



US Army Corps
of Engineers®
Little Rock District

JOINT PUBLIC NOTICE

CORPS OF ENGINEERS – STATE OF ARKANSAS

Application Number: 1985-05079-5

Date: July 22, 2015

Comments Due: August 17, 2015

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, 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.

Project Information. Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403), notice is hereby given that

**Mr. Ronnie Duffield
Ronnie Duffield Gravel Company
16 Bluff Drive
Russellville, Arkansas 72802-7866**

has requested a time extension of an existing permit that would authorize the continuation of their commercial excavation of sand and gravel. The project is located on the left descending bank of the Arkansas River, Navigation Mile 201.8, in the SW 1/4 of section 33, T. 7 N., R. 20 W., south of Russellville, Pope County, Arkansas.

The basic project purpose is to remove sand and gravel for processing and subsequent individual and commercial use. The overall purpose of the project is to remove the material historically deposited by the Arkansas River with a front-end loader and transport by dump truck for processing and sale. The project is not water dependent.

The subject area is an ongoing sand and gravel removal operation near the Arkansas River.

The top of the cut shall be no closer than 400 feet landward of Revetment 254.4L and no closer than 300 feet of any part of a dike. The material shall be removed no lower than elevation 284.0 feet National Geodetic Vertical Datum of 1929. Side slopes of the excavated area shall be 1V:3H or flatter.

