



**US Army Corps
of Engineers.**

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



Public Notice

APPLICATION NO.:	MVK-2017-968
EVALUATOR:	Mr. Andy Sanderson
PHONE NO.:	(601) 631-5083
E-MAIL:	Andy.Sanderson@usace.army.mil
DATE:	September 6, 2019
EXPIRATION DATE:	September 26, 2019

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. Luther Jackson Lewis
LJL Investments, LLC
604 North Thomasville Avenue
Pocahontas, Arkansas 72455

Name of Agent:
Mr. Dale Donham
Donham Land Developments
Post Office Box 20334
White Hall, Arkansas 71612

Location of Work: Section 18, T2S- R19W, Latitude 34.5633°N, Longitude -93.0717°W, within the Bull Bayou-Lake Hamilton watershed of the Ouachita Headwaters Drainage Basin (8-digit USGS HUC: 08040101), Garland 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 developing residential lots and recreational lots for purchase. The project site is approximately 190 acres in size and would require the placement of numerous stream crossings for roads and access to platted lots. No wetland impacts would occur as a result of the proposed work.

After-the-fact impacts include the placement of 4 culverts within streams on-site, and the realignment of a 290 linear foot (lf) long segment of intermittent stream channel. The culverts already placed include a metal Conex box of approximately 26 feet (ft) in length within an intermittent stream, a 15-inch diameter by 20 ft long plastic culvert, a 24-inch by 20 ft long plastic culvert, and a 48-inch diameter by 20 ft half pipe steel culvert, all within ephemeral streams. The channelized section of the intermittent stream was realigned for the placement of the Conex box crossing and the applicant also proposes to place a concrete pad on top of this crossing for reinforcement. Proposed road crossings include two natural, at-grade stream crossings, two 24-inch by 20 ft long plastic culverts, and an additional 24-inch by 20 ft long plastic culvert to be placed adjacent to the existing 15-inch diameter culvert listed above. All of these would be placed within ephemeral streams. Approximately 7 additional crossings for ephemeral streams and roadside drainage ditches would be required for lot access and would be installed by new lot owners. These culverts would be 18-inches and 24-inches in diameter, and locations are depicted in attached maps.

The vegetative communities within the project area are dominated by black willow, sawtooth blackberry, longhair sedge, white clover, blunt spikerush, and knotweed. Soil within the project site consists of Avant and Yanush-Avant complex with USGS hydric component percentage ratings of 0.

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 permit area is composed of gravelly silt loam soils and slopes of 40-60 percent: and, therefore, has a very low potential for yielding unidentified cultural deposits that may be eligible for inclusion in the National Register of Historic Places.

Endangered Species: Threatened and Endangered Species listed for this area include the Northern long-eared bat, rabbitsfoot mussel, Harperella, and Missouri bladderpod. Our initial finding is that the proposed work would have no effect on these species or their habitats. 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 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.

