



US Army Corps
of Engineers
Memphis District

Public Notice

REPLY TO ATTN: Tom Skelton
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-3468
Fax (901) 544-3266
EMail: James.T.Skelton@usace.army.mil

PUBLIC NOTICE NO:
MVM-2008-086(ts)

PUBLIC NOTICE DATE:
August 8, 2008

EXPIRATION DATE:
September 8, 2008

POSTMASTER PLEASE POST UNTIL:

Public Notice
Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Keith Ferrell
Metro Materials, Inc.
2174 Person Avenue
Memphis, Tennessee 38114
(901) 324-3894

AGENT: Nicholas T. Crafton
Crafton Engineering, P.C.
5694 Shelby Oaks Drive, Suite 9
Memphis, Tennessee 38134-7325
(901) 266-4501

LOCATION: The project is located on a 181-acre parcel of property north of Interstate 40, east of Hollywood Street, south of James Road and east of the railroad tracks in Memphis, Shelby County, Tennessee at approximate latitude 35.19978 and longitude -89.96791 on the Northeast Memphis 7.5 minute quadrangle map.

PURPOSE: The purpose of the project is to provide access to a sand plant.

DESCRIPTION OF WORK: The applicant proposes to extract construction sand with an electric powered hydraulic dredge and dewatering plant in a closed-loop design. Regulated activities consist of an access road for the plant, which will impact 2.10 acres of jurisdiction wooded wetlands. The wetlands are dominated by green ash, box elder, red maple, and American elm. The project will also require construction of a road crossing of an unnamed tributary of the Wolf River. The applicant proposes to mitigate for wetland losses on site by creation of 8.4 acres of wetlands. No mitigation plan was submitted, therefore, no details of the proposed mitigation are available.

WATER QUALITY CERTIFICATION: The applicant should contact the Tennessee Department of Environment and Conservation, Division of Water Pollution Control (TDEC) at (615) 532-0713 or TDEC, 7th Floor L. & C. Annex Building, 401 Church Street, Nashville, Tennessee 37243-1534 and request water quality certification. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to issuance of a Corps of Engineers permit. The Department will consider all relative comments in the decision to grant or deny water quality certification for the proposed activity. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Office, Federally-recognized Tribes, and the public in response to this public notice and we may conduct, or require a survey of the project area. A preliminary in-house records search indicated no sites have been recorded within the project area. However, the lack of recorded sites may be due to lack of cultural surveys around the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

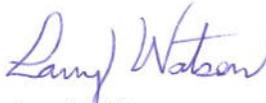
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project 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; Federally-recognized 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.

PUBLIC HEARING: 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 a public hearing shall state, with particularity, the reason 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.

