



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	10:00 AM	Start Date	May 1, 2024
		Time Out	1:30 PM	End Date	May 1, 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	Crystal Valley LLC (Rick Ferguson)				
Site Address*	Crystal Valley Road				
City*	Little Rock	County*	Pulaski	State*	AR
				Zip Code*	72210
Mailing Address*	11324 Arcade Drive, Suite 12				
City*	Little Rock	County*	Pulaski	State*	AR
				Zip Code*	72212
Latitude*	34.688292	Longitude*	-92.430192		
Estimated Size of Site (acres)	166	Is there a home on the site?	☐ Yes ☒ No		
Inspector Signature	CHELSEY SHERWOOD			Digitally signed by CHELSEY SHERWOOD Date: 2024.06.27 08:18:02 -05'00'	
				Date 6//27/2024	
Supervisor Signature	RUBEN ALAYON-GONZALEZ			Digitally signed by RUBEN ALAYON-GONZALEZ Date: 2024.06.27 12:46:55 -05'00'	
				Date 6/27/2024	

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)

Site Name	Crystal Valley LLC (Rick Ferguson)	Start Date	May 1, 2024
		End Date	May 1, 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)			
Chelsey Sherwood - CWA Section 404 Enforcement Officer and Inspector			
☒ Opening Conference			
Name of person authorizing access if applicable			
Rick Ferguson, Owner			
Notes from Opening Conference			
We discussed the overall project, regulations, and concerns.			
☐ Access Issues if Any			
Describe			
N/A			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information)			
Crystal Valley, LLC (Rick Ferguson) Email: rickferguson777@gmail.com. Phone: 501-912-8800			
Additional Persons Present at Inspection			
John Bridgeman, Little Rock District of U.S. Army Corps of Engineers (COE). Dan Draper and Anthony Gunter with Rausch Coleman Homes. Doug Ford, PMI, Consultant. Joe White, Greg Phillips, and Lisa Boyle, Alliance Technical Group, Consultants.			
General Site Characteristics (layout of property, etc.)			
The project is located north of Crystal Valley Road. The site was originally forested with several wetlands and streams throughout the property that are tributaries to Haw Branch, that then flow into Fourche Creek, and then into the Arkansas River. Refer to map attachments for details.			
Purpose and Need for Discharge of Dredged and/or Fill Material			
The purpose of the project is for residential development.			
Site Overview (Past inspections, site description, permits, etc.)			
Little Rock Corps District inspected this site on March 4, 2024.			
Scope of Inspection (Areas inspected or not inspected)			
We inspected the unauthorized activity area in the southeast corner of the property to determine extent of impacts to the tributary and wetland and the large wetland and streams in the northwest area. We followed the swale connecting the large wetland to the			



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Site Name	Crystal Valley LLC (Rick Ferguson)	Start Date	May 1, 2024
		End Date	May 1, 2024
tributary. See photos and maps for details.			

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)

Site Name	Crystal Valley LLC (Rick Ferguson)	Start Date	May 1, 2024
		End Date	May 1, 2024
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
~78 degrees F, cloudy. It last rained on April 29, 2024.			
Field Work Conducted			
We observed the streams and wetlands impacted in the southeast corner of the project site as well as the large wetland, swale, and tributary in the northwest corner and took photos for documentation.			
Closing Conference			
Documents Received and/or Requested During the Inspection			
We requested background information and overall project master plan for the site.			
Compliance Assistance Provided (If any)			
I discussed the stream and wetland impacts and concerns related to Section 404 regulations. I also relayed stormwater runoff concerns and Best Management Practices (BMPs) needed to minimize these impacts.			
Observations Relayed to Site Owner/Operator			
I relayed that a Section 404 permit needed to be obtained to discharge fill material into Waters of the U.S..			
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 for the discharge of fill material into streams and wetlands. We observed approximately 450 linear feet of streams and 0.35 acres of wetlands that had been impacted due to the unauthorized activity. We observed the riparian zone was removed up to the stream bank and the stream bank was demolished in areas. We also noted stormwater runoff concerns as there were not BMPs in place. The stream and wetland were heavily silted (approximatley a foot of silt deep in areas). See photos for details.			
Attachments*			
☒ Maps and Sketches ☒ Photographs (including location) and Photo Log ☐ Other (SSIP, Wetlands Delineation Forms, etc.)			
Appendix 1. Note that on the Photo Locations map Photo numbers 4,5,9 are not listed on map, but photos 1-6 are in the same location and photo 9 is beside 10.			
Additional Notes			
This case has been referred to EPA. USACE file number SWL-2024-00048			

