

APPLICATION NO. **1972-00369-12**

JOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATE OF ARKANSAS
(25-Day Comment Period)
(Comment Expiration Date – April 30, 2012)

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, Sarah Chitwood, telephone number: (501) 324-5295, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: sarah.l.chitwood@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

**Gavilon Group, LLC
Mr. Tom Lechtenberg
11 ConAgra Drive
Omaha, Nebraska 68102**

has requested authorization to install eight 48-inch-diameter dolphins, six 72-inch-diameter dolphins, a 60-foot by 60-foot sheet pile dock, unloading conveyor, a four-legged tower for a load-out conveyor, truss mechanism, loading spouts, and winching machinery. The project proposal includes the placement of dredged and fill material in waters of the United States associated with backfill material for the sheet pile dock and riprap associated with the base of the structures. The proposed project is located on the right descending bank of the Arkansas River, Navigation Mile 73.5, in Jefferson County, Arkansas.

The overall purpose of the project is to load and unload grain and fertilizer products. The basic project purpose is to provide a loading and unloading facility on the Arkansas River. The project is water dependent.

The Little Rock District Regulatory Division does not typically require mitigation for Standard Permits specific to activities associated with the Corps Section 10 authority, such as dredging and installation of structures. Due to this established standard operating procedure and minor

CESWL-RD

impacts of the project, no mitigation will be required if the project is authorized.

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. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit 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.

Flood Plain. We are providing copies of this notice to appropriate flood plain officials in accordance with 44 CFR Part 60 (Flood Plain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Flood Plain 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 **April 30, 2012**. 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.

CESWL-RD

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, flood plain 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.

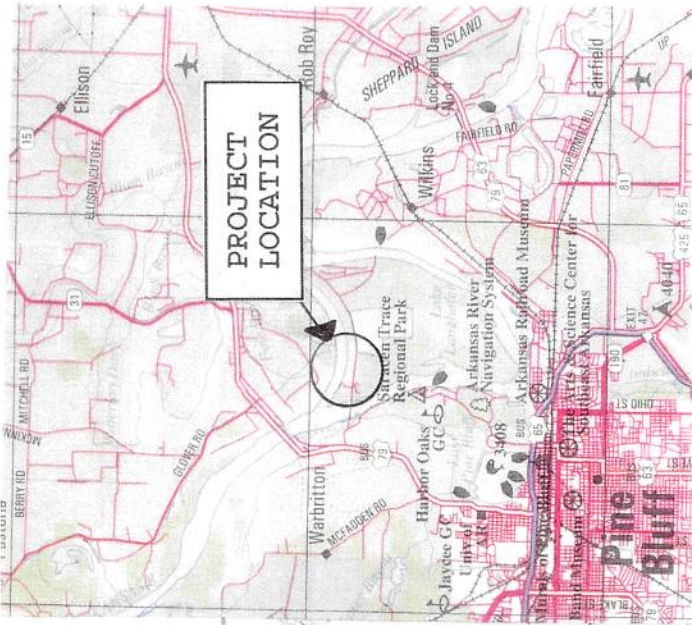
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

