



US Army Corps  
of Engineers®  
Little Rock District

# JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: SWL-2018-00188

Date: March 19, 2019

Comments Due: April 15, 2019

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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, 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](mailto: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. Rex Robertson  
Galloway West, LLC  
16400 Dallas Pkwy, Suite 140  
Dallas, Texas 75248**

has requested authorization for the placement of dredged and fill material in waters of the United States associated with construction of the Royal Business Park. The proposed project is located in wetlands and other aquatic resources, in sections 26 and 35, T. 2 N., R. 11 W., Galloway, Pulaski County, Arkansas.

The project purpose is to develop the basic infrastructure for the business park, including roads, lots ready for construction, driveways, and parking lots. Twelve lots are planned for development within the park.

The proposed business park would include an area of approximately 177 acres. The project would develop a road throughout the property to provide access to all twelve proposed lots. Impacts to aquatic resources for this proposal would involve the fill of approximately 4.6 acres of wetlands and 250 feet of linear aquatic resources.

Much of this site has been used for farming in the past. Two ponds exist onsite of approximately 17.5 acres and 4.8 acres in size. These were possibly borrow pits from construction of Interstate 440 located just west of the site. Eight separate wetlands were identified onsite for a total of approximately 7.28 acres. Three drains were also identified onsite for a total of approximately 550 feet of linear aquatic resources. Faulkner Lake is located immediately south of the proposed project, with Interstate 440 forming the west border, US Highway 70 along the north, and a slough just off the property on the east.

The applicant avoided and minimized impacts to waters of the United States by reconsidering development opportunities on other property owned in the area, and focusing on the western

portion of the property for a business park. The applicant has proposed to mitigate for impacts to waters of the United States by preservation of approximately 83.6 acres within the Faulkner Lake basin and floodplain, consisting of approximately 19.3 acres of upland and 64.3 acres of wetland. This area is immediately south of and contiguous to the proposed project.

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 **April 15, 2019**. 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

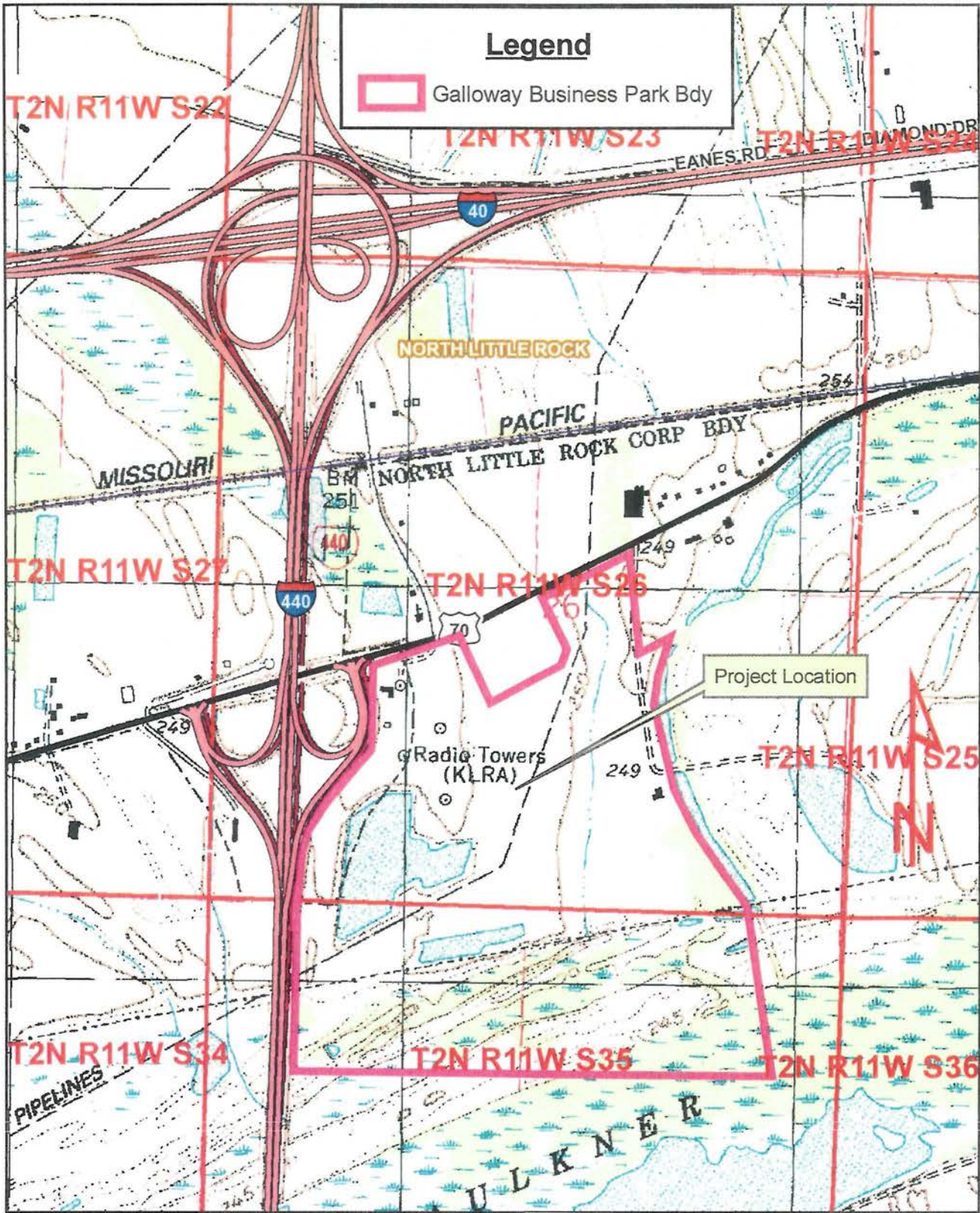
Approximate Coordinates of Project Center

