



Public Notice

US Army Corps
of Engineers
Memphis District
2004664

REPLY TO ATTN: Randy Clark
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-0735
Fax (901) 544-3266
EMail: James.R.Clark@mvm02.usace.army.mil

PUBLIC NOTICE NO:
10-Mile Bayou 2004664(RC)
REFERENCE NUMBER:
2004664
PUBLIC NOTICE DATE:
September 22, 2004

EXPIRATION DATE:
October 22, 2004

POSTMASTER PLEASE POST UNTIL: October 22, 2004

Joint Public Notice
Corps of Engineers
and
State of Arkansas

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 Guaranty Loan & Real Estate
310 Mid-Continent Plaza – 2nd Floor
West Memphis, Arkansas 72303
(870) 735-3430

AGENT: Dennis Sorrell
Sorrell Consulting Engineers
206 Shoppingway Blvd.
West Memphis, Arkansas 72301
(870) 735-8084

LOCATION: The project is located in Section 16, Township 6N, Range 9E in Crittenden County, Arkansas, at approximate latitude 35 -8 -36.2540 and longitude 90 -8 -18.7263 on the West Memphis 7.5 minute quadrangle map.

PURPOSE: The purpose of this project is to allow for commercial development along the new South Loop Club Road.

DESCRIPTION OF WORK: (Note: This project was permitted August 4, 2000 and the permit expired August 4, 2003. The project purpose and description has not changed from the original plan. The applicant was just unable to begin the project). The project consists of clearing woods along the new South Loop Club Road for future development. Approximately 20,000 cubic yards of sandy loam fill will be required to elevate the site for commercial use. The woods contain depressions on both sides of the road and contain 5.38 acres of wooded wetlands. The woods are surrounded by agricultural fields. The Saint Francis Levee District has agreed to mitigate 17.0 acres to offset the impact to the 5.38 acres of wooded wetlands. The mitigation site is located in Sections 3 and 4, Township 7N, Range 9E in Crittenden County, Arkansas at approximate latitude 35 -15 -37.3637 and longitude 90 -7 -48.1098 on the Jerico 7.5 minute quadrangle map. Nuttall oak and shumard oak will be planted on the mitigation site on a 12 X 12 foot spacing.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Pollution Control and Ecology that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or 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. 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 National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed in the register which will be affected by the work. The consultation of the National Register 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 the notice or by other means of the existence of specific structures or sites which might be affected by the work. Copies of the notice are being sent to the State Archaeologist and the State Historic Preservation Officer.

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; 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.

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.