Enclosures

Approximate Coordinates of Project Center

Latitude: **34.275** Longitude: **-91.982**

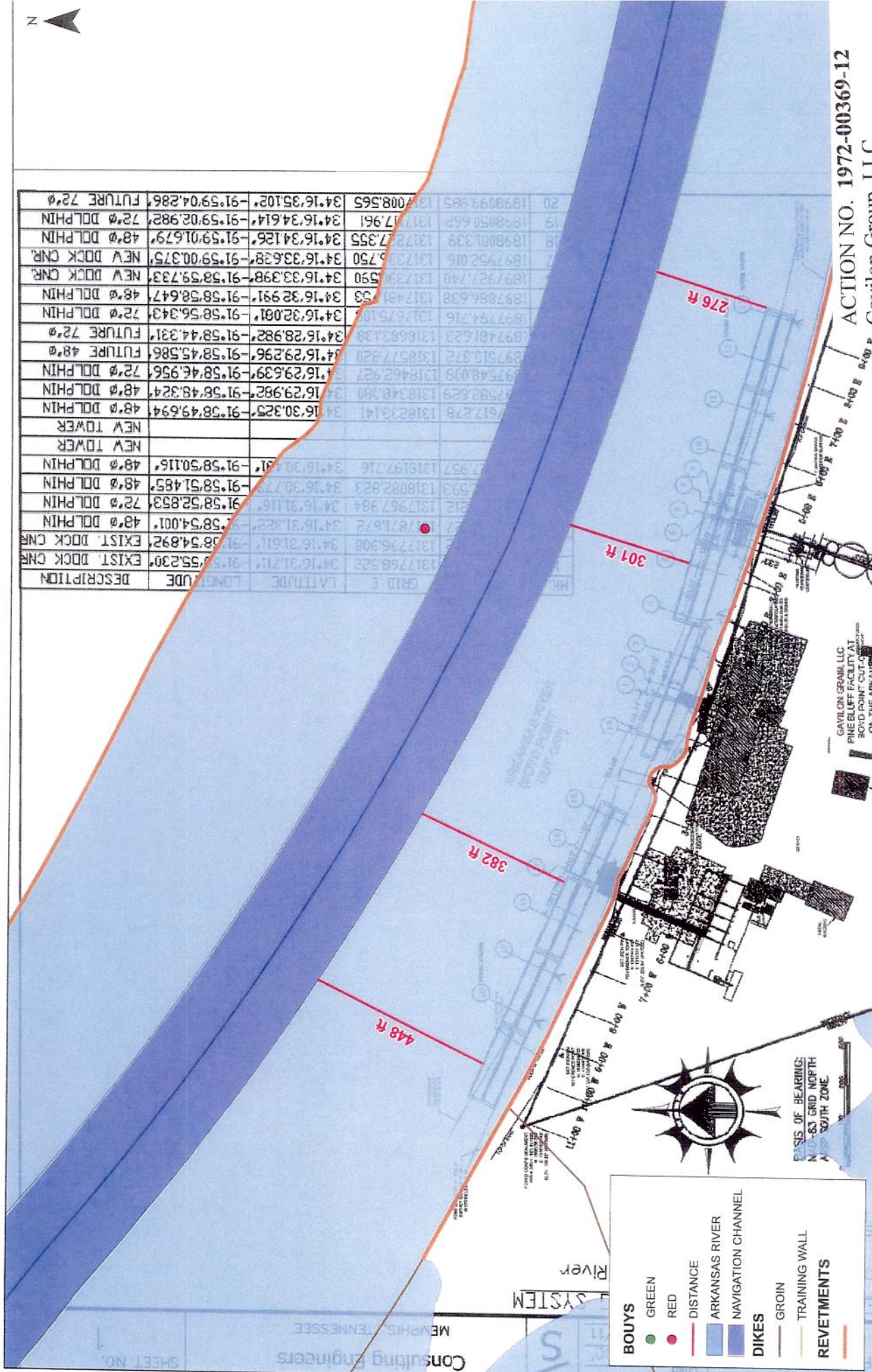
UTM Zone: **15** North: **3793157** East: **593737**



Source: United States Geological Survey map downloaded from Microsoft® Research Maps website (<http://msrmaps.com/default.aspx>)
September 1, 2010

Drawing Name: Site Location Diagram		Drawn By: Brian Wanzanried	
Drawing Identification: Site Location Diagram 1		Revision Date: 9/1/2010	
			

ACTION NO. 1972-00369-12
Gavilon Group, LLC
LOADING/UNLOADING FACILITY
Arkansas River, NM 73.5, RB
March 2012 **Sheet 1 of 8**



DESCRIPTION	LONGITUDE	LATITUDE
EXIST. DCK CNR	91°58'55.230"	34°16'31.711"
EXIST. DCK CNR	91°58'54.001"	34°16'31.811"
48' DOLPHIN	91°58'52.853"	34°16'31.116"
72' DOLPHIN	91°58'51.485"	34°16'30.777"
48' DOLPHIN	91°58'50.116"	34°16'30.491"
NEW TOWER		
NEW TOWER		
48' DOLPHIN	91°58'49.694"	34°16'30.325"
48' DOLPHIN	91°58'48.324"	34°16'29.982"
48' DOLPHIN	91°58'46.956"	34°16'29.639"
72' DOLPHIN	91°58'45.586"	34°16'29.296"
FUTURE 48'	91°58'44.331"	34°16'28.982"
72' DOLPHIN	91°58'56.343"	34°16'32.001"
48' DOLPHIN	91°58'58.647"	34°16'32.991"
NEW DCK CNR	91°58'59.733"	34°16'33.398"
NEW DCK CNR	91°59'00.375"	34°16'33.638"
48' DOLPHIN	91°59'01.679"	34°16'34.126"
72' DOLPHIN	91°59'02.982"	34°16'34.614"
FUTURE 72'	91°59'04.286"	34°16'35.102"

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 LOADING/UNLOADING FACILITY
 Arkansas River, NM 73.5, RB
 March 2012

