



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: SWL-1990-06699-10

Date: May 1, 2017

Comments Due: May 26, 2017

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 regulator, Lisa Boyle, telephone number: (501) 340-1385, mailing address: Little Rock District Corps of Engineers, Regulatory Division, PO Box 867, Little Rock, Arkansas 72203-0867, email address: Lisa.A.Boyle@usace.army.mil

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

**Mr. Bob Ralls
Ash Grove Cement Company
11011 Cody Street
Overland Park, Kansas 66210**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with the Foreman Plant Expansion. The proposed project is located in French Branch and associated tributaries and wetlands, and tributaries and wetlands associated with Sterling Branch, in sections 33 and 34, T. 12 S., R. 32 W., near Foreman, Little River County, Arkansas.

The basic purpose of the project is to produce cement for commercial use. The overall purpose of the project is to continue the operation of the Foreman Plant Expansion. The project is not water dependent.

The Foreman Plant Expansion was built in 1956 on property where chalk was located at or very near to the surface. The present pit has nearly exhausted its resources, so continued operation of the plant requires expansion. The proposed expansion area is adjacent to the current pit on land owned by Ash Grove Cement Company and also contains chalk at a readily accessible depth. The mine expansion will continue the current open-pit mining methodology.

Approximately 8.7 acres of jurisdictional wetlands (1.09 acres of forested wetlands and 7.61 acres of herbaceous wetlands) and 12,324 linear feet of jurisdictional waters of the United States (8,524 linear feet of ephemeral stream and 3,800 linear feet of intermittent stream) were identified onsite. These numbers include 0.97 acres of herbaceous wetland and 1,753 linear feet of intermittent stream that were impacted previously (block H on the figures). All waters onsite will be impacted.

The site is currently impacted somewhat by the existing plant. The plant is in the upper watershed of the area but is essentially a hole in the ground which funnels any water that falls in the plant into the bottom of the pit instead of it flowing through the streams on the site. The site itself is largely forested except for the tops of the ridges on the eastern half, which are a mix of herbaceous and scrub-shrub. A portion of this area has been labeled blackland prairie by the Arkansas Natural Heritage Commission.

The applicant proposes to mitigate for unavoidable impacts to waters of the United States by purchasing credits from Maniece Bayou mitigation bank, located in the Vicksburg District Corps of Engineers.

The applicant has requested an extended permit authorization time. The Corps is considering permitting this action for 15 years.

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.

Floodplain. We are providing copies of this notice to appropriate floodplain officials in accordance with 44 Code of Federal Regulations (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 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 **May 26, 2017**. 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.

