



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

This report includes only factual information gained by documentation, onsite observations, and/or onsite interviews.

Inspector Name(s)	Chelsey Sherwood	Time In	10:46 AM	Start Date	November 09, 2023
		Time Out	11:44 AM	End Date	November 09, 2023
Inspector's Organization	EPA Region 6, Enforcement and Compliance Division, Water Resources Section				
Organization Requesting Inspection (if different)	N/A				
Inspection Type	Evaluation	Inspection Status	Original		
Site Name	John L Conner, Jr., Site 14, Hogpen Slough				
Site Address*	Not available. Refer to coordinates below.				
City*	Spriggs Mill	County*	Jackson	State*	AR
				Zip Code*	72020
Mailing Address*	2301 McLain Street				
City*	Newport	County*	Jackson	State*	AR
				Zip Code*	72112
Latitude*	35.4325	Longitude*	-91.277778		
Estimated Size of Site (acres)	1,043	Is there a home on the site?	☐ Yes ☒ No		
Inspector Signature	CHELSEY SHERWOOD			Digitally signed by CHELSEY SHERWOOD Date: 2023.12.21 13:34:11 -06'00'	
				Date	12/21/2023
Supervisor Signature	Craig Young Jr			Date	01/02/2024

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Site Name	John L Conner, Jr., Site 14, Hogpen Slough	Start Date	November 09, 2023
		End Date	November 09, 2023
Inspection Purpose	Initial site visit		
Opening Conference			
☐ Presentation of Inspector Credentials Name and Title (Use N/A if owner/operator not available to join the inspection) Chelsey Sherwood, CWA Section 404 Wetlands Inspector/Enforcement Officer			
☒ Opening Conference Name of person authorizing access if applicable Aaron Fitts and Henry Langston, Holden-Conner Company employee and consultant, respectively			
Notes from Opening Conference N/A			
☐ Access Issues if Any Describe N/A			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information) Holden-Conner Company, John L. Conner, Jr. is the responsible party. The landowner is Dupree Family Partnership.			
Additional Persons Present at Inspection Michael Gala with the USACE Little Rock District, and Aaron Fitts and Henry Langston with Holden-Conner Company			
General Site Characteristics (layout of property, etc.) The property is south of Jackson County Road 20. Most of the property has been filled and cleared for agriculture. Hogpen Slough flows north to south through the property and contains several adjacent forested wetlands and tributaries to Hogpen Slough. Refer to map attachments for details.			
Purpose and Need for Discharge of Dredged and/or Fill Material The purpose and need for discharging and filling streams and wetlands is for agriculture.			
Site Overview (Past inspections, site description, permits, etc.) A 404 permit was not obtained for discharging fill material.			
Scope of Inspection (Areas inspected or not inspected) The area inspected was Hogpen Slough and the confluence of ditch with Hogpen Slough and where a tributary of Hogpen Slough had been located on the west side of the river bend on river right. Refer to maps and photo log.			

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Site Name	John L Conner, Jr., Site 14, Hogpen Slough	Start Date	November 09, 2023
		End Date	November 09, 2023
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
~61 degrees F, Cloudy.			
Field Work Conducted			
We inspected Hogpen Slough driving down from river right, the ditch that flows into Hogpen Slough from the north, and the area where a tributary had been located on the northwest river bend to determine extent of fill and impacts to waters of the U.S. Pictures were taken for documentation.			
Closing Conference			
Documents Received and/or Requested During the Inspection			
N/A			
Compliance Assistance Provided (If any)			
N/A			
Observations Relayed to Site Owner/Operator			
We let Mr. Fitts and Mr. Langston know our concerns and that a permit is required for discharging fill material into the stream.			
Actions Taken by Owner/Operator During the Inspection (If any)			
N/A			
Potential Issues of Concern Including Regulatory Citations			
A 404 permit was not obtained for discharge of fill material. The tributary on the northwest side of Hogpen Slough has been completely filled and a ditch has also been dug out connecting to Hogpen Slough on the north side. The riparian zone on river right has been completely removed below the Ordinary High Water Mark and the road has been built up that runs parallel to Hogpen Slough. We also observed several areas where the road is sloughing off and the bank is eroding into the stream. There are concerns with impacts to water quality and flow impairment due to increased bank erosion and sedimentation. Refer to maps and photos for details. Note in the USA NAIP Imagery the remnant stream channel of the tributary to Hogpen Slough that has now been filled.			
Attachments*			
☒ Maps and Sketches ☒ Photographs (including location) and Photo Log ☐ Other (SSIP, Wetlands Delineation Forms, etc.)			
N/A			
Additional Notes			
N/A			