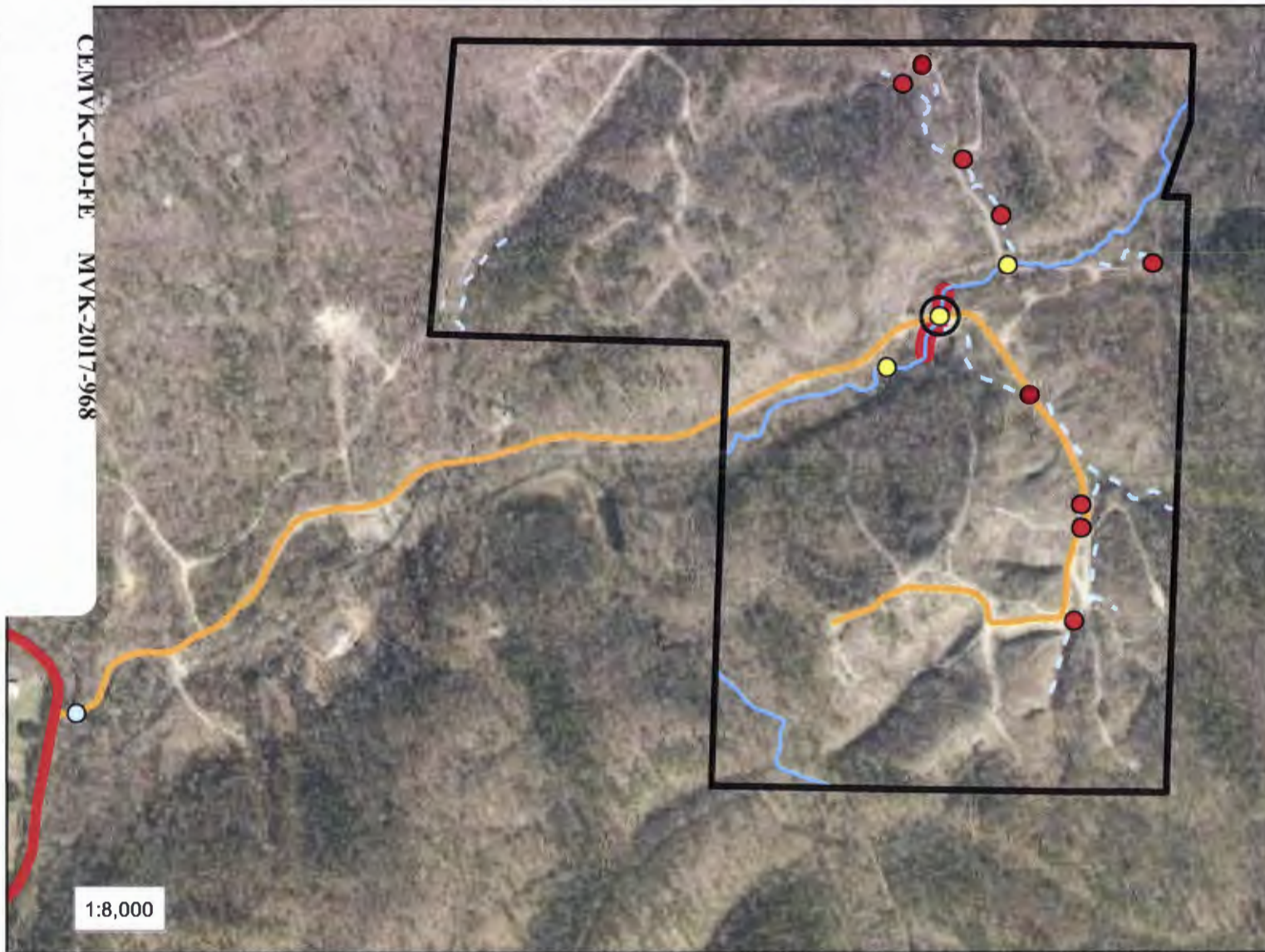
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine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


Thomas A. McCabe
Chief, Evaluation Section
Regulatory Branch



Legend

- Approximate Property Line
- Wildcat County Road
- Conex Container

- Intermittent Stream Crossings
- Bull Bayou Crossing
- Jurisdictional Stream Crossings
- Intermittent Streams

- Ephemeral Streams
- Kelly Hollow Drive
- Stream Channelization

Garland County, AR



19 February 2019

MVK-2018-968

Jurisdictional Determination
 LJL Investments, LLC
 Garland County, Arkansas

Preliminary
Jurisdictional Determination

Prepared by
 Arel Simpson

Project Site



US Army Corps
of Engineers.