Excavation operations have been permitted in this area since 1985. Approval of the current request would extend the excavation period for the previously permitted site for five years. The Little Rock Regulatory Division does not typically require mitigation for Standard Permits specific to Section 10 activities, such as excavation. Due to this established standard operating procedure and the minor impacts of the project, no mitigation will be required if the project is permitted.

The location and general plan for the proposed work are shown on the enclosed sheets.

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 CFR Part 60 (Floodplain Management Regulations Criteria for Land Management and Use) and Executive Order 11988 on Floodplain Management.

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 **August 17, 2015**. 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.

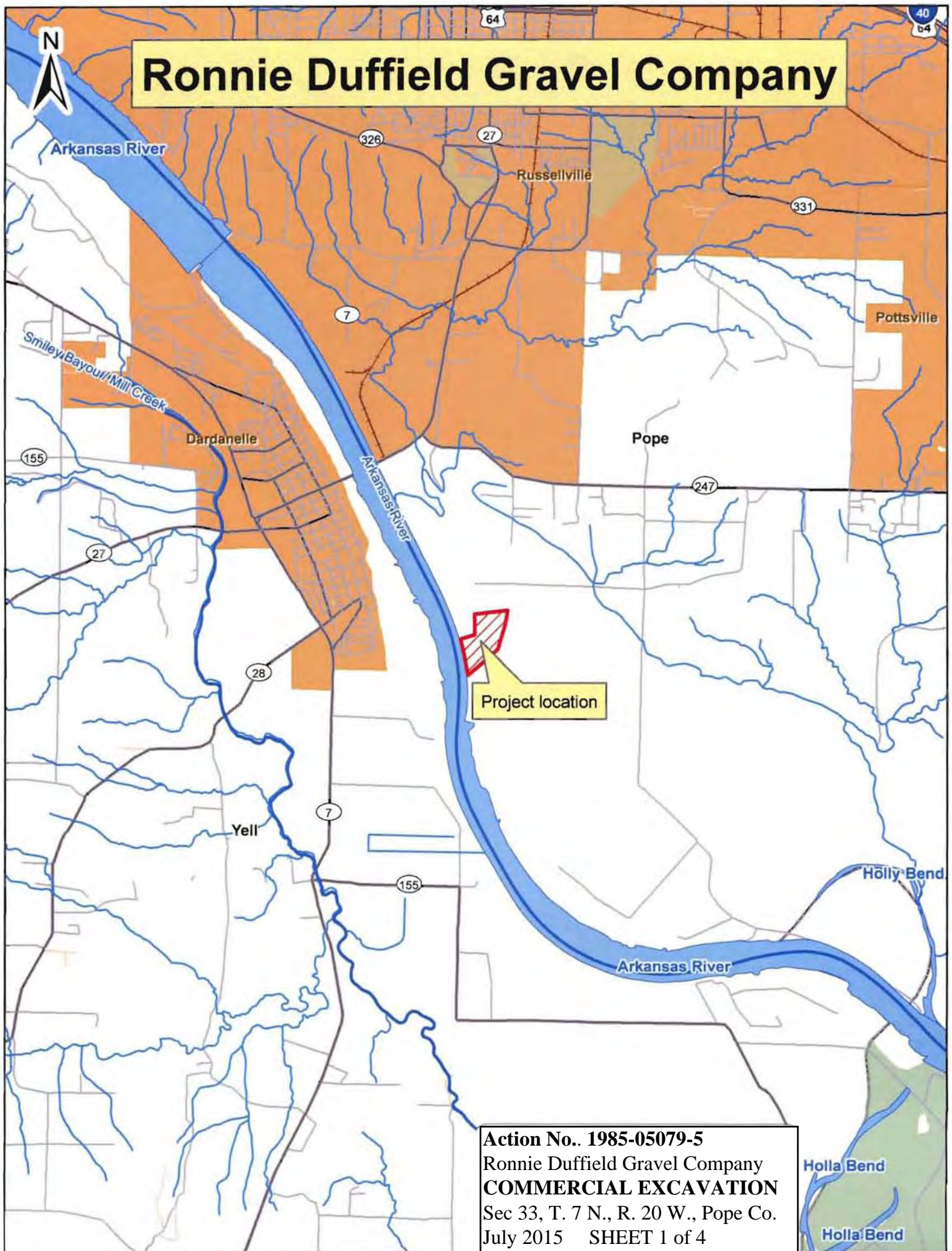
NOTE: The mailing list for this Public Notice is arranged by state and county(s) where the project is located, and also includes any addressees who have asked to receive copies of all public notices. Please discard notices that are not of interest to you. If you have no need for any of these notices,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

