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November 4, 2021
jbhastingsjr@yahoo.com

Mr. Jim Hastings
Diamond Development II
1890 Lawson Oaks Drive
Little Rock, AR 72210

RE: Creekside Addition Phase 2 - Section 404 Reconnaissance
Approximate 52-Acre Project Area, Saline County, Arkansas
FTN No. R17450-2781-001

Dear Mr. Hastings:

This letter provides our findings regarding a Section 404 reconnaissance of a project area totaling approximately 52 acres, located immediately north of Creekwater Drive, in Bryant, Saline County, Arkansas (Enclosure 1, Figure 1). FTN Associates, Ltd. (FTN) evaluated the proposed project area during 2017 and made a follow up site visit on November 2, 2021 for the presence of potential Section 404 issues, i.e., wetlands and other waters of the US.

We did not follow methods used in conducting standard wetland delineations according to guidelines in the US Army Corps of Engineers' (USACE) *Corps of Engineers Wetlands Delineation Manual* (1987) or the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region* (*2012*). Formal data sampling stations were not established and field data forms were not completed. Field observations were made with regard to the presence of the three wetland indicators, i.e., hydrophytic vegetation, hydrology, and hydric soils. Our conclusions are based on best professional judgment and prior project experience at numerous sites in central Arkansas.

GENERAL SITE DESCRIPTION

Legal description of the project area is part of the northwest quarter of Section 12, Township 1 South, Range 14 West. The property is mapped on the USGS *The National Map* Topo basemap for quadrangle Alexander, AR (7.5-minute series).

The project area is located in the area of mixed landuse including areas of undeveloped forest, harvested timber, cattle pastures, and residential development. The topography of the project area generally slopes gently toward the east. There are also some depressional areas and small mound features scattered throughout the project area, as well as a hillside along a portion of the western edge of the project area. No aquatic features are mapped within the project area on the USGS *The National* Map Topo basemap for quadrangle Alexander, AR (7.5-minute series) or on the United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI). Enclosure 1 provides maps of the project area. Enclosure 2 provides representative photos of the project area.

Vegetation

The project area underwent a timber harvest in late 2012 and/or early 2013 (based on available historic aerial imagery). The site was not prepared for follow-up tree planting and currently consists primarily of a mid-successional scrub/shrub vegetative community with some trees that were left during the harvest. Many of

the observed vegetative species are opportunistic and commonly seen at formerly disturbed sites. The project area consisted of the following two primary vegetative communities:

1. Upland scrub/shrub community and
2. Wetland scrub/shrub community.

The upland scrub/shrub community was observed primarily in the western portion of the project area. Commonly observed vegetative species in this community included: southern red oak (*Quercus falcata*), white oak (*Quercus alba*), post oak (*Quercus stellata*), water oak (*Quercus nigra*), loblolly pine (*Pinus taeda*), sweetgum (*Liquidambar styraciflua*), Chinese privet (*Ligustrum sinense*), groundseltree (*Baccharis halimifolia*), American sycamore (*Platanus occidentalis*), American beauty-berry (*Callicarpa americana*), broom-sedge (*Andropogon virginicus*), a goldenrod (*Solidago* sp.), common boneset (*Eupatorium perfoliatum*), dogfennel (*Eupatorium capillifolium*), muscadine grape (*Vitis rotundifolia*), and eastern poison ivy (*Toxicodendron radicans*).

The wetland scrub/shrub community was observed primarily in the central, eastern, and southern portions of the project area. Commonly observed vegetative species in this community included: water oak, willow oak (*Quercus phellos*), red maple (*Acer rubrum*), loblolly pine, sweetgum, Chinese privet, groundseltree, American sycamore, black willow (*Salix nigra*), common boneset, cottongrass bulrush (*Scirpus cyperinus*), and lamp rush (*Juncus effusus*).

Hydrology

Hydrology within the wetland portion of the project area included: soil saturation, water marks, drift deposits, water-stained leaves, and drainage patterns.