Latitude: **34.769**

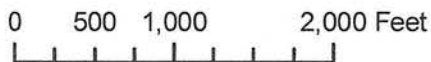
Longitude: **-92.155**

UTM Zone: **15N**

North: **3847781** East: **577306**



**VICINITY MAP**



ACTION NO. SWL-2018-00188

Galloway West, LLC

Royal Business Park

Secs. 26, 35, T. 2 N., R. 11 W.

March 2019

Sheet 1 of 6



**Feature Legend**

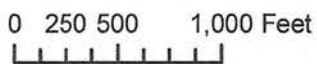
-  Project Boundary
-  Linear aquatic resources
-  Linear aquatic resources
-  Proposed Preservation Area
-  Borrow Pits/Ponds
-  Faulkner Lake Wetlands
-  Wetlands within Business Park Lots



Note 1 - See Sheet 3 for Proposed Lots and Roads Details in Project Area

Note 2 - Feature Boundaries and Locations based on the April 16, 2018 Delineation Report submitted by Lyrata Consulting, LLC to Little Rock District, Corps of Engineers

**SITE MAP-Delineation Features**



ACTION NO. SWL-2018-00188

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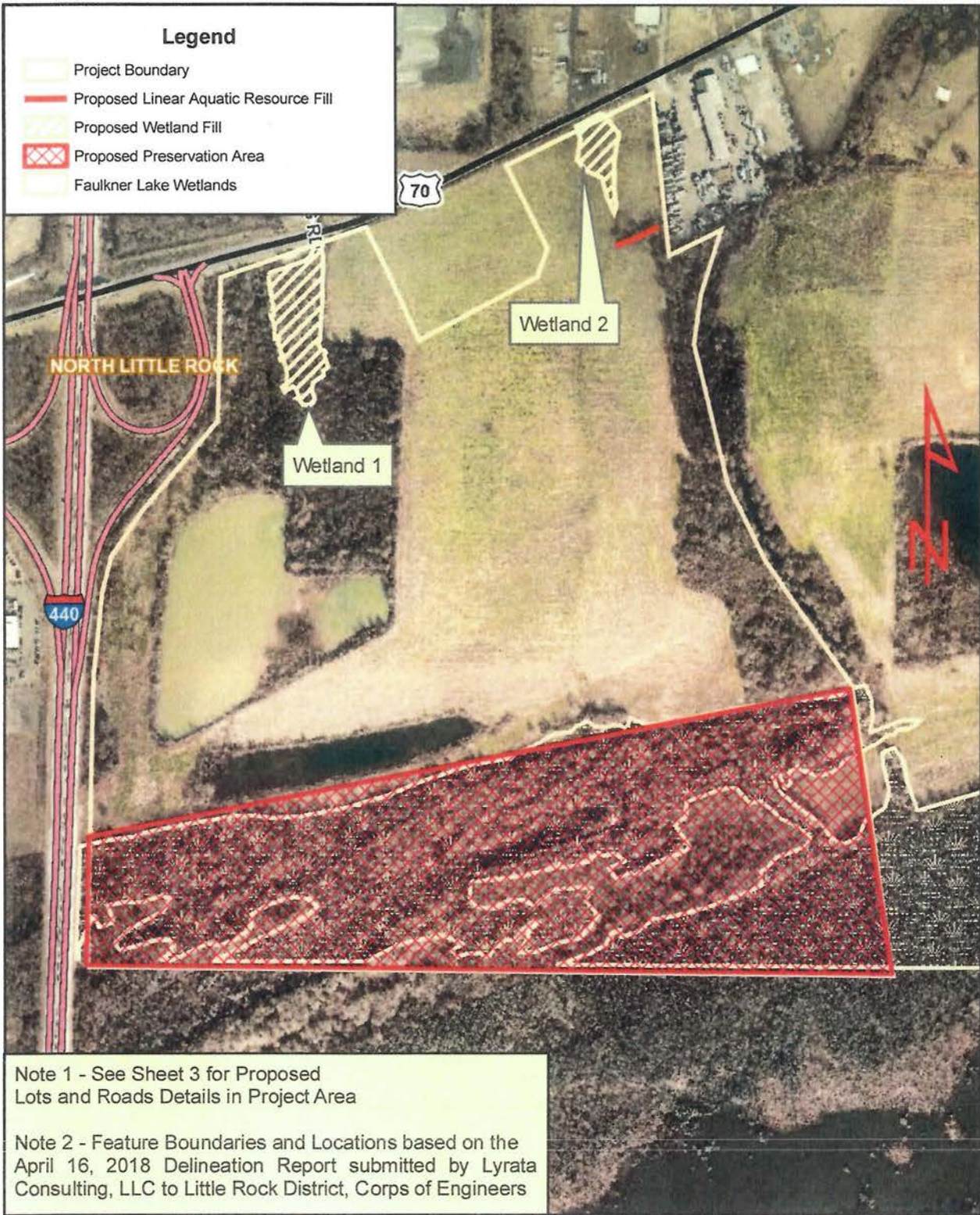
Royal Business Park

Secs. 26, 35, T. 2 N., R. 11 W.

