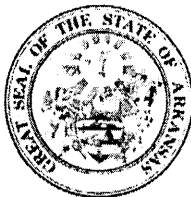




**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	MVK-2016-614
EVALUATOR:	Ms. Charlene Mosley
PHONE NO.:	(601) 631-5478
E-MAIL:	Charlene.P.Mosley@usace.army.mil
DATE:	April 25, 2017
EXPIRATION DATE:	May 15, 2017

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District is considering an application for a Department of the Army permit for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, 4155 Clay Street, Vicksburg, Mississippi 39183-3435.

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:
Ms. Sharron Eldred Smith
6013 Oak Hollow Place
Texarkana, Arkansas 71854

Name of Agent:
Mr. Lloyd Draughon Smith
2707 Pauls Circle
Texarkana, Arkansas 71854

Location of Work: Section 12, Township 11S-Range 26W, Latitude 33.80805, Longitude -93.74583, within Lower Red-Ouachita Drainage Basin (8-digit USGS HUC 08040103), Hempstead 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 Army permit to conduct regulated activities in jurisdictional areas for the construction of an earthen dam with a water control principal spillway and emergency spillway. The applicant's stated purpose is to construct a large lake that would serve as erosion control and recreation with impounded water for game and non-game species.

Approximately 33,500 cubic yards of blackland clay present on-site would be used for the construction of the dam. The dam would be approximately 700 linear feet in length, 12 feet in height, 14-foot top width, 70-foot bottom width, and with 3:1 and 4:1 side slopes.

Approximately 190 linear feet of an intermittent stream and 165 linear feet of an ephemeral stream would be filled. Approximately 3,268 linear feet of an ephemeral stream and 1,468 linear feet of an intermittent stream would be flooded.

The applicant proposes to mitigate for the unavoidable loss of stream impacts through performing permittee-responsible mitigation in the same 8-digit HUC unit 08040103.

The vegetative communities within the project area are black willow, osage orange, white ash, Indian wood oats, Southern dewberry, switch cane, Eastern red cedar, winged elm, Chinese privet, sumer grape, and Virginia creeper. Hydric soils within the wetland areas consists of Terouge silty clay.

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: A historic properties

investigation has been conducted within the permit area. No sites determined eligible for or listed on the National Register of Historic Places are within the permit area or affected area. Copies of this public notice have been sent to the State Historic Preservation Officer, 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 have no effect on the following endangered species or their critical habitats: Piping Plover, Least tern, Winged mapleleaf, Pink mucket, Ouachita Rock Pocketbook, Rabbitsfoot, and Northern Long-Eared Bat. No further coordination under the Endangered Species Act is required with the U.S. Fish and Wildlife Service, unless there are changes in the scope or location of the proposed project.

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. Portions of the project are 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.

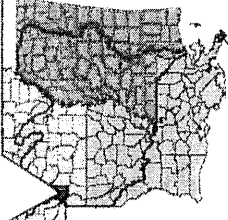
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine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

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

Hempstead County, AR

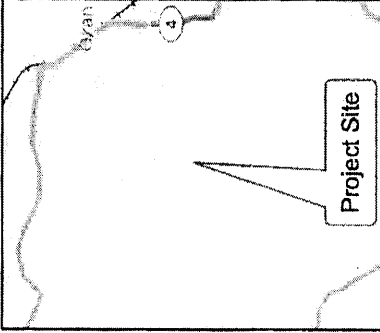


8 March 2017

MVK-2016-614

Jurisdictional Determination
A.D. Smith Lake Proposal
Lloyd Smith
Hempstead County, Arkansas

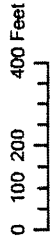
Preliminary
Jurisdictional Determination
Prepared by
Arel Simpson