Soils

The Natural Resources Conservation Service's (NRCS) Web Soil Survey 3.3 (2019), illustrates four soil map units within the project area:

- Amy soils,
- Amy silt loam, frequently flooded,
- Carnasaw-Townley association, undulating, and
- Ouachita silt loam, frequently flooded.

The Amy soils and Amy silt loam, frequently flooded map units are hydric soils with both hydric and non-hydric inclusions. The Carnasaw-Townley *association*, undulating map unit is a non-hydric soil, lacking hydric inclusions. The Ouachita silt loam, frequently flooded map unit is a non-hydric soil with both hydric and non-hydric inclusions.

FINDINGS

Wetlands

FTN observed portions of the project area that appear to meet all three criteria, i.e., hydrophytic vegetation, wetland hydrology, and hydric soils, for classification as technical wetlands. The wetland areas are associated with lower elevations of the project site and are conservatively estimated to be up to 31 acres within the project area (Enclosure 1, Figures 2 and 3). In order to ensure the portions of the project site indicated as non-wetlands are entirely outside potential wetland areas, a conservative approach was used for the purposes of this recon. The wetland extent shown on the attached figures is an estimate that completely encompasses the wetland area and

likely includes some adjoining upland area. A formal Section 404 delineation could be performed to identify the wetland/upland boundary. Based on the conservative approach used for this recon, it is anticipated that a formal Section 404 delineation would decrease the extent of wetland area illustrated on the enclosed figures.

Other Waters of the US

FTN observed an ephemeral drainage associated with an existing culverted road crossing at the southern extent of the project area. No other channels or open water features were observed within the project area.

Federal Emergency Management Agency (FEMA) Issues

Portions of the project area (primarily in the southern and northwest portions of the project area) are mapped within a FEMA floodplain associated with Owen and Fourche Creeks. A FEMA FIRMette is provided in Enclosure 3.

CONCLUSIONS

FTN observed areas of wetlands and one ephemeral drainage within the project area that would likely be considered jurisdictional under Section 404 of the Clean Water Act (CWA). Impacts to these features will likely require a Section 404 permit.

This Section 404 recon used a conservative approach in order to illustrate the areas (see enclosed figures) of the site that are entirely in uplands and not subject to Section 404 regulation. It is FTN's opinion that the areas illustrated as uplands can be impacted without Section 404 permitting.

These findings are offered on the basis of our best professional judgment and prior experience with numerous projects at similar sites in central Arkansas. We offer our comments with regard to onsite features having a potential for USACE regulation under Section 404 of the CWA. However, until a formal delineation of onsite features has been submitted to and approved by the USACE, you must understand that the information included in this letter is unofficial. The USACE allows consultants to prepare information for submittal to the USACE for approval, but only the USACE can make official decisions with regard to Section 404 issues. Please note our scope of work does not include a formal delineation of onsite features and is based on general site observations. If delineation services are needed, please contact our office to discuss scope and schedule.

We thank you for the opportunity to provide information regarding your development project. If you have any questions or need additional information regarding this project, please do not hesitate to call me or Jeremy Rigsby at (501) 225-7779.

Respectfully submitted,
FTN ASSOCIATES, LTD.