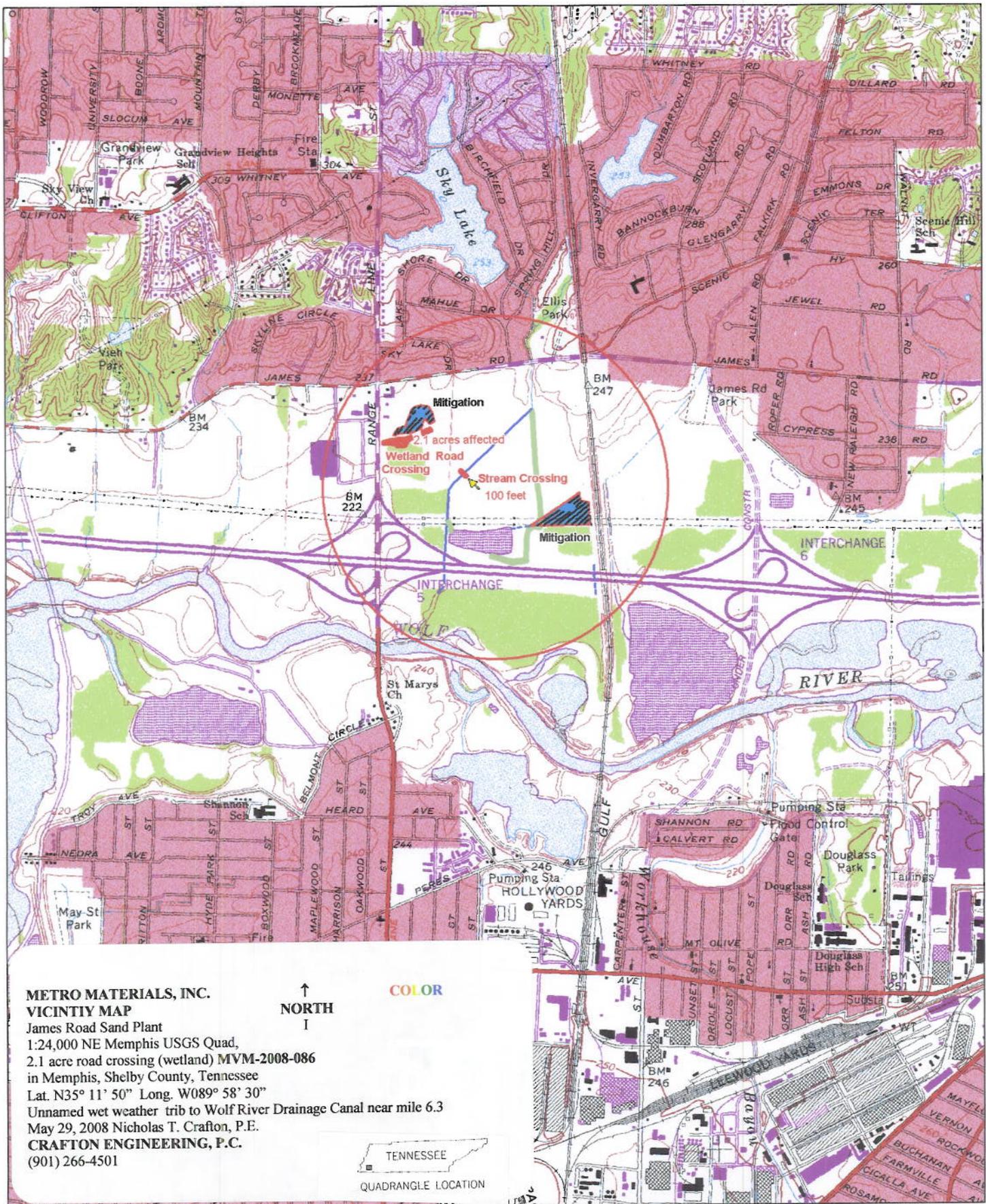
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Tom Skelton at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3468. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by September 8, 2008.