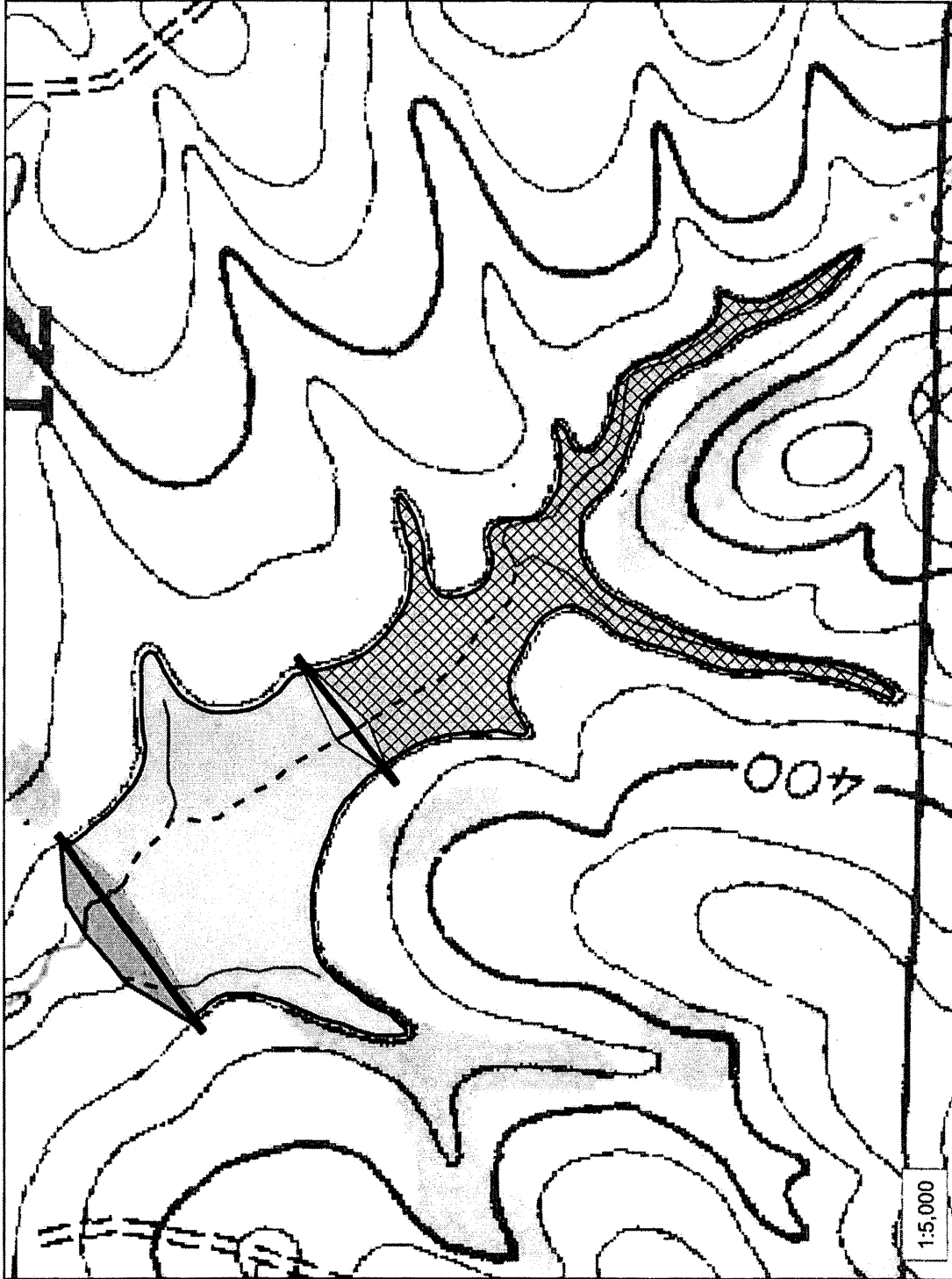
US Army Corps
of Engineers.



Regulatory Branch
Enforcement Section



Enclosure 1



Legend

- Project Boundary
- Maintenance Road
- Small Lake (8.76 Acs.)
- Ephemeral Stream (165 L.F.)
- Ephemeral Stream (3,267 L.F.)
- Intermittent Stream (1,369 L.F.)
- Intermittent Stream (289 L.F.)
- Small Lake Dam
- Large Lake Dam
- Large Lake (20.01 Acs.)