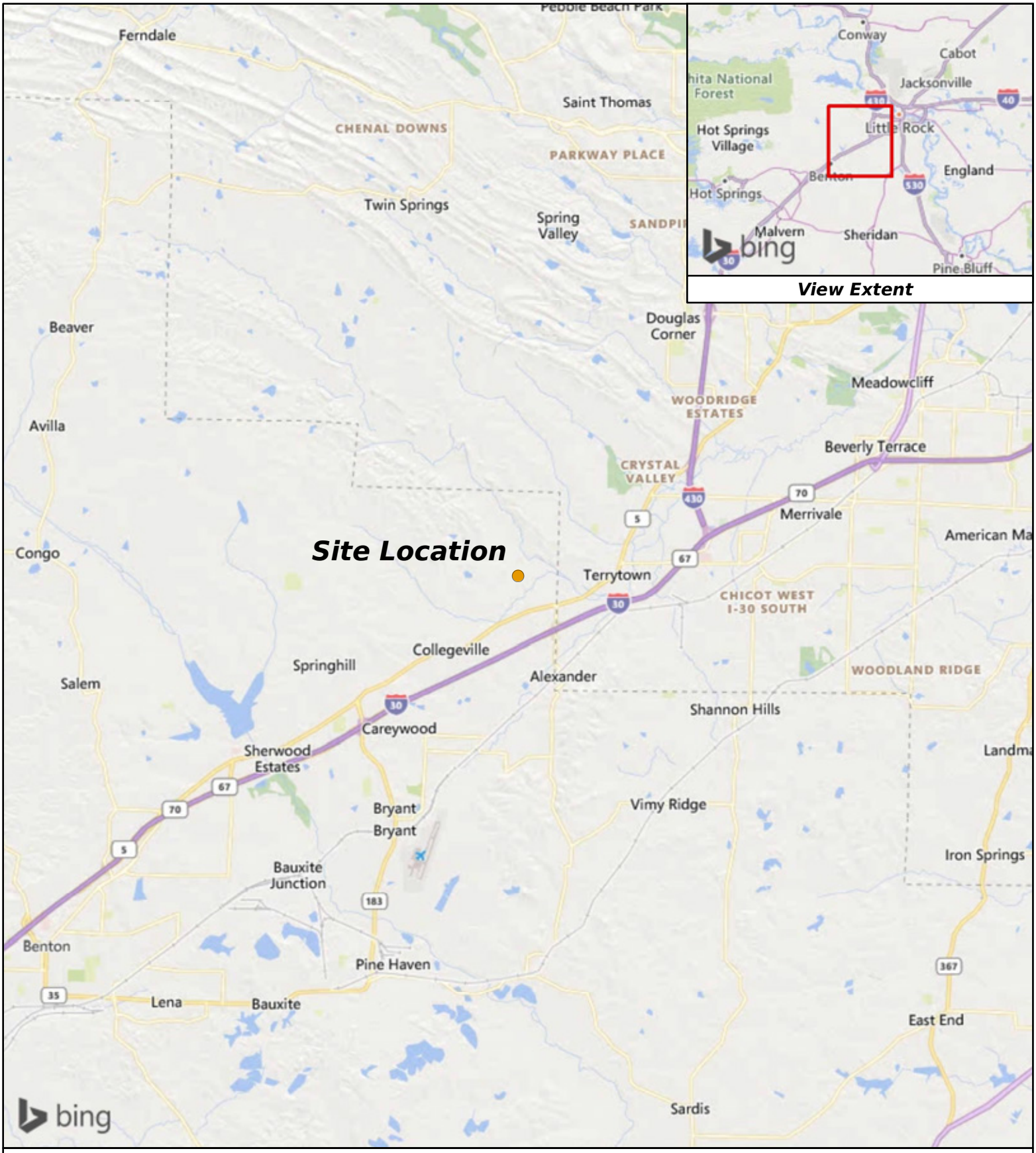
Jimmy Rogers
Environmental Scientist

JJR/tas

Enclosures

ENCLOSURE 1

Figures



Creekside Addition Phase 2

2 Miles

Site Location

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Background: Microsoft Corporation and its data suppliers

