



THE DEPARTMENT OF ARKANSAS
HERITAGE

May 22, 2013

Mike Beebe
Governor

Martha Miller
Director

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

Arkansas Arts Council

Arkansas Natural Heritage
Commission

Delta Cultural Center

Historic Arkansas Museum

Mosaic Templars
Cultural Center

Old State House Museum

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

Dear Ms. Newkirk:

Thank you for the additional information provided with your May 16, 2013 letter regarding the C&H Hog Farms, Inc. project in Newton County, Arkansas. We have reviewed the materials submitted and offer the following comments and recommendations for your consideration.

1. The area of potential effects (APE) on this undertaking should be the 630.7 acres of land which includes the construction area and the areas for the disposal of hog waste. The reason is that the disposal areas could have an adverse effect on National Register eligible properties (i.e., historic properties). As you know in our July 17, 2012 review, we only examined the 23 acre project area as submitted by Farm Credit of Western Arkansas.
2. We have researched the project vicinity and have determined that three archeological sites and two standing structures are located in or adjacent to the larger APE. These include the Sexton Cemetery, archeological sites 3NW231 and 3NW232 (prehistoric Native American sites), a 19th century Arkansas vernacular structure, and an early 20th century Craftsman style home. In evaluating these properties, we have determined that the Sexton Cemetery and the 19th century structure are eligible for inclusion in the National Register of Historic Places (NRHP), the two Native American sites are potentially eligible (archeological testing would be necessary to make a determination), and the Craftsman style home is ineligible.



Arkansas Historic
Preservation Program



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3. No known historic properties are located in the 23 acre construction area that we reviewed in 2012. However, since we don't know the exact boundaries of the hog waste disposal areas, some of the sites and structures described may be in the APE. The 19th century structure is located in Field 5, the Craftsman house is located in Field 7, the Sexton Cemetery is located west but close to the hog farm construction area, and archeological sites 3NW231 and 3NW232 are located to the east of Big Creek. However, the Native American sites appear to be outside of the APE and will not be impacted.
4. Our recommendations are that the 19th century Arkansas vernacular structure not be removed or demolished, and that the Sexton Cemetery and Native American sites be avoided and protected. We are particularly concerned about the Sexton Cemetery due to its close proximity to the hog farm construction area. The disposal of hog waste on this historic property would be an adverse effect. It would also be considered desecration and a violation of the Arkansas burial law (Act 753 of 1991, as amended). No protection is needed for the Craftsman style home which is ineligible for the NRHP. If the FSA agrees with these avoidance and protective measures, we can concur that this undertaking will have no adverse effect on historic properties.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please contact George McCluskey of my staff at (501) 324-9880.

Sincerely,



Martha Miller
State Historic Preservation Officer

cc: Mr. Anthony G. Lopez, Advisory Council on Historic Preservation
Mr. Bennett Hortner, Farm Service Agency
Mr. Dan Benton, Farm Credit of Western Arkansas
Dr. Richard Allen, Cherokee Nation of Oklahoma
Ms. 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
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