



US ARMY Corps  
Of Engineers®  
Little Rock District

# JOINT PUBLIC NOTICE

*CORPS OF ENGINEERS – STATE OF ARKANSAS*

**Application Number: 2013-00372-1**

**Date: May 5, 2014**

**Comments Due: May 30, 2014**

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**TO WHOM IT MAY CONCERN: Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.**

Point of Contact. If additional information is desired, please contact the project manager, Christopher Davies, telephone number: (501) 324-5295, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: [Christopher.G.Davies@usace.army.mil](mailto:Christopher.G.Davies@usace.army.mil).

Project Information. Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) and Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Mr. Bennie Bishop  
Peco Foods, Inc.  
1020 Lurleen Wallace Blvd. North  
PO Box 1760  
Tuscaloosa, Alabama 35401**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with the construction of proposed poultry and hatchery facilities. The proposed project is located in the SW 1/4 of section 11, T. 18 N., R. 1 E., Pocahontas, Randolph County, Arkansas. The proposed outfall structure is located on the left descending bank of the Black River, mile 86.15, south of Pocahontas, Randolph County, Arkansas.

The basic purpose of the project is to construct a commercial poultry processing facility. The overall purpose of the project is to construct poultry and hatchery facilities, and associated infrastructure, in this area of Randolph County. The project is not water dependent.

The project would involve the construction of proposed poultry and hatchery facilities and associated infrastructure on a 120-acre tract that has been in continuous agricultural production for many years. These proposed actions would result in impacts to 23.8 acres of farmed wetlands (emergent herbaceous wetlands). In addition, a proposed sewer line would extend west from the plant site through agricultural croplands to a 14-inch-diameter pipe outfall into the Black River, at a distance of approximately 5,000 linear feet from US Highway 67. An agricultural drainage ditch would be crossed with an open-cut trench approximately 1,300 linear feet west of US Highway 67. Near its western terminus, the sewer line would traverse a bottomland hardwood wetland; the line would be bored beneath the wetlands and result in no additional waters of the United States impacts.

The farmed wetland complex drains toward the south into a drainage ditch , then flows toward the west, then along US Highway 67, before crossing under the highway and continuing on to the Black River. The field retains a rolling aspect, although there has been extensive field leveling during the course of farming this field. The wetland areas of the field are dominated by *Amaranthus retroflexus* (commonly known as red-root pigweed), which has a wetland indicator status of facultative. Therefore, this farmed wetland is considered highly disturbed.

An alternative site plan would essentially mirror the preferred alternative, but the sewer line would disturb additional agricultural land west of US Highway 67. The sewer line in the preferred alternative would run parallel to an existing drainage ditch and reduce impacts to the agricultural field. Both alternatives would require the outfall to be bored under the bottomland hardwood wetland that abuts the Black River.

The applicant plans permittee-responsible mitigation at an offsite location adjacent to the Black River. The project location was chosen in large part due to its size and proximity to US Highway 67. There were avoidance or minimization efforts early in the planning process, but were ultimately not considered economically practicable at the project location. Compensatory mitigation will be in the form of wetland restoration to be achieved by planting bottomland hardwood species.

The location and general plan for the proposed work are shown on the enclosed sheets.

Water Quality Certification. By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality (ADEQ) in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the comment period and a public hearing, if held, a determination relative to water quality certification will be made. Evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit.

Cultural Resources. A Corps staff archeologist will review topographic maps, the National Register of Historic Places, and other data on reported sites in the area. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area.

Endangered Species. Several federally listed mussel species presently occur or have historically occurred in the Black River drainage, including Curtis pearlymussel (*Epioblasma florentina curtisii*), snuffbox (*Epioblasma triquetra*), pink mucket (*Lampsilis abrupta*), scaleshell (*Leptodea leptodon*), and rabbitsfoot (*Quadrula c. cylindrica*). A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity.