Appendix 1

Photograph Log

Note: Time of pictures is one hour earlier than camera logged. Correct time reflected below.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: 35.4325, -91.277778		
City: Spriggs Mill	County/Parish: Jackson	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6168	11/09/2023, 10:50 AM	Chelsey Sherwood	Showing Hogpen Slough from river right facing downstream. Note vegetation completely removed along right bank below the Ordinary High Water Mark; the bank erosion; and sedimentation in the stream. Picture taken facing south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: 35.4325, -91.277778		
City: Spriggs Mill	County/Parish: Jackson	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6169	11/09/2023, 10:50 AM	Chelsey Sherwood	Circled in red is showing where ditch now flows into Hogpen Slough. Note the turbidity and water coloration difference where the ditch confluences with Hogpen Slough. Also, note vegetation completely removed along river right bank below Ordinary High Water Mark; the bank erosion; and sedimentation in the stream. Picture taken facing southwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: 35.4325, -91.277778		
City: Spriggs Mill	County/Parish: Jackson	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6170	11/09/2023, 10:51 AM	Chelsey Sherwood	Showing Hogpen Slough from river right facing upstream. Note vegetation completely removed below Ordinary High Water Mark along river right bank and the road built up along the stream. Also, note the sloughing of the road into the stream and the sedimentation in the stream bed impeding flow. Picture taken facing northeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: 35.4325, -91.27799		
City: Spriggs Mill	County/Parish: Jackson	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6171	11/09/2023, 10:52 AM	Chelsey Sherwood	Showing upstream of ditch about 12 feet deep. Picture taken facing north.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: 35.4325, -91.27799		
City: Spriggs Mill	County/Parish: Jackson	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6172	11/09/2023, 10:52 AM	Chelsey Sherwood	Showing downstream of ditch. Note the red circle shows area where tributary to Hogpen Slough should be, but has been filled. The blue arrow shows where the ditch is now connecting to Hogpen Slough. Picture taken facing south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: 35.4325, -91.278000		
City: Spriggs Mill	County/Parish: Jackson	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6173	11/09/2023, 10:54 AM	Chelsey Sherwood	Showing confluence of connection from ditch to Hogpen Slough. Note turbidity and sloughing of banks. Picture taken facing southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: 35.43246, -91.27793		
City: Spriggs Mill	County/Parish: Jackson	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6174	11/09/2023, 11:01 AM	Chelsey Sherwood	Showing upstream of Hogpen Slough from confluence of ditch. Note vegetation completely removed below Ordinary High Water Mark along river right bank and the road built up along the stream. Also, note the sloughing of the road into the stream and the sedimentation in the stream bed impeding flow. Picture taken facing northeast.

John L. Conner, Site 14, Hogpen Slough Photo Location



John Conner, Site 14, Hogpen Slough



12/21/2023, 11:41:33 AM

Subwatershed (HUC12)

Catchment

Non-Network Flowline

Stream/River, Perennial

Network Flowline

Stream/River, Intermittent

Stream/River, Perennial

Flow Direction

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

1:4,514

0 0.04 0.09 0.1 0.2 km
0 0.05 0.1 0.2 mi

U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov, US EPA Office of Water, Maxar

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ArcGIS Web AppBuilder

John Conner, Site 14, Hogpen Slough



12/21/2023, 11:49:51 AM

USA NAIP Imagery: Color Infrared

Red: NearInfrared

Green: Red

Blue: Green

Subwatershed (HUC12)

Catchment

Non-Network Flowline

Stream/River, Perennial

Network Flowline

Stream/River, Perennial

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

1:2,257

0.02 0.04 0.07 0.14

mi km

U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov, Maxar, Microsoft, US EPA Office of Water, Esri, USDA Farm Service Agency