BOUYS

- GREEN
- RED

DISTANCE

- 301 ft
- 382 ft
- 448 ft
- 276 ft

ARKANSAS RIVER

NAVIGATION CHANNEL

DIKES

- GROIN
- TRAINING WALL
- REVETMENTS

POINTS OF BEARING:
 N 10° 33' 00" E
 S 10° 33' 00" W

GAVILON GRAIN LLC PINE BLUFF, ARKANSAS		Drwn TL	Chkd 1"=300'	Date 10/31/11	S/B	BROUGH and STEPHENS, INC. Consulting Engineers MEMPHIS, TENNESSEE	FILE 11-038 SHEET NO. 1
PROPOSED BARGE L/O-RECEIVING SYSTEM							

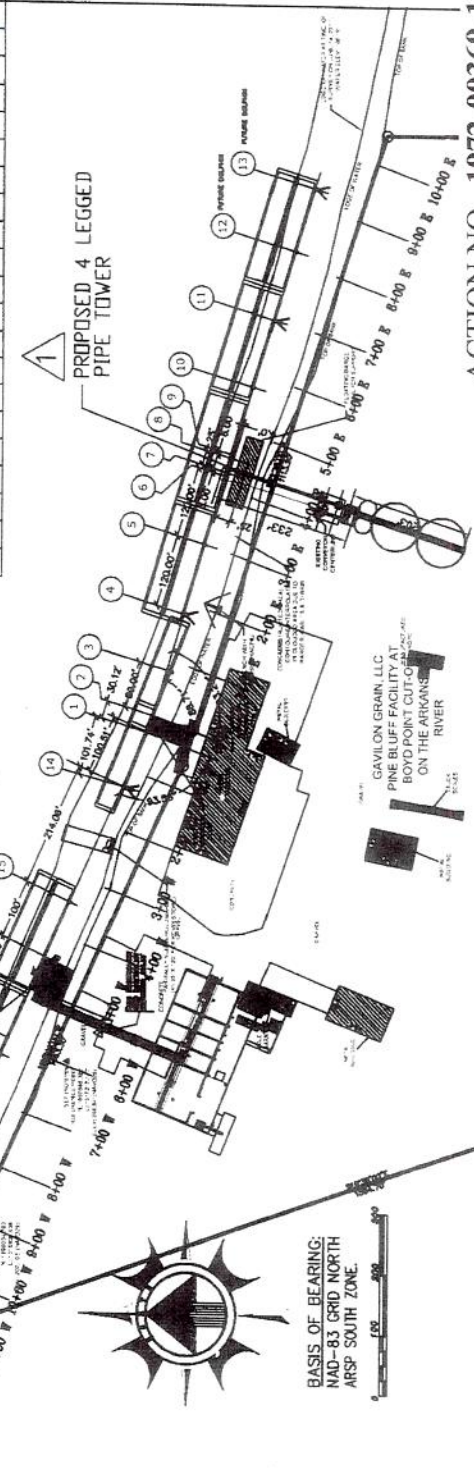
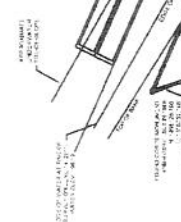
Boyds Point Cut-off @ Arkansas River
City of Pine Bluff
Jefferson County, Arkansas

MK.	GRID N	GRID E	LATITUDE	LONGITUDE	DESCRIPTION
1	1897757.341	1317768.522	34°16'31.711"	-91°58'55.230"	EXIST. DOCK CNR
2	1897747.192	1317796.908	34°16'31.611"	-91°58'54.892"	EXIST. DOCK CNR
3	1897718.027	1317871.672	34°16'31.116"	-91°58'52.853"	48" DOLPHIN
4	1897697.212	1317967.984	34°16'31.116"	-91°58'52.853"	72" DOLPHIN
5	1897662.593	1318082.823	34°16'30.773"	-91°58'51.485"	48" DOLPHIN
6	1897627.957	1318197.716	34°16'30.431"	-91°58'50.116"	48" DOLPHIN
7					NEW TOWER
8					NEW TOWER
9	1897617.278	1318233.141	34°16'30.325"	-91°58'49.694"	48" DOLPHIN
10	1897582.629	1318348.080	34°16'29.982"	-91°58'48.324"	48" DOLPHIN
11	1897548.008	1318462.927	34°16'29.639"	-91°58'46.956"	72" DOLPHIN
12	1897513.372	1318577.820	34°16'29.296"	-91°58'45.586"	72" DOLPHIN
13	1897481.623	1318683.138	34°16'28.982"	-91°58'44.331"	FUTURE 72"
14	1897794.716	1317675.108	34°16'32.081"	-91°58'56.343"	72" DOLPHIN
15	1897886.638	1317481.753	34°16'32.991"	-91°58'58.647"	48" DOLPHIN
16	1897927.740	1317390.590	34°16'33.398"	-91°58'59.733"	NEW DOCK CNR
17	1897952.016	1317336.750	34°16'33.638"	-91°59'00.375"	NEW DOCK CNR
18	1898001.339	1317227.355	34°16'34.126"	-91°59'01.679"	48" DOLPHIN
19	1898050.662	1317117.961	34°16'34.614"	-91°59'02.982"	72" DOLPHIN
20	1898099.985	1317008.565	34°16'35.102"	-91°59'04.286"	FUTURE 72"



