



US Army Corps
of Engineers®

PUBLIC NOTICE

Permit Application No. SWL-2007-00307-6

Published: March 23, 2026

Expires: April 17, 2026

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 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: Daniel Kellebrew
Highland Pellets LLC.
5601 Industrial Drive North
Pine Bluff, Arkansas 71602

AGENT: Lisa Boyle
Alliance Technical Group
219 Brown Lane
Bryant, AR 72022

WATERWAY AND LOCATION: The project would affect waters of the United States associated with an unnamed intermittent stream channel and abutting wetlands. The proposed project is located in section 23, T. 5S, R. 10W, White Hall and Pine Bluff, Jefferson County, Arkansas.

EXISTING CONDITIONS: Upland areas of the site consist of mixed pine-deciduous forests, overgrown pastures, and disturbed areas with exposed mineral soil. A low-lying drainage area is located within the center of the project site, which contains three separate intermittent streams buffered by a large contiguous wetland complex. The wetland complex is dominated by loblolly pine (*Pinus taeda*) and sweetgum (*Liquidambar styraciflua*).

PROJECT PURPOSE:

Basic: Construction of an integrated carbon capture facility and biomass powerplant.

Overall: The Project (Project Oscar) will supply renewable energy for the Pine Bluff Highland Pellets facility and adjacent industries through integration of carbon capture technologies and a biomass powerplant. Carbon dioxide is a by-product of Highland Pellets' existing facility emission control process, which will now be captured, compressed, liquefied, and stored in a Class 6 well through the use of existing industrial infrastructure and new equipment. The proposed biomass power plant will supply

electricity to the new biomass facility as well as provide for most if not all of the electrical needs of existing onsite facilities. Heat generated as a by-product of Project Oscar will be transferred via insulated pipeline to a nearby poultry processing facility to provide a renewable manner of heating for their facility's hot water needs, which are currently met with fossil fuels.

PROPOSED WORK: Pursuant to Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that the applicant has requested authorization for work associated with project Oscar, including placement of fill material within 6.53 acres of wetlands, 266 feet of intermittent stream, and the piping of 2,865 linear feet of intermittent stream. Components of Project Oscar include construction of a biomass boiler, steam turbine generator, and associated cooling equipment to supply renewable, behind-the-meter electrical power. Project Oscar will reroute the continuous stream of carbon dioxide containing flue-gas, generated by the two existing regenerative thermal oxidizers (RTOs), to the proposed carbon dioxide capture system to be compressed and liquefied. The proposed facilities, access roads, truck movement and parking areas, and associated support buildings will be constructed atop a ~38-acre building pad. Clean fill material will be added to the entirety of the 38 acres to level and stabilize the area while allowing construction of the different project components.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

COMPENSATORY MITIGATION: The applicant offered to purchase compensatory mitigation wetland credits from a bank which services the area to offset unavoidable functional loss to the aquatic environment.

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.

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 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: 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. The applicant submitted a certification request to the Water Quality Planning Branch of the Arkansas Department of Energy and Environment, Division of Environmental Quality (certifying authority) with copy to the Corps on March 16, 2026. In accordance with Certification Rule Part 121.6, the Corps and 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. 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 **April 17, 2026**. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Kagan Davis at Kagan.M.Davis@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.

