



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 and Tom Nystrom	Time In	9:30 AM	Start Date	March 28, 2024
		Time Out	11:20 AM	End Date	March 28, 2024
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	Sharon Shields, Smith Creek				
Site Address*	northeast of HWY 8				
City*	Glenwood	County*	Pike	State*	AR Zip Code* 71943
Mailing Address*	P.O. Box 7				
City*	Glenwood	County*	Pike	State*	AR Zip Code* 71943
Latitude*	34.40937	Longitude*	-93.61642		
Estimated Size of Site (acres)	68	Is there a home on the site?	☒ Yes ☐ No		
Inspector Signature	CHELSEY SHERWOOD Digitally signed by CHELSEY SHERWOOD. Date: 2024.05.16 15:28:32 -05'00'			Date	5/16/2024
Supervisor Signature	SAMANTHA DOUPNIK Digitally signed by SAMANTHA DOUPNIK. Date: 2024.05.16 15:52:34 -05'00'			Date	5/16/2024

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Site Name	Sharon Shields, Smith Creek	Start Date	March 28, 2024
		End Date	March 28, 2024
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)			
N/A			
☐ Opening Conference			
Name of person authorizing access if applicable			
N/A			
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)			
Sharon Shields listed landowner: Phone number: 870-356-3019			
Additional Persons Present at Inspection			
N/A			
General Site Characteristics (layout of property, etc.)			
The property is northeast of HWY 8 and is primarily forested on river right and has been cleared along river left in some areas up to the stream bank. The most upstream location of this site on Smith Creek, a tributary to the Caddo River, is approximately 1.4 miles upstream from the confluence of the Caddo River. Refer to map attachments for details.			
Purpose and Need for Discharge of Dredged and/or Fill Material			
Unknown			
Site Overview (Past inspections, site description, permits, etc.)			
The Arkansas Game and Fish Commission Stream Team (AGFC) and the Arkansas Energy and Environment, Division of Environmental Quality, Office of Water Quality (AR DEQ) went out and inspected this site on March 29, 2024.			
Scope of Inspection (Areas inspected or not inspected)			
The areas inspected were the stream bed and banks of Smith Creek staying below the Ordinary High Water Mark. Note: that the creek was accessed from an adjacent landowner.			

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Site Name	Sharon Shields, Smith Creek	Start Date	March 28, 2024
		End Date	March 28, 2024
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
~53 degrees F, sunny			
Field Work Conducted			
We assessed the in-stream work that was conducted in Smith Creek and along the stream bank below the Ordinary High Water Mark. Photos 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			
N/A			
Actions Taken by Owner/Operator During the Inspection (If any)			
N/A			
Potential Issues of Concern Including Regulatory Citations			
A section 404 permit was not obtained to discharge fill material into Smith Creek, a relatively permanent water and a tributary of the Caddo River. We observed in-stream work and work along the stream banks below the Ordinary High Water Mark in Smith Creek. It appeared that heavy equipment was used and driven in the stream bed, embankments were built using broken concrete and stream bed material below the Ordinary High Water Mark, riparian corridor was removed, removal of stream bed substrate, and the stream was widened and channelized in some areas. We observed several areas with equipment scars on river let, bank erosion, and sloughing of fill material into the stream. There was approximately 770 linear feet of work conducted and some areas the bank was built up to approximately 4.5 to 6 feet. There are concerns of erosion and impacts to aquatic life. Smith Creek has records of the Paleback Darter, a very high priority for protection and recovery in the State Wildlife Action Plan. Additionally, where Smith Creek confluences with the Caddo River, the Caddo Madtom has been documented, which is another high priority state endemic species. Any alteration to the stream, especially this time of year as spawning is underway, potentially will have impacts to these vulnerable populations. Also, the Arkansas Fatmucket, a federally listed mussel, is found nearby in the Caddo River. Per the 1989 Memorandum of Agreement between the EPA and the U.S. Army Corps of Engineers, the EPA is taking the lead for this case. Please email me at sherwood.chelsey@epa.gov and/or call me at 214-665-6452 to discuss the next steps towards resolution upon receipt of this report.			
Attachments*			
☒ Maps and Sketches ☒ Photographs (including location) and Photo Log ☐ Other (SSIP, Wetlands Delineation Forms, etc.)			
N/A			



