

**ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY  
P. O. BOX 8913, LITTLE ROCK, AR 72219-8913**

**COMPLAINT REPORT**

<b>LOG#:</b>	<b>AFIN#:</b> NA <b>PERMIT#:</b> NA
<b>DATE RECEIVED:</b> 4-9-2007	<b>COUNTY:</b> Washington
<b>COMPLAINANT NAME:</b> Fran Free Audobon Arkansas	<b>COMPLAINT AGAINST:</b> Clint McDonald McDonald Real Property Holdings III, LLC
<b>ADDRESS:</b> 34 E. Center St., Ste. A Fayetteville, AR 72701	<b>ADDRESS:</b> 4134 Eastpoint Fayetteville, AR 72701
<b>PHONE:</b> 479-527-0700 <b>FAX:</b> NA	<b>PHONE:</b> NA <b>FAX:</b> NA

<b>PERSON RECEIVING REPORT:</b> Mary Leath	<b>DATE:</b> 12-18-2006	<b>SUPERVISOR REFERRAL:</b>	<b>DATE:</b>
<b>INSPECTOR REFERRED:</b> Alison West	<b>DATE:</b> 4-9-2007	<b>MEDIA SUPERVISOR REFERRAL:</b>	<b>DATE:</b>
<b>PHONE REFERRAL CONTACT:</b>	<b>DATE:</b>	<b>RECEIVING INSPECTOR:</b> Alison West	<b>DATE:</b> 4-9-2007

**DESCRIPTION (IN DETAIL)**

*Silt fences are absent and/or improperly installed, bare ground has not been seeded or covered properly, and a "non-existent" stream is flowing through the disturbed property.*

**LOCATION (IN DETAIL)**

*Between Dead Horse Mountain Road and Combs Park in Fayetteville.*

**PREVIOUS COMPLAINT?**  YES     NO    **DATES:**

**DISCHARGE TO STREAM?**  YES     NO    **NAME OF STREAM:**

**HOW COMPLAINT WAS RECEIVED:**  PHONE     LETTER     VERBAL     FAX     E-MAIL

## FOLLOW UP ON COMPLAINT

**COMPLAINT #:**

**AFIN #: NA**

**INSPECTOR: John Fazio and Alison West**

**DATE: 4-16-2007**

**ACTION TAKEN:**

**PHOTOS TAKEN: Yes**

*On April 16, 2007, John Fazio, District Field Inspector, and I conducted a site investigation. At that time, we did not observe a storm water pollution prevention plan; construction site posting in a prominent place for public viewing; sedimentation controls were not being maintained and/or installed properly; stabilization measures needed to be implemented; inspections were not being retained on-site.*

*On April 27, 2007, I emailed Dave Jurgens, City of Fayetteville Water and Wastewater Director, in order to figure out the name of this project, responsible official, etc. I received an out of office reply stating that he would be out of the office from April 12-May 2. Dave forwarded my email to Shannon Jones. Mr. Jones replied that the engineer of record is H2 Engineering. So, I responded back asking if this is a city project or a development. Mr. Jones replied back with the following: It is a development comprised of multiple developments. The specific project at the White River is called Southeast Fayetteville Water and Sewer Improvements.*

*Due to lack of information, I contacted Mr. Jones on April 30, 2007.*

*On May 2, 2007, I contacted H2 Engineering. I spoke with Kipp Hearne, P.E., Vice-President. Mr. Hearne stated that this project began around July 2006. He stated that Edwards Construction was the General Contractor at that time. They had submitted the paperwork to ADEQ for review. However, the contractor refused to sign the SWPPP. Edwards Construction has pulled off the job. According to Mr. Hearne, there is about 3 miles of pipe being laid for sewer and water. Mr. Hearne states that the City of Fayetteville owns the west side of the project and there are multiple developers on the east side of the project. Mr. Hearne wants me to send the letter to the engineering firm and attn: Southeast Fayetteville Water and Sewer Improvements Owners.*

*I spoke with Jennifer Harmon, Storm Water Engineer, regarding this site on May 2, 2007. She states that they do not have a storm water permit. According to Ms. Harmon, a group of 4-5 developers were trying to be the responsible official. Attached is a letter that was sent in December 22, 2006, to Mike Lamberth and cc: John Nock and Bill Meadows.*

*On May 3, 2007, Shannon Jones contacted me. He stated that he would contact H2 Engineering to receive the name of the developers. Later that afternoon, I received an email with the following developers company name: Falling Waters, LLC; Meadows Enterprises, Inc; Nock-Broyles Land Development, LLC; and McDonald Real Property Holdings III, LLC.*

**FURTHER ACTION TAKEN/TO BE TAKEN:**

*This has been referred to the Permits and Enforcement Branch for review.*

**INSPECTOR SIGNATURE:** *Gary Allison West*

**DATE:** 5-3-07

**HOURS WORKED:**



ARKANSAS  
Department of Environmental Quality

December 22, 2006

Mr. Mike Lamberth  
Crescent Lake, LLC  
P. O. Box 4034  
Fayetteville, AR 72702

RE: Return of Notice of Intent and Storm Water Pollution Prevention Plan (**ARR150000**)

Dear Mr. Lamberth:

The Department is in receipt of your Notice of Intent (NOI) and Stormwater Pollution Prevention Plan (SWPPP) for Southeast Regional Water & Sewer. However, at this time we are unable to issue a Stormwater Permit for this project due to lack of an individual company or person for the permit and an incomplete SWPPP.

Therefore, we are returning your NOI and SWPPP. If a storm water permit is still needed, please submit a new complete NOI, SWPPP and permit fee.

Enclosed is a checklist identifying the deficiencies in the SWPPP. If there are any questions about the deficiencies please contact our department for clarification. Once the deficiencies have been updated, please resubmit your information for a storm water permit for Southeast Regional Water & Sewer.

If you have any questions concerning this matter, please feel free to contact me at (501) 682-0627, or E-mail me at [harmonj@adeq.state.ar.us](mailto:harmonj@adeq.state.ar.us).

Respectfully submitted,

Jennifer Harmon, E.I.  
Engineer I  
Storm Water Runoff Permits  
NPDES Branch

Cc: Public Records (**ARR150000**)  
John Nock, Nock-Broyles Land Development  
Bill Meadows, Meadows Enterprises, Inc