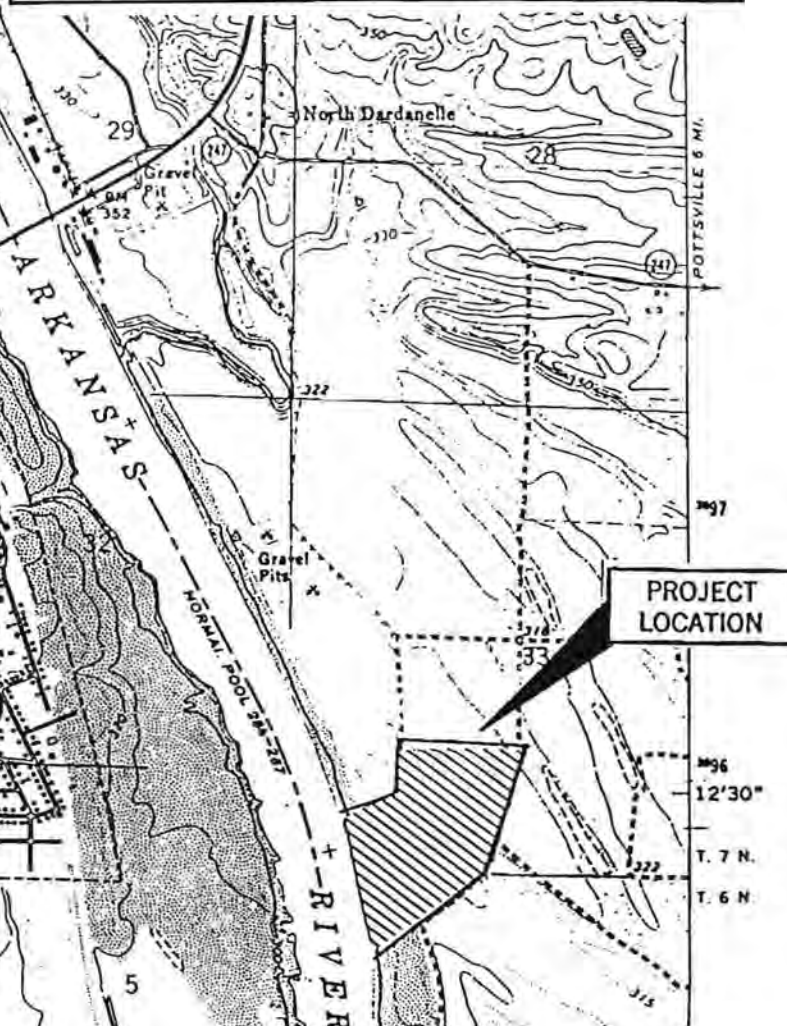
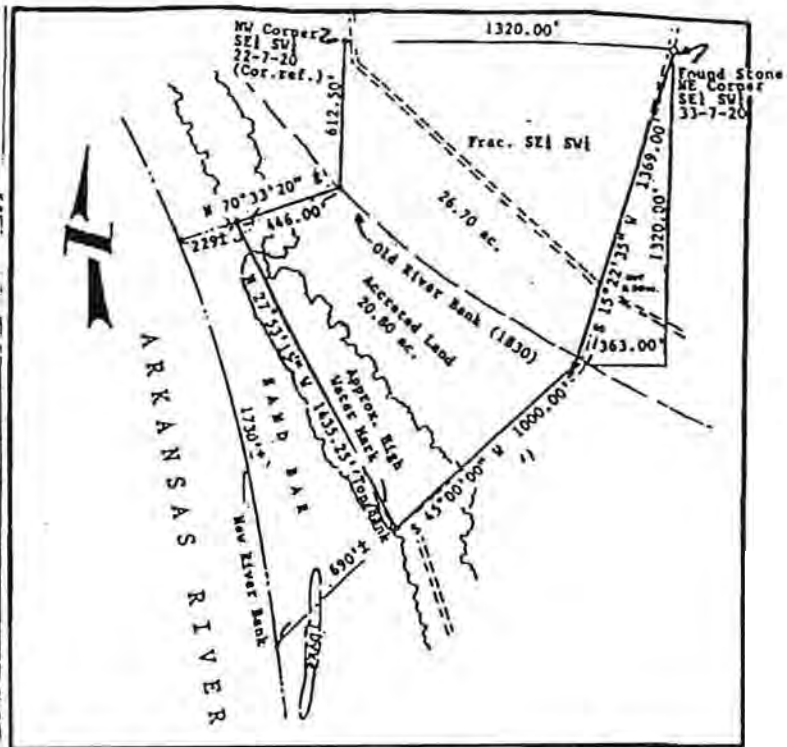
Enclosures