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Site Name	Sharon Shields, Smith Creek	Start Date	March 28, 2024
		End Date	March 28, 2024
Additional Notes			
N/A			

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: 34.40906, -93.61556		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6390	03/28/2024, 10:02 AM	Chelsey Sherwood	Showing stream channelization and fill material consisting of broken concrete below the Ordinary High Water Mark to build an embankment. Picture taken facing downstream, east.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: 34.40906, -93.61556		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6391	03/28/2024, 10:02 AM	Chelsey Sherwood	Showing Smith Creek upstream from work conducted. Picture taken facing upstream, west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: 34.40911, -93.61562		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6392	03/28/2024, 10:06 AM	Chelsey Sherwood	Showing heavy equipment tracks in stream channel. Picture taken facing downstream, southwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: 34.40911, -93.61562		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6393	03/28/2024, 10:07 AM	Chelsey Sherwood	Showing embankment built that is approximately 6 feet high from stream bed and 120 linear feet. Note tire tracks in bottom of picture. Picture taken facing river left, south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: 34.40939, -93.61611		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6394	03/28/2024, 10:11 AM	Chelsey Sherwood	Showing fill material placed below Ordinary High Water Mark built up along river left bank. Picture taken facing downstream, west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: 34.40939, -93.61611		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6395	03/28/2024, 10:11 AM	Chelsey Sherwood	Showing fill material placed below Ordinary High Water Mark and embankment built up along river left bank, which is approximately 350 linear feet. Note the stream appears to be channelized in this area. Picture taken facing upstream, east.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: 34.40965, -93.61698		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6396	03/28/2024, 10:14 AM	Chelsey Sherwood	Showing equipment tracks on left bank into stream channel. Picture taken facing river left bank, southwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: 34.40981, -93.61727		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6397	03/28/2024, 10:18 AM	Chelsey Sherwood	Showing embankment built on river left and equipment scars. Picture taken facing upstream, east.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: 34.40981, -93.61727		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6398	03/28/2024, 10:19 AM	Chelsey Sherwood	Showing fill material below Ordinary High Water Mark on river left and right. Note stream appears to be channelized. Picture taken facing downstream, west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: 34.40981, -93.61776		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6399	03/28/2024, 10:21 AM	Chelsey Sherwood	Showing channel disruption and stream bank alteration. There was approximately 1.5 feet of fill material piled up on right bank (circled in red). Also, note the natural bank downstream on river left and right. Picture taken facing downstream, west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: 34.40981, -93.61776		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6400	03/28/2024, 10:21 AM	Chelsey Sherwood	Showing where stream bed material piled up on top of bank and sloughing off into stream. Picture taken facing river right bank, north.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 12

Location: 34.40968, -93.61661		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6401	03/28/2024, 10:28 AM	Chelsey Sherwood	Showing wrack lines on river right and deposition indicators of Ordinary High Water Mark. Note: observed <i>Fundulus sp.</i> in area. Picture taken facing downstream, west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 13

Location: 34.40968, -93.61661		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6402	03/28/2024, 10:28 AM	Chelsey Sherwood	Pointing at Ordinary High Water Mark on river left (circled in red). Picture taken facing downstream, west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 14

Location: 34.40968, -93.61661		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6403	03/28/2024, 10:33 AM	Chelsey Sherwood	Showing Trichoptera casings on rock.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 15

Location: 34.40906, -93.61556		
City: Glenwood	County/Parish: Pike	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6404	03/28/2024, 10:39 AM	Chelsey Sherwood	Showing top of site and undisturbed stream channel. Note the banks on river left and right. Picture taken facing upstream, east.

