



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2014-172 (JKB)

NOTICE DATE:
July 15, 2014

EXPIRATION DATE:
Attn: Postmaster,
Please Post Until  **August 13, 2014**

Joint Public Notice

U.S. Army 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:

David Stickler
Big River Steel, LLC
1111 Brickell Avenue, 11th Floor
Miami, Florida 33131
Office Phone: (330) 908-0813

Agent:

Heath Garner
Enercon Services, Inc.
3910 Clay Drive
Jonesboro, Arkansas 72404
Office Phone: (870) 219-1721

PURPOSE: The purpose of this project is to construct an industrial steel mill. As part of the proposed steel mill, roadway and railroad infrastructure as well as multiple buildings would be constructed.

LOCATION: The project site is located south of the City of Osceola, Arkansas. Construction would occur on the west side of the mainline levee of the Mississippi River in Sections 19, 20, 21, 29, and 30, Township 12N, Range 11E, in Mississippi County, Arkansas, at approximate latitude 35.6454° N and longitude -89.9433° W (Attachment 1: Vicinity Map, Attachment 2: Topographic Map Project Location, Attachment 3: Aerial Photograph Project Location).

DESCRIPTION OF WORK: The applicant proposes to construct an industrial steel mill with an associated 7.3 miles of access and transportation roadway, 23 miles of railroad to and around the main facilities, and multiple buildings (Attachment 4: Site Plan). Land grading would be required for structural engineering integrity, storm water drainage, and road bed construction. Approximately 2,500,000 cubic yards of soil would be displaced as part of construction and grading using tractors and dirt pans, bulldozers, and excavators and would include the excavation of sediment and stormwater detention ponds. A majority of the construction will be within non-wetland agricultural fields. Land grading will impact 2.6 acres of emergent (farmed) wetlands. Additional impacts to jurisdictional wetlands and streams are associated with linear roadway and railroad crossings and a small (0.02 acres) overflow drainage ditch exiting the planned detention pond (Attachment 5: Wetland Impact Map). The crossings will impact 0.65-acre of forested wetlands and approximately 233 linear feet of stream channel. Wetland impacts would be mitigated off site but on adjoining property controlled by Big River Steel, LLC, east of the mainline levee (Attachment 6: Aerial Photograph Mitigation Location). Stream impacts would be mitigated on site (Attachment 7: Aerial Photograph Mitigation Location).

AVOIDANCE/MINIMIZATION: According to the applicant, approximately 13,652 cubic yards of fill would be placed within waters of the U.S. Impacts to forested wetlands and streams are limited to linear roadway and railroad crossings and a small ditch exiting the planned detention pond. Where the linear transportation crossings impact waters of the U.S., vegetative clearing will be minimized to widths necessary for proper culvert installation

to maintain current drainage and allow safe vehicular travel. According to the applicant, impacts to the emergent (farmed) wetlands are unavoidable due to the existing grading plan of the agricultural fields. The grading and drainage plan for the site will be incorporated with existing jurisdictional wetlands and streams in order to maintain current hydrological inputs during rain events.

MITIGATION: Wetland mitigation would include minor grading of an agricultural field surrounding an existing 5.5-acre scrub-shrub wetland. The area would be graded to expand saturated conditions from the existing scrub-shrub wetland. The graded area would be planted with bottomland hardwood seedlings. Mast producing seedlings would also be planted within the scrub-shrub wetland to enhance the vegetation community. The created and enhanced wetland acreage would total 23 acres. The applicant proposes to mitigate stream impacts with the restoration of 841 linear feet of stream with associated 30-foot buffers on each side of the stream.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality 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 the 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: This notice is being coordinated with the USFWS. Any comments USFWS 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 applicant provided information from a cultural resources evaluation of the project area. The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain 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. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps project. We are not a proponent or are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District and Arkansas Department of Environmental Quality. Comments may be sent via mail or E-mail to the following:

U.S. Army Corps of Engineers Memphis District
ATTN: Josh Bright
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: joshua.k.bright@usace.army.mil
phone: (901) 544-0926
fax: (901) 544-0211