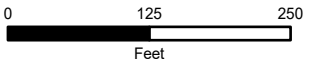
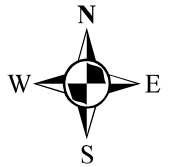
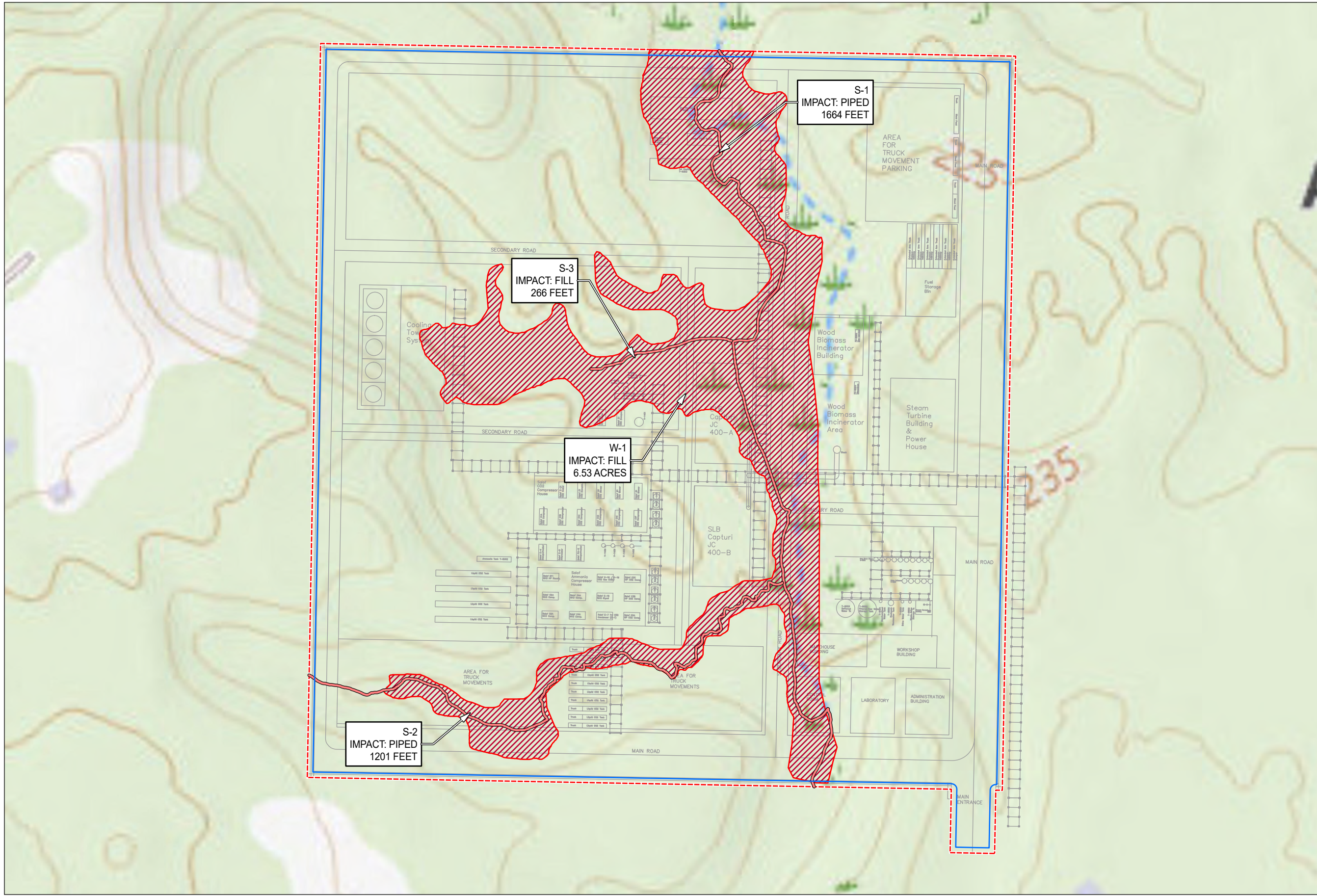
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located and includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please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

Enclosures

Approximate Coordinates of Project Center

Latitude: **34.268942°** Longitude: **-92.071223°**

UTM Zone: **15N** North: **3792366.629403** East: **585500.649532**



- Building Pad
- Project Area
- Stream Impact
- Wetland Impact

NO	DATE	REVISION	BY	CK.	APPR.