March 2019

Sheet 2 of 6





**SITE MAP-Proposed Impacts**

0 250 500 1,000 Feet

ACTION NO. SWL-2018-00188

Galloway West, LLC

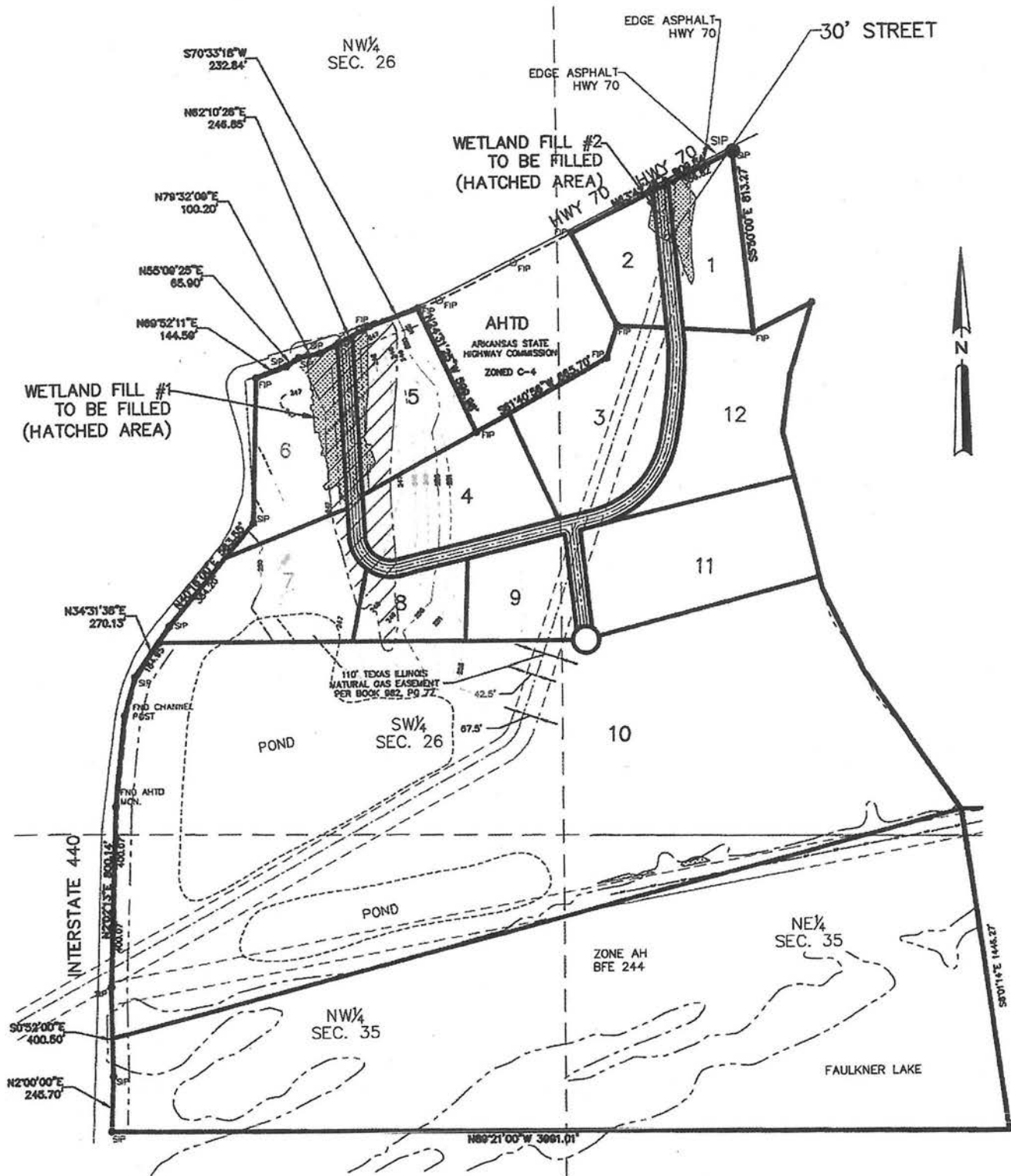
Royal Business Park

Secs. 26, 35, T. 2 N., R. 11 W.