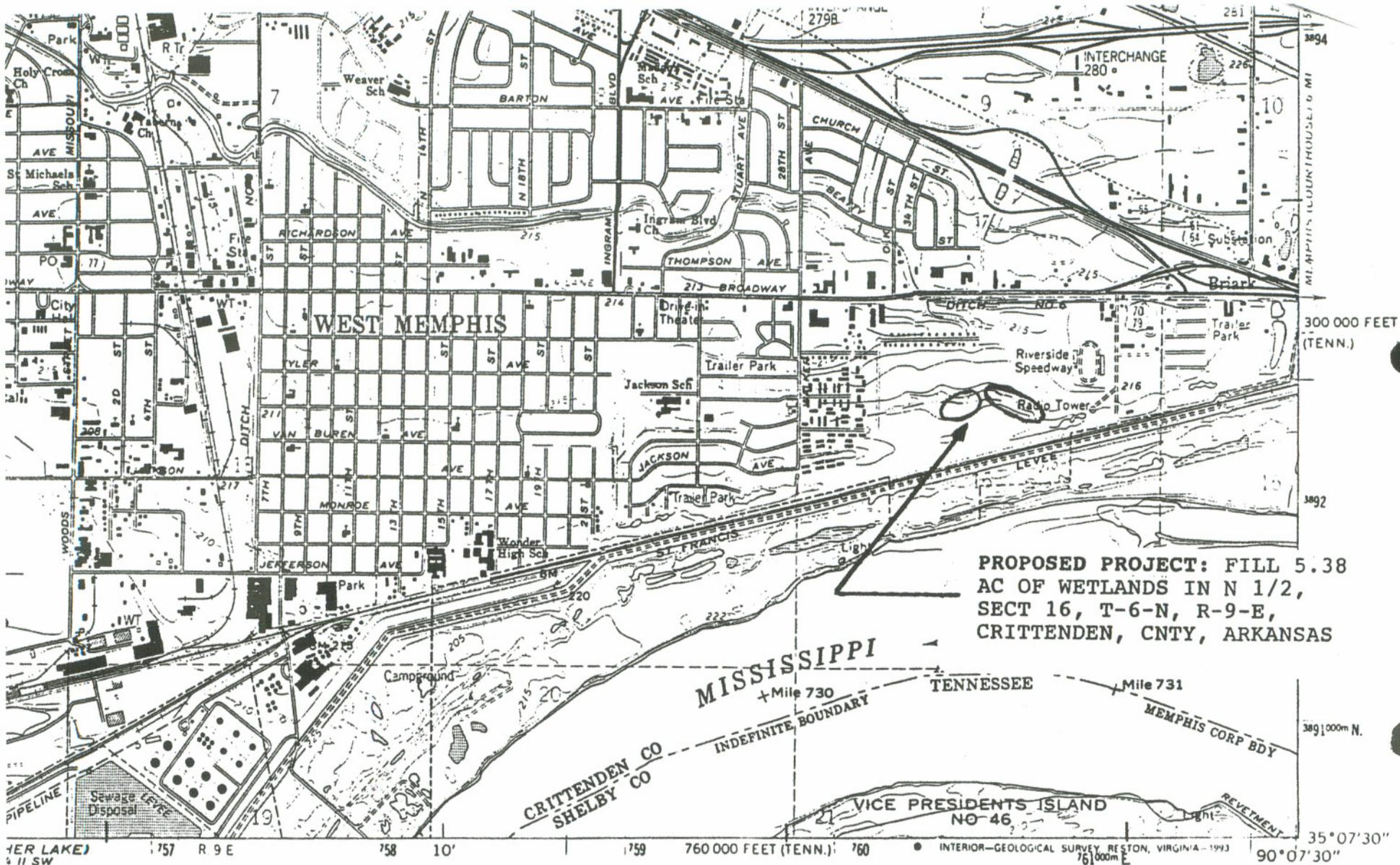
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Randy Clark at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0735. Copies of 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 October 22, 2004.

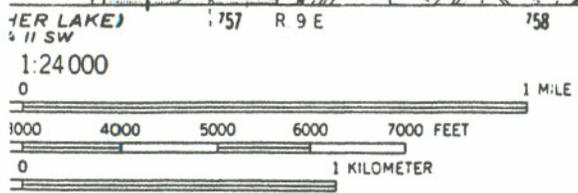


Larry D. Watson
Chief
Regulatory Branch

Attachments



PROPOSED PROJECT: FILL 5.38 AC OF WETLANDS IN N 1/2, SECT 16, T-6-N, R-9-E, CRITTENDEN, CNTY, ARKANSAS



VERTICAL INTERVAL 5 FEET
VERTICAL DATUM OF 1929

NATIONAL MAP ACCURACY STANDARDS
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
LITTLE ROCK, ARKANSAS 72204
DIVISION OF GEOLOGY NASHVILLE TENNESSEE 37242



QUADRANGLE LOCATION

MISSISSIPPI
+ Mile 730
CRITTENDEN CO SHELBY CO INDEFINITE BOUNDARY
TENNESSEE
+ Mile 731
MEMPHIS CORP BDY
VICE PRESIDENTS ISLAND NO 46
35° 07' 30" 90° 07' 30"