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: 34.68734, -92.42943		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6414	05/01/2024, 10:38 AM	Chelsey Sherwood	Showing overall project site. Picture taken facing southwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: 34.68734, -92.42943		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6415	05/01/2024, 10:38 AM	Chelsey Sherwood	Showing the stream and wetland impacted. Note the white flags delineating the stream and wetland area. Picture taken facing south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: 34.68734, -92.42943		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6416	05/01/2024, 10:39 AM	Chelsey Sherwood	Showing the impacted stream and wetland. Note the white flags delineating the stream and wetland area. Picture taken facing southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: 34.68734, -92.42943		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6417	05/01/2024, 10:39 AM	Chelsey Sherwood	Showing the impacted stream and wetland. Note the white flags delineating the stream and wetland area. Picture taken facing east.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: 34.68734, -92.42943		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6418	05/01/2024, 10:39 AM	Chelsey Sherwood	Showing spoil piles and overall project area. Picture taken facing north.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: 34.68734, -92.42943		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6419	05/01/2024, 10:39 AM	Chelsey Sherwood	Showing spoil piles and overall project area. Picture taken facing west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: 34.68737, -92.42939		
City: Little Rock	County/Parish: Pulaski	State: Arkansas

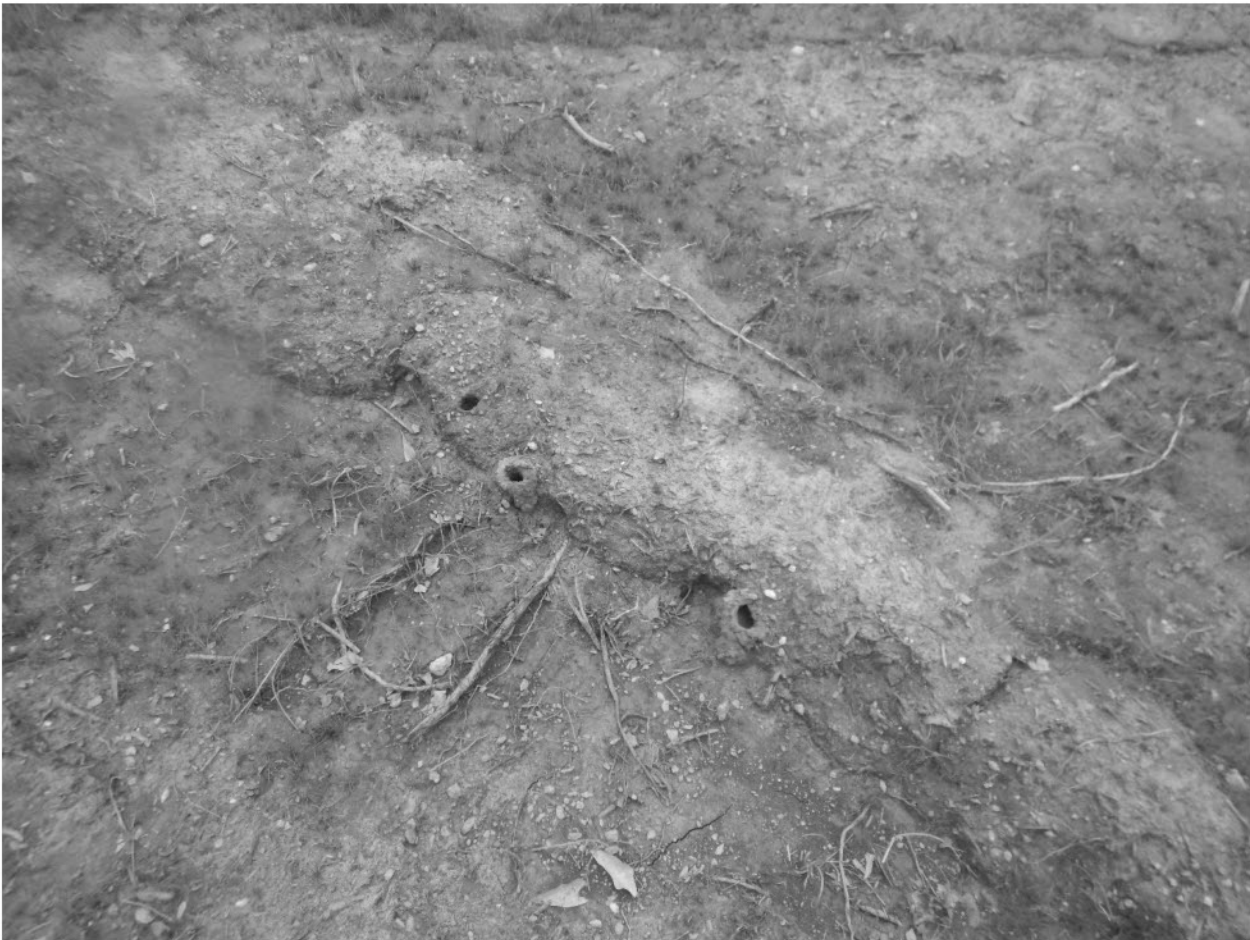


Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6420	05/01/2024, 10:40 AM	Chelsey Sherwood	Showing crayfish burrows.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: 34.68719, -92.42936		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6421	05/01/2024, 10:42 AM	Chelsey Sherwood	Showing siltation in wetland area. Picture taken facing northeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 9

