



THE DEPARTMENT OF ARKANSAS
HERITAGE

Mike Beebe
Governor

Martha Miller
Director

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum



**Arkansas Historic
Preservation Program**



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*Copies to RB
Drown
Benenati*

April 11, 2013

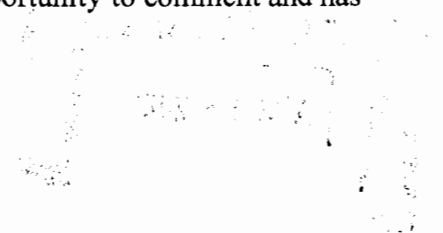
Ms. Linda Newkirk
State Executive Director
Farm Service Agency
U.S. Department of Agriculture
Farm Service Agency
Federal Building, Room 3416
700 West Capitol Avenue
Little Rock, Arkansas 72201

RE: Newton County – General
Section 106 Review – FSA
Proposed C&H Hog Farms, Inc. Project
in Newton County, Arkansas
AHPP Tracking Number 82772

Dear Ms. Newkirk:

My staff has reviewed the Environmental Assessment (EA) and supporting documentation on the referenced undertaking and offers the following comments and recommendations for your consideration.

1. We stand by our July 17, 2012 review of this project. Specifically, we stated that “No known historic properties will be affected by this undertaking. This effect determination could change should new information come to light.” This latter sentence is in regards to post-review discoveries of any unknown archeological sites that might be encountered during construction. The FSA should investigate any such discoveries as per 36 CFR Part 800.13.
2. The comments made by the Deputy State Historic Preservation Officer (DSHPO) were made as per our consulting party status as set forth in 36 CFR Part 800, the implementing regulations of Section 106 of the National Historic Preservation Act of 1966, as amended. It is important to note that our role in the Section 106 review process is that we are only afforded the opportunity to comment on the undertaking.
3. We disagree with the comment regarding cultural resources in Section 3.3.2 of the Environmental Assessment. That is, “SHPO has issued a blanket clearance letter for existing operations.” As previously stated, the SHPO is only afforded the opportunity to comment and has no authority to clear projects.



4. Our July 17, 2012 review comment to Farm Credit of Western Arkansas is only for this specific project. It does not apply to other hog farm operations in other parts of the state. Therefore, each FSA undertaking should be submitted to this office for review. This is unclear in the Environmental Assessment.
5. We also wish to point out that under 36 CFR Part 800 the federal agency official must consult with federally recognized Indian tribes and other consulting parties that may be affected by the undertaking. If you need assistance in identifying these parties, we would be happy to assist you.

Thank you for the opportunity to review the Environmental Assessment and clarify our position. Please be aware that these comments apply only to the review conducted by the Arkansas Historic Preservation Program for cultural resources. A project review for significant natural resources was not conducted by the Arkansas Natural Heritage Commission, which is another agency of the Department of Arkansas Heritage. The Arkansas Natural Heritage Commission does not review projects under Section 106 of the National Historic Preservation Act.

If you have any questions, please contact George McCluskey of my staff at (501) 324-9880.

Sincerely,



Martha Miller
State Historic Preservation Officer

cc: Dr. Richard Allen, Cherokee Nation of Oklahoma
Ms. Lisa Larue Baker, United Keetoowah Band of Cherokee Indians
Dr. Andrea Hunter, Osage Nation
Mr. Kevin Cherri, Buffalo National River
Mr. Chris Colcasure, Arkansas Natural Heritage Commission
Ms. Theresa Marks, Arkansas Department of Environmental Quality
Dr. Ann Early, Arkansas Archeological Survey

From: [Hogan, Stephen](#)
To: [Deardoff, Amy](#)
Subject: FW: C&H Hog Farm
Date: Wednesday, April 17, 2013 9:54:05 AM
Attachments: [C and H Hog Farm - comments by Dept of Heritage.pdf](#)

Amy,

Please add this to zylab and the web. ARG590001.

Thanks,

Stephen

From: Shafii, Mo
Sent: Tuesday, April 16, 2013 10:57 AM
To: Hogan, Stephen
Subject: FW: C&H Hog Farm

[Please save on web](#)

From: Drown, Steve
Sent: Tuesday, April 16, 2013 10:40 AM
To: Shafii, Mo; Bailey, John
Subject: FW: C&H Hog Farm

FYI

From: Goff, Pat (Director Off)
Sent: Tuesday, April 16, 2013 10:38 AM
To: Benefield, Ryan; Drown, Steve; Benenati, Katherine
Subject: C&H Hog Farm