Larry D. Watson
Chief
Regulatory Branch

Attachments

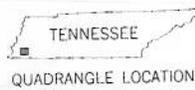


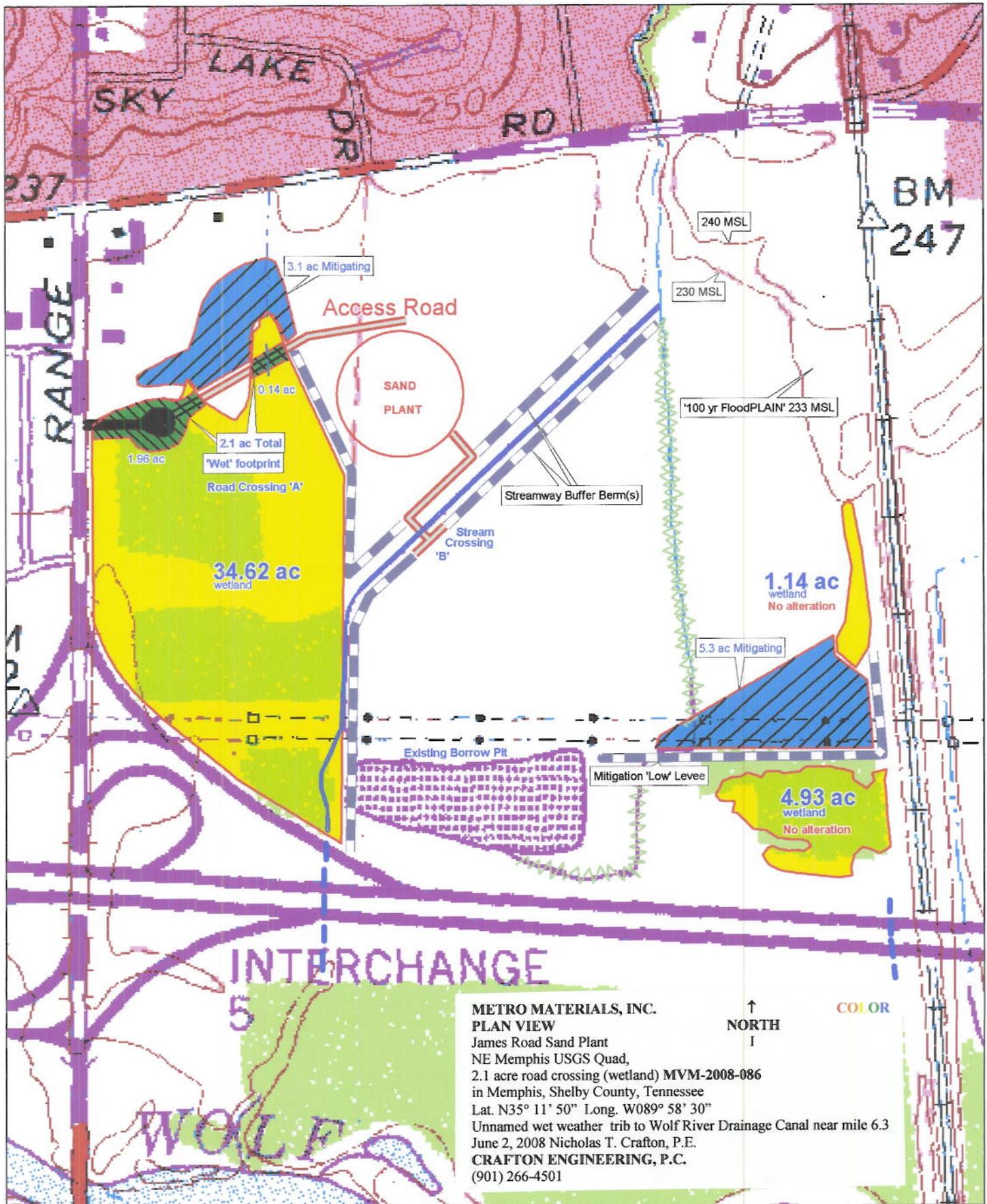
**METRO MATERIALS, INC.
VICINITY MAP**

James Road Sand Plant
 1:24,000 NE Memphis USGS Quad,
 2.1 acre road crossing (wetland) MVM-2008-086
 in Memphis, Shelby County, Tennessee
 Lat. N35° 11' 50" Long. W089° 58' 30"
 Unnamed wet weather trib to Wolf River Drainage Canal near mile 6.3
 May 29, 2008 Nicholas T. Crafton, P.E.
CRAFTON ENGINEERING, P.C.
 (901) 266-4501