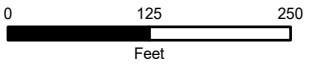
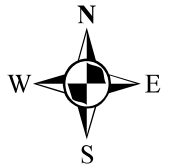
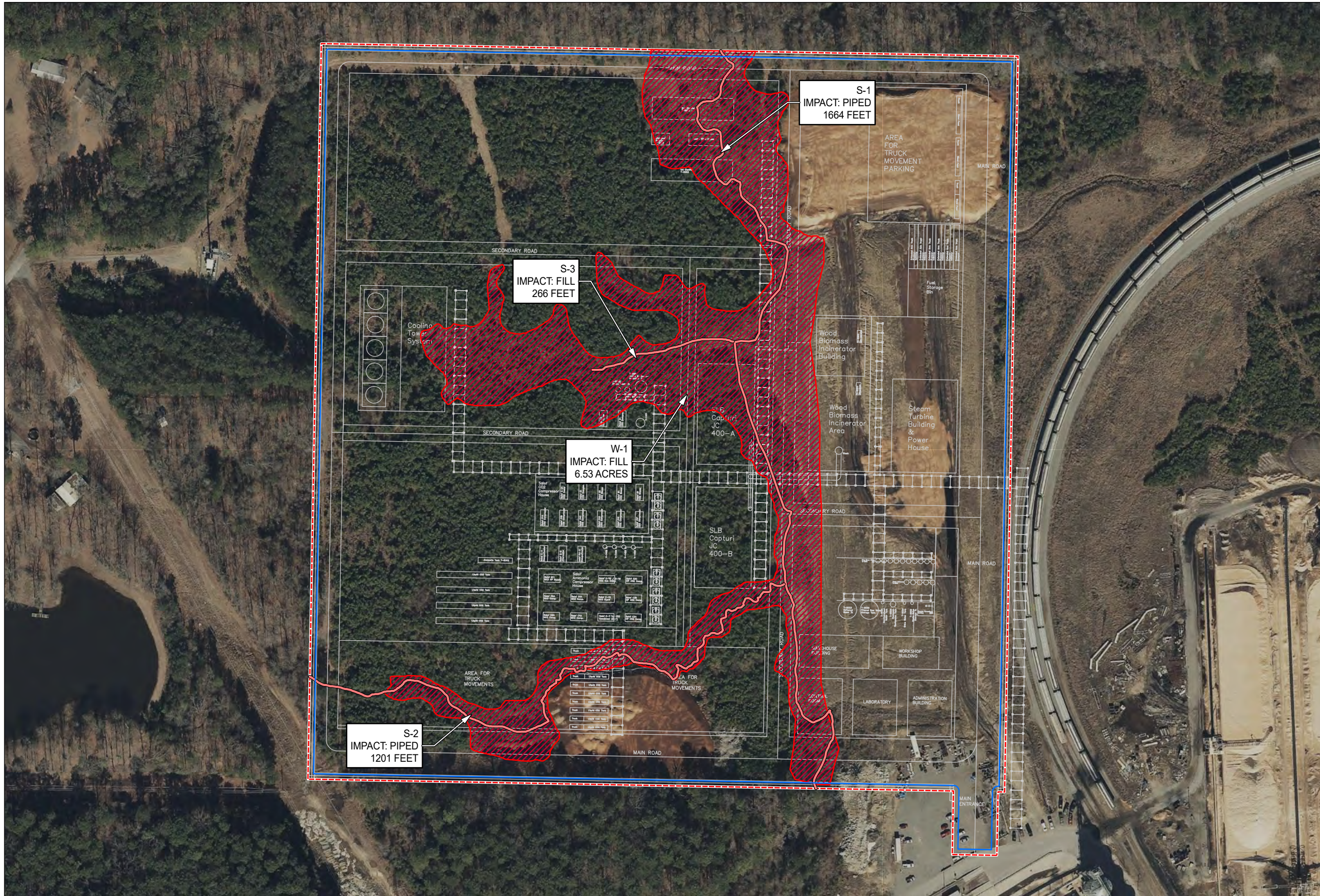
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 CHECKED BY LAB
 APPR. BY LAB
 DRAWN BY ALB



SHEET TITLE TOPOGRAPHIC SITE MAP

JOB NAME HIGHLAND PELLETS PERMIT APPLICATION
 HIGHLAND SOLUTIONS, LLC.
 JEFFERSON COUNTY, ARKANSAS

PROJECT NO. 3117-25-300	REV. NO.
DATE 12/09/2025	DWG. NO.
SCALE SHOWN	



- Building Pad
- Project Area
- Stream Impact
- Wetland Impact

NO	DATE	REVISION	BY	CK.	APPR.