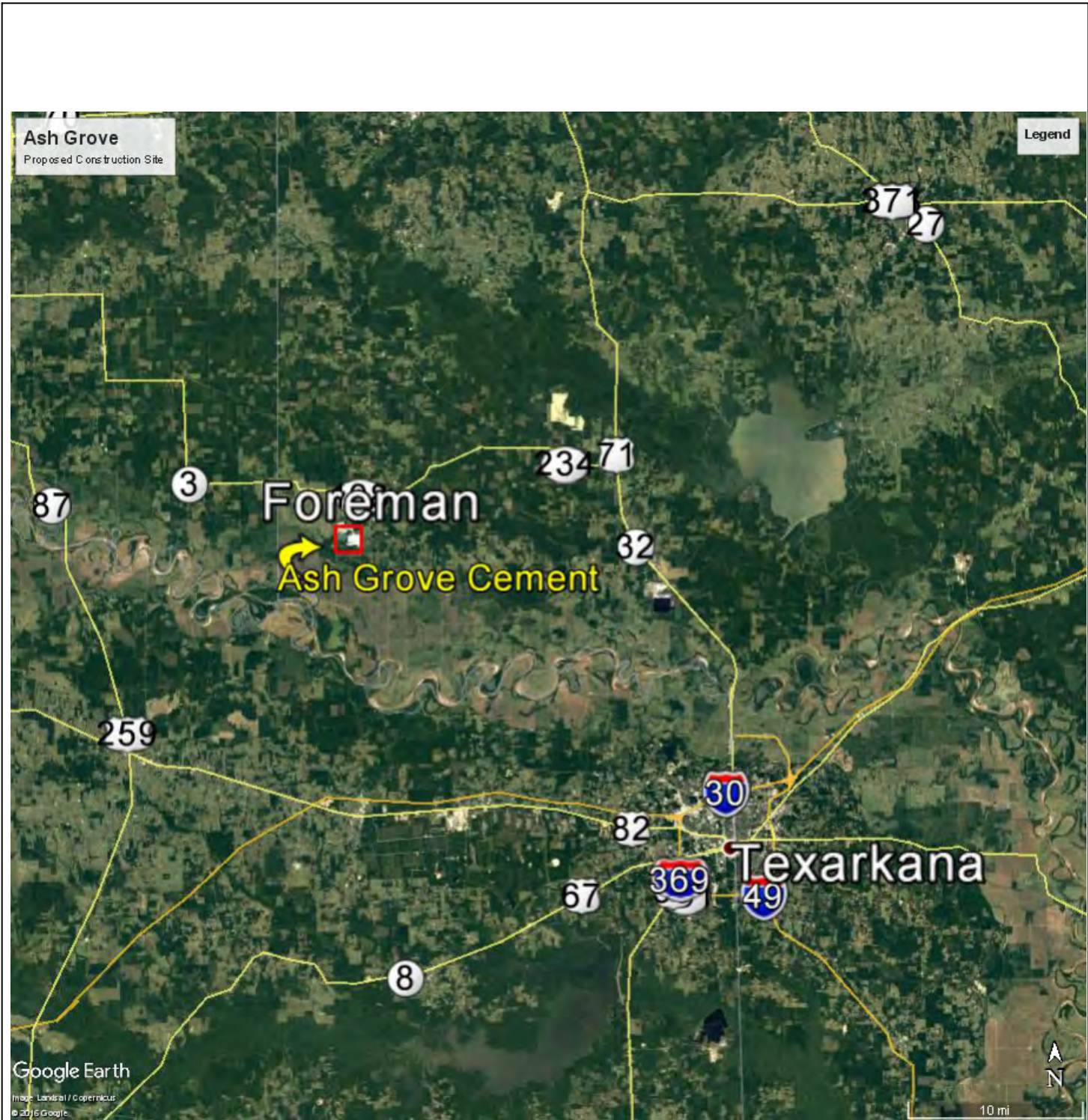
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices, please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

Enclosures

Approximate Coordinates of Project Center

Latitude: **33.679111°N** Longitude: **-94.409250°W**

UTM Zone: **15** North: **3727543** East: **369357**



LOCATION MAP



Ash Grove Cement
 Foreman Plant Expansion
 Little River Co., AR

ACTION NO. SWL-1990-06699-10
 Ash Grove Cement Company
 Foreman Plant Expansion
 Secs. 33, 34, T. 12 S., R. 32 W.
 May 2017 Sheet 1 of 13



SITE LAYOUT



Ash Grove Cement
Foreman Plant Expansion
Little River Co., AR

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Foreman Plant Expansion
Secs. 33, 34, T. 12 S., R. 32 W.
May 2017 Sheet 2 of 13



Panel: 1
 200
 Feet

- Sampling Points
- Project Area
- Blocks
- ~ Ephemeral Channel with OHWM
- ~ Intermittent Channel
- ▨ Wetlands