Flood Plain. We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain Management.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit which involves the discharge of dredged or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

Public Involvement. Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **May 30, 2014**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in the public interest. 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 benefit 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 the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain 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.

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

Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

**NOTE:** The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

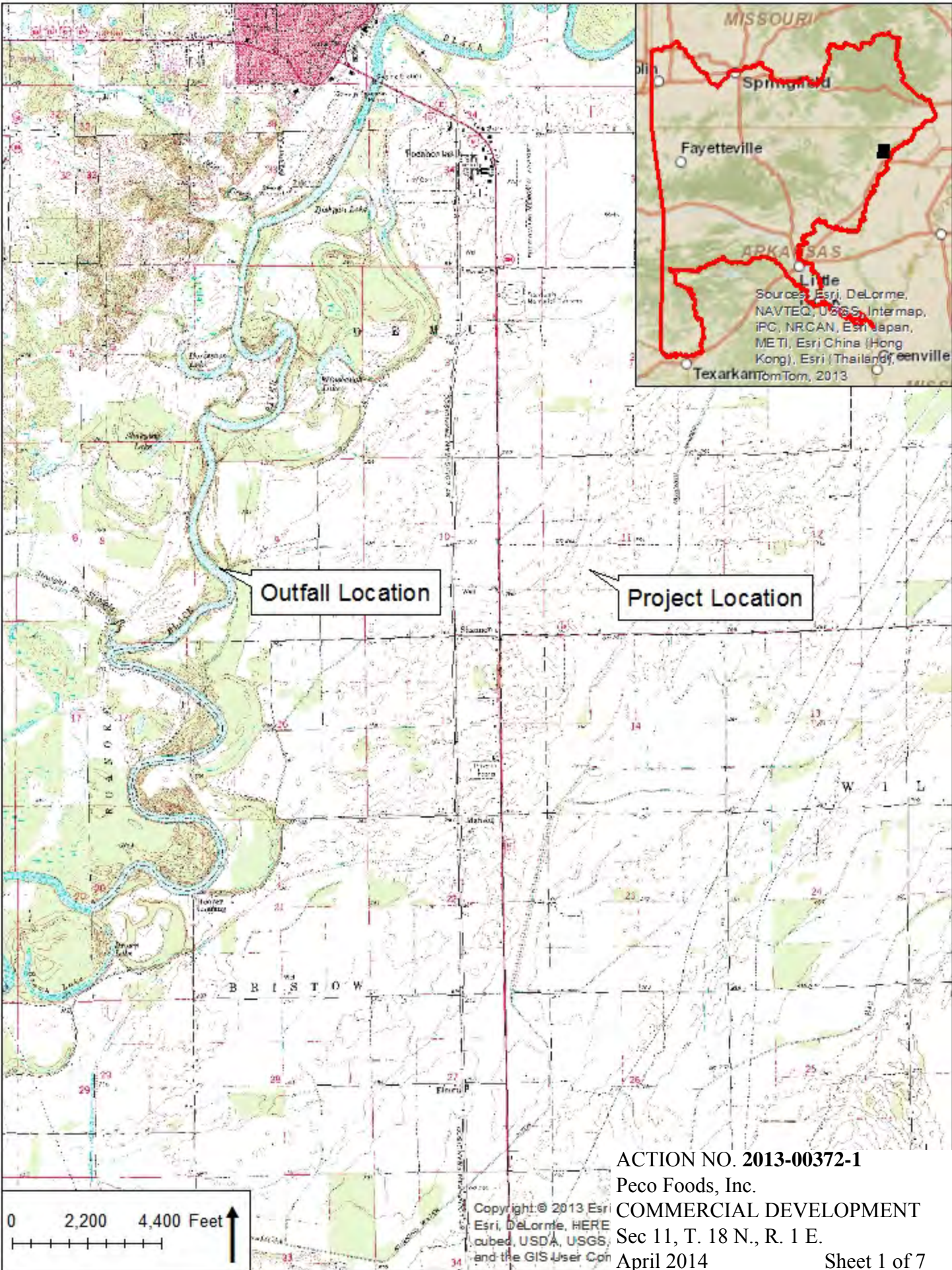
Enclosures

Approximate Coordinates of Project Center

Latitude: **36.2129967**      Longitude: **-90.9460122**

UTM Zone: **15**      North: **4009529**      East: **684634**





**ACTION NO. 2013-00372-1**

Peco Foods, Inc.

