DEPARTMENT OF THE ARMY
Little Rock District, Corps of Engineers
Post Office Box 867
Little Rock, Arkansas 72203-0867

CESWL-PR-R **September 17, 2004**

APPLICATION NO. **15667**

JOINT PUBLIC NOTICE
CORPS OF ENGINEERS - STATE OF ARKANSAS
(25-Day Comment Period)
(Comment Expiration Date - **October 15, 2004)**

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, Mr. Tim Scott, telephone number: (501) 324-5296, mailing address: Little Rock District Corps of Engineers, Regulatory Branch, P.O. Box 867, Little Rock, Arkansas 72203-0867, e-mail address: tim.scott@usace.army.mil.

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

B & B Concrete
1200 Westpark Drive
Little Rock, Arkansas 72204

has requested authorization for the placement of dredged and fill material in waters of the United States associated with the expansion of commercial property for the B & B Concrete Plant. The proposed project is located south of Faulkner Lake, in the NE 1/4 of section 2, T. 1 N., R. 11 W., North Little Rock, Pulaski County, Arkansas.

The project would include filling 3.8 acres of forested wetlands and shallow water emergent wetlands composed primarily of black willow, green ash, American elm, buttonbush, and smartweed. The work will include landclearing the remaining property and the placement of earth and/or rock to raise the elevation of the property. Work will also include grading and landleveling and construction of ditches on the existing company property. The property is located in a designated 100-year floodplain.

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. The National Register of Historic Places has been consulted; and it has been determined that there are no properties currently listed in the Register, or eligible for inclusion therein, which would be affected by the proposed work. A Corps staff archeologist also will review topographic maps and data on reported sites in the area. If it is determined that further review is not warranted, these reviews will constitute the full extent of cultural resources investigation by this office unless we are made aware, as a result of comments received in response to this notice or by other means, of the existence of specific structures or sites which might be affected by the proposed work.

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 this office written comments or objections relative to the proposed work on or before **October 15, 2004.** 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, 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.

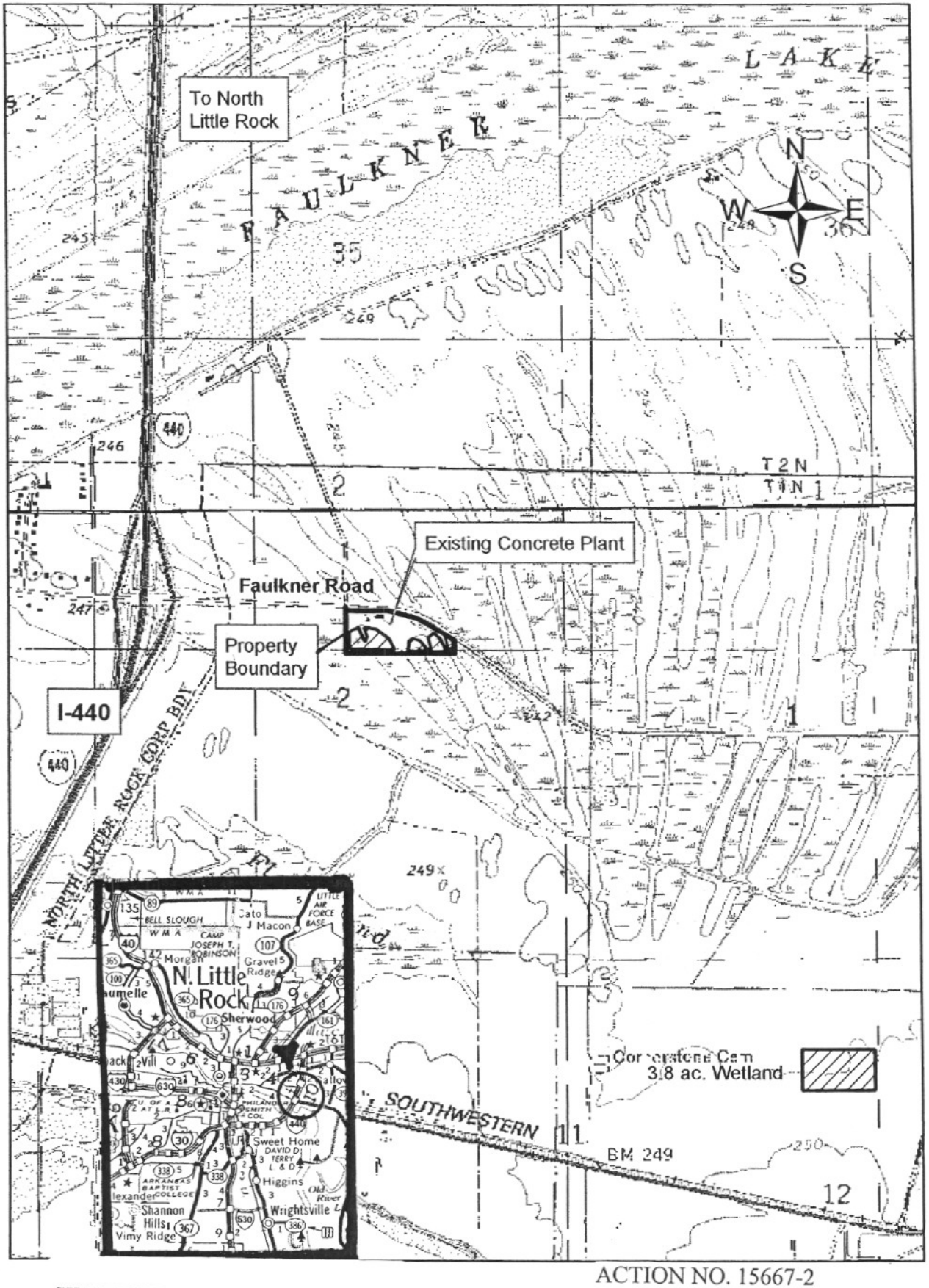
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