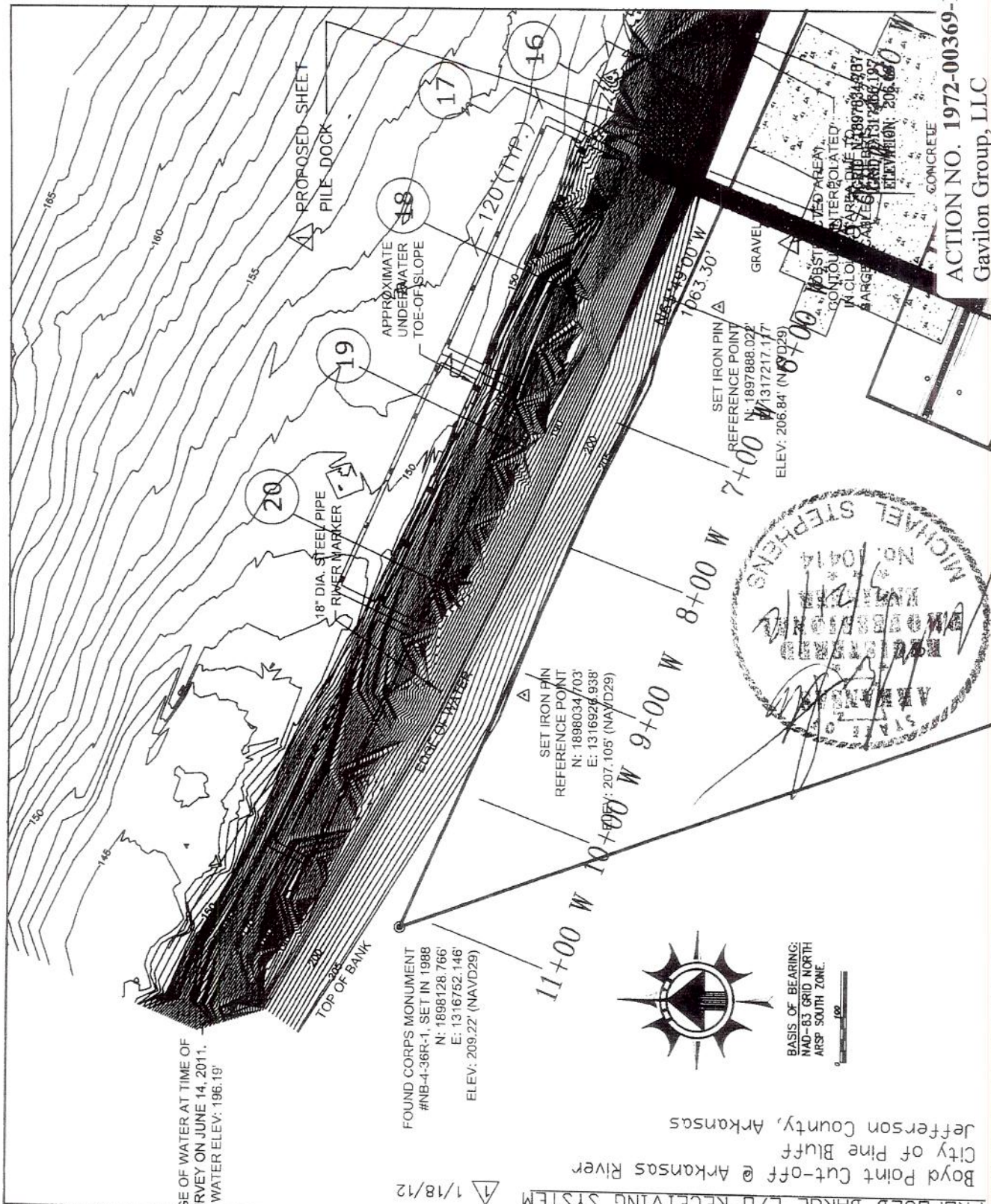
PROPOSED SHEET
PILE DOCK

ARKANSAS RIVER
(BOYD POINT
CUT-OFF)