March 2019

Sheet 3 of 6

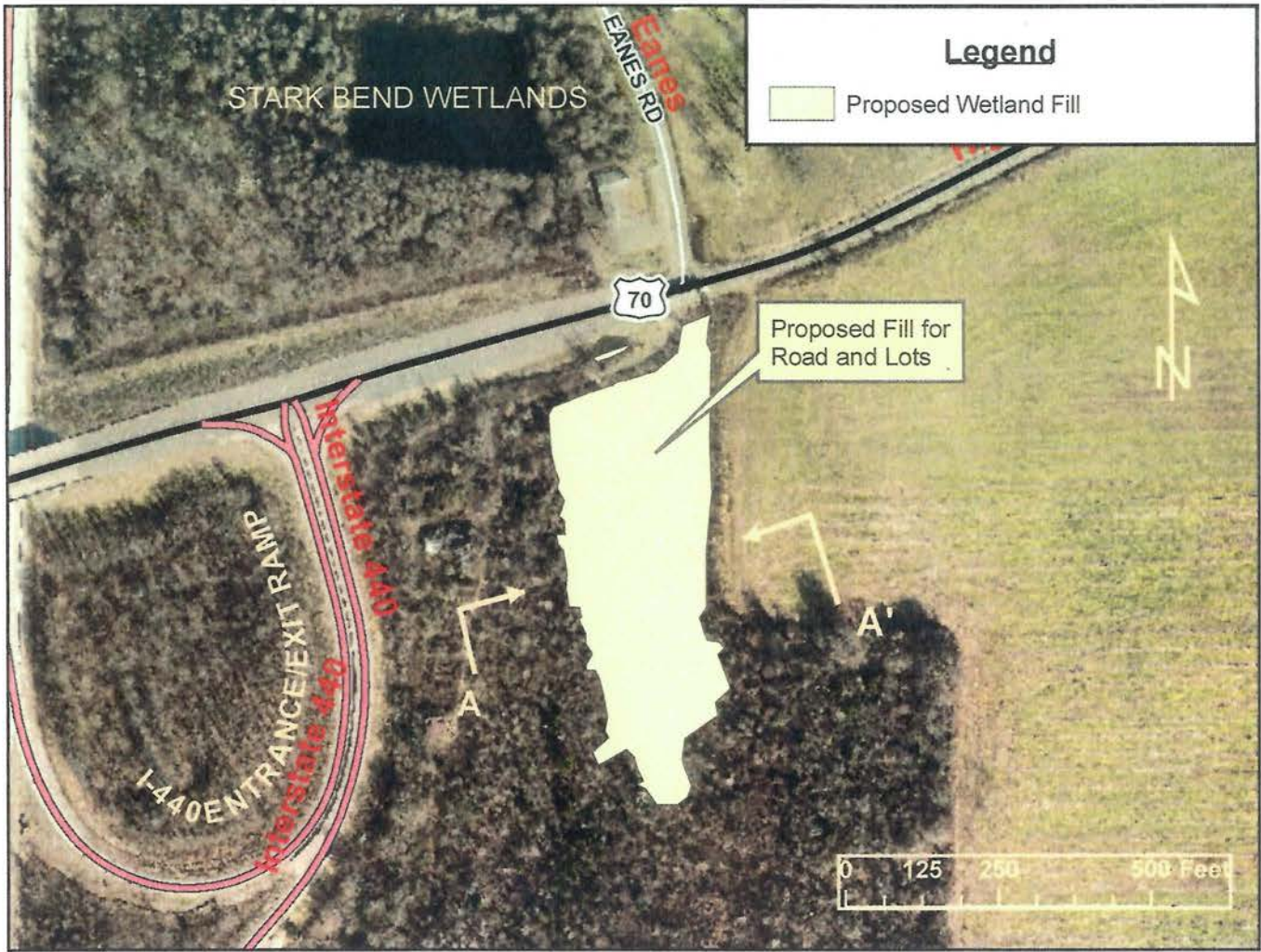
# Galloway Business Park



