Clean Water Act Section 404: Site Visit/Case Development

United States Environmental Protection Agency

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	April 11, 2024
		Time Out	11:40 AM	End Date	April 11, 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	Washington County Road Department, Jeff Crowder				
Site Address*	E Black Oak Road				
City*	Fayetteville	County*	Washington	State* AR	Zip Code* 72701
Mailing Address*	2615 S Brink Drive				
City*	Fayetteville	County*	Washington	State* AR	Zip Code* 72701
Latitude*	35.96932	Longitude*	-94.06703		
Estimated Size of Site (acres)	9	Is there a home on the site?	☐ Yes	☒ No	
Inspector Signature	CHELSEY SHERWOOD Digitally signed by CHELSEY SHERWOOD Date: 2024.05.23 16:28:23 -05'00'	Date	5/23/2024		
Supervisor Signature	RUBEN ALAYON-GONZALEZ Digitally signed by RUBEN ALAYON-GONZALEZ Date: 2024.05.24 07:36:43 -05'00'	Date			

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Site Name	Washington County Road Department, Jeff Crowder	Start Date	April 11, 2024
		End Date	April 11, 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)

Jeff Crowder (Responsible Party), Phone number: 479-444-1610 Email: jcrowder@washingtoncountyar.gov

Additional Persons Present at Inspection

Kagan Davis, Little Rock Corps District

General Site Characteristics (layout of property, etc.)

This site is located north and south of E Black Oak Road in the Middle Fork of the White River. The corridor is primarily vegetated; however; the riparian corridor was removed and replaced with stream bed material along river left and right for approximately 1,700 linear feet. The surrounding landscape is pasture and forest in a rural area. Refer to map attachments for details.

Purpose and Need for Discharge of Dredged and/or Fill Material

The project was for bridge maintenance, but upstream and downstream where work was done is outside of this scope.

Site Overview (Past inspections, site description, permits, etc.)

Little Rock Corps District completed an inspection on October 17, 2023.

Scope of Inspection (Areas inspected or not inspected)

The areas inspected were the bridge and the stream bed and banks of the river.

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Site Name	Washington County Road Department, Jeff Crowder	Start Date	April 11, 2024
		End Date	April 11, 2024

Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)

~61 degrees F, sunny

Field Work Conducted

We assessed the in-stream work that was conducted in the Middle Fork of the White River and along the stream banks. 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 the Middle Fork of the White River. We observed in-stream work and work along the stream banks below the Ordinary High Water Mark. Approximately, 1,700 linear feet of both right and left banks of the Middle Fork of the White River were graded/filled resulting in an estimated minimum of 50,000 cubic yards of fill. It appeared that heavy equipment was used and driven in the stream bed, the riparian corridor was removed and replaced with fill consisting of stream bed material, the stream bed substrate was removed/graded, and the stream was widened and channelized. The channel was relocated approximately 50-75 feet west of the original location and the banks graded changing the slope. The channel is essentially now a long "run" about 5-12 inches in depth, which essentially replaced the riffle/pool community that previously represented the stream reach. The impacted channel has been heavily silted, resulting in heavily embedded substrate and potentially impacting aquatic life by removing necessary habitat to complete their life histories. 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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		End Date	April 11, 2024

Additional Notes

N/A

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Appendix 1

Photograph Log

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: 35.9698, -94.06726		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6405	04/11/2024, 10:46 AM	Chelsey Sherwood	Showing stream channelization and fill material consisting of stream bed substrate placed on river right and left. Note: riparian corridor removed and replaced with stream bed material. Picture taken facing upstream, south.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 2

Location: 35.96988, -94.06728		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6406	04/11/2024, 10:47 AM	Chelsey Sherwood	Showing stream channelization and fill material consisting of stream bed substrate placed on river right and left. Picture taken facing downstream, north.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: 35.96838, -94.06658		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6407	04/11/2024, 10:53 AM	Chelsey Sherwood	Showing stream channelization and fill material consisting of stream bed substrate placed on river right and left. Picture taken facing downstream, north.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: 35.96838, -94.06658		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6408	04/11/2024, 10:59 AM	Chelsey Sherwood	Showing stream channelization and fill material consisting of stream bed substrate placed on river right and left. Picture taken facing upstream, south.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: 35.96974, -94.06724		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6409	04/11/2024, 11:06 AM	Chelsey Sherwood	Showing wrack lines of debris along stream bank. Picture taken facing upstream, south.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: 35.96974, -94.06724		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6410	04/11/2024, 11:08 AM	Chelsey Sherwood	Showing where stream bed substrate piled around bridge. Note: erosion and sloughing of materials around bridge. Picture taken facing northwest.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: 35.96988, -94.06792		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6411	04/11/2024, 11:12 AM	Chelsey Sherwood	Showing approximately 6 feet in height of fill material consisting of stream bed substrate piled in river. Picture taken facing downstream, northwest.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: 35.96988, -94.06785		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6412	04/11/2024, 11:13 AM	Chelsey Sherwood	Showing stream channelization and fill material consisting of stream bed substrate on river right and left. Picture taken facing downstream, north.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