Approximate Coordinates of Project Center

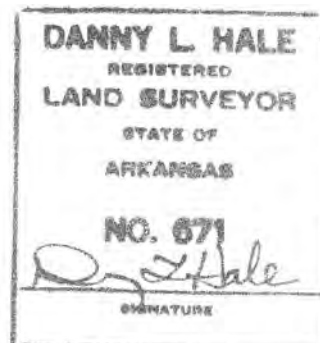
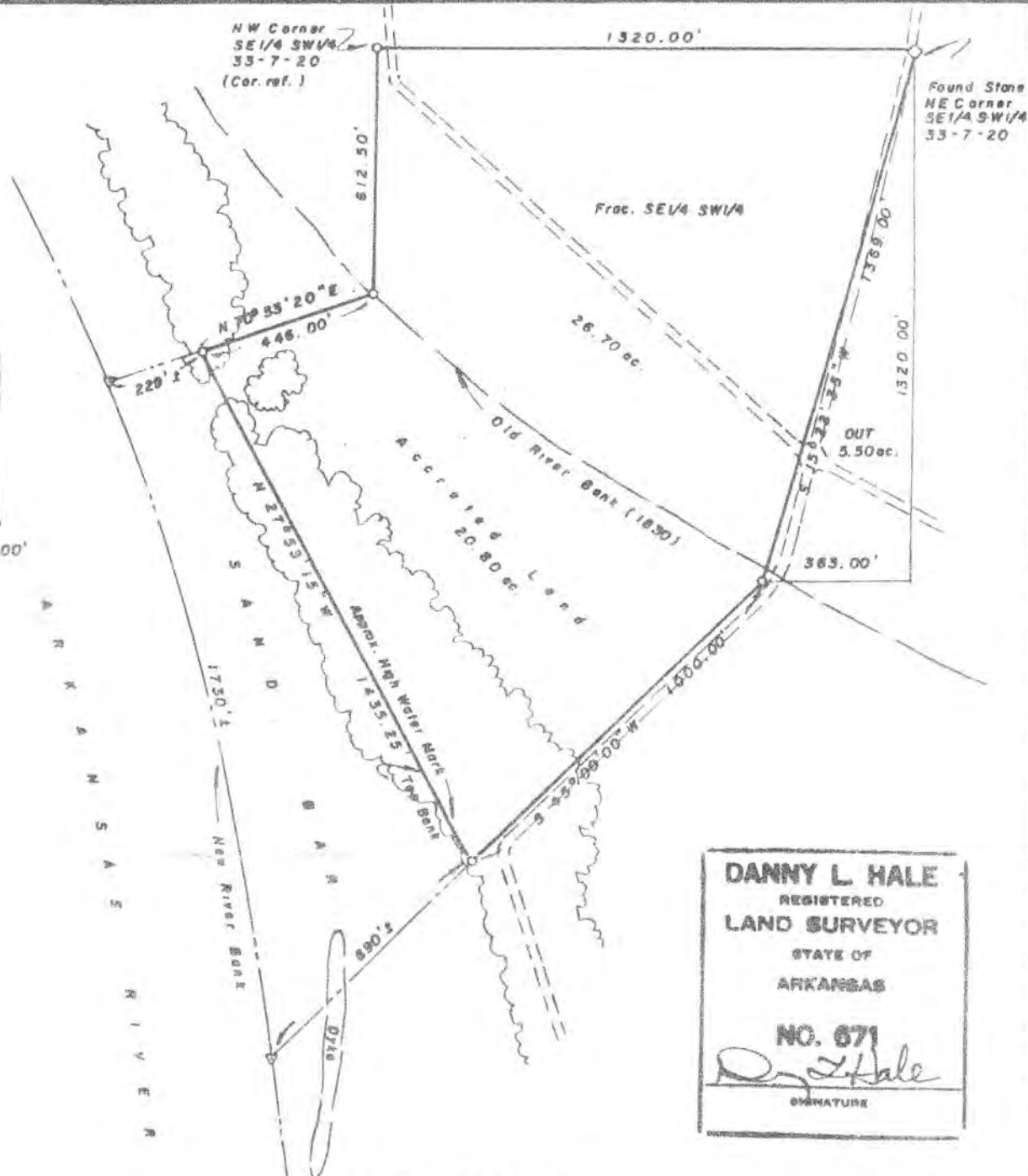
Latitude: **35.2069** Longitude: **-93.1351**

UTM Zone: 15 North: **3896000** East: **487700**





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COMMERCIAL EXCAVATION
 Sec 33, T. 7 N., R. 20 W., Pope Co.
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LEGAL DESCRIPTION

All of the fractional $\text{SE}\frac{1}{4}$ of the $\text{SW}\frac{1}{4}$ of Section 33, T-7-N, R-20-W, Pope County, Arkansas, and all accreted land therein. Less and Except a part of said fractional $\text{SE}\frac{1}{4}$ of the $\text{SW}\frac{1}{4}$ described as beginning at the NE Corner of said $\text{SE}\frac{1}{4}$ of the $\text{SW}\frac{1}{4}$; thence South 1320.00 ft.; thence West, 363.00 ft.; thence N $15^{\circ} 22' 35''$ E, 1369.00 ft. to the Point of Beginning. Containing in the aggregate 47.50 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Danny L. Hale, a Registered Land Surveyor, have (or have had under my supervision) surveyed the above described property, and the above plat is a true representation thereof and shows the location of the property, its exterior boundaries, roadways, easements, and visible encroachments, if any.

