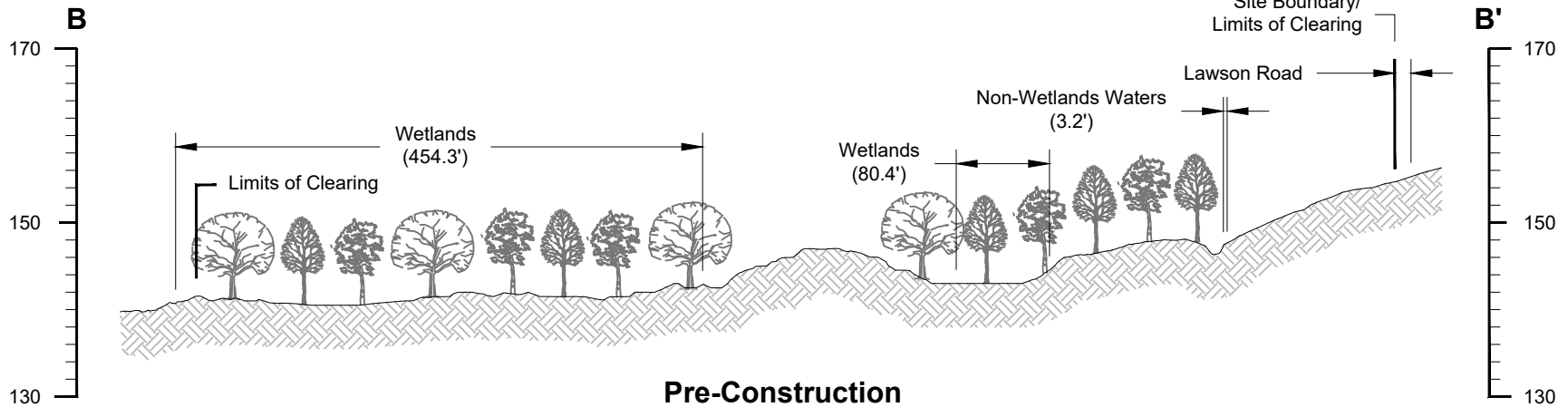
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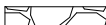
Figure No.



<p>Legend</p> <p> Fill in Wetlands (Soil - 43,618.83 yd³)</p> <p> Fill in Wetlands (Limestone - 3,772.23 yd³)</p>	<p>Cross Section A-A'</p> <p>Section 404 Permit Application Urbana, Union County, Arkansas</p> <p>Canfor Southern Pine, Inc. Urbana Sawmill Expansion</p> <p style="text-align: center;"> Scale: 1" = 60' </p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td rowspan="4" style="text-align: center; vertical-align: middle;">MATRIX NEWORLD <small>Engineering Progress</small></td> <td style="font-size: small;">Drawn By</td> <td>LMM</td> <td rowspan="4" style="text-align: center; vertical-align: middle; font-size: 2em; font-weight: bold;">5</td> </tr> <tr> <td style="font-size: small;">Approved By</td> <td>CEJ</td> </tr> <tr> <td style="font-size: small;">Date</td> <td>11/01/2022</td> </tr> <tr> <td style="font-size: small;">Drawing No</td> <td>22-0093-A020</td> </tr> </table> <p style="text-align: right; font-size: small;">Figure No.</p>	MATRIX NEWORLD <small>Engineering Progress</small>	Drawn By	LMM	5	Approved By	CEJ	Date	11/01/2022	Drawing No	22-0093-A020
MATRIX NEWORLD <small>Engineering Progress</small>	Drawn By		LMM	5							
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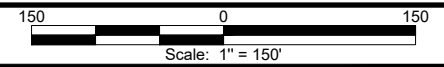
Legend

-  Fill in Wetlands (Soil - 43,618.83 yd³)
-  Fill in Wetlands (Limestone - 3,772.23 yd³)

Cross Section B-B'

Section 404 Permit Application
 Urbana, Union County, Arkansas

Canfor Southern Pine, Inc.
 Urbana Sawmill Expansion



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 Engineering Progress

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Date	11/01/2022
Drawing No	22-0093-A021

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 Figure No.