Location: 34.68706, -92.42938		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6422	05/01/2024, 10:47 AM	Chelsey Sherwood	Showing impacted stream and wetland. Note it was heavily silted and approximately a foot deep of silt. Picture taken facing upstream, north.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 10

Location: 34.68706, -92.42942		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6423	05/01/2024, 10:53 AM	Chelsey Sherwood	Showing impacted stream and wetland. Note no BMPs in place and it was heavily silted and approximately a foot deep of silt. Picture taken facing downstream, south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 11

Location: 34.68695, -92.42952		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6424	05/01/2024, 10:57 AM	Chelsey Sherwood	Showing impacted stream and wetland. Note siltation and filamentous algae in the stream. Picture taken facing downstream, southwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 12

Location: 34.68695, -92.42952		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6425	05/01/2024, 11:00 AM	Chelsey Sherwood	Showing heavily silted stream channel. Note the gravel substrate on river left and orange tinted water on right indicating iron-oxidizing bacteria present. Picture taken facing downstream, southwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 13

Location: 34.68682, -92.42972		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6426	05/01/2024, 11:06 AM	Chelsey Sherwood	Showing fill material in stream and spoil piles. Note the riparian area has been cleared and stream banks have been demolished. Picture taken facing downstream, south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 14

Location: 34.68642, -92.42979		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6427	05/01/2024, 11:09 AM	Chelsey Sherwood	Showing impacted stream. Note approximately a foot deep of silt in stream channel. Picture taken facing downstream, south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 15

Location: 34.68626, -92.42999		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6428	05/01/2024, 11:14 AM	Chelsey Sherwood	Showing large check dam in stream channel. Picture taken facing upstream, north.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 16

