



US Army Corps  
of Engineers®  
Little Rock District

# JOINT PUBLIC NOTICE

*CORPS OF ENGINEERS – STATE OF ARKANSAS*

**Application Number: 2014-00026-2**

**Date: January 19, 2017**

**Comments Due: February 13, 2017**

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**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, 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](mailto:Christopher.G.Davies@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. Don Thompson  
R&D Holding, LLLP  
10715 Train Station Drive  
Mabelvale, Arkansas 72103**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with a commercial development project. The proposed project is located in herbaceous wetlands and an unnamed tributary of Otter Creek, in the SE 1/4 of section 9, T. 1 S., R. 13 W., Little Rock, Pulaski County, Arkansas. A jurisdictional man-made pond previously identified on the property has been mostly drained, and is now considered an ephemeral stream channel.

The basic purpose of the project is to construct an industrial park that will house up to twenty businesses. The overall purpose of the project is to construct an industrial facility with attendant features including parking lots, access roads, and loading facilities that will service the commercial needs in this region. The project is not water dependent.

The proposed project would consist of the construction of a proposed industrial park and access road encompassing an approximately 45-acre area. Mechanized land clearing, grading, storm water detention, parking lot and road construction, and building construction would take place using suitable equipment. An estimated 800 feet of jurisdictional ephemeral stream and 3.12 acres of herbaceous wetland will be impacted by development activities. Impacts will be mostly in the form of fill. The existing farm pond is currently mostly drained. Draining will be completed prior to construction. The pond was constructed in 1985 by the previous property owners for use on their farm. The current property owners purchased the property in 2000. On April 17, 2015, a modification to this permit was issued which involved filling of 0.007 acres of the man-made pond on the property. This required that the pond be partially drained to complete the work. Since that time the pond level has remained lower and has been controlled by rainfall. The pond was very low in the autumn of 2015, as the region was in a moderate drought. The

pond level has fluctuated over the past 12 months. Currently, the pond contains a moderate level of water. If the permit is issued, the remaining water in the pond will be drained, sediments allowed to dry briefly, and then the original stream path on the pond bottom will be filled along with any required fill and grading of the remaining pond bottom.

Implementation of erosion and sediment controls at the site will minimize or eliminate impacts other than the planned fills to the receiving stream and wetlands and will protect water quality in downstream waters. Impacts to wetlands would be mitigated through purchase of credits from an approved mitigation bank that services this area. Stream impacts will be mitigated through stream channel preservation and riparian buffer enhancement on adjacent area and a nearby property.

The property is currently in pasture and utilized for livestock. The surrounding land use is industrial, commercial, residential, and small scale cattle farming operations.

Several sites were evaluated by the applicant for construction of the industrial park. Of properties owned by R&D Holding, LLLP, this was determined to be the most appropriate site. As provided by the consultant, the South Loop Road site is in an area of growing industrial/commercial use and provides the fewest obstacles financially and environmentally. The project will impact approximately 3.12 acres of wetland and 800 feet of ephemeral stream channel. However, streams and wetlands on the site are in a maintained pasture with minimal functions and values.

A Nationwide Permit Number 39 was verified on May 30, 2014, on the property for the placement of dredged and fill material in waters of the United States associated with the construction of a package distribution warehouse and access road, referenced as the Thompson Tract Site Development Project. On April 17, 2015, a modification to this permit was issued which involved filling of 0.007 acres of the man-made pond on the property.

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 **February 13, 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.

