



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 1965-00196-10

Date: July 22, 2015

Comments Due: August 17, 2015

TO WHOM IT MAY CONCERN: **Comments are invited on the work described below. Please see the Public Involvement section for details on submitting comments.**

Point of Contact. If additional information is desired, please contact the project manager, Christopher G. Davies, telephone number: (501) 340-1373, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: Christopher.G.Davies@usace.army.mil.

Project Information. Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403) and Section 404 of the Clean Water Act (33 U.S. Code 1344), notice is hereby given that

**Mr. Clay McGeorge
Jeffrey Sand Company
PO Box 9054
North Little Rock, Arkansas 72119**

has requested a time extension of their existing permit for commercial dredging. The operation is located within the navigation channel of the Arkansas River, between Navigation Miles (NM) 135.8 and 138.9 and between NM 139.4 and 149.5, in Pool 7, in Pulaski, Faulkner, and Perry Counties, Arkansas. Dredging is permitted both in and out of the navigation channel from NM 135.8 to NM 138.9, NM 139.4 to NM 140.7, and NM 143.8 to NM 147.6. Dredging is permitted in the navigation channel only from NM 140.7 to NM 143.8 and NM 147.6 to NM 149.5.

The material will be placed ashore for storage and further processing at the facility on the left descending bank of the Arkansas River at NM 117.3 or at the facility on the left descending bank at NM 157.8.

The basic purpose of the project is to provide sand and gravel for commercial use. The overall purpose of the project is to perform dredging of the McClellan-Kerr Arkansas River Navigation System within and outside the navigation channel. The project is water dependent.

The majority of the material would be placed on barges and towed to shore for unloading and subsequent sale for commercial use. Some of the dredged material may be pumped ashore for processing, sale, and commercial use. Presently, Jeffrey Sand Company is authorized for dredging with a suction classifier dredge, cable cranes, and hydraulic excavators.

Dredging operations have been permitted in these reaches since 1972, with segments having been permitted since 1965. Approval of the current request would extend the dredging period for the previously permitted site for five years. The Little Rock Regulatory Division does not

typically require mitigation for Standard Permits specific to Section 10 activities, such as dredging. Due to this established standard operating procedure and the minor impacts of the project, no mitigation will be required if the project is permitted.

The location and general plan for the proposed work are shown on the enclosed sheets.

Water Quality Certification. By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality (ADEQ) in accordance with Section 401(a)(1) of the Clean Water Act. Upon completion of the comment period and a public hearing, if held, a determination relative to water quality certification will be made. Evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit.

Cultural Resources. A Corps staff archeologist will review topographic maps, the National Register of Historic Places, and other data on reported sites in the area. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area.

Endangered Species. Our preliminary determination is that the proposed activity will not affect listed Endangered Species or their critical habitat. A copy of this notice is being furnished to the U.S. Fish and Wildlife Service and appropriate state agencies and constitutes a request to those agencies for information on whether any listed or proposed-to-be-listed endangered or threatened species may be present in the area which would be affected by the proposed activity. An active Interior Least Tern colony has been identified at NM 146.6-146.7, and the permit will be conditioned to prohibit activities within 300 meters of this location.

Floodplain. We are providing copies of this notice to appropriate floodplain officials in accordance with 44 CFR Part 60 (Floodplain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Floodplain Management.

Section 404(b)(1) Guidelines. The evaluation of activities to be authorized under this permit, which involves the discharge of dredged, or fill material will include application of guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act. These guidelines are contained in 40 Code of Federal Regulations (CFR) 230.

Public Involvement. Any interested party is invited to submit to the above-listed POC written comments or objections relative to the proposed work on or before **August 17, 2015**. Substantive comments, both favorable and unfavorable, will be accepted and made a part of the record and will receive full consideration in determining whether this work would be in the public interest. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the

proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

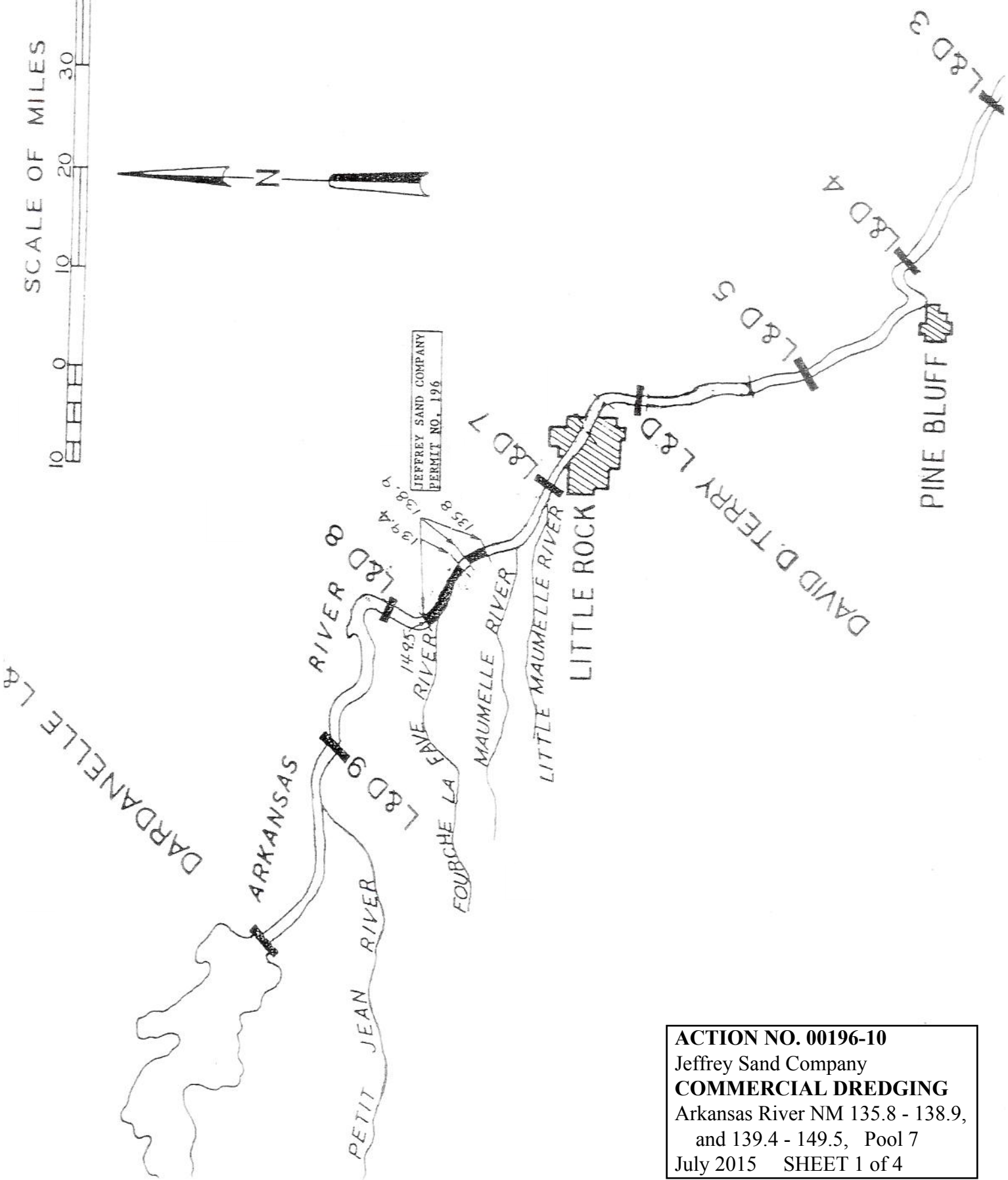
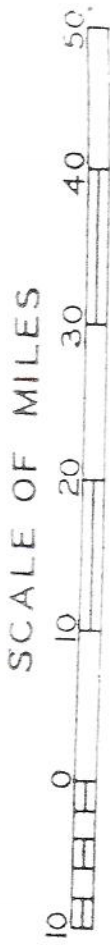
Any person may request in writing within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please advise us so that your name can be removed from the mailing list.

