



**US Army Corps  
of Engineers®**

# PUBLIC NOTICE

Applicant:  
Mr. Chris McCollum  
Brickshy's White River Resort

Published: May 12, 2025  
Expires: June 6, 2025

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**Little Rock District  
Permit Application No. SWL 1993-11487-4**

TO WHOM IT MAY CONCERN: The Little Rock District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit 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). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Mr. Chris McCollum  
Brickshy's White River Resort  
Post Office Box 1254  
Mountain View, Arkansas 72560

**WATERWAY AND LOCATION:** The project would affect waters of the United States and navigable waters of the United States associated with Sylamore Creek. The proposed project is in Sylamore Creek at its confluence with the White River, river mile 341.9 on the right descending bank, in the NW 1/4 of section 13, T. 15 N., R. 11 W., north of Mountain View, Stone County, Arkansas.

**EXISTING CONDITIONS:** The proposed project is within the previously authorized dredging areas at Brickshy's White River Resort. Maintenance dredging has been authorized in these locations since 1999.

## **PROJECT PURPOSE:**

**Basic:** The applicant is requesting to accomplish maintenance dredging.

**Overall:** The applicant is requesting to perform continued periodic maintenance dredging of gravel within two boat channels to maintain boat access from the resort dock to the White River.

**PROPOSED WORK:** The applicant requests authorization to perform periodic maintenance dredging of gravel within two boat channels. Area 1 would be maintained to approximately 20-foot-wide by 95-foot-long by 3-foot-deep (~0.043 acres). Area 2 would be maintained to approximately 20-foot-wide by 140-foot-long by 3-foot-deep (~0.064 acres). Total impacts to waters of the United States would be approximately 0.107 acres. The applicant stated the work would be accomplished by utilizing an excavator and front-end loader to collect the gravel and transport the material offsite.

**AVOIDANCE AND MINIMIZATION:** The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: All dredging activities shall be performed during low flows to limit water quality impacts. All dredged material shall be deposited in an upland and proper siltation controls shall be utilized to ensure solid materials are retained and only clear wastewater is allowed to exit the disposal area.

**COMPENSATORY MITIGATION:** The applicant has provided the following explanation why compensatory mitigation should not be required: This activity has been authorized and performed since 1999 with no compensatory mitigation being required. No compensatory mitigation is being proposed.

**CULTURAL RESOURCES:** The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project will not affect any listed species or critical habitat.

The IPaC review indicated that the Gray Bat (Endangered), Indiana Bat (Endangered), Northern Long-eared Bat (Endangered), Tricolored Bat (Proposed Endangered), Eastern Black Rail (Threatened), Piping Plover (Threatened), Rufa Red Knot (Threatened), Alligator Snapping Turtle (Proposed Endangered), Ozark Hellbender (Endangered), Monarch Butterfly (Proposed Endangered), Hell Creek Cave Crayfish (Endangered), and Missouri bladderpod (Threatened) may occur within the boundary of the project and/or may be affected by the project. The project is not located in proposed or designated critical habitat.

Pursuant to Section 7 of the Endangered Species Act (ESA), any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened

species or critical habitat may be present in the area which would be affected by the proposed activity.

**NAVIGATION:** The proposed structure or activity is not located in the vicinity of a federal navigation channel.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**WATER QUALITY CERTIFICATION:** Water Quality Certification. The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 Code of Federal Regulations (CFR) Part 121), effective November 27, 2023, 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 solely responsible for requesting certification and providing required information to the certifying agency. As of the date of this public notice, the applicant has not submitted a certification request to the Arkansas Department of Energy and Environment, Division of Environmental Quality (certifying authority). In accordance with Certification Rule Part 121.6, the Corps and the Arkansas Department of Energy and Environment, Division of Environmental Quality have determined the reasonable period of time for the certifying agency to act upon the certification request is 180 days once the applicant submits a certification request to the certifying agency. In accordance with Certification Rule Part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received the subject certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

**NOTE:** This public notice is being issued based on information furnished by the applicant. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program. The geographic extent of aquatic resources within the proposed project area that either are, or are presumed to be, within the Corps jurisdiction has not been verified by Corps personnel.

