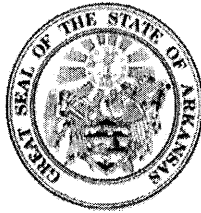


**US Army Corps
of Engineers**

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



Public Notice

APPLICATION NO.:	<u>MVK-2016-336</u>
EVALUATOR:	<u>Ms. Tarmiko Graham</u>
PHONE NO.:	<u>(601) 631-5540</u>
FAX NO.:	<u>(601) 631-5459</u>
E-MAIL:	<u>Tarmiko.V.Graham@usace.army.mil</u>
DATE:	<u>July 21, 2016</u>
EXPIRATION DATE:	<u>August 10, 2016</u>

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:
Mr. David Townsend
Pilgrim's Pride Corporation
1770 Promontory Circle
Greeley, Colorado 80634

Name of Agent:
Walt Dinkelacker
Headwaters, Incorporated
Post Office Box 2836
Ridgeland, Mississippi 39158

Location of Work: Section 14 & 15, Township 8S- Range 27W, Latitude 34.0609, Longitude -93.8616, within Lower Red-Ouachita Drainage Basin (8-digit USGS HUC 08040103), Howard 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 the Army permit to conduct regulated activities in jurisdictional areas to construct a feed mill and associated infrastructure within the limits of the subject property.

The proposed construction of the feed mill and associated infrastructure would include the clearing, grubbing, and grading of the site. The proposed mill would replace the existing mill located in downtown Nashville, Arkansas. The feed mill would contain associated parking for employees and feed delivery trucks. The feed mill site would be accessed from an entrance road that would be constructed to the site from Arkansas Highway 369, which is located along the western limits of the subject property. The proposed infrastructure development also includes the construction of the required rail spurs and staging tracks to be able to accommodate the demand and supply required by the local contract poultry growers.

There are 1.19 acres of scrub shrub wetlands, 5,923 linear feet of a perennial stream, 1,764 linear feet of an ephemeral stream and 0.71 acres of non-jurisdictional waters located within the project site. The proposed project would fill 0.85 acres of scrub shrub wetlands, and impact 937.13 linear feet (480.94 fill, 456.19 pipe) of perennial stream. Approximately 804.51 linear feet of perennial stream which parallels to the existing rail line would be re-routed. Approximately 2,950 cubic yards of silty clay loam would be placed in the jurisdictional areas.

The vegetative communities within the wetland areas are Loblolly Pine, American Sweetgum, Cherrybark oak, Red maple, Baccharis, Common rush, Sugar cane, Club rush, Green brier, Water oak, and Sugarberry. Soil within the wetland areas consists of Savannah fine sandy loam, very deep, moderately well drained.

The applicant proposes to mitigate for the unavoidable loss of jurisdictional impacts through a mitigation bank.

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 Regulatory office is coordinating with the State Historic Preservation Officer, Federally-recognized Tribes, and other interested parties regarding potential effects to historic properties that could result from the proposed activity. A cultural resources survey is being conducted to determine the presence or absence of historic properties.

Endangered Species: Our initial finding is that the proposed work would not affect the following endangered species or their critical habitats: Ouachita rock pocketbook, Pink mucket, Rabbitsfoot, Winged mapleleaf, and Northern long-eared bat. 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.