Enclosures

Approximate Coordinates of Project Center

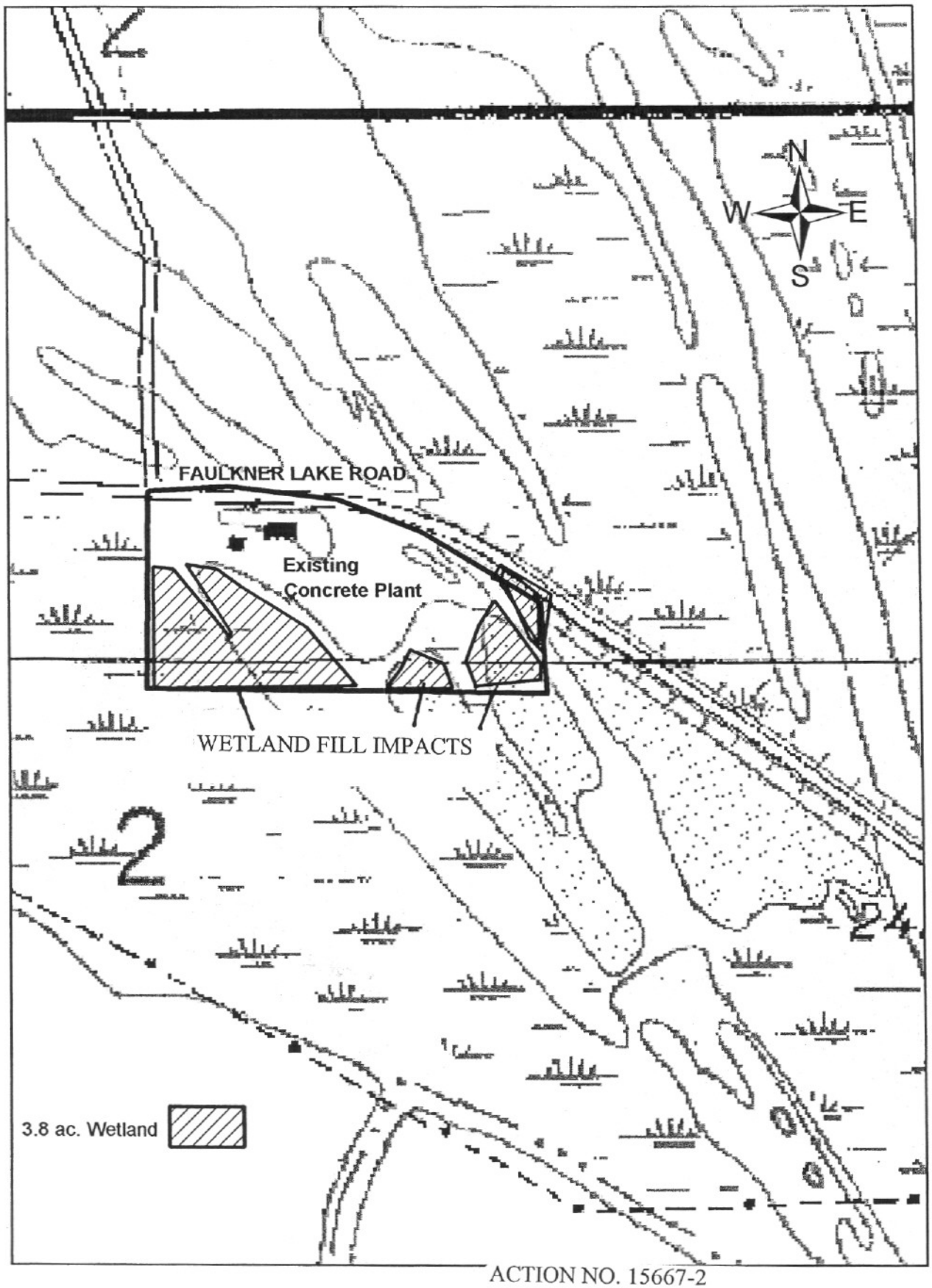
Latitude: **34 -44-39.7919** Longitude: **92 -9 -8.9331**