Sharon Shields, Smith Creek Photo Locations



5/16/2024, 2:34:58 PM

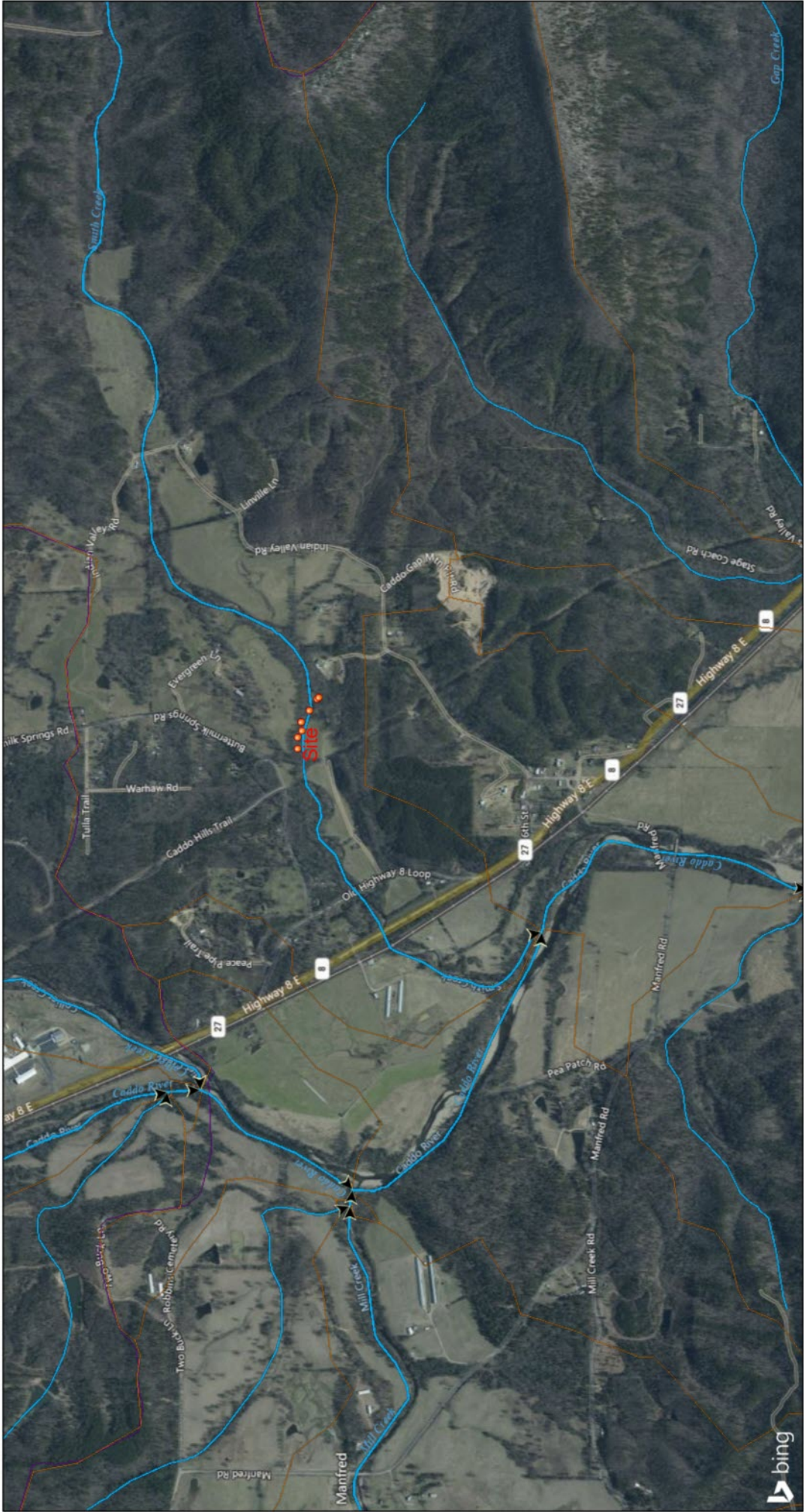
SharonShieldsSmithCreekPhotoLocations

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ArcGIS Web AppBuilder

Sharon Shields, Smith Creek Overview Map



5/16/2024, 2:36:25 PM

- SharonShieldsSmithCreekPhotoLocations
- Subwatershed (HUC12)
- Catchment
- Network Flowline
 - Stream/River, Intermittent
 - Stream/River, Perennial
 - Flow Direction

1:18,056



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