**COMMERCIAL DEVELOPMENT**

Sec 11, T. 18 N., R. 1 E.

April 2014

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Outfall Location

Project Location

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Peco Foods, Inc.

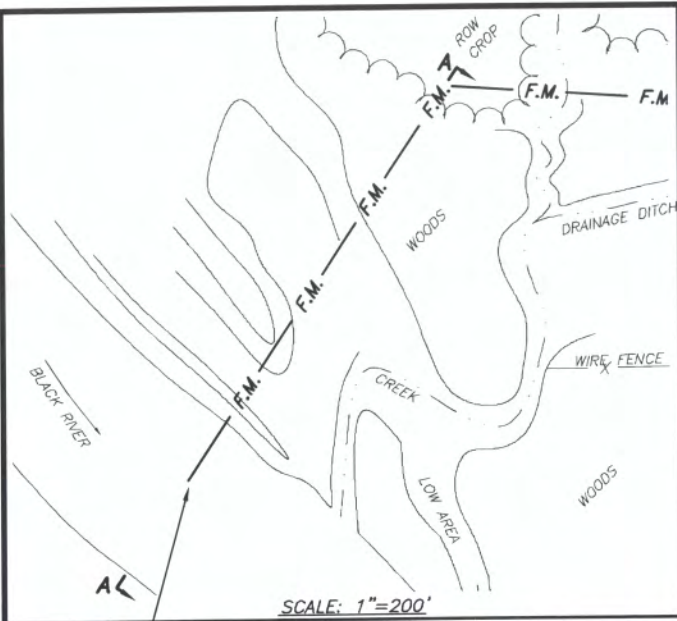
COMMERCIAL DEVELOPMENT

Sec 11, T. 18 N., R. 1 E.

April 2014

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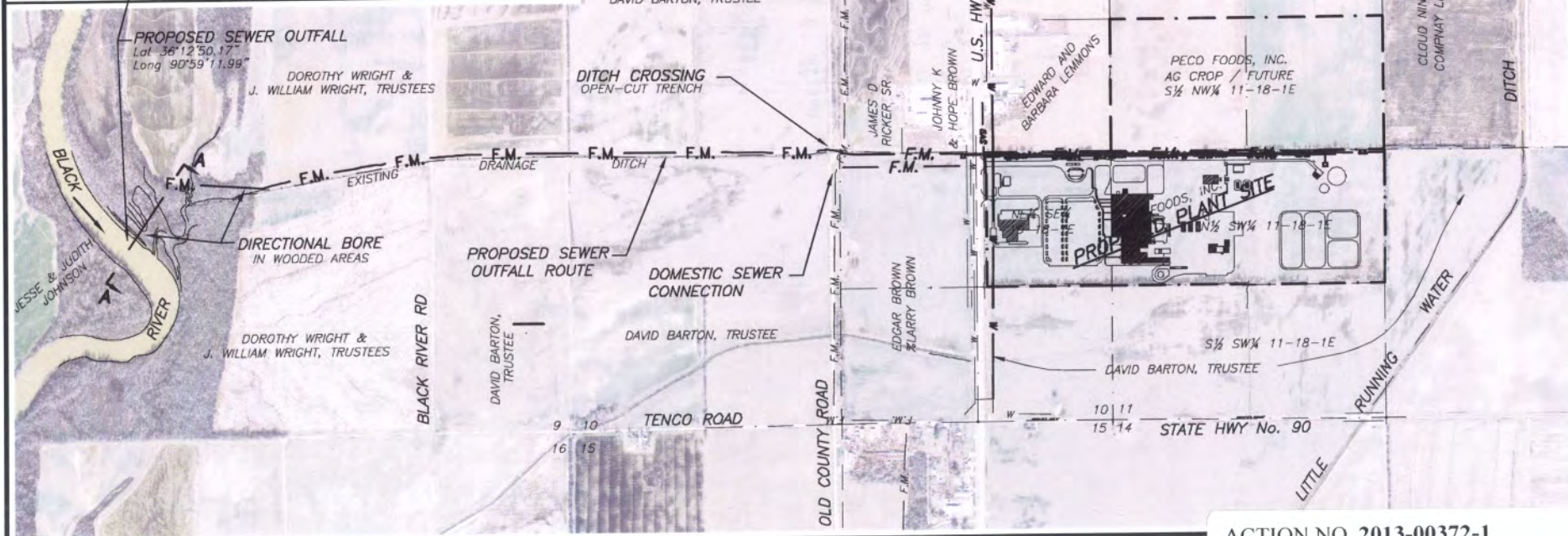