ACTION NO. 1972-00369-12
Gavilon Group, LLC

GAVALON GRAIN LLC PINE BLUFF, ARKANSAS	Drwn TL	Chkd _____	Scale 1"=100'	Date 10/17/11
	BROUGH and STEPHENS, INC. Consulting Engineers MEMPHIS, TENNESSEE			
FILE 11-038		SHEET NO. 2		



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ACTION NO. 1972-00369-12

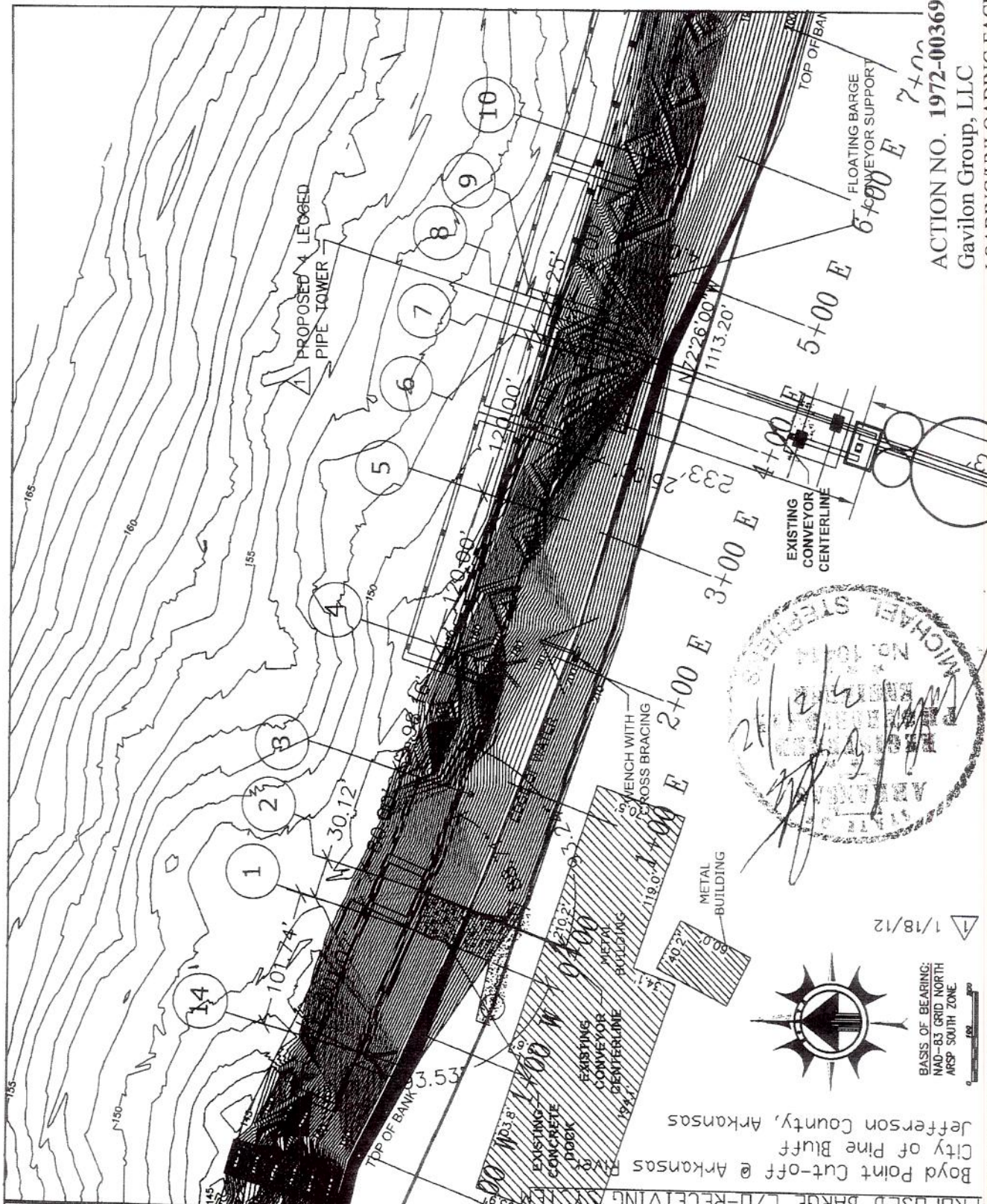