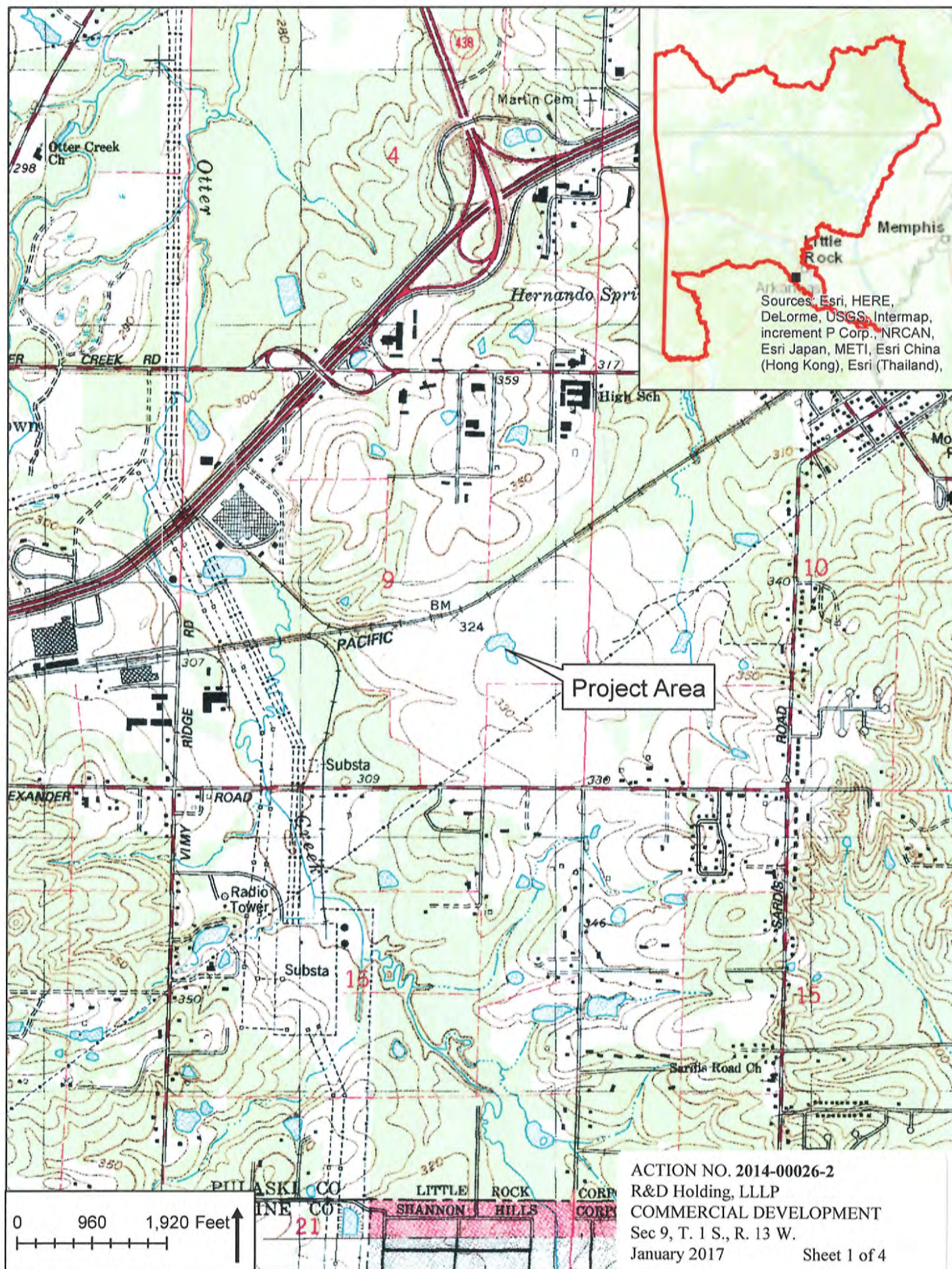
Enclosures

Approximate Coordinates of Project Center

Latitude: **34.64609**                      Longitude: **-92.40160**

UTM Zone: **15N**    North: **3833995**                      East: **554839**









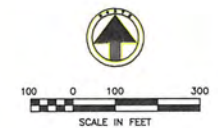
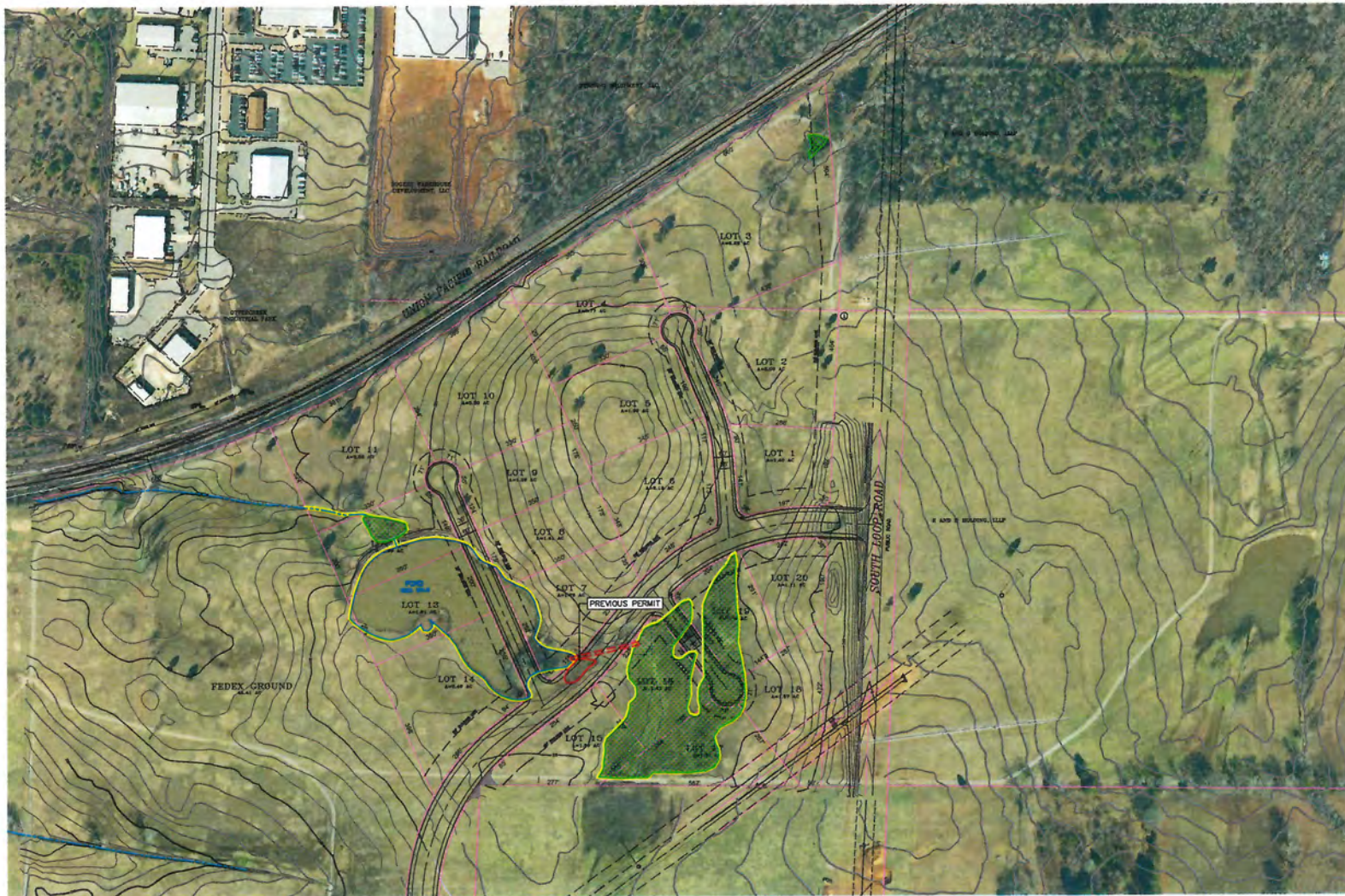
Project Location

0 1,750 3,500 Feet

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eubed, USDA, USGS, A  
and the GIS User Comm

ACTION NO. 2014-00026-2  
R&D Holding, LLLP  
COMMERCIAL DEVELOPMENT  
Sec 9, T. 1 S., R. 13 W.  
January 2017 Sheet 2 of 4





| LEGEND |                       |
|--------|-----------------------|
|        | STREAMS               |
|        | EXISTING POND         |
|        | WETLANDS              |
|        | BOUNDARY              |
|        | IMPACTED STREAMS      |
|        | IMPACTED WETLAND/POND |

| NO | DATE | REVISION | BY | CK. | APPR. |
|----|------|----------|----|-----|-------|
|    |      |          |    |     |       |
|    |      |          |    |     |       |
|    |      |          |    |     |       |

DESIGNED BY GLP  
 CHECKED BY GLP  
 APPR. BY  
 DRAWN BY IT



SHEET TITLE

IMPACTED AREAS

JOB NO.