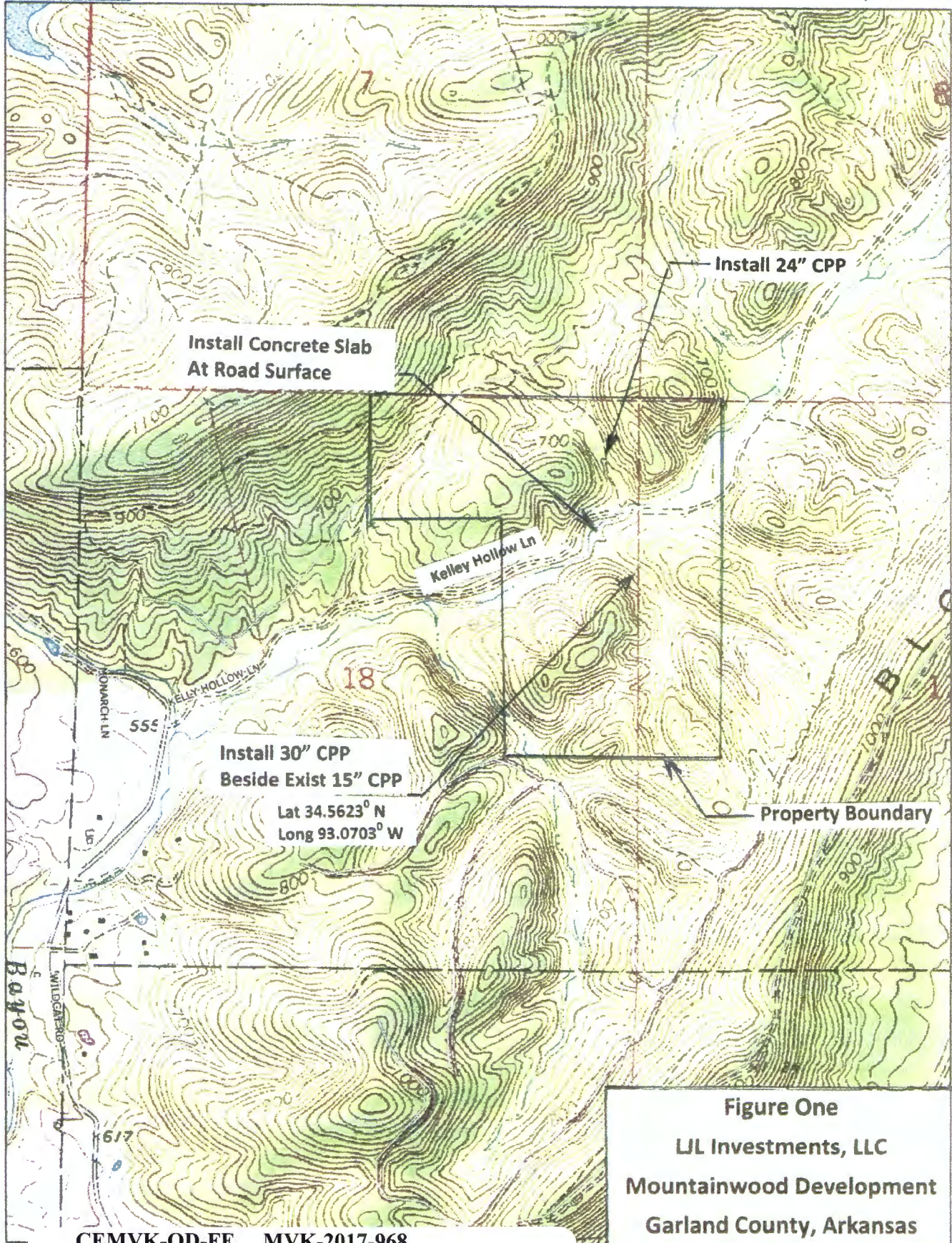


Regulatory Branch

Enforcement Section



Enclosure 1



Install Concrete Slab
At Road Surface

Install 24" CPP

Install 30" CPP
Beside Exist 15" CPP

Lat 34.5623° N
Long 93.0703° W

Property Boundary

Kelley Hollow Ln

MONARCH LN

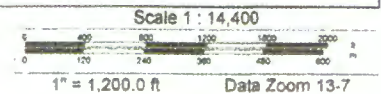
WILDCAT RD

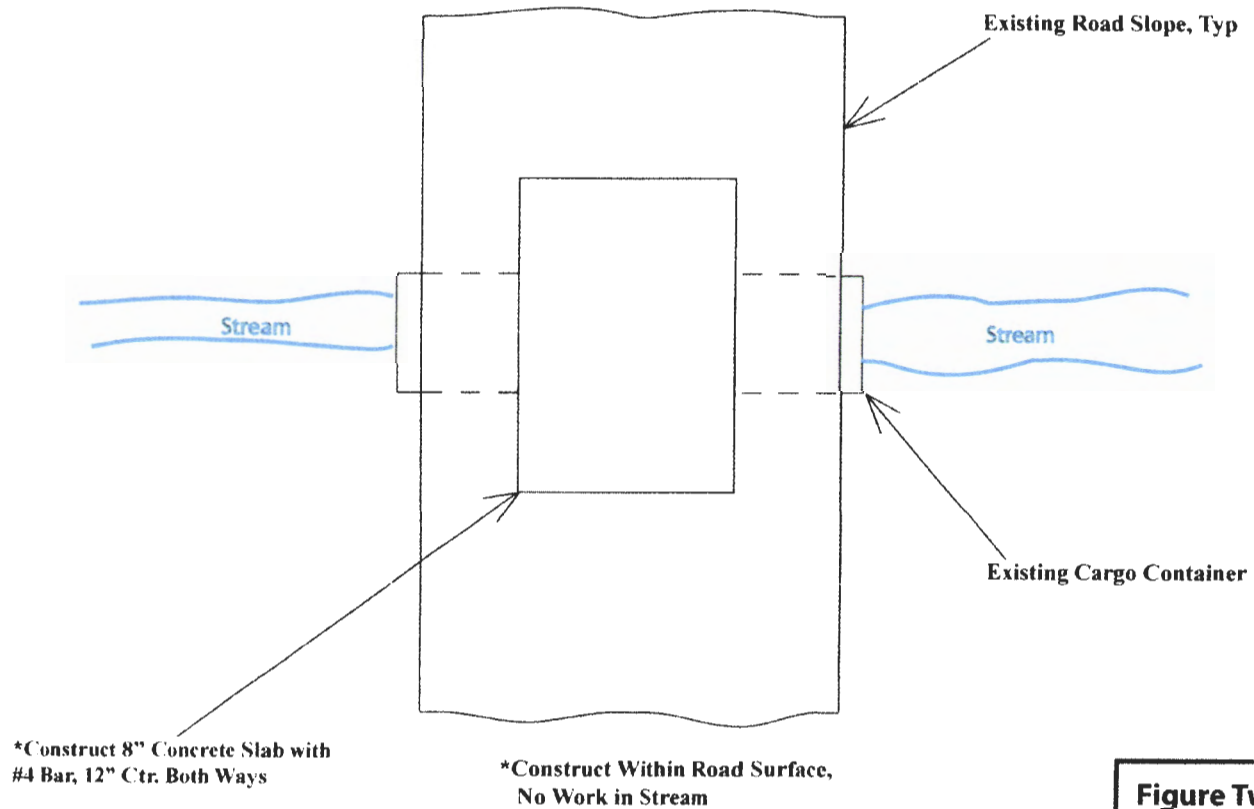
Figure One

LJL Investments, LLC
Mountainwood Development
Garland County, Arkansas

CEMVK-OD-FE MVK-2017-968

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© 21
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CEMVK-OD-FE MVK-2017-968

LJL INVESTMENTS, LLC

Figure Two
LJL Investments, LLC
Mountainwood Development
Garland County, AR

* Slab to be 16' long, 10' wide.
 Concrete to be 3500 psi, 28 day compressive strength.