**LEGEND**

- PROPOSED PLANT BOUNDARY
- W --- EXISTING WATER MAIN
- W --- PROPOSED WATER MAIN
- F.M. --- EXISTING SEWER FORCE MAIN
- F.M. --- PROPOSED SEWER FORCE MAIN

SCALE: 1" = 1000'



REVISION	DATE	DESCRIPTION

**DeCLERK-THROESCH**  
ENGINEERS  
LAND SURVEYING

1100 W. UNIVERSITY AVENUE, SUITE 1245  
DARDENVILLE, ARKANSAS 72834  
PHONE: 501.875.5011

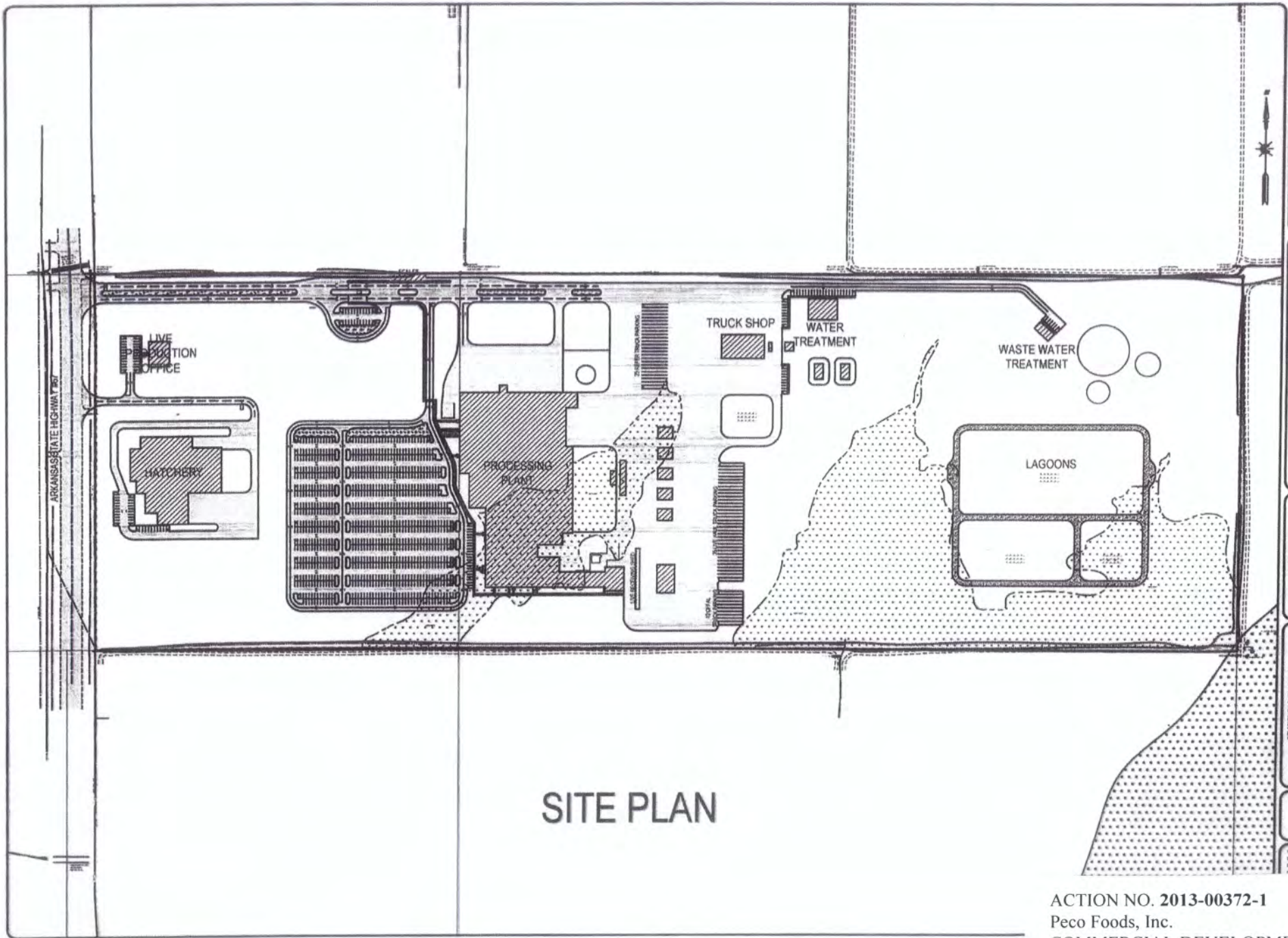
PECO FOODS, INC.  
PROPOSED POULTRY PLANT  
RANDOLPH COUNTY, ARKANSAS

UTILITY MAP

SCALE: N/A  
DATE: April 17, 2014

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Peco Foods, Inc.  
COMMERCIAL DEVELOPMENT  
Sec 11, T. 18 N., R. 1 E.  
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# SITE PLAN

**CHAS. N. CLARK ASSOC., LTD.**  
 Consulting Engineers  
 714 Maxwell Dr., - Hot Springs, AR 71906  
 (501) 441-3399 / (501) 441-4433