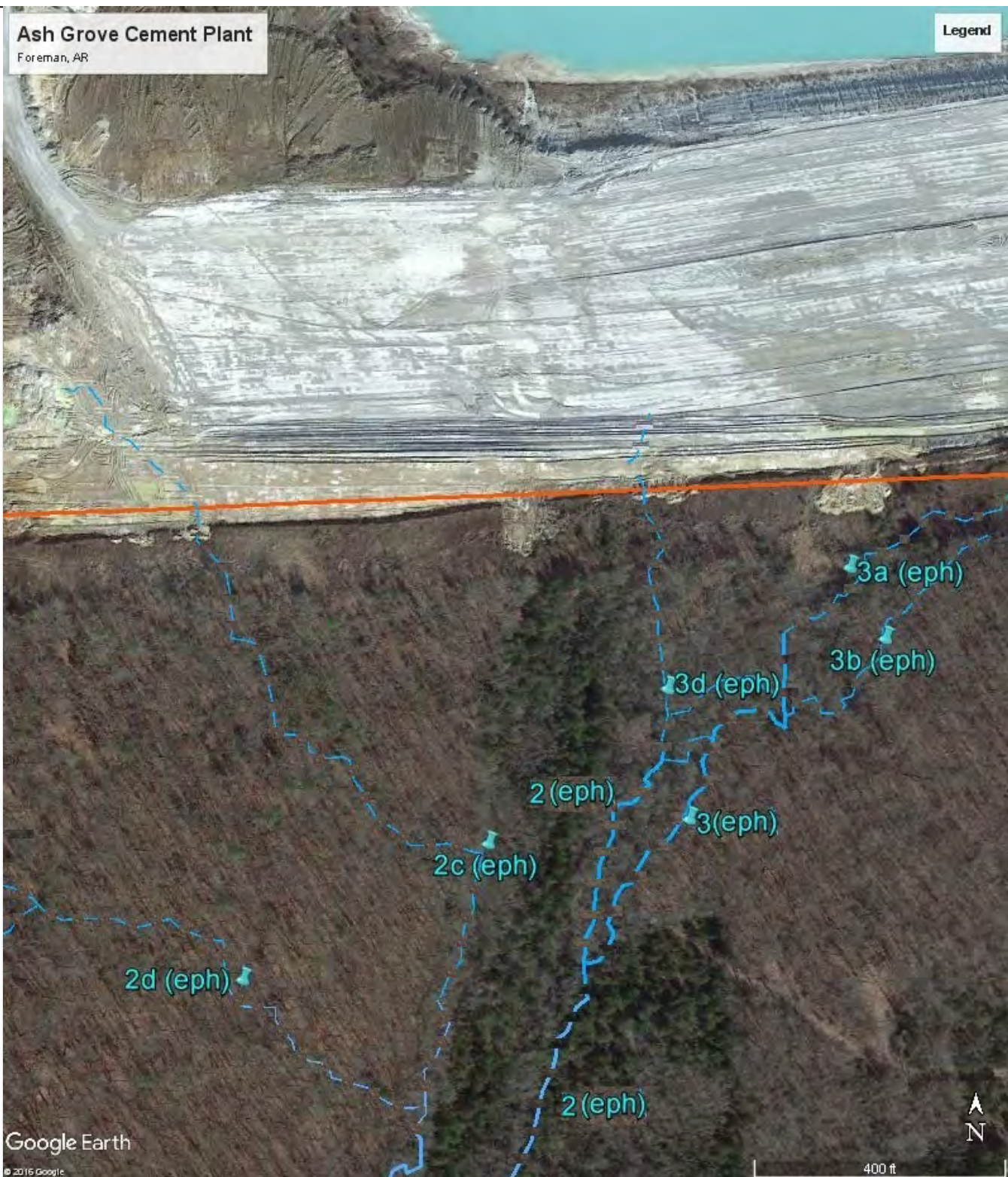
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Ash Grove Cement Plant

Foreman, AR

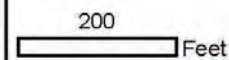
Legend



Google Earth

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Panel: 2



- Sampling Points
- Project Area
- Blocks
- Ephemeral Channel with OHWM
- Intermittent Channel
- ▨ Wetlands