DESIGNED BY ALB
 CHECKED BY LAB
 APPR. BY LAB
 DRAWN BY ALB



SHEET TITLE: AERIAL SITE MAP
 JOB NAME:

HIGHLAND PELLETS
 PERMIT APPLICATION
 HIGHLAND SOLUTIONS, LLC.
 JEFFERSON COUNTY, ARKANSAS

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SCALE SHOWN	



Project Oscar Building Pad

NO	DATE	REVISION	BY	CK.	APPR.

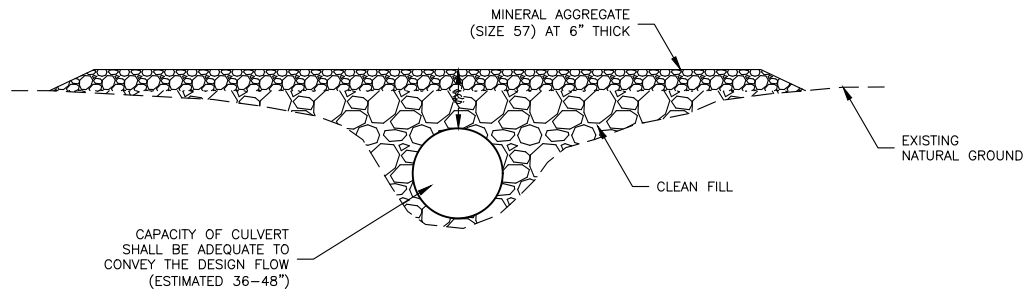
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SHEET TITLE
AERIAL FACILITY MAP

JOB NAME
 HIGHLAND PELLETS
 PERMIT APPLICATION
 HIGHLAND SOLUTIONS, LLC.
 JEFFERSON COUNTY, ARKANSAS

PROJECT NO. 3117-25-300	REV. NO.
DATE 12/10/2025	DWG. NO.
SCALE SHOWN	

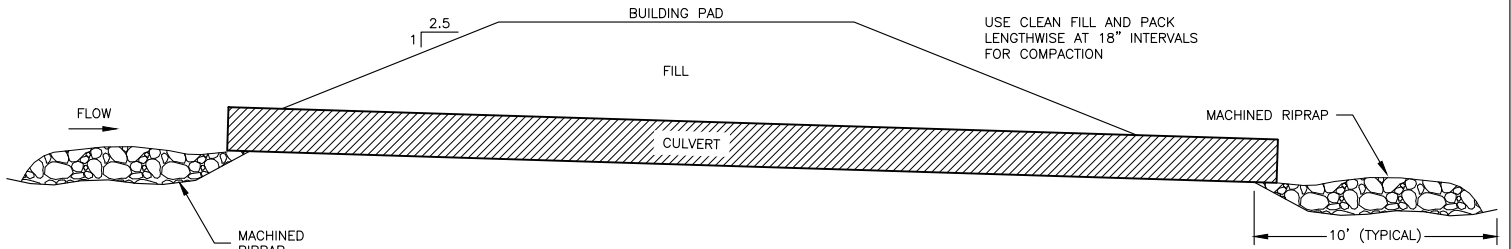


SECTION A-A

C = ½ DIAMETER OF PIPE OR 18" WHICHEVER IS GREATER.

CULVERT INSTALLATION GUIDELINES:

- PLACE THE CULVERT IN THE BOTTOM OF THE STREAM CHANNEL @ -0.005% SLOPE.
- MACHINE TAMP THE FILL ALONG THE CULVERT TO A HEIGHT OF AT LEAST ONE-HALF OF THE CULVERT'S DIAMETER.
- SLOPE THE FILL NO STEEPER THAN 2.5:1 (2.5 FEET HORIZONTAL OVER 1 FOOT OF FALL).
- ALLOW FOR ABOUT 1 FOOT OF CULVERT TO EXTEND BEYOND THE FILL BOTH UPSTREAM AND DOWNSTREAM.



CULVERT INSTALLATION

DESIGNED BY LAB
 CHECKED BY LAB
 APPR. BY LAB
 DRAWN BY ALB



SHEET TITLE
 CULVERT STREAM
 TYPICAL CROSS SECTION

JOB NAME

PROJECT NO.
 3117-25-300
 DATE
 03/11/2026
 SCALE

REV. NO.
 DWG. NO.