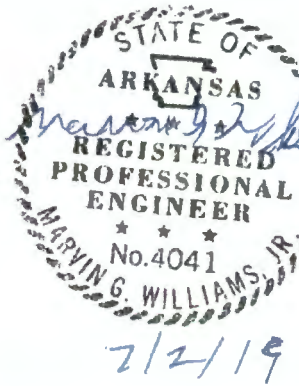
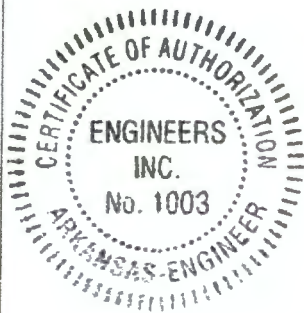
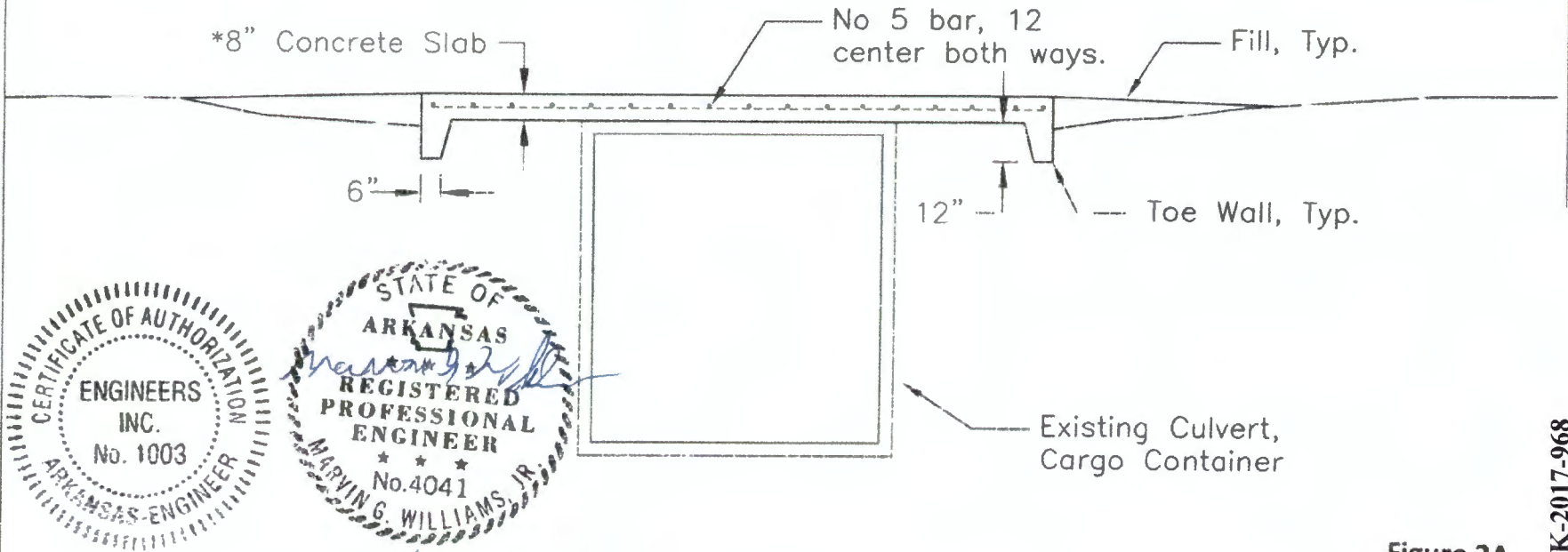


Figure 2A

	By	Date
Design	JW	07/19
Drawn	JDP	07/19
Check	JW	07/19
Scale	AS SHOWN	
Date	07/19	

ENGINEERS, INC.

2200 Airport Road, Hot Springs, AR 71913
Phone: (501) 760-2979

CULVERT SLAB ADDITION
LJL INVESTMENTS, LLC
MOUNTAINWOOD DEVELOPMENT

GARLAND COUNTY **ARKANSAS**

1 — 1
Plot Date: 01 JULY 2019
Job No.: 0218003
CAD File: MOUNTAINWOOD

CEMVK-OD-FE MVK-2017-968

LJL INVESTMENTS, LLC

Blue lines show the locations of
 four utility easements.
 Red lines show the locations of
 approximately 49 driveways.
 Black lines show the approximate
 locations of the red and property
 lines.