Location: 34.68666, -92.42959		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6429	05/01/2024, 11:19 AM	Chelsey Sherwood	Showing fill material in stream. Picture taken facing west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 17

Location: 34.68666, -92.42959		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6430	05/01/2024, 11:19 AM	Chelsey Sherwood	Showing fill material in stream. Picture taken facing southwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 18

Location: 34.68620, -92.43006		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6431	05/01/2024, 11:56 AM	Chelsey Sherwood	Showing overall impacted stream and wetland area. Note stream and wetland are right of the orange fence. Picture taken facing north.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 19

Location: 34.68620, -92.43006		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6432	05/01/2024, 11:56 AM	Chelsey Sherwood	Showing overall project area. Picture taken facing west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 20

Location: 34.68894, -92.43477		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6433	05/01/2024, 12:13 PM	Chelsey Sherwood	Showing swale connected to wetland (W-1). Picture taken facing west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 21

Location: 34.68914, -92.43425		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6434	05/01/2024, 12:18 PM	Chelsey Sherwood	Showing undisturbed stream channel (S-7). Picture taken facing downstream, south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 22

Location: 34.68914, -92.43425		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6435	05/01/2024, 12:18 PM	Chelsey Sherwood	Showing undisturbed stream channel (S-7). Picture taken facing upstream, north.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 23

Location: 34.68914, -92.43425		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6436	05/01/2024, 12:18 PM	Chelsey Sherwood	Showing wetland (W-4) adjacent to stream from photo 22. Picture taken facing west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 24

Location: 34.68875, -92.43444		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6437	05/01/2024, 12:24 PM	Chelsey Sherwood	Showing swale that connects wetland (W-1) to stream (S-7). Picture taken facing downstream, southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 25

Location: 34.68867, -92.43431		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6438	05/01/2024, 12:26 PM	Chelsey Sherwood	Showing swale that connects wetland (W-1) to stream (S-7). Note crayfish burrow circled in red. Picture taken facing downstream, southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 26

Location: 34.68851, -92.43404		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6439	05/01/2024, 12:28 PM	Chelsey Sherwood	Showing swale that connects wetland (W-1) to stream (S-7). Note wrack lines of debris. Picture taken facing downstream, southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 27

Location: 34.68824, -92.43393		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6440	05/01/2024, 12:30 PM	Chelsey Sherwood	Showing swale that connects wetland (W-1) to stream (S-7). Picture taken facing downstream, southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 28

Location: 34.68834, -92.43362		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6441	05/01/2024, 12:38 PM	Chelsey Sherwood	Showing confluence of unmapped stream on right with stream (S-7). Picture taken facing upstream, northwest.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 29

Location: 34.68834, -92.43362		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6442	05/01/2024, 12:38 PM	Chelsey Sherwood	Showing stream (S-7) downstream of confluence of unmapped stream in photo 28. Picture taken facing downstream, southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 30

Location: 34.68829, -92.4338		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6443	05/01/2024, 12:41 PM	Chelsey Sherwood	Showing where swale connects to stream (S-7). Picture taken facing northwest to right bank.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 31

Location: 34.68829, -92.4338		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6444	05/01/2024, 12:42 PM	Chelsey Sherwood	Showing downstream of where swale connects to stream (S-7). Picture taken facing southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 32

Location: 34.68829, -92.4338		
City: Little Rock	County/Parish: Pulaski	State: Arkansas



Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6445	05/01/2024, 12:42 PM	Chelsey Sherwood	Showing upstream of where swale connects to stream (S-7). Note wrack lines of debris. Picture taken facing northwest.