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

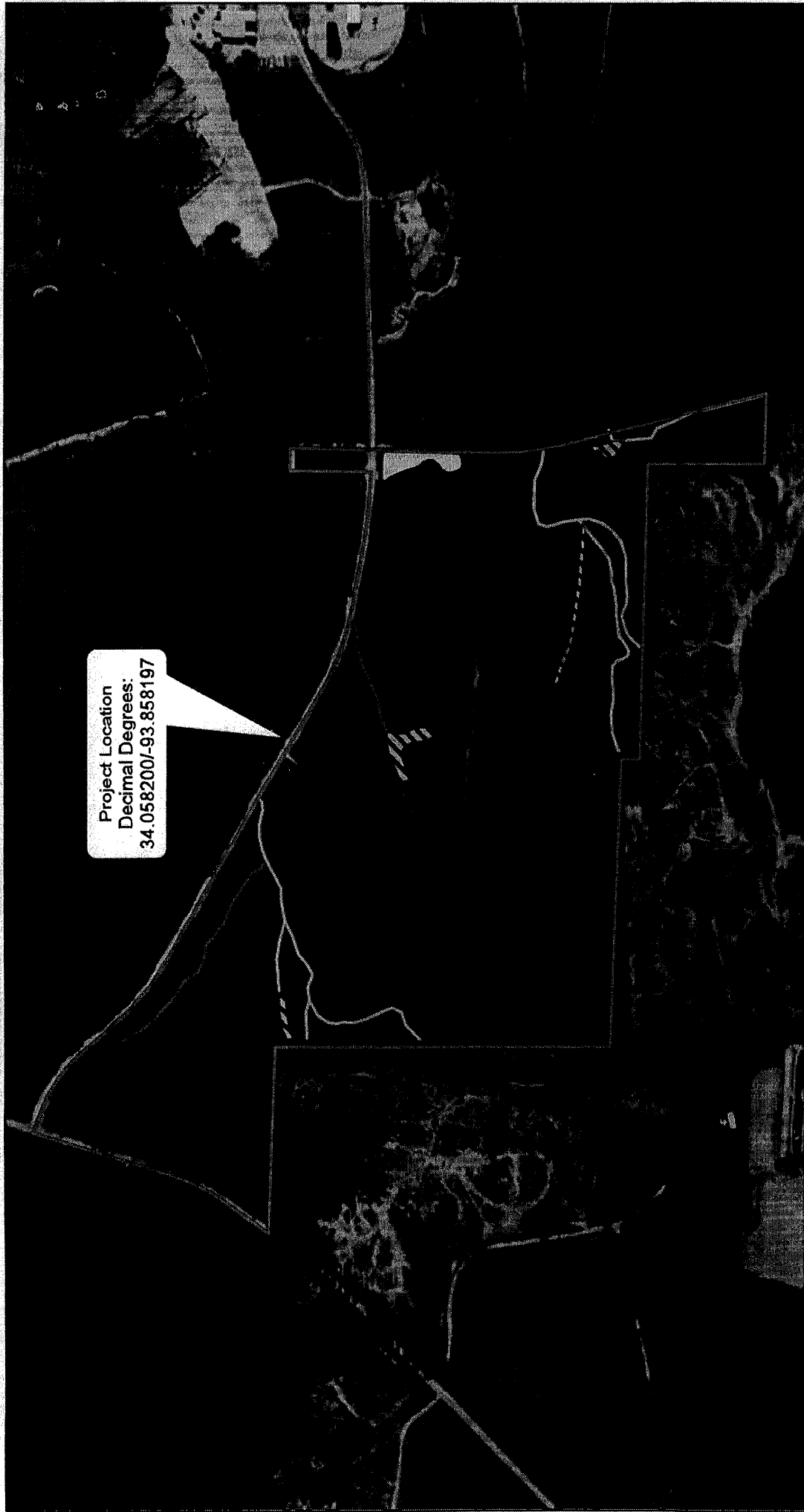
issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

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>.

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

Project Site, Howard County, AR

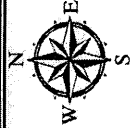
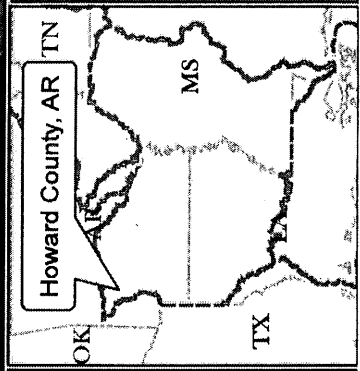
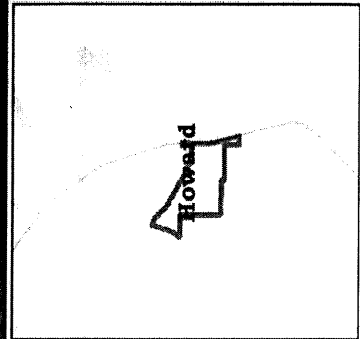


Project Location
 Decimal Degrees:
 34.058200/-93.858197



**US Army Corps
of Engineers.**

**Regulatory
Branch
Enforcement
Section**

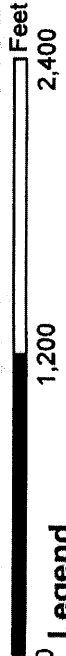








Friday, July 15, 2016
MVK-2016-336
 Pilgrim's Pride Corporation
 Feed Mill Site
 Howard County, AR