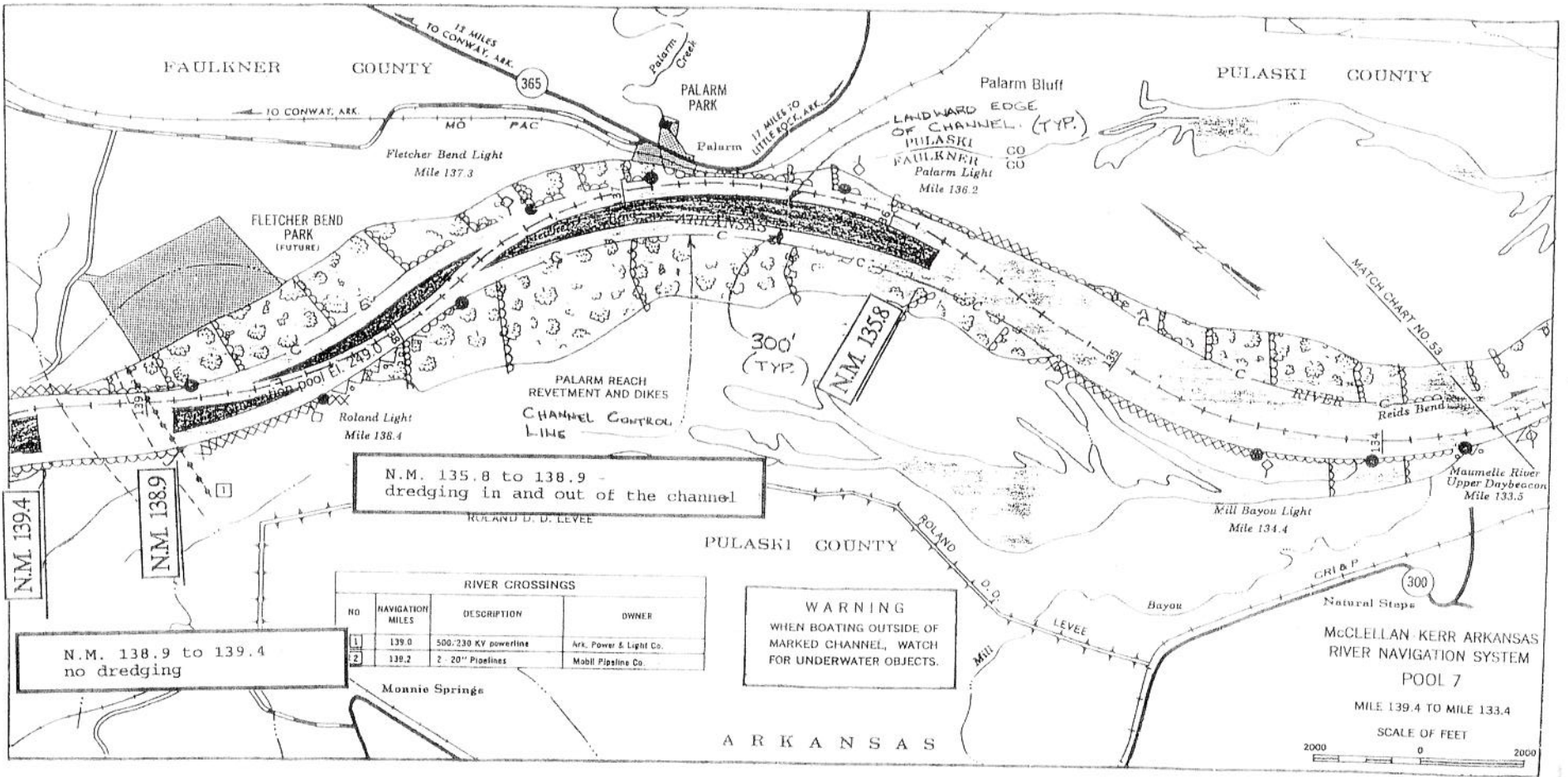
Enclosures

Approximate Coordinates of Project Center

NM 137.35:	Latitude: 34-53-30.9120	Longitude: 92-27-10.0800
UTM Zone: 15	North: 3862665.75	East: 550164.08
NM 144.45:	Latitude: 34-57-22.1400	Longitude: 92-32-52.2960
UTM Zone: 15	North: 3868079.00	East: 541281.560