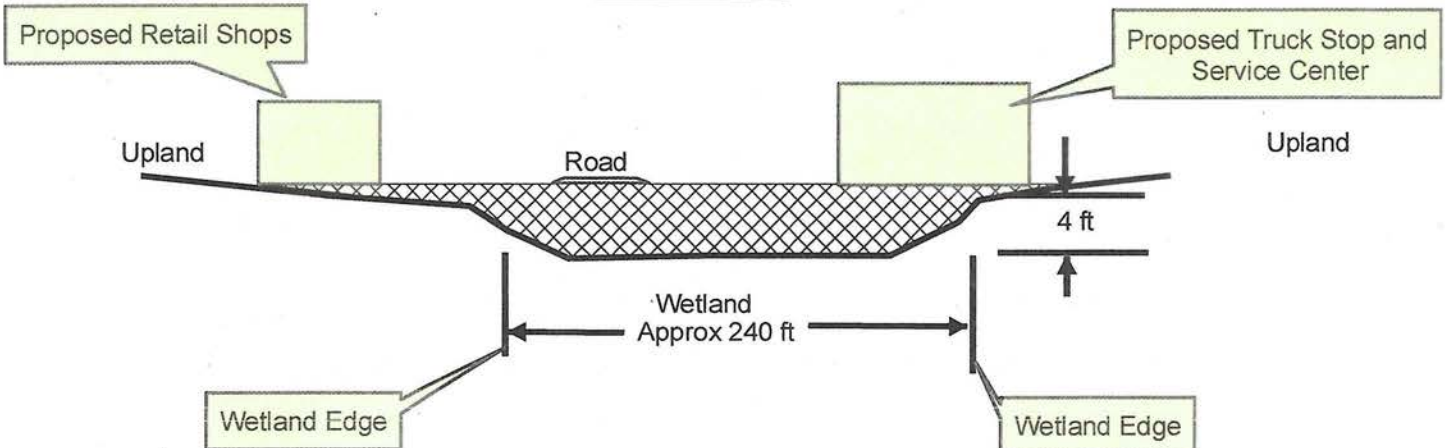
DETAILED SITE PLAN  
 From Halff+Marlar  
 NTS  
 Lyrata Consulting, LLC