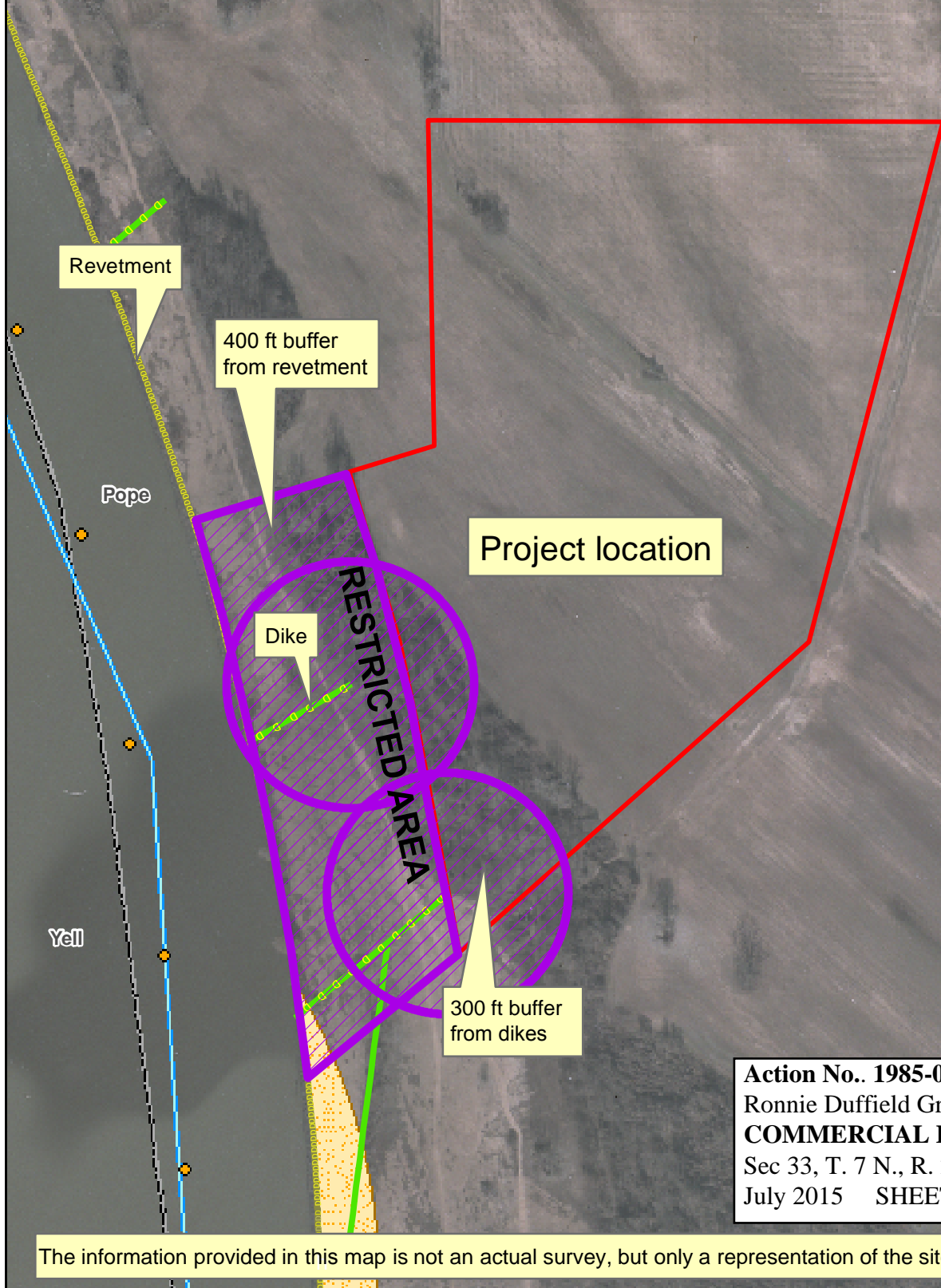
This survey is made for the exclusive use of the name hereon shown, and also those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereon shown, and as to them I warrant the accuracy of said survey and plat.

D. M. Hutcherson
PROPERTY SURVEY
HALE - MARTIN ASSOCIATES 2504 W. Main 968-5005 Russellville, Arkansas 72801
08-1295-01 10/8/81

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The information provided in this map is not an actual survey, but only a representation of the site and project location