Mark Hathcote
State Permits Branch, Water Division
Arkansas Department of Environmental Quality
5301 North Shore Drive
Little Rock, Arkansas 72118-5317
E-mail: hathcote@adeq.state.ar.us

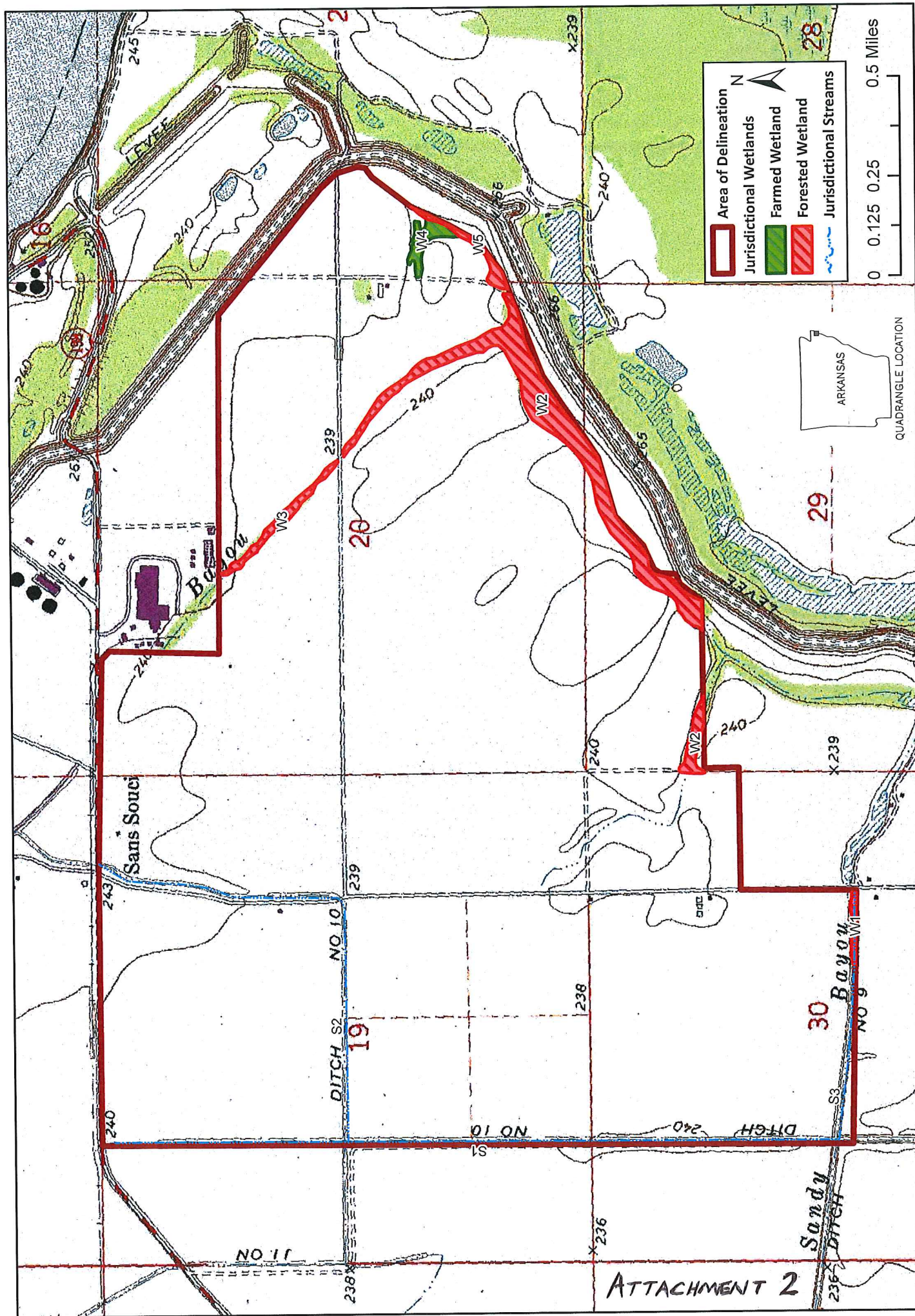
The Corps may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments should be received by the expiration date listed on page one of this notice.