Figure 1. Vicinity Map

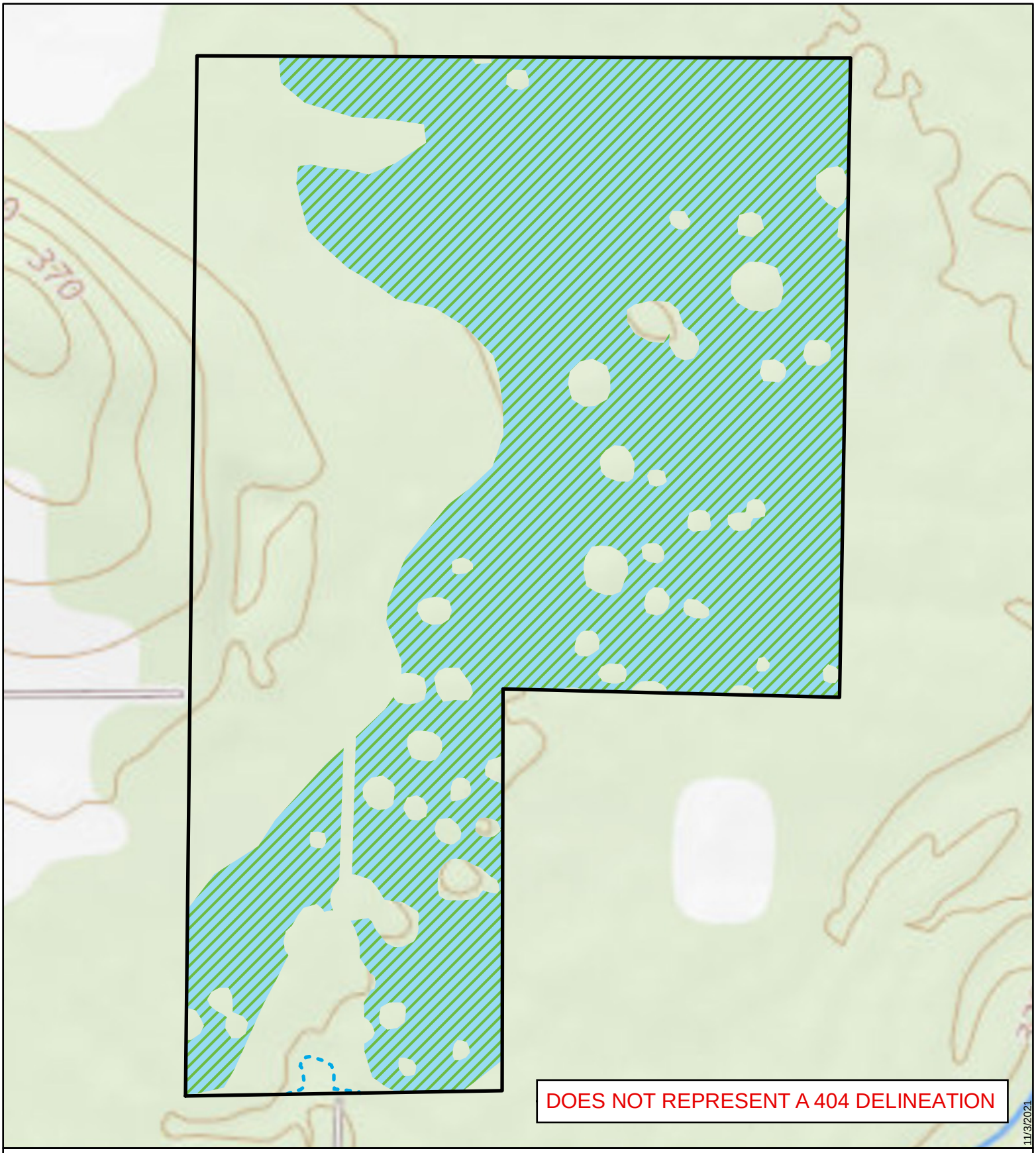


Figure 3. Map showing project area details overlaid on the USGS *The National Map* Topo basemap for quadrangle Alexander, AR (7.5-minute series).