A PROCESSING COMPLEX  
**PECO FOODS, INC.**  
 RANDOLPH COUNTY, ARKANSAS



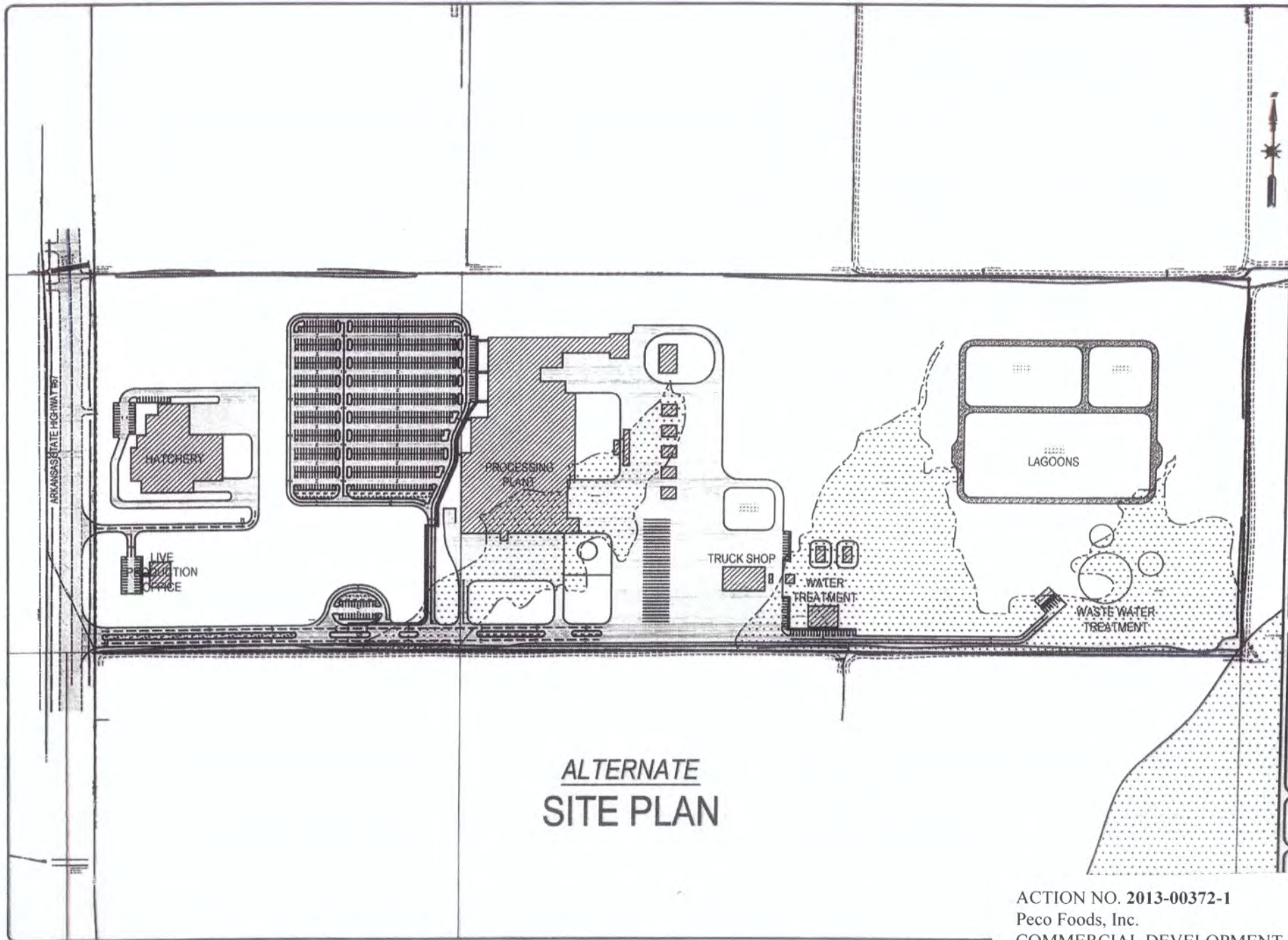
NO.	REVISIONS / SUBMITTALS	DATE

**SITE LAYOUT**

Project No. 2013-00372-1  
 Date: 02-28-2014  
 Drawn by: JAK  
 Check by: JAK

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 COMMERCIAL DEVELOPMENT  
 Sec 11, T. 18 N., R. 1 E.  
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**ALTERNATE  
SITE PLAN**

**ONE**  
CHAS. N. CLARK ASSOC., LTD.  
CONSULTING ENGINEERS  
214 Belmont Dr., Joplin, MO 64501  
MO. Lic. 0000 - (417) 621-1461