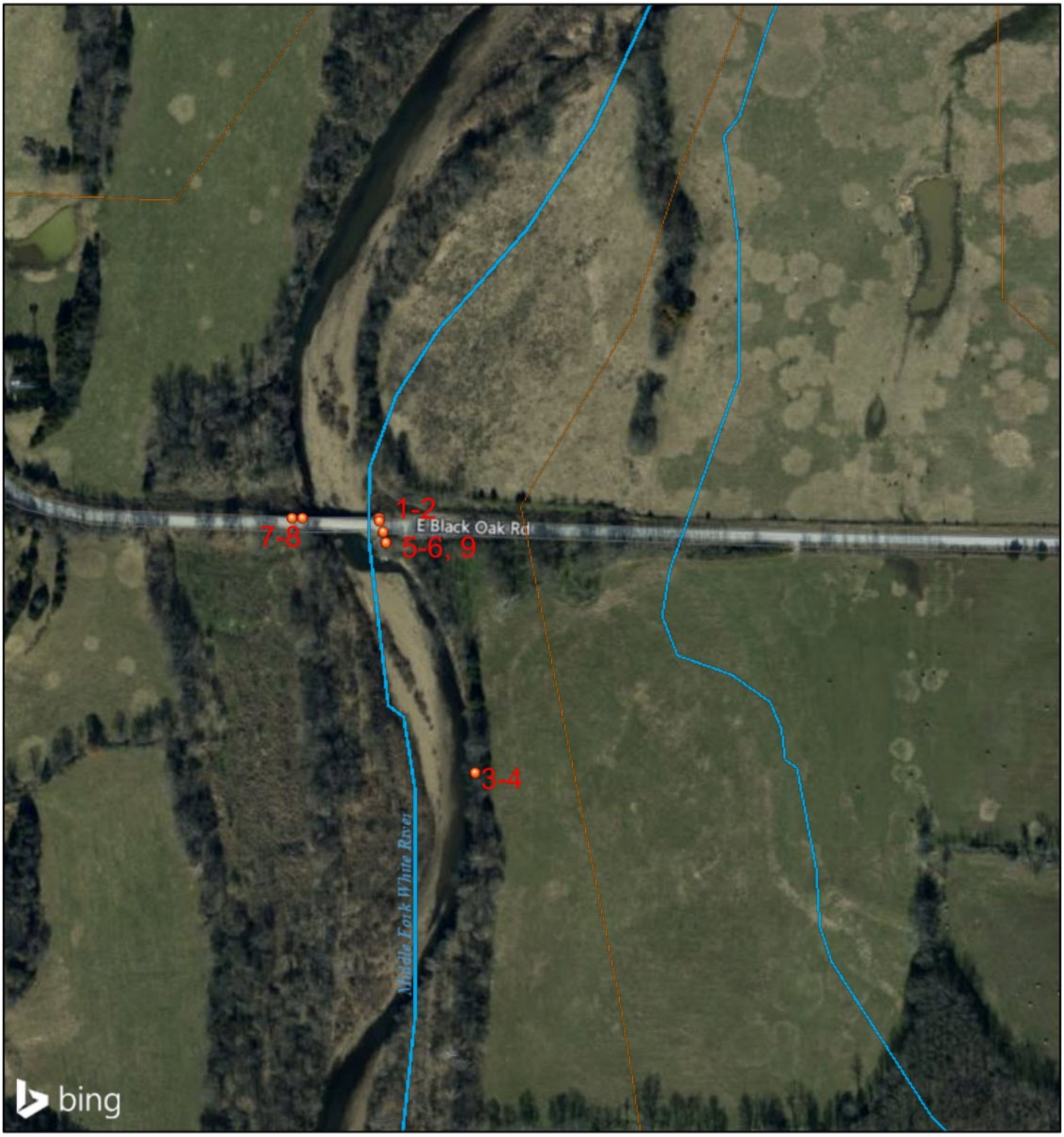
Photograph Log

Photo No. 9

Location: 35.96987, -94.06728		
City: Fayetteville	County/Parish: Washington	State: Arkansas

Photo File Name	Date and Time of Photo	Photographer	Description
DSCN6413	04/11/2024, 11:15 AM	Chelsey Sherwood	Showing stream channelization and fill material consisting of stream bed substrate on river right and left. Picture taken facing downstream, northwest.

Washington County Road Department, Jeff Crowder Photo Locations



5/23/2024, 2:47:24 PM

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

PhotoLocationsMiddleFork

Subwatershed (HUC12)

Catchment

Network Flowline

Stream/River, Intermittent

Stream/River, Perennial

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