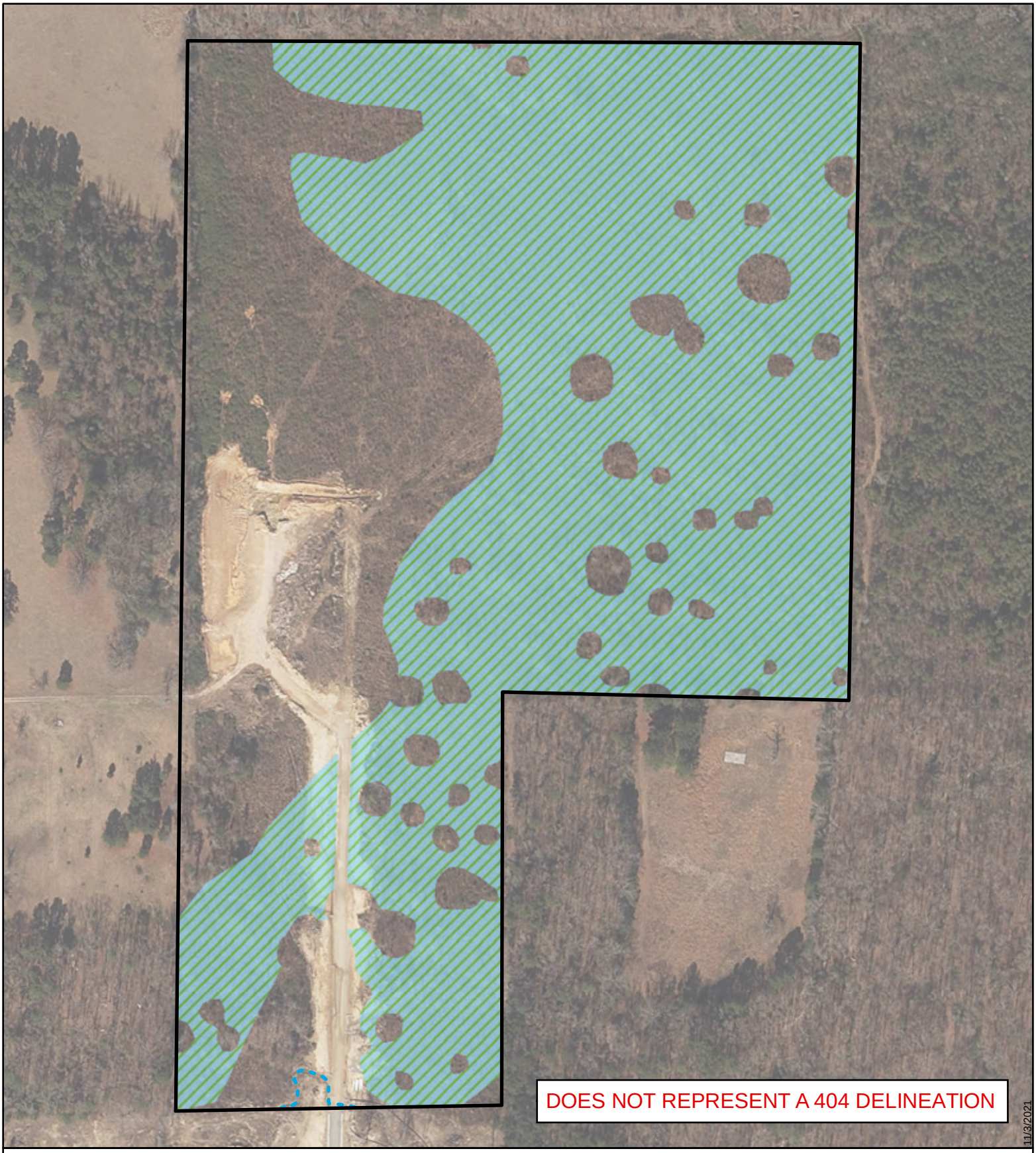


Figure 3. Map showing project area details overlaid on 2017 Arkansas Digital Orthophotography Program imagery.

ENCLOSURE 2

Representative Photos



Photo 1. Wetland area.



Photo 2. Upland area.



Photo 3. UAS overview image of project area; view from south looking north.



Photo 4. UAS overview image of project area; view from north looking south.