Crystal Valley, LLC Photo Locations

- Legend**
- Photo Locations
 - S-1
 - S-3
 - Wetland



Google Earth

Image © 2024 Airbus

Crystal Valley Rd

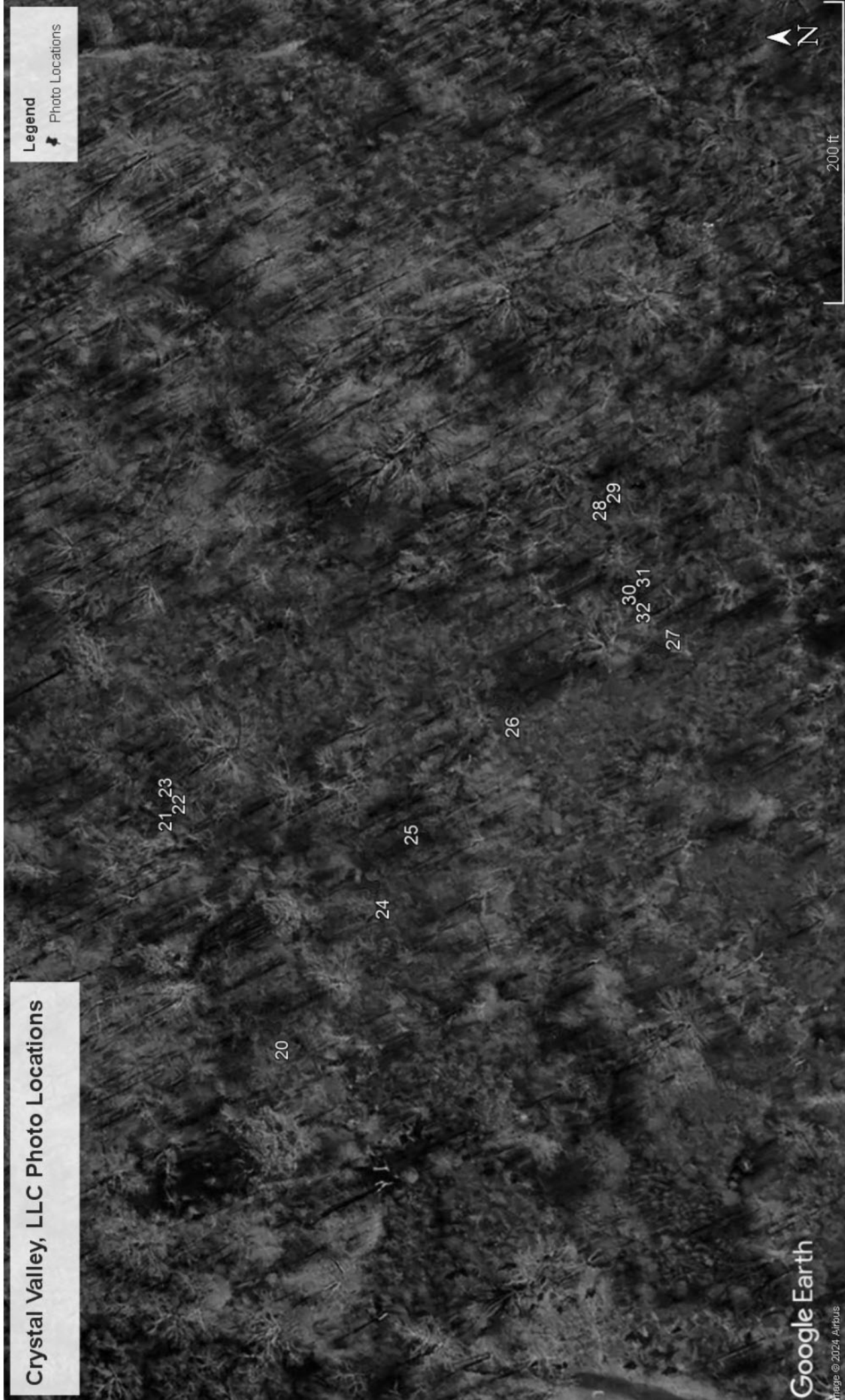
Crystal Valley Rd

200 ft

Crystal Valley, LLC Photo Locations

Legend

Photo Locations

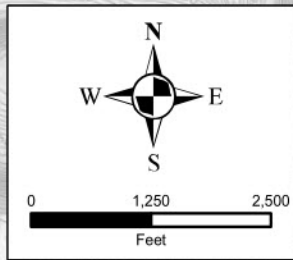


Google Earth

Image © 2024 Airbus

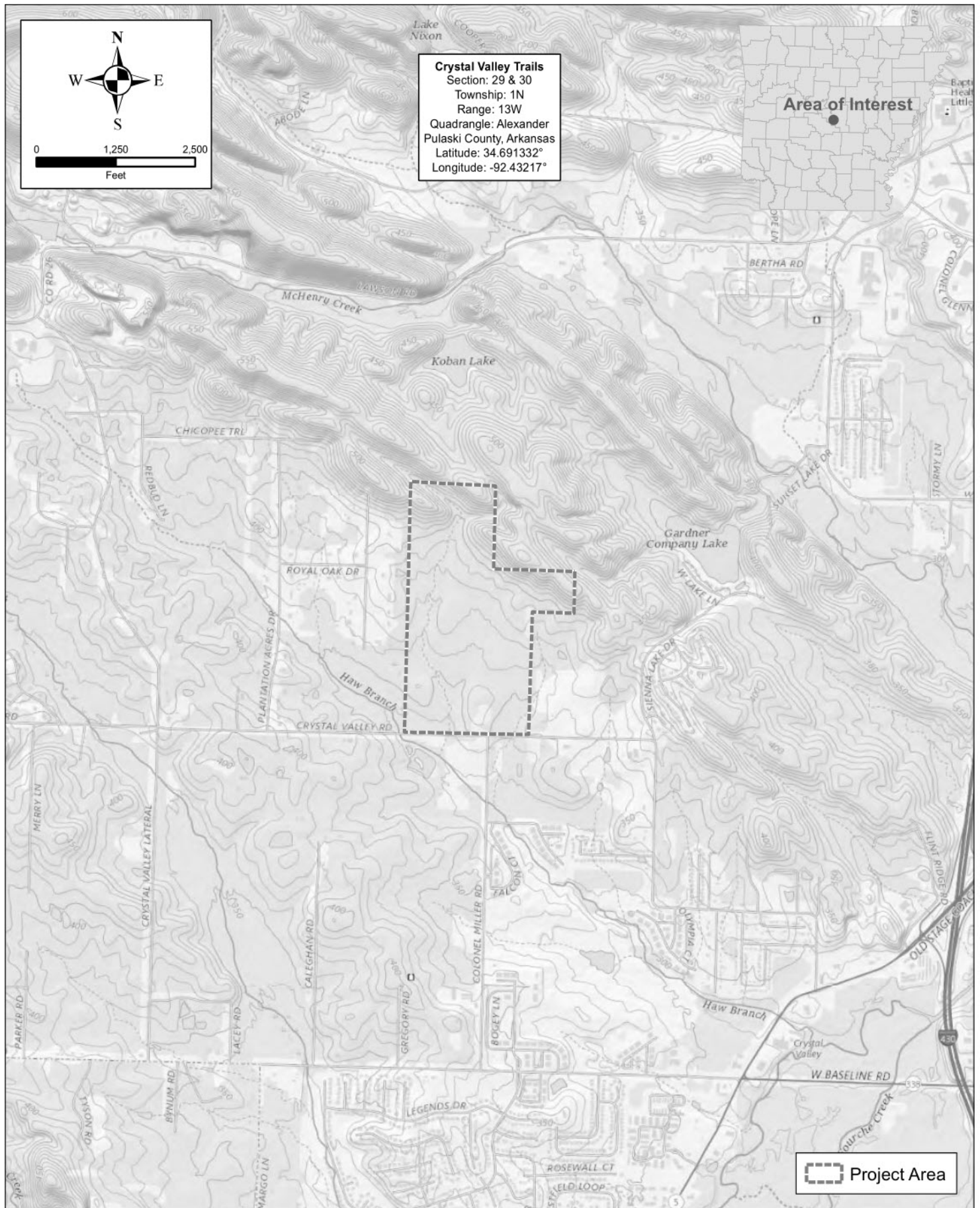
200 ft





Crystal Valley Trails
 Section: 29 & 30
 Township: 1N
 Range: 13W
 Quadrangle: Alexander