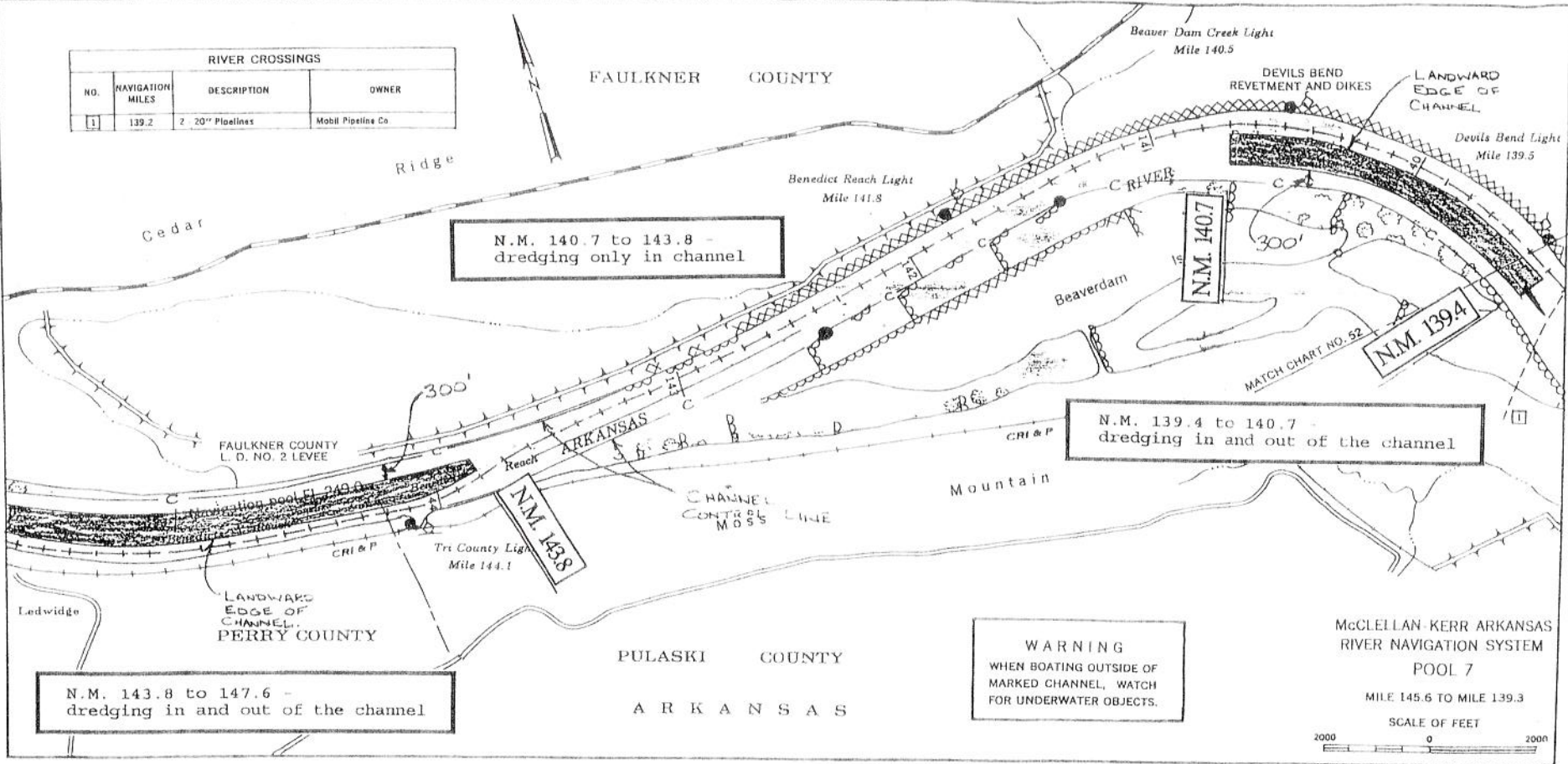


ACTION NO. 00196-10
 Jeffrey Sand Company
COMMERCIAL DREDGING
 Arkansas River NM 135.8 - 138.9,
 and 139.4 - 149.5, Pool 7
 July 2015 SHEET 1 of 4