For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the **"Pending IP"** tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.



Tim H. Flinn, P.E.
Acting Chief
Regulatory Branch

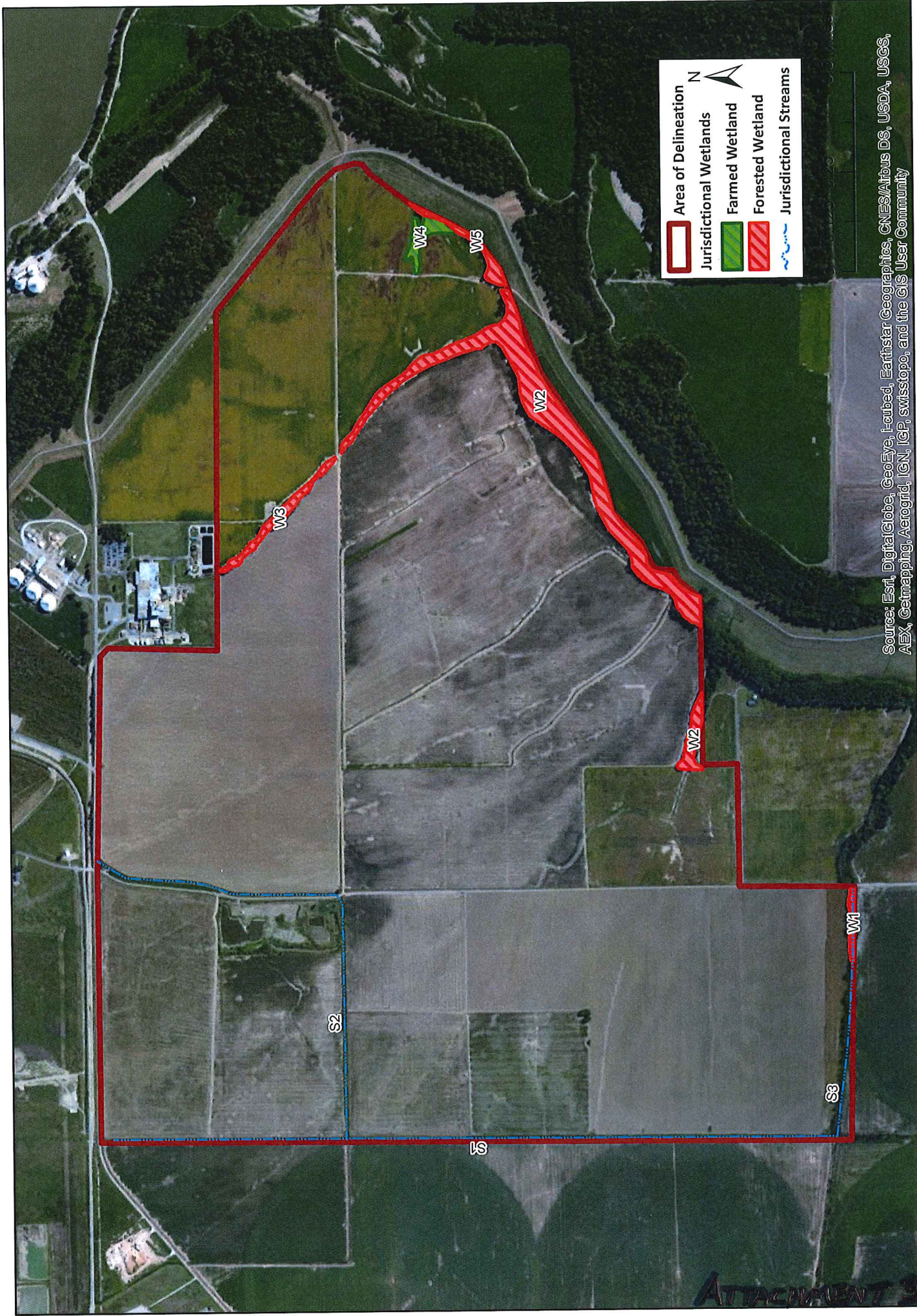
Attachments