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Panel: 3

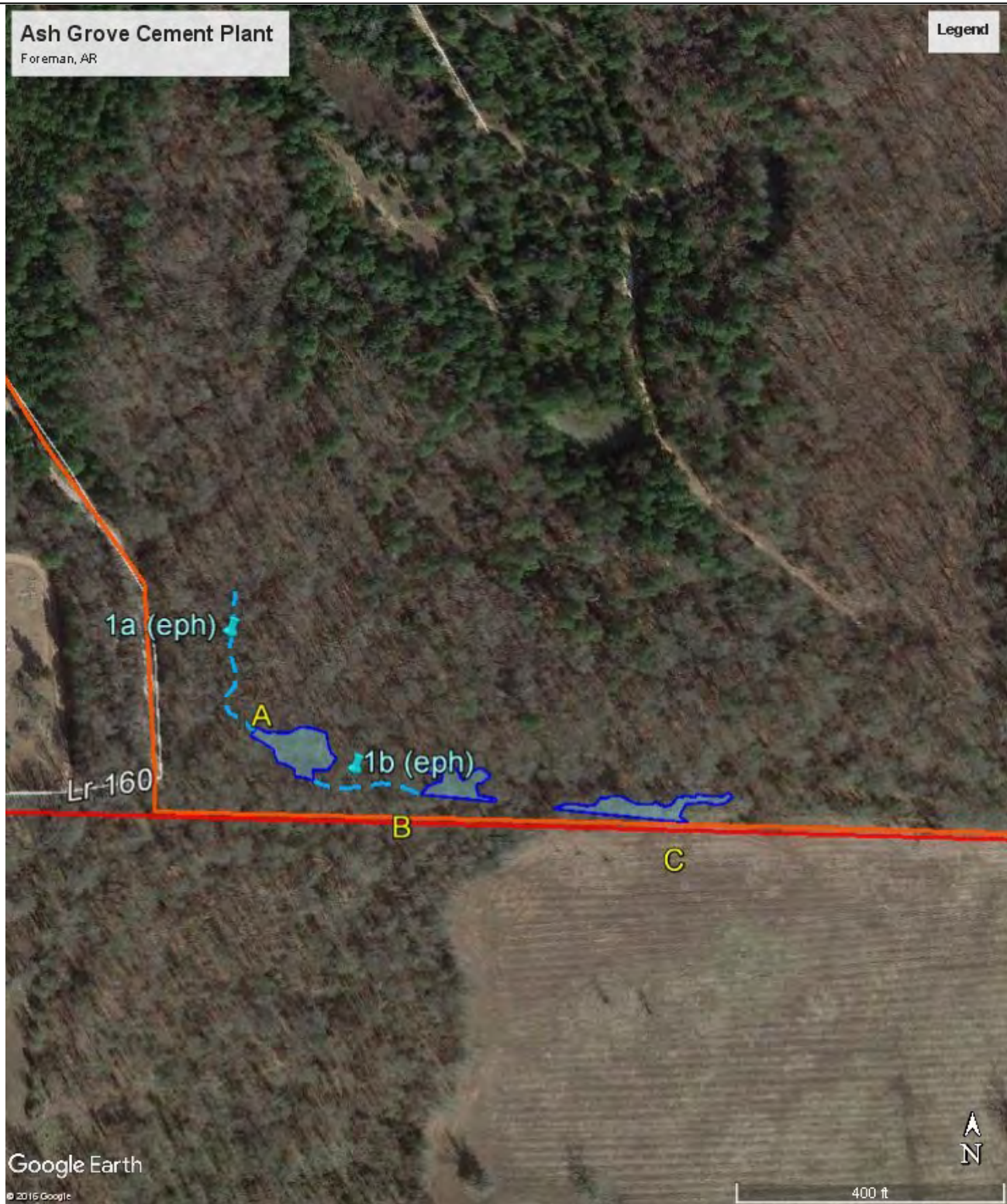
200 Feet

- Sampling Points
- Project Area
- Blocks
- ⋯ Ephemeral Channel with OHWM
- ⋯ Intermittent Channel
- ▨ Wetlands



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Google Earth

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Panel: 4

200 Feet

- Sampling Points
- Project Area
- Blocks
- ~ Ephemeral Channel with OHWM
- ~ Intermittent Channel
- ▨ Wetlands



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Ash Grove Cement Plant
Foreman, AR

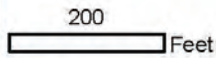
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Google Earth

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Panel: 5



- Sampling Points
- ▭ Project Area
- ▭ Blocks
- Ephemeral Channel with OHWM
- Intermittent Channel
- ▨ Wetlands



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Ash Grove Cement Plant

Foreman, AR

Legend



Google Earth

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Panel: 6

200

Feet

- Sampling Points
- ◻ Project Area
- ◻ Blocks
- Ephemeral Channel with OHWM
- ~ Intermittent Channel
- ▨ Wetlands



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Ash Grove Cement Plant
Foreman, AR

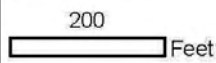
Legend



Google Earth

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Panel: 7



- Sampling Points
- ◻ Project Area
- ◻ Blocks
- Ephemeral Channel with OHWM
- Intermittent Channel
- ▨ Wetlands



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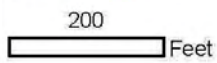
Ash Grove Cement Plant
Foreman, AR

Legend



Google Earth
© 2015 Google

Panel: 8



- Sampling Points
- Project Area
- Blocks
- ~ Ephemeral Channel with OHWM
- ~ Intermittent Channel
- ▨ Wetlands