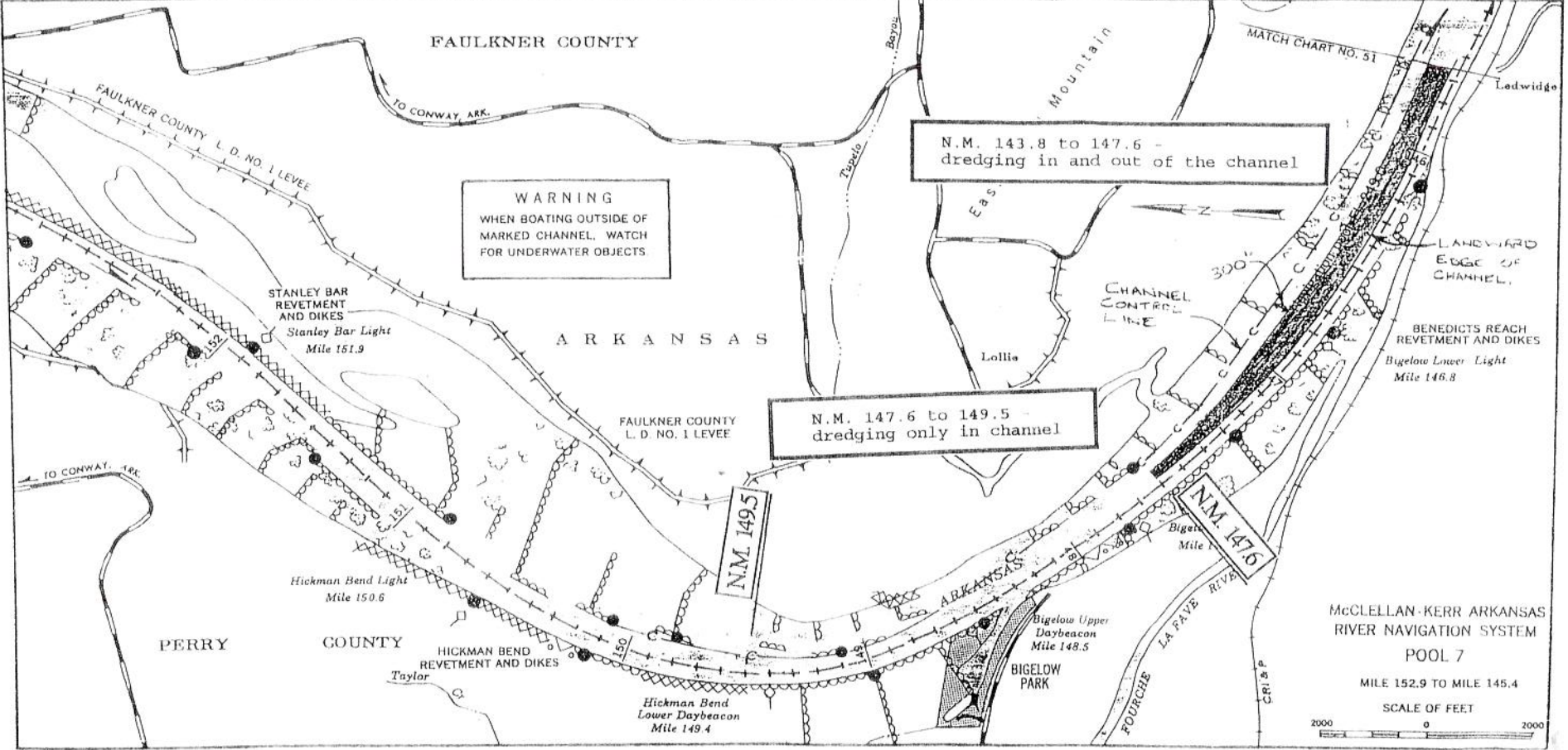


ACTION NO. 00196-10
Jeffrey Sand Company
COMMERCIAL DREDGING
 Arkansas River NM 135.8 - 138.9,
 and 139.4 - 149.5, Pool 7
 July 2015 SHEET 2 of 4

RIVER CROSSINGS			
NO.	NAVIGATION MILES	DESCRIPTION	OWNER
1	139.2	2 20" Pipelines	Mobil Pipeline Co



ACTION NO. 00196-10
 Jeffrey Sand Company
COMMERCIAL DREDGING
 Arkansas River NM 135.8 - 138.9,
 and 139.4 - 149.5, Pool 7
 July 2015 SHEET 3 of 4



ACTION NO. 00196-10
 Jeffrey Sand Company
COMMERCIAL DREDGING
 Arkansas River NM 135.8 - 138.9,
 and 139.4 - 149.5, Pool 7
 July 2015 SHEET 4 of 4