COLOR

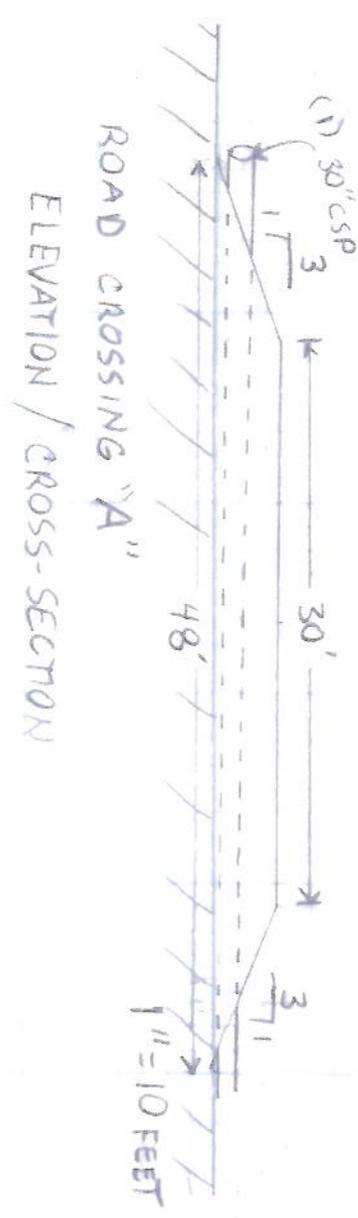
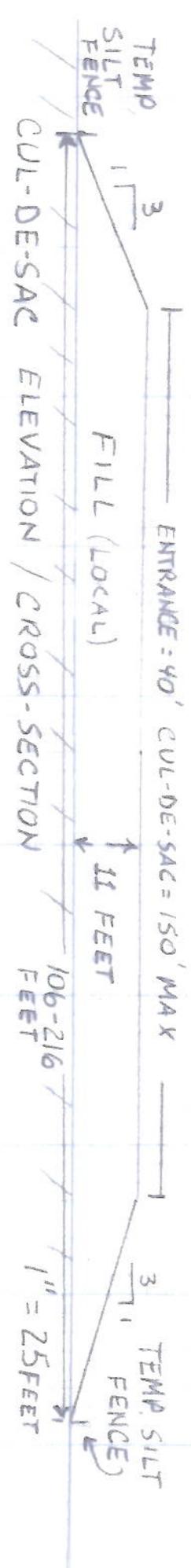
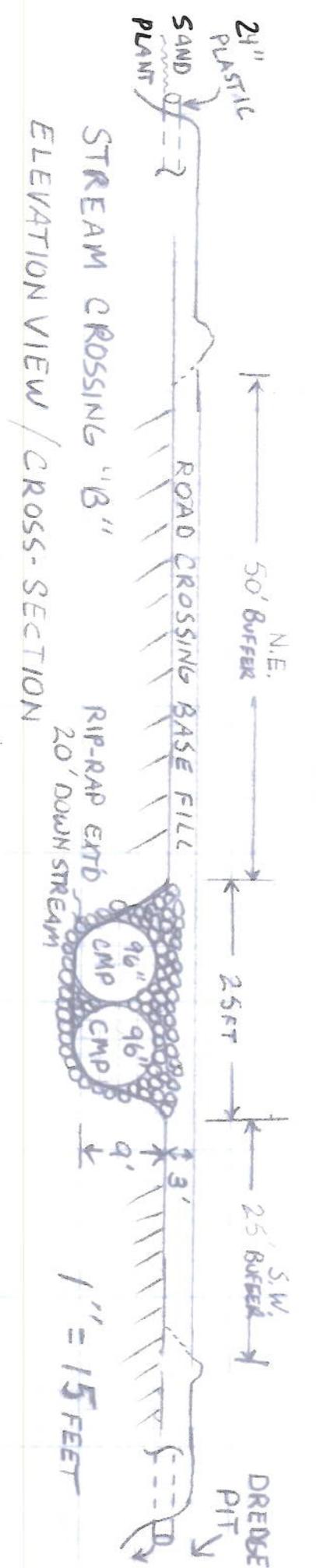




METRO MATERIALS, INC.
PLAN VIEW
 James Road Sand Plant
 NE Memphis USGS Quad,
 2.1 acre road crossing (wetland) MVM-2008-086
 in Memphis, Shelby County, Tennessee
 Lat. N35° 11' 50" Long. W089° 58' 30"
 Unnamed wet weather trib to Wolf River Drainage Canal near mile 6.3
 June 2, 2008 Nicholas T. Crafton, P.E.
CRAFTON ENGINEERING, P.C.
 (901) 266-4501

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 NORTH
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COLOR



METRO MATERIALS, INC.
 JAMES ROAD SAND PLANT
 ARAP CROSS-SECTIONS
 MVM-2008-086
 7-23-08 by Nick CRAFTON, P.E.
 CRAFTON ENGINEERING, P.C.
 (901) 266-4501