 Pulaski County, Arkansas
 Latitude: 34.691332°
 Longitude: -92.43217°

Area of Interest



Project Area

DESIGNED BY TLG
 CHECKED BY TLG
 APPR. BY GLP
 DRAWN BY ALB



SHEET TITLE

TOPOGRAPHIC
 LOCATION MAP

JOB NAME

CRYSTAL VALLEY TRAILS
 JURISDICTIONAL DETERMINATION
 JOE WHITE AND ASSOCIATES
 PULASKI COUNTY, ARKANSAS

PROJECT NO.

3801-21-300
 DATE 09/01/2021
 SCALE SHOWN

REV. NO.

DWG. NO.



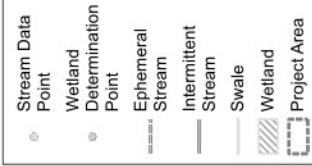
NO	DATE	REVISION	BY	CHK	APPR.	PROJECT TITLE				CRYSTAL VALLEY TRAILS					
						AERIAL OVERALL MAP				AQUATIC RESOURCES DELINEATION					
										JOE WHITE AND ASSOCIATES					
										PULASKI COUNTY, ARKANSAS					
DESIGNED BY						LP		PROJECT NO.						3801-21-300	
CHECKED BY						LP		DATE						04/04/2024	
DRAWN BY						ALB		SCALE						SHOWN	





Wetlands	
Name	Area (acres)
W-1	1.3
W-2	0.47
W-3	0.06
W-4	0.06

Streams	
Name	Length (feet)
S-1A	54
S-1B	219
S-2	119
S-3	174
S-4	435
S-5	1055
S-6	860
S-7	570
S-8	691
S-9	2302
S-10	961
S-10B	314
S-11	843
S-12	290
S-1	365