**EVALUATION:** 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 benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain 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. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

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

The Little Rock District will receive written comments on the proposed work, as outlined above, until **June 6, 2025**. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to John Bridgeman at [John.Bridgeman@usace.army.mil](mailto:John.Bridgeman@usace.army.mil). Alternatively, you may submit comments in writing to Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

Enclosures

#### Approximate Coordinates of Project Center

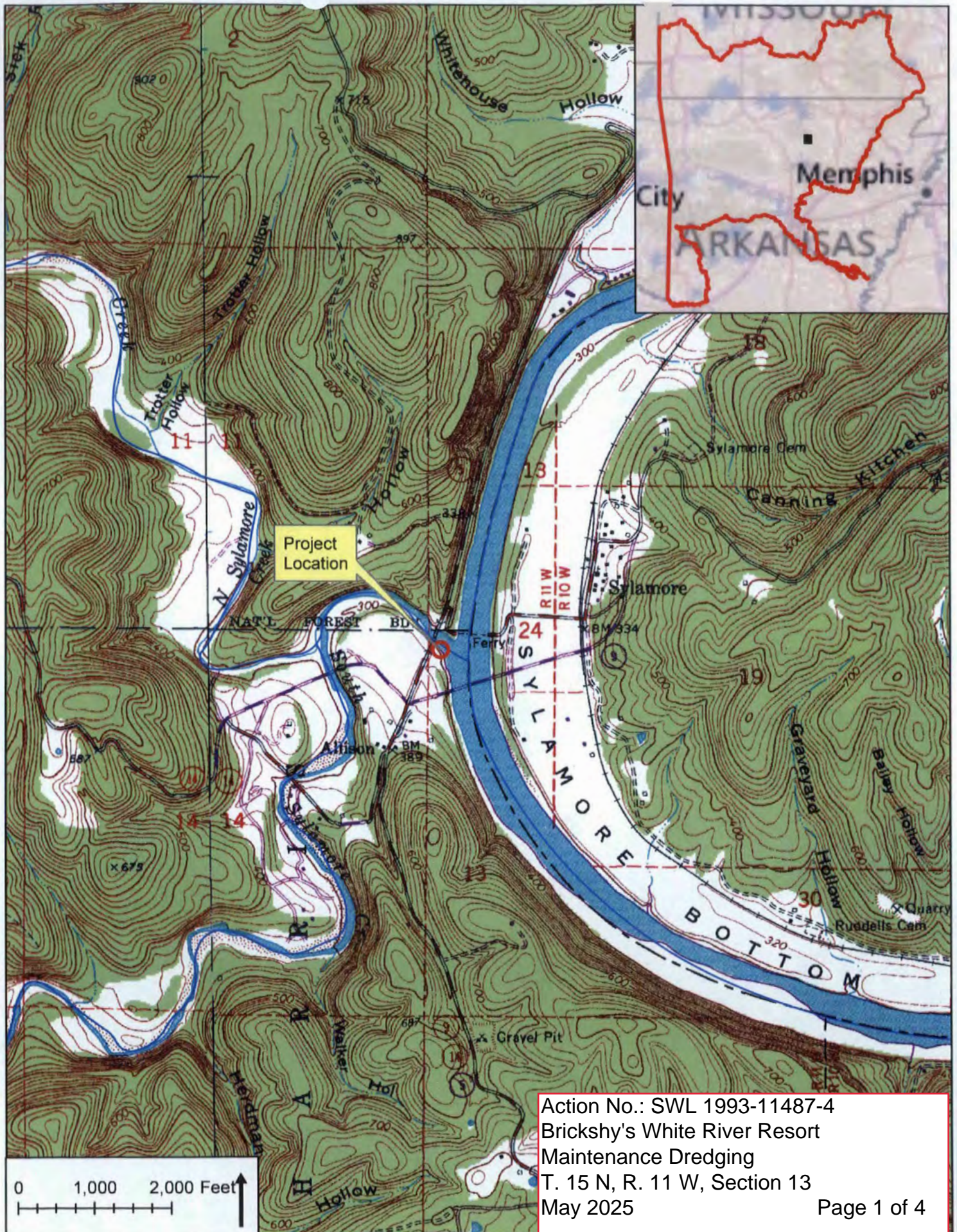
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North: **3977686.43**