Gavilon Group, LLC

LOADING/UNLOADING FACILITY
 Arkansas River, NM 73.5, RB

March 2012

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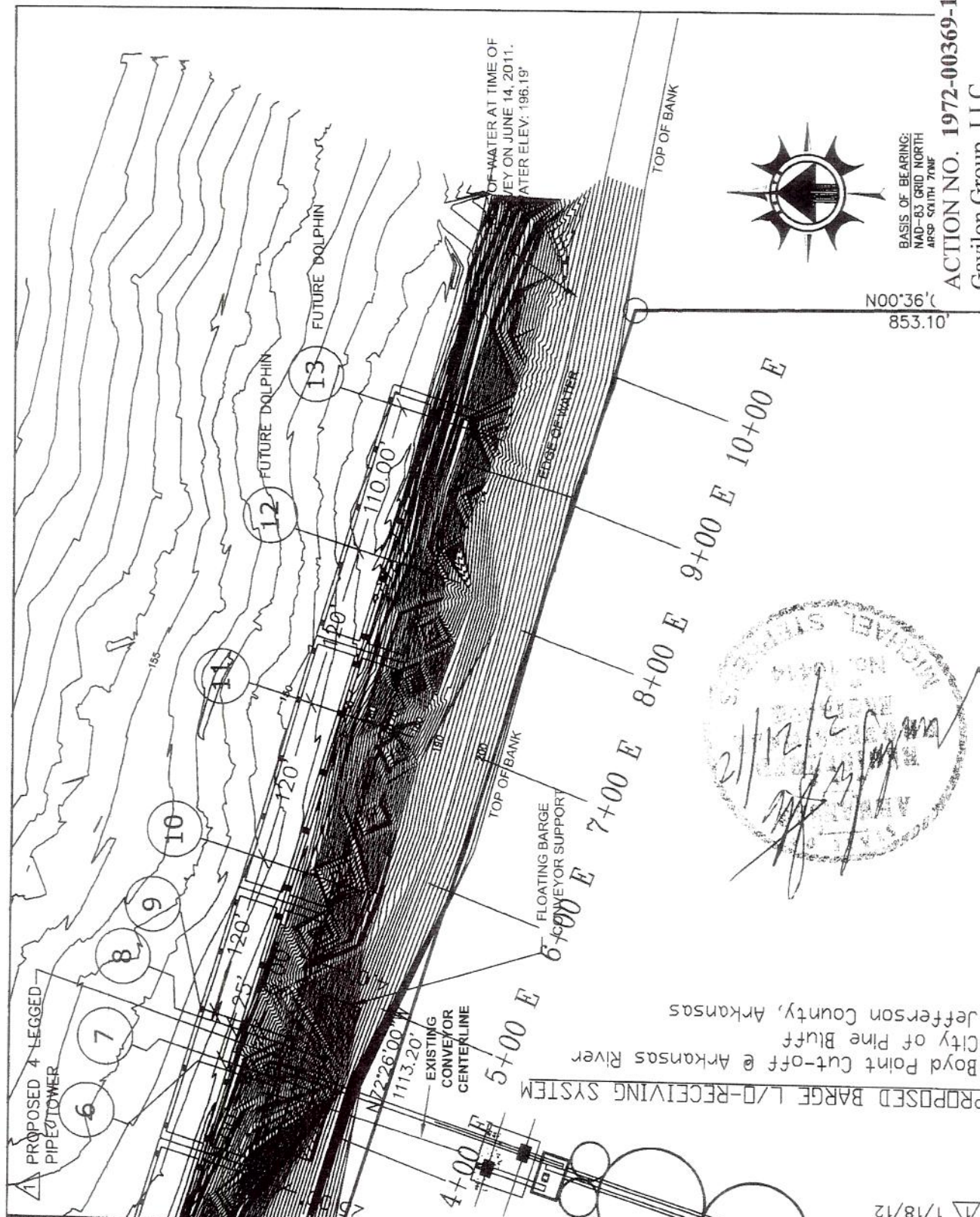
GAVALON GRAIN LLC PINE BLUFF, ARKANSAS		Drawn TL	Scale 1"=100'	Date 10/31/11
BROUGH and STEPHENS, INC. Consulting Engineers		MEMPHIS, TENNESSEE		
FILE 11-038	SHEET NO. 3			