ACTION NO. SWL-2018-00188  
 Galloway West, LLC  
 Royal Business Park  
 Secs. 26, 35, T. 2 N., R. 11 W.  
 March 2019





**Detailed Site Plan-Wetland 1  
2018 Aerial**

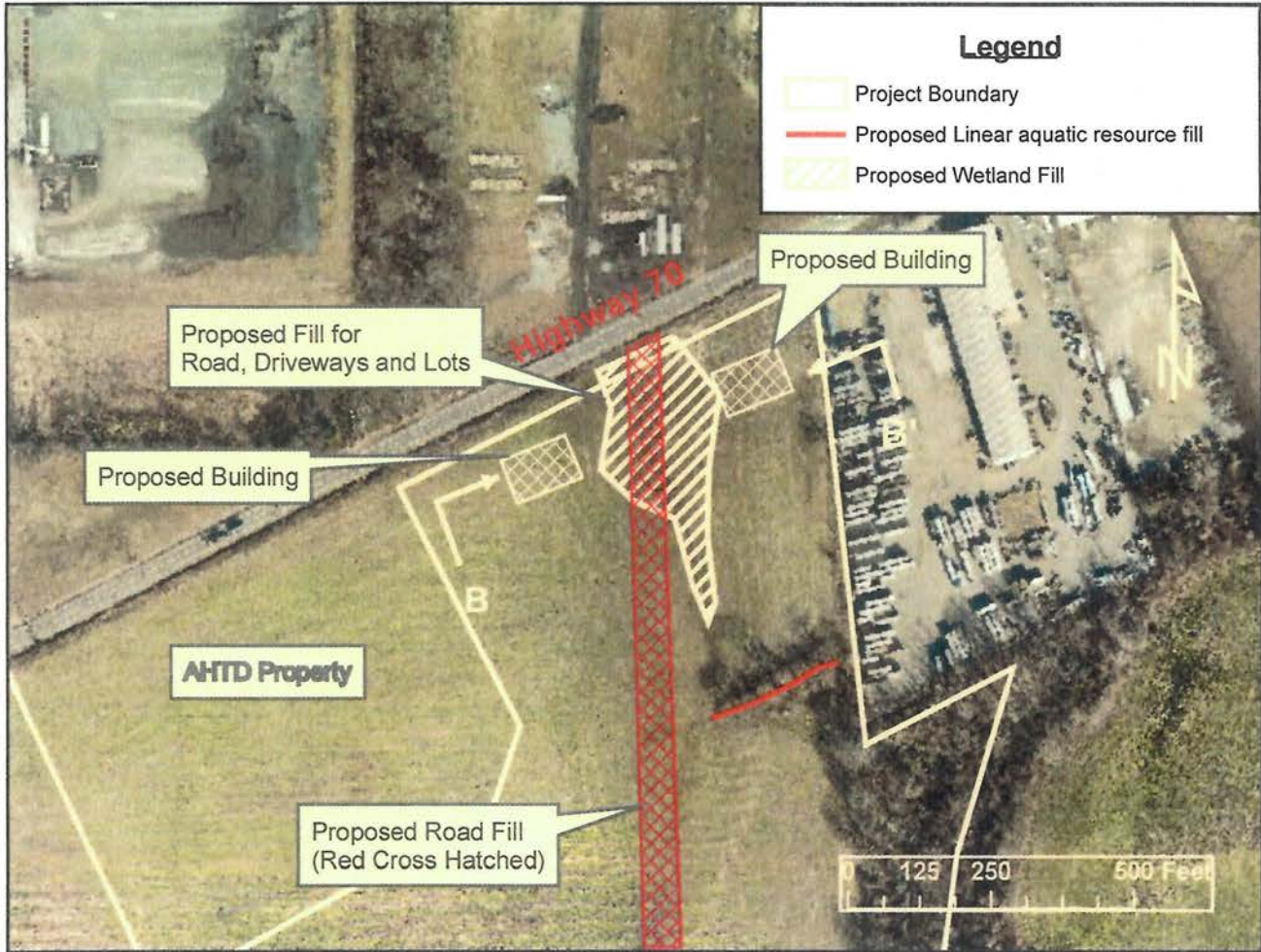


**Section A-A'  
NTS - Dimensions Approximate**

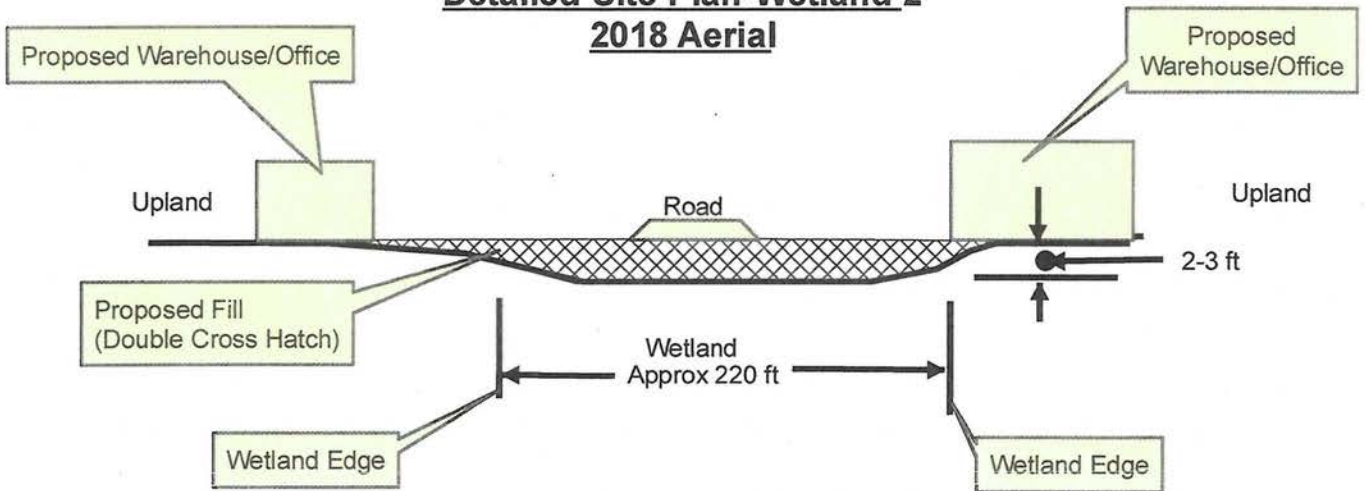
Note: Proposed Fill in Wetland - approximately 22,000 cyds and 4 feet deep

ACTION NO. SWL-2018-00188  
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March 2019





**Detailed Site Plan-Wetland 2  
2018 Aerial**



**Section B-B'  
NTS - Dimensions Approximate**

Note: Proposed Fill in Wetland - approximately 5,800 cyds and 3 feet deep

ACTION NO. SWL-2018-00188  
 Galloway West, LLC  
 Royal Business Park  
 Secs. 26, 35, T. 2 N., R. 11 W.  
 March 2019  
 Sheet 6 of 6