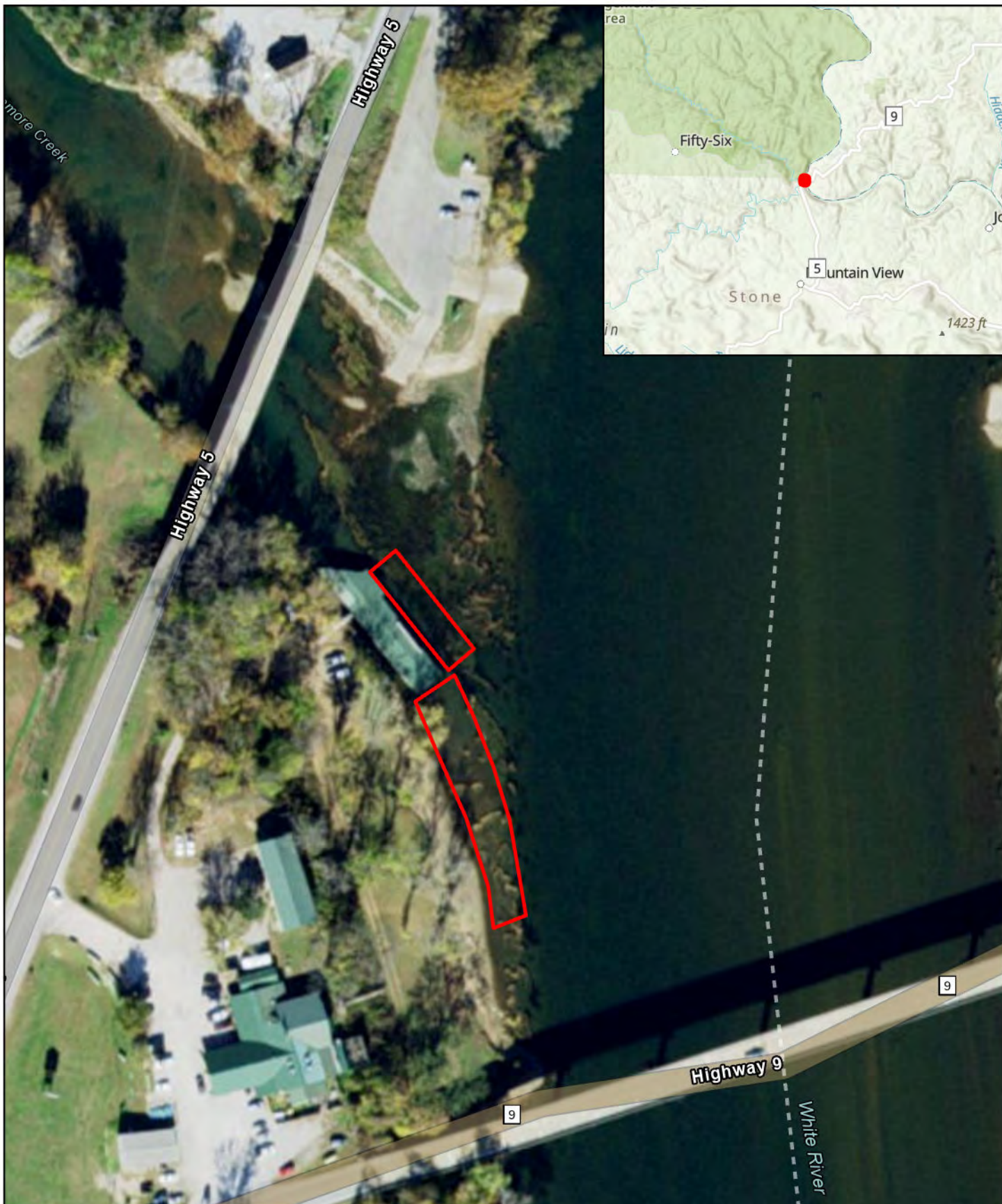
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Action No.: SWL 1993-11487-4  
Brickshy's White River Resort  
Maintenance Dredging  
T. 15 N, R. 11 W, Section 13  
May 2025