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ACTION NO. 1972-00369-12
Gavilon Group, LLC
LOADING/UNLOADING FACILITY
Arkansas River, NM 73.5, RB
March 2012
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GAVALON GRAIN LLC PINE BLUFF, ARKANSAS		Drawn TL Chkd _____ Scale 1"=100' Date 10/31/11	BROUGH and STEPHENS, INC. Consulting Engineers MEMPHIS, TENNESSEE	FILE 11-038 SHEET NO. 4
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ACTION NO. 1972-00369-12
 Gavilon Group, LLC
 LOADING/UNLOADING FACILITY
 Arkansas River, NM 73.5, RB
 March 2012

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GAVALON GRAIN, LLC

Drwn TL

Chkd

Scale 1"=60'

Date 10/31/11

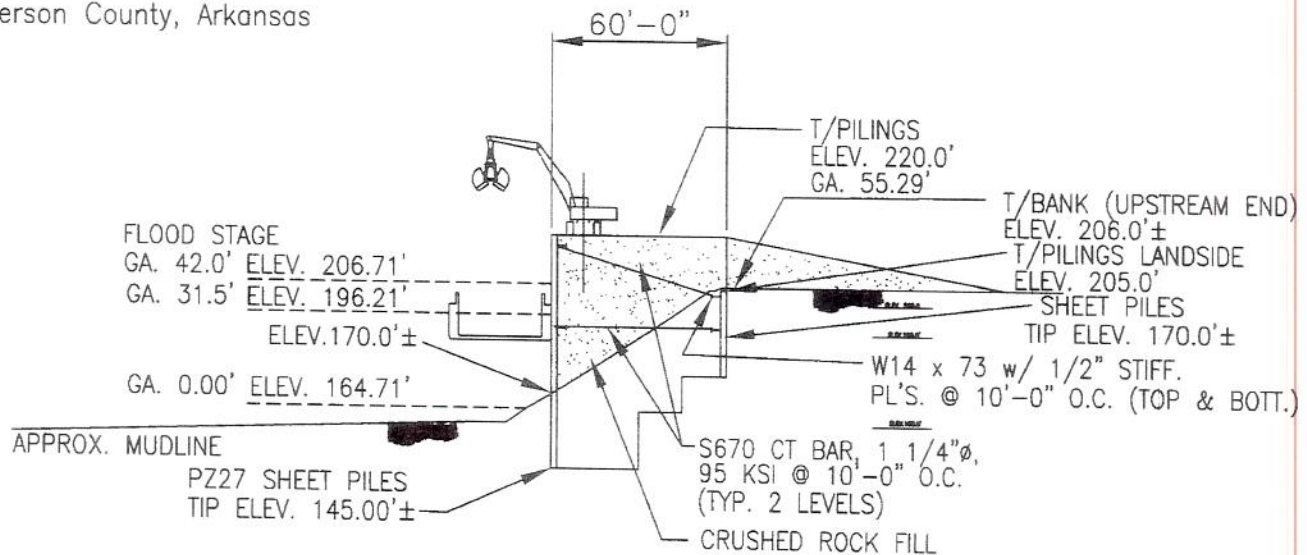
B
SBROUGH and STEPHENS, INC.
Consulting Engineers

MEMPHIS, TENNESSEE

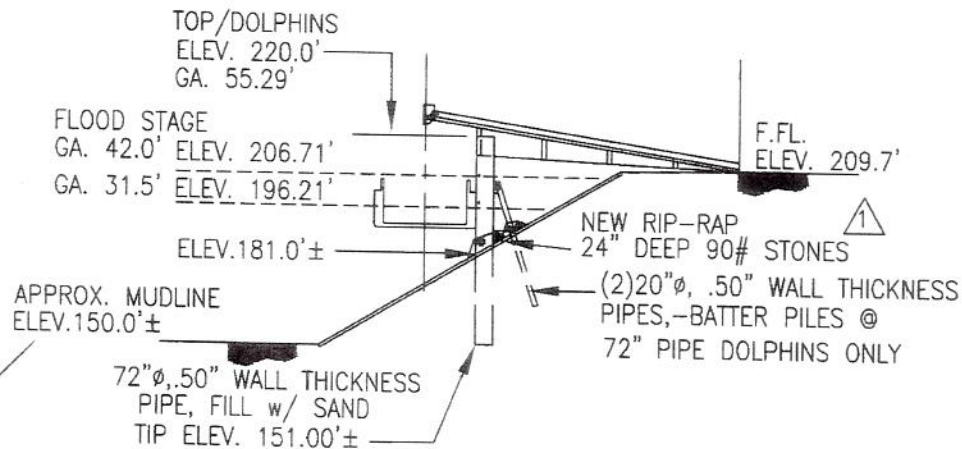
FILE 11-038

SHEET NO.