UTM Zone: **15** North: **3844830.00** East: **577580.00**



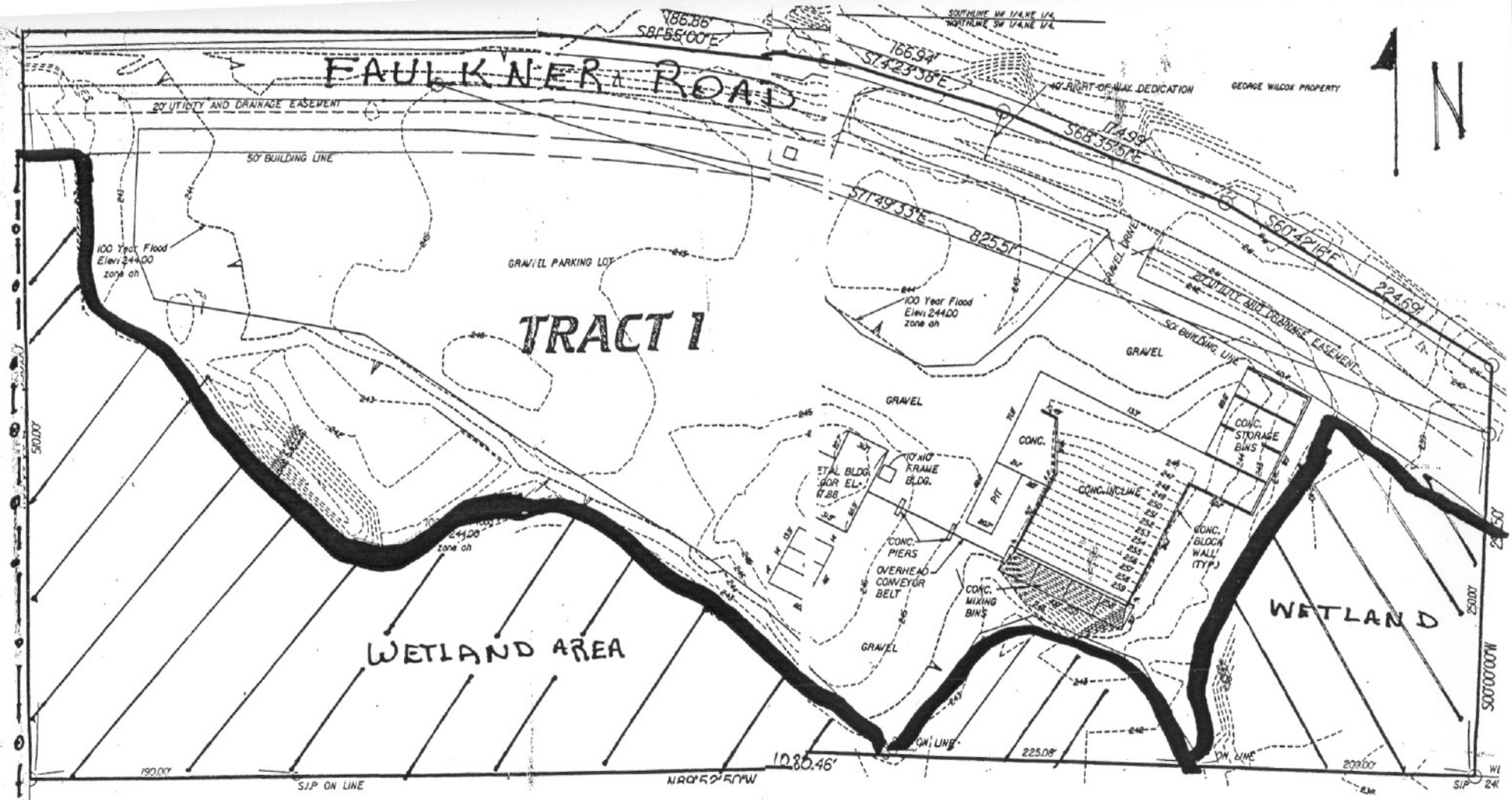
SWEET HOME AR, QUAD
FAULKNER LAKE ROAD

ACTION NO. 15667-2
B & B Concrete
Wetland Fill
Sec 2, T. 1 N., R. 11 W.
September 1, 2004SHEET 1 OF 3



0 75150 300 450 600
Feet

ACTION NO. 15667-2
B & B Concrete
Wetland Fill
Sec 2, T. 1 N., R. 11 W.
September 1, 2004SHEET 2 OF 3



B & B CONCRETE

SWEET HOME AR, QUAD
FAULKNER LAKE ROAD

ACTION NO. 15667-2
B & B Concrete
Wetland Fill
Sec 2, T. 1 N., R. 11 W.
September 1, 2004SHEET 3 OF 3