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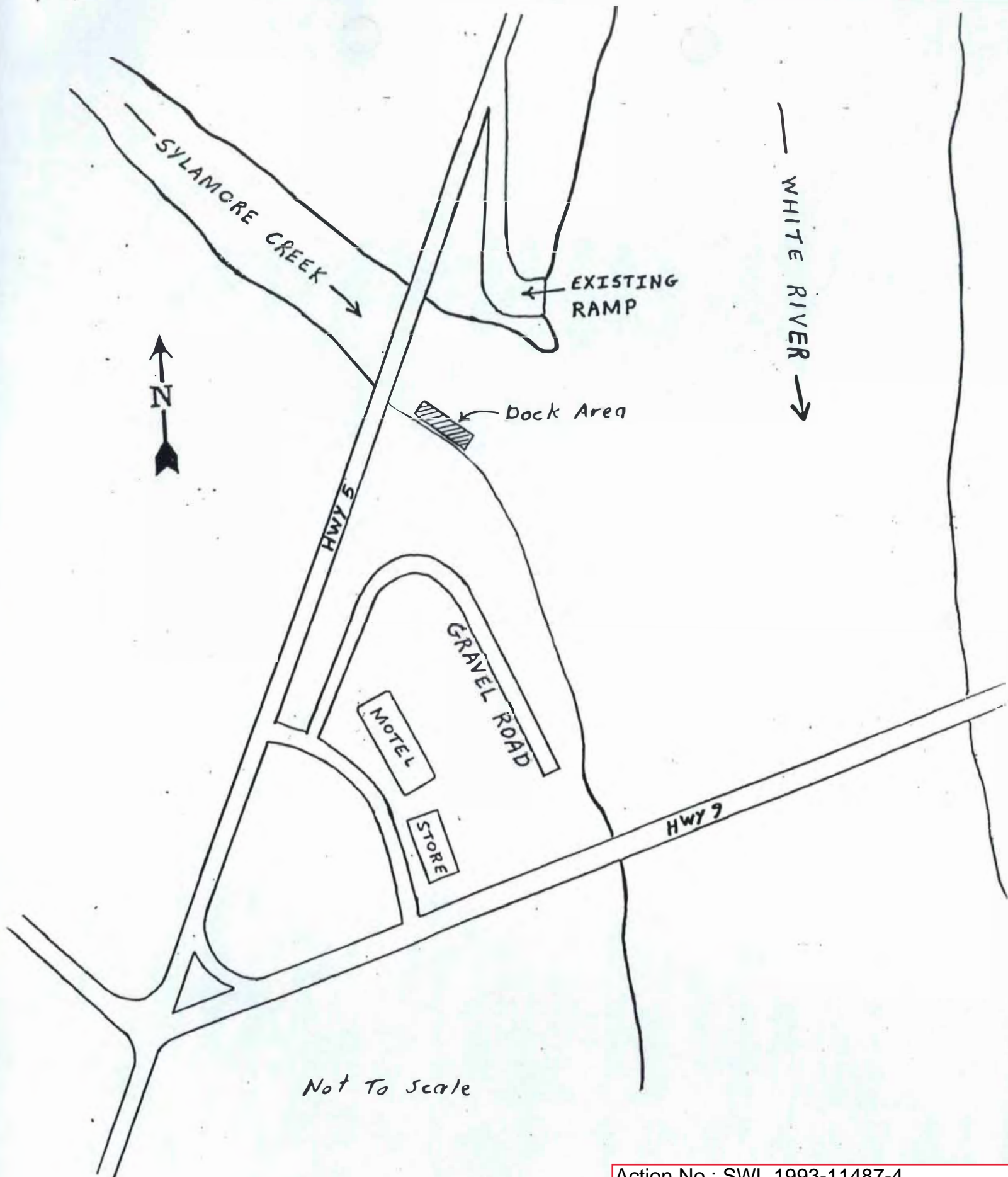
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# LEGEND

HIGH WATER LINE — — — —  
 LOW WATER LINE - - - - -  
 EXPOSED GRAVEL   
 AREAS I AM ASKING TO REMOVE  
 GRAVEL. "MAINTENANCE DREDGING ONLY"

HWY 9

STORE

MOTEL

HIGH WATER LINE  
 LOW WATER LINE

WHITE RIVER  
 ← FLOW

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HWY 5  
 Bridge

SYLAMORE CREEK

AREA 1  
 In front of boat  
 stalls. 20' X 95' X 3' deep

BOAT DOCK

AREA 2

CHANNEL FROM LOWER END OF  
 BOAT DOCK TO THE RIVER  
 20' WIDE X 140' LONG X 3' DEEP

Gravel Bars

HWY 9 BRIDGE  
 TO MELBOURNE →