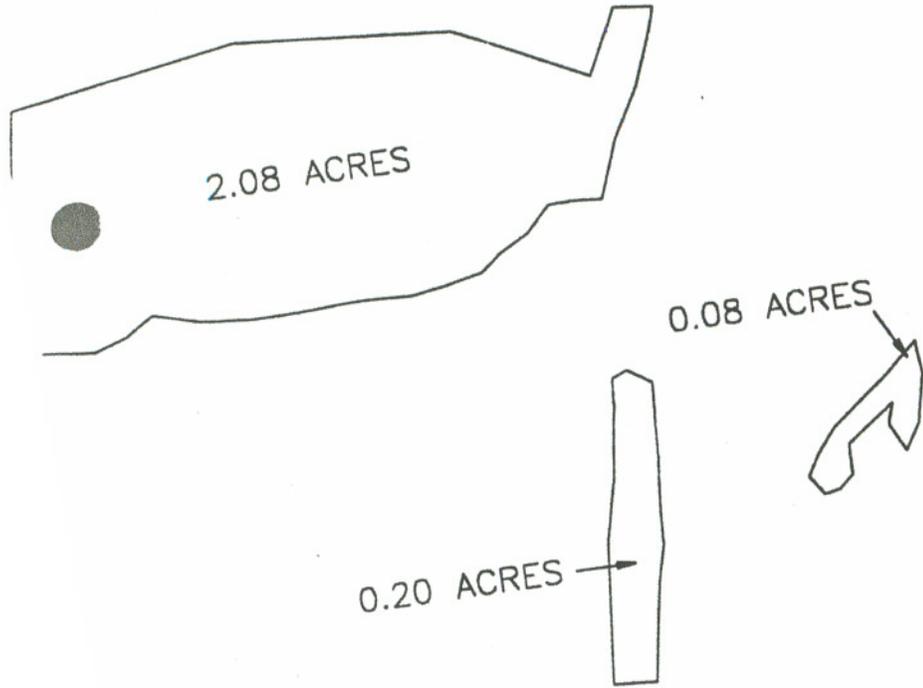
ROAD CLASSIFICATION

- Heavy-duty _____ Light-duty _____
- Medium-duty _____ Unimproved dirt _____
- Interstate Route ○ U.S. Route ○ State Route

WEST MEMPHIS, ARK. - TENN.
NW/4 MEMPHIS 15' QUADRANGLE

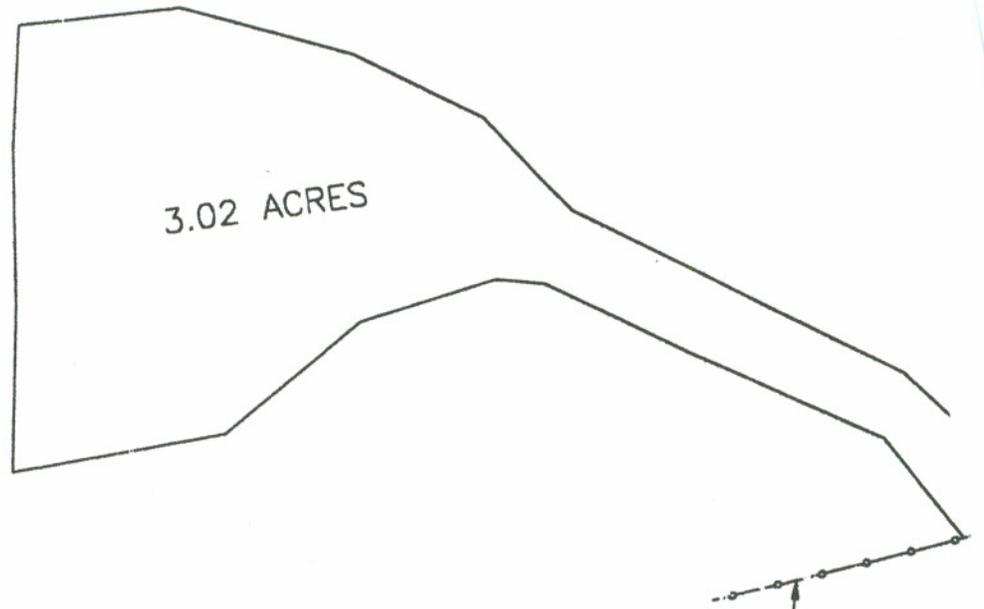
(SOUTHWEST MEMPHIS 2959 11 SE)

GUARANTY LOAN & REAL ESTATE Co.
PROPERTY



SOUTH LOOP

GUARANTY LOAN & REAL ES
&
Wm. L. JOHNSON Co
PROPERTY



ST. FRANCIS LEVEE R/W

Sorrell
206 Shoppir
WETLAND
GUARDIAN

PROPOSED MITIGATION SITE
17.0 ACRES OPEN FIELD
SOIL TYPE - BOWDRE SILTY CLAY
SW 1/4, SECT 3 & SE 1/4, SECT 4
T-7-N, R-9-E, CRITTENDEN COUNTY