Preliminary
 Jurisdictional Determination










Aerial Imagery: NAIP 2014

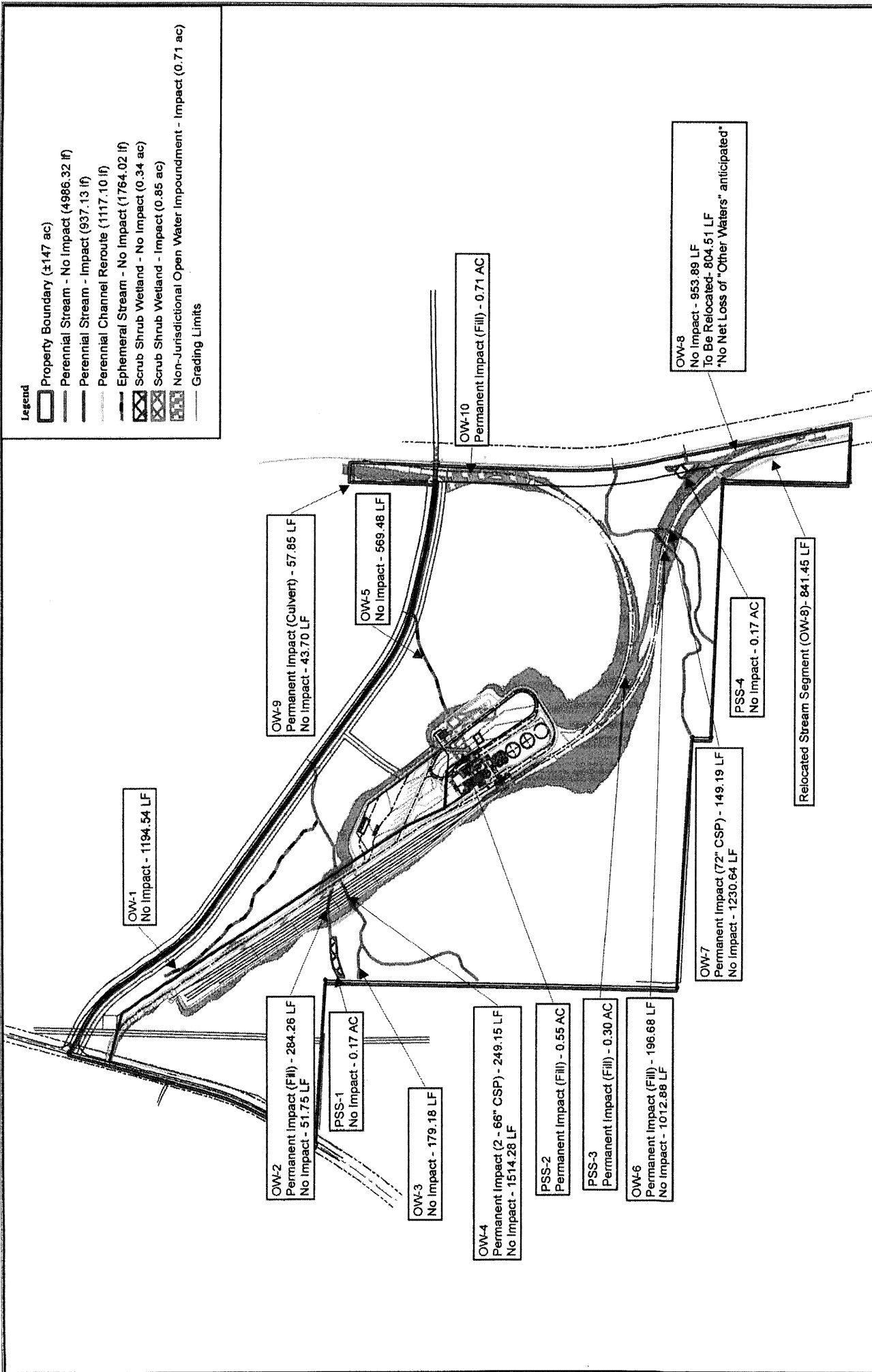
Legend

-  Feet
-  Property Boundary
-  Scrub Shrub Wetland (1.19 ac)
-  Perennial Stream (5,923 lf)
-  Ephemeral (1,764 lf)
-  Non-Jurisdictional Waters (Isolated) (0.71 ac)

Enclosure 1

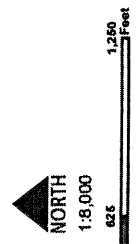
Legend

-  Property Boundary (±147 ac)
-  Perennial Stream - No Impact (4986.32 lf)
-  Perennial Stream - Impact (937.13 lf)
-  Perennial Channel Reroute (1117.10 lf)
-  Ephemeral Stream - No Impact (1764.02 lf)
-  Scrub Shrub Wetland - No Impact (0.34 ac)
-  Scrub Shrub Wetland - Impact (0.85 ac)
-  Non-Jurisdictional Open Water Impoundment - Impact (0.71 ac)
-  Grading Limits



Pickering Firm, Inc.
Pilgrim's Pride Corp. Feed Mill Site
 Sec. 14 & 15, T 8 S, R 27 W
 Howard County, Arkansas
Wetland Impact Map