A PROCESSING COMPLEX  
**PECO FOODS, INC.**  
RANDOLPH COUNTY, ARKANSAS

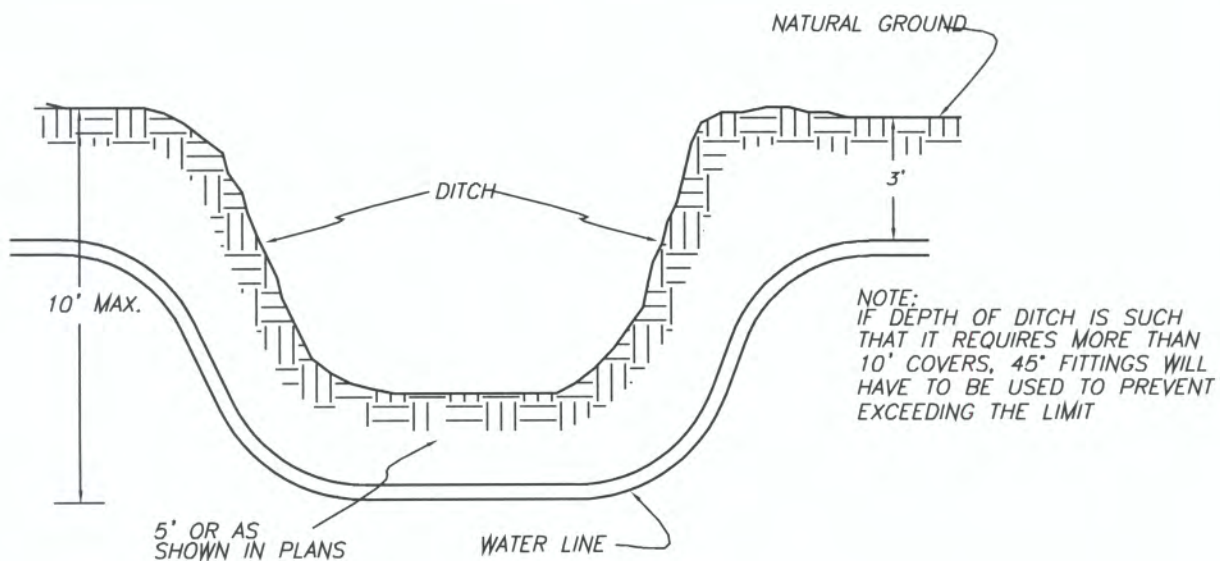


REVISIONS / SUBMISSIONS

NO.	DATE	DESCRIPTION

ALTERNATE  
SITE  
LAYOUT

Project No: 1002A-REV1-1  
Date: 08/28/14



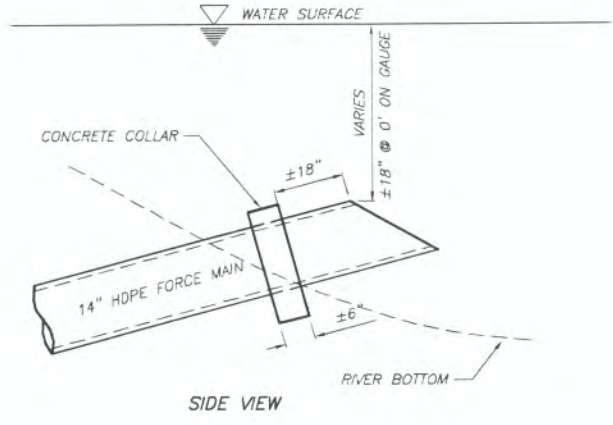
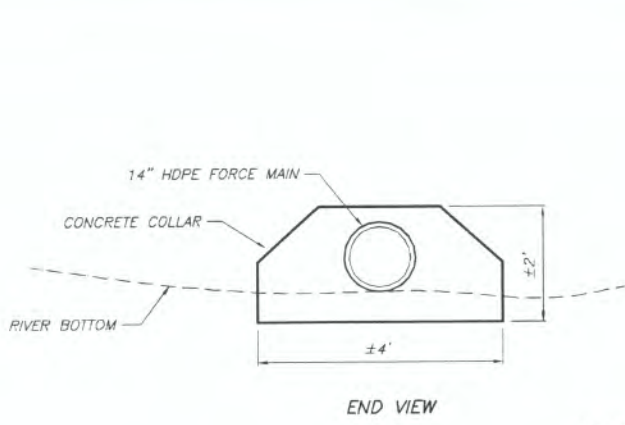
**DITCH CROSSING DETAIL**  
**NOT TO SCALE**

PROJECT: JOB NO. DRAWING FILE: PAPER FILE: FIELD WORK:	April 2014 PROJECT:	<p align="center"> <b>DeCLERK-THROESCH</b>  <b>ENGINEERING - LAND SURVEYING</b>  <small>114 Pyburn Street - P.O. Box 804          Pocahontas, Arkansas 72455          Phone 870-892-8412          Fax 870-892-5975</small> </p>	DRAWN BY:
	JOB NO.		CHECKED BY:
	DRAWING FILE:		SCALE:
	PAPER FILE:		REVISIONS NO., INFO
	FIELD WORK:		