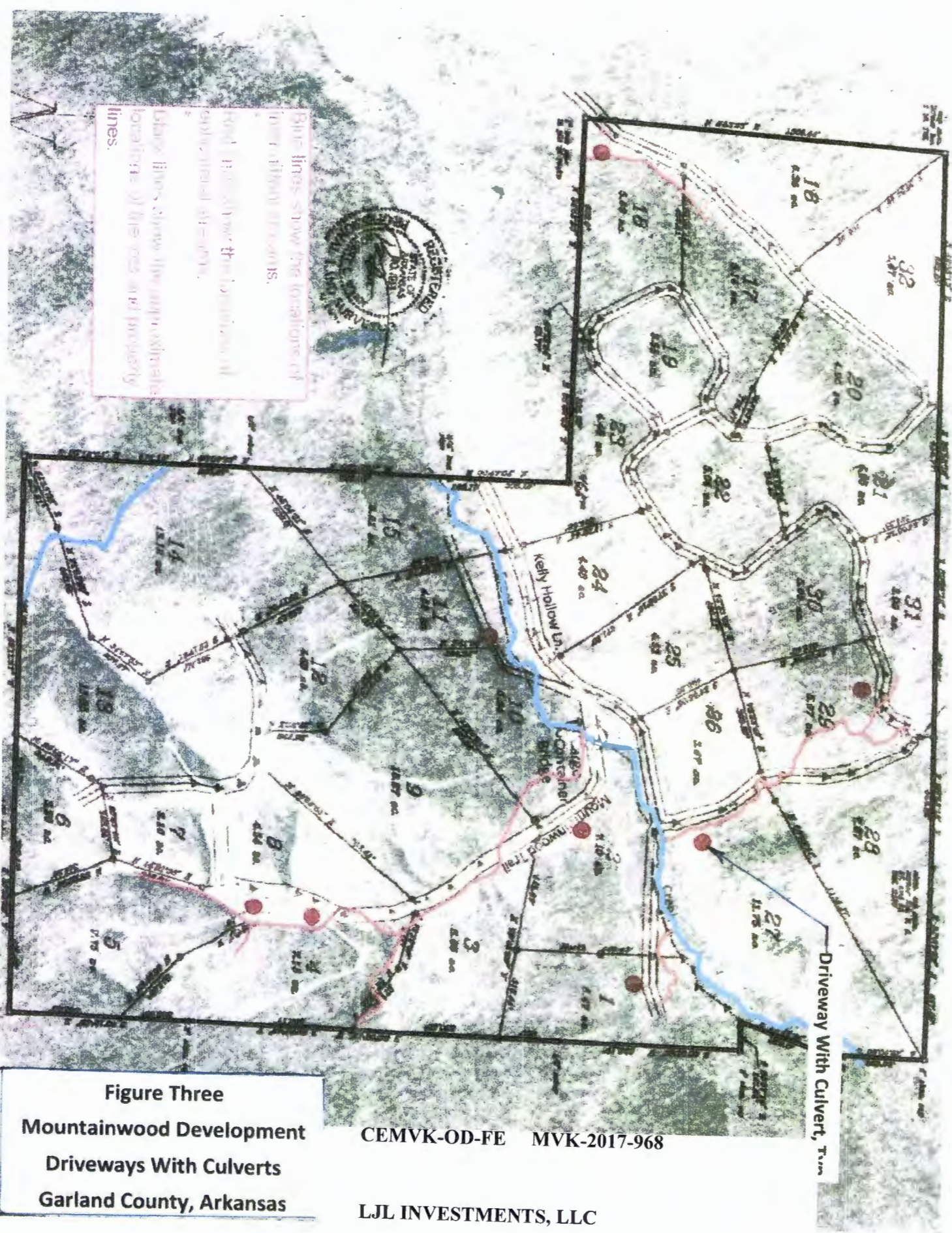
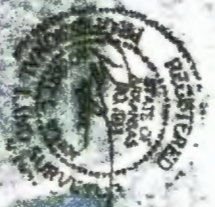


Figure Three
Mountainwood Development
Driveways With Culverts
Garland County, Arkansas

CEMVK-OD-FE MVK-2017-968

LJL INVESTMENTS, LLC

MOUNTAINWOOD

Main Road Stream Crossings



1

Basis for Bearings is a plat by Malone and Assoc. DVC



LEGEND
 Monument set ●
 Monument found ●
CEMVK-OD-FE MVK-2017-968

Scale: 1" = 250'
 Date: May 26, 2017

Figure One
LJL Investments, LLC
Mountainwood Development
Garland County, Arkansas

LJL INVESTMENTS, LLC

500-025-19W-0-18-102-26-1033
 500-025-19W-0-19-109-28-1000