CEMVK-OD-FE TVG-MVK-2016-336
MR. DAVID TOWNSEND
PILGRIM PRIDE CORPORATION





WETLAND LOCATION WORKSHEET

Pilgrims Pride Corporation Feed Mill Site
Howard County, Arkansas

Water Body Name	Waypoint	Latitude (DD)	Longitude (DD)	SFC	T. & R.	Description (Current)	Length	Width	Total Average	Perennial "Other Waters" Impact	Perennial Wetland Impact	Nature of Activity
OW - 1	25	34.06331	-93.862298	15	8S & 27W	Ephemeral Stream	1,194.54	3	0.08	N/A		Avoided - No Impact
OW - 2	23	34.060899	-93.861571	15	8S & 27W	Perennial Stream	336.01	4	0.03	284.26 ft x 4 ft (0.03 ac.) to be filled & rerouted		The perennial stream channel proposed to be filled will be relocated along the western fill limits of the rail infrastructure to allow natural flow patterns and aquatic functions to continue as it merges with OW-4 and continues drainage to the east. The rerouted segment is approximately 170.23 ft x 5 ft (-0.02 ac.)
PSS - 1	23	34.060899	-93.861571	15	8S & 27W	Scrub - Shrub Wetland			0.17	N/A	N/A	Avoided - No Impact
OW - 3	22	34.060479	-93.862123	15	8S & 27W	Perennial Stream	179.18	3	0.01	N/A		Avoided - No Impact
OW - 4	21	34.059014	-93.861868	15	8S & 27W	Perennial Stream	1763.43	4	0.16	249.15 ft x 4 ft (0.02 ac.) to be piped		The perennial stream channel will be piped under the proposed rail and roadway infrastructure utilizing two (2) - 66" corrugated steel pipes (CSP), which will be set at the recommended 20% of total culvert height (-13.2") below the existing bottom of channel elevation to allow natural flow patterns and aquatic functions to continue.
PSS - 2	19	34.059101	-93.858068	15	8S & 27W	Scrub - Shrub Wetland			0.55		0.55	Permanent fill for proposed site development
PSS - 3	2	34.056422	-93.856572	14	8S & 27W	Scrub - Shrub Wetland			0.30		0.30	Permanent fill for proposed site development
OW - 5	18	34.059743	-93.856047	14	8S & 27W	Ephemeral Stream	569.68	2	0.03	N/A		Avoided - No Impact
OW - 6	6	34.055578	-93.855405	14	8S & 27W	Perennial Stream	1209.76	4	0.11	196.68 ft x 4 ft (0.02 ac.) to be filled & rerouted		The perennial stream channel proposed to be filled will be relocated along the western fill limits of the rail infrastructure to allow natural flow patterns and aquatic functions to continue as it merges with OW-7 and continues drainage to the northeast. The rerouted segment is approximately 105.43 ft x 5 ft (-0.01 ac.)
OW - 7	7	34.055563	-93.855265	14	8S & 27W	Perennial Stream	1379.83	5	0.16	149.19 ft x 5 ft (0.02 ac.) to be piped		The perennial stream channel will be piped under the proposed rail and roadway infrastructure utilizing one (1) - 72" corrugated steel pipe (CSP), which will be set at the recommended 20% of total culvert height (-14.4") below the existing bottom of channel elevation to allow natural flow patterns and aquatic functions to continue.
PSS - 4	12	34.055812	-93.855293	14	8S & 27W	Scrub - Shrub Wetland			0.17		N/A	Avoided - No Impact
OW - 8	8	34.055188	-93.853293	14	8S & 27W	Perennial Stream	953.89	5	0.11	804.51 ft x 5 ft (0.09 ac.) to be relocated		The perennial stream channel will be relocated along the western limits of the proposed rail spur's fill limits. The relocated segment of channel will consist of approximately 841.45 ft x 6 ft (-0.12 ac.) **Permanent Loss of "Other Waters of the U.S." is not anticipated through the stream relocation**
OW - 9		34.060371	-93.853536	14	8S & 27W	Perennial Stream	101.55	5	0.01	57.85 ft x 5 ft (0.01 ac.) to be culverted		The perennial stream channel will be culverted under the proposed rail spur track as it ties in with the existing rail infrastructure. The existing culvert under mainline rail will remain in its existing condition.
OW - 10	17	34.059385	-93.853617	14	8S & 27W	Non-Jurisdictional Open Water Impoundment			0.71	0.71 ac.		Permanent Fill for site development; This open water impoundment was considered isolated in nature with no nexus or connection to other potentially jurisdictional habitats; therefore, it was considered as non-jurisdictional under the current regulatory framework.

CEMVK-OD-FE TVG-MVK-2016-336