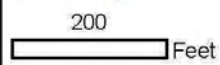
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Stream and Wetland Impacts



Panel: 9



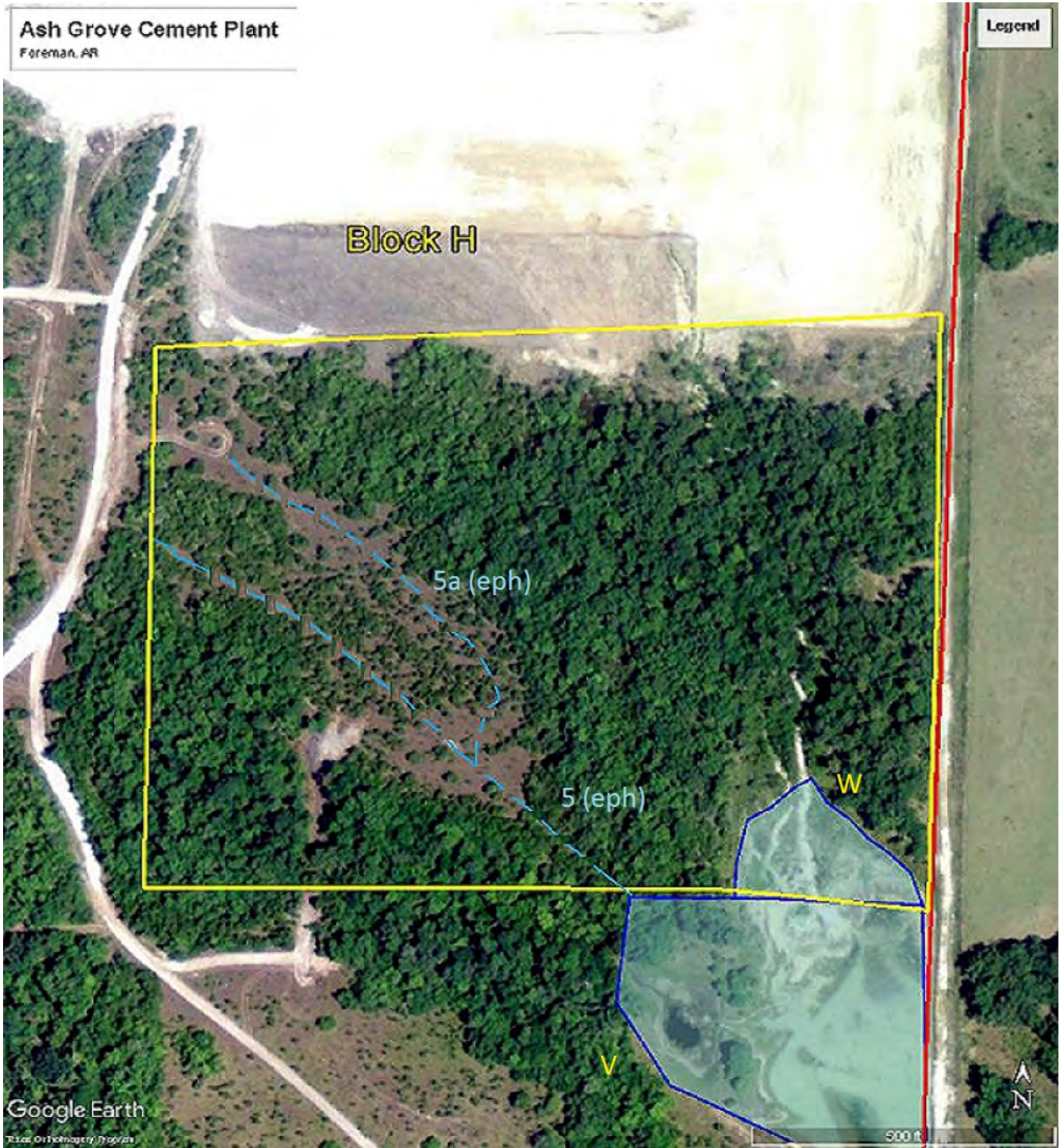
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Block H Historical Imagery



Ash Grove Cement Plant
Foreman, AR

Legend

Block H

5a (eph)

5 (eph)

W

V

Google Earth
Plan, Orthorectified Imagery

500 ft

Panel: 10

200

Feet

- Sampling Points
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Site Topography



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