5

PROPOSED BARGE L/O-RECEIVING SYSTEM Δ 1/18/12Boyd Point Cut-off @ Arkansas River
City of Pine Bluff
Jefferson County, ArkansasPROPOSED BARGE RECEIVING SYSTEM

PROFILE @ STA. 5+00 W

PROPOSED DOLPHINS @ EXIST. BARGE L/O SYSTEM

PROFILE @ STA. 1+00 W

ACTION NO. 1972-00369-12

Gavilon Group, LLC

LOADING/UNLOADING FACILITY

Arkansas River, NM 73.5, RB

March 2012

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GAVALON GRAIN, LLC

Drwn TL

Chkd

Scale 1"=60'

Date 10/31/11

B
SBROUGH and STEPHENS, INC.
Consulting Engineers

MEMPHIS, TENNESSEE

FILE 11-038

SHEET NO.

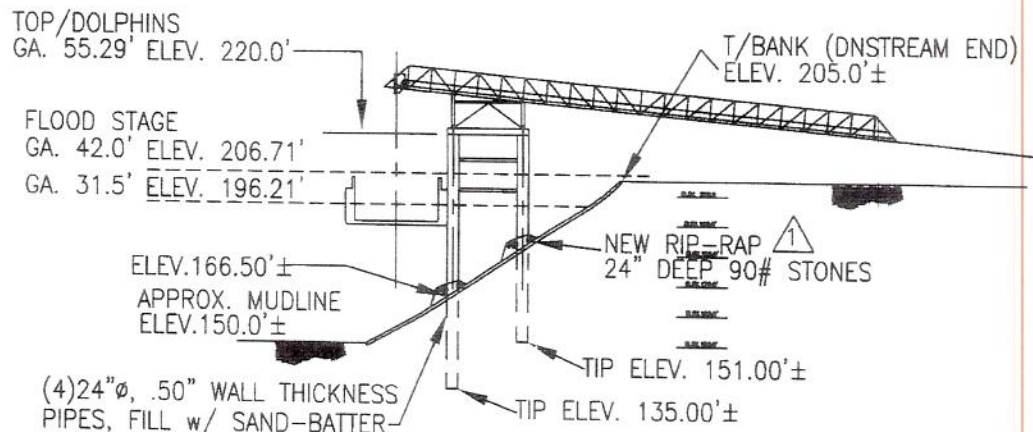
6

PROPOSED BARGE L/O-RECEIVING SYSTEM $\triangle 1$ 1/18/12

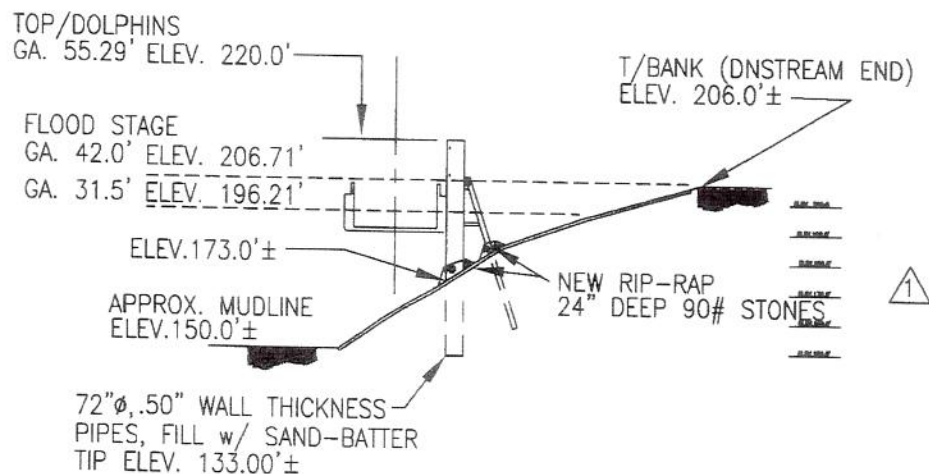
Boyd Point Cut-off @ Arkansas River

City of Pine Bluff

Jefferson County, Arkansas

PROPOSED TOWER @ NEW. BARGE L/O SYSTEM

PROFILE @ STA. 4+32.5 E

PROPOSED DOLPHIN @ NEW. BARGE L/O SYSTEM

PROFILE @ STA. 9+00 E

ACTION NO. 1972-00369-12

Gavilon Group, LLC

LOADING/UNLOADING FACILITY

Arkansas River, NM 73.5, RB

March 2012

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