THOMPSON INDUSTRIAL PARK

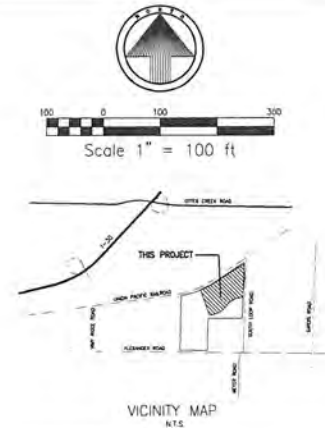
PROJECT NO.  
2635-15-300  
DATE

REV. NO.

**ACTION NO. 2014-00026-2**  
 R&D Holding, LLLP  
 COMMERCIAL DEVELOPMENT  
 Sec 9, T. 1 S., R. 13 W.  
 January 2017

Sheet 3 of 4





- General Notes:**
1. Developer: R AND D HOLDING LIMITED PARTNERSHIP, LLP, ALEXANDER ROAD, BLANCKEN, AR 72223, Source of Title: 1999-073389
  2. Number of Lots: 20 Lots
  3. Applicable existing covenants, none
  4. Source of Water Supply: C&W
  5. Source of Wastewater Disposal: LNU
  6. Inventory / Roadway: No Partition
  7. Municipal Boundaries: Pulaski County
  8. Average Size of Lots: 2 Acres
  9. Linear Feet of Internal Road: 1300 ft

- Public Works Notes:**
1. NCEC and grading permits are required prior to construction.
  2. Surveyor location evidence relative to this property.
  3. Plans of all work in right-of-way shall be submitted for approval prior to start of work.
  4. Permitting and signage plans as per ordinance for Public Engineering approval.
  5. Prior to construction obtain corridor permit for work done within right-of-way.
  6. Easements for utilities & drainage will be provided where needed.
  7. Streets to be public and the width and right-of-way are shown on the plat.
  8. Plans for all work within right-of-way will be submitted prior to work.
  9. A grading plan will be provided and a grading permit will be obtained before work begins.
  10. ADOS will be contacted prior to start of work.

**CERTIFICATE OF PRELIMINARY SURVEYING ACCURACY**

I, Paul M. White, hereby certify that this plat correctly represents a boundary survey made or verified by me that all surveying requirements of the State of Arkansas and City of Little Rock Subdivision Rules and Regulations have been complied with and a copy of said boundary has been duly filed for record in the office of the State Surveyor and the Pulaski County Court, Clerk on 20\_\_\_\_ in Plat Book \_\_\_\_\_ Page \_\_\_\_\_

Date of Execution: Paul M. White, Registered Land Surveyor No. 1251, Arkansas

**CERTIFICATE OF PRELIMINARY PLAT APPROVAL**

All requirements of the Little Rock Subdivision Rules and Regulations relative to the preparation and submission of a preliminary plat having been fulfilled, approval of this plat is hereby granted, subject to further provision of said Rules and Regulations. This certificate shall expire: \_\_\_\_\_

Date of Execution: Planning Administrator Little Rock Planning Commission

**CERTIFICATE OF PRELIMINARY ENGINEERING ACCURACY**

I, Timothy E. Deters, hereby certify that this plat correctly represents a plat made by me, and that engineering requirements of the Little Rock Subdivision Rules and Regulations have been complied with.

Date of Execution: Timothy E. Deters, Registered Professional Engineer No. 5033, Arkansas

**OWNER OR DEVELOPER**

Date of Execution: \_\_\_\_\_ Name: \_\_\_\_\_

Address: \_\_\_\_\_

Source of Title: D.R. \_\_\_\_\_ Page: \_\_\_\_\_

Instrument No.: \_\_\_\_\_

**PRELIMINARY PLAT OF THOMPSON INDUSTRIAL PARK**

**Lots 1 - 20**

**AN ADDITION TO THE CITY OF LITTLE ROCK, ARKANSAS**

**JUNE 5, 2015**

**ACTION NO. 2014-00026-2**

**R&D Holding, LLLP**

**COMMERCIAL DEVELOPMENT**

**Sec 9, T. 1 S., R. 13 W.**

**January 2017**

**Sheet 4 of 4**