CRYSTAL VALLEY TRAILS
AQUATIC RESOURCES DELINEATION
JOE WHITE AND ASSOCIATES
PULASKI COUNTY, ARKANSAS

PROJECT NO. 3801-241-300
DATE 04/04/2024
SCALE SHOWN

PROJECT TITLE
Alliance
TECHNICAL GROUP

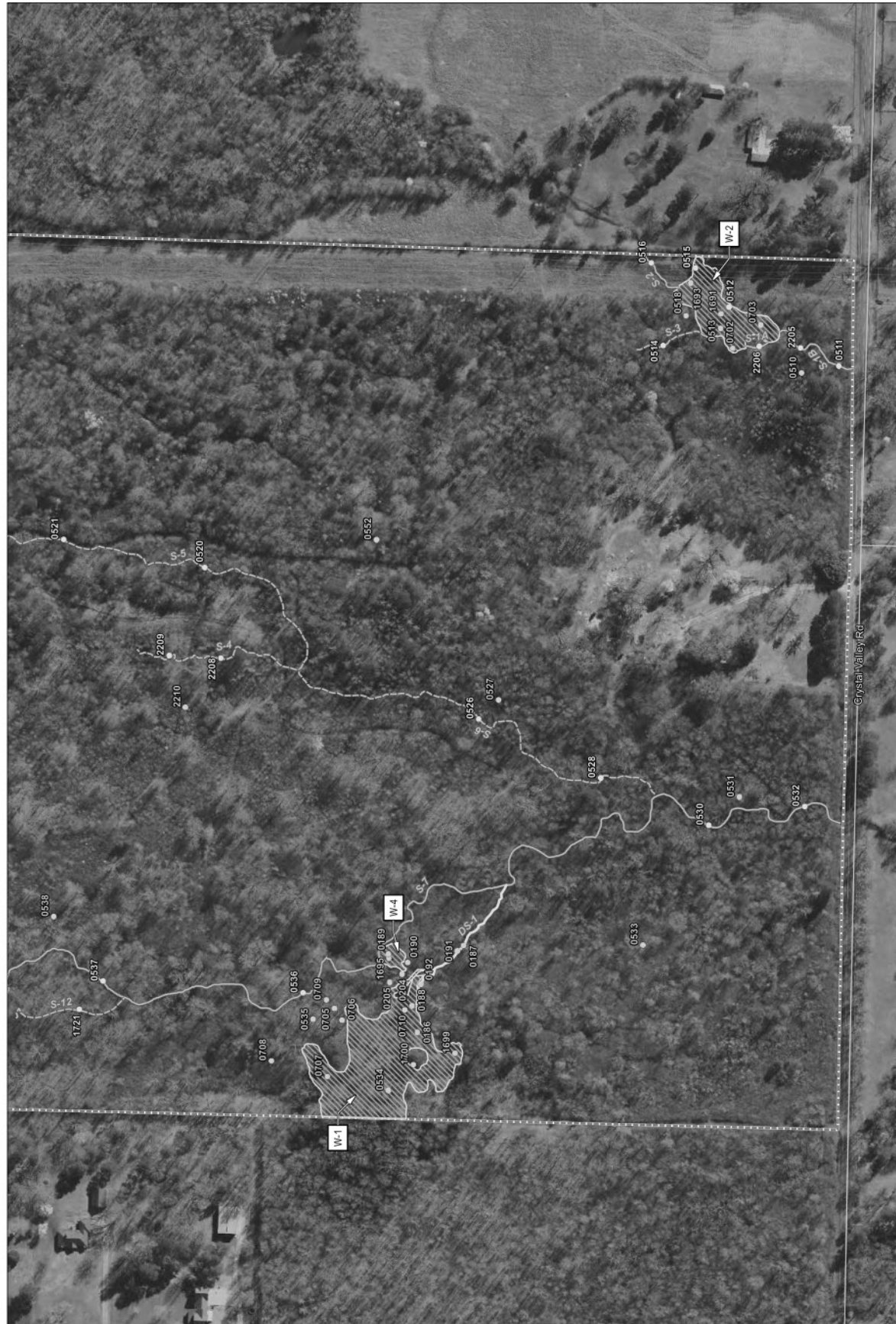
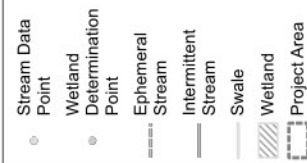
ISSUED BY JLP
CHECKED BY JLP
APPROVED BY GLP
DRAWN BY ALB

NO DATE BY CK APPR
REVISION



Wetlands	
Name	Area (acres)
W-1	1.3
W-2	0.47
W-3	0.06
W-4	0.06

Streams	
Name	Length (feet)
S-1A	54
S-1B	219
S-2	119
S-3	174
S-4	435
S-5	3055
S-6	860
S-7	1770
S-8	597
S-9	2392
S-10	961
S-10B	314
S-11	843
S-12	290
S-1	365



CRYSTAL VALLEY TRAILS
AQUATIC RESOURCES DELINEATION
JOE WHITE AND ASSOCIATES
PULASKI COUNTY, ARKANSAS

JOE WHITE

3801-241-300

DATE

04/04/2024

SCALE

SHOWN

NO DATE

BY

CK

APPR

REVISION

NO DATE

BY

CK

APPR

REVISION

NO DATE

BY

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APPR

REVISION

NO DATE

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