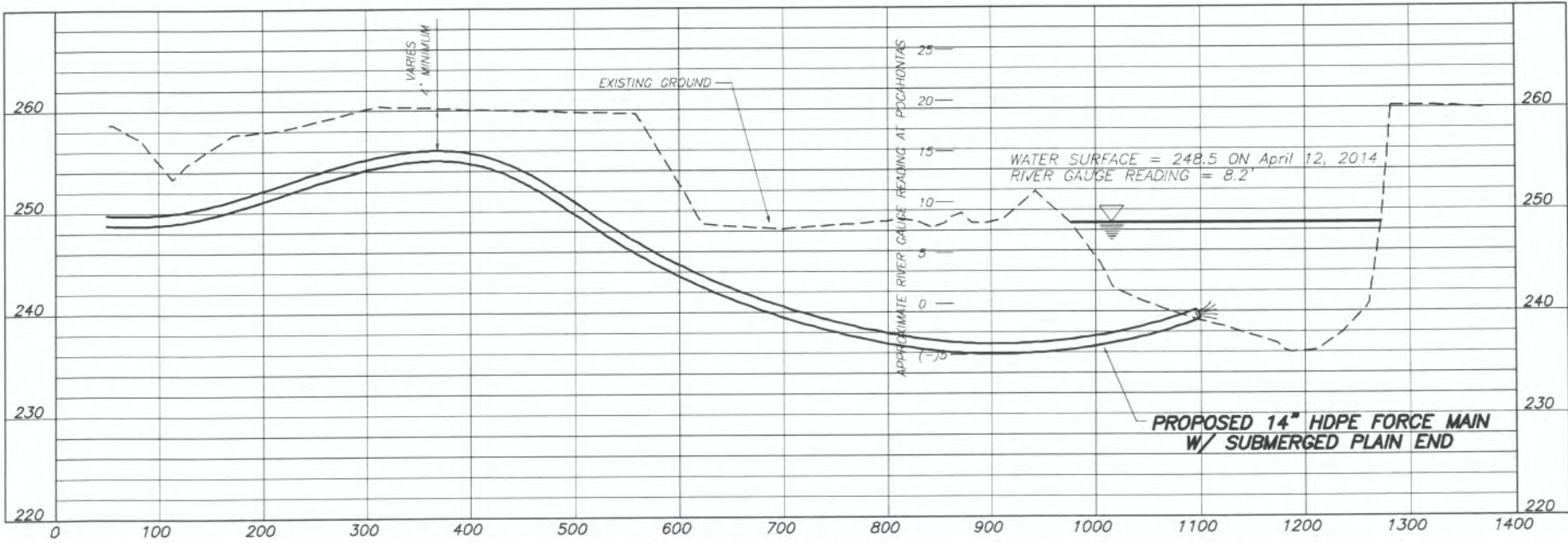
**DITCH CROSSING DETAIL**  
**PECO SEWER FORCE MAIN**  
**RANDOLPH COUNTY, ARKANSAS**

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**PIPE END DETAIL**  
N.T.S.



**BLACK RIVER - CROSS SECTION A-A**  
LOOKING DOWNSTREAM



REVISED	DATE

**DeCLERK-THROESCH**  
ENGINEERING - LAND SURVEYING  
112 Park Ave., P.O. Box 20  
Fayetteville, Arkansas 72701  
Tel: 479-781-1071

PECO FOODS, INC.  
PROPOSED WASTEWATER OUTFALL  
RANGOLPH COUNTY, ARKANSAS  
SURVFERGED PIPE DISCHARGE

SCALE: 1"=100'H 1"=10'V  
DATE: April 17, 2014

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