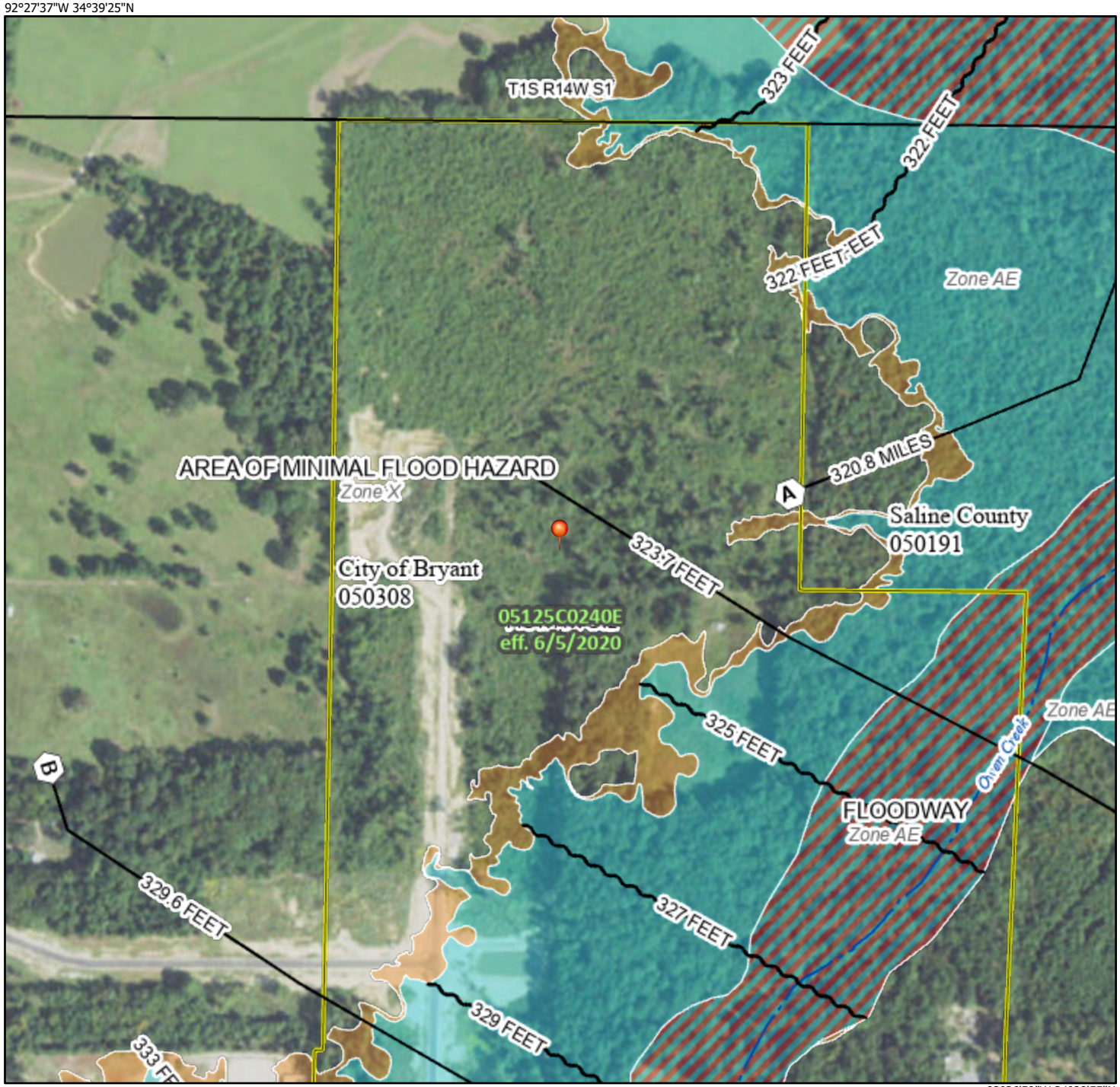
ENCLOSURE 3

FEMA Firmette

National Flood Hazard Layer FIRMette

FEMA

92°27'37"W 34°39'25"N



92°26'59"W 34°38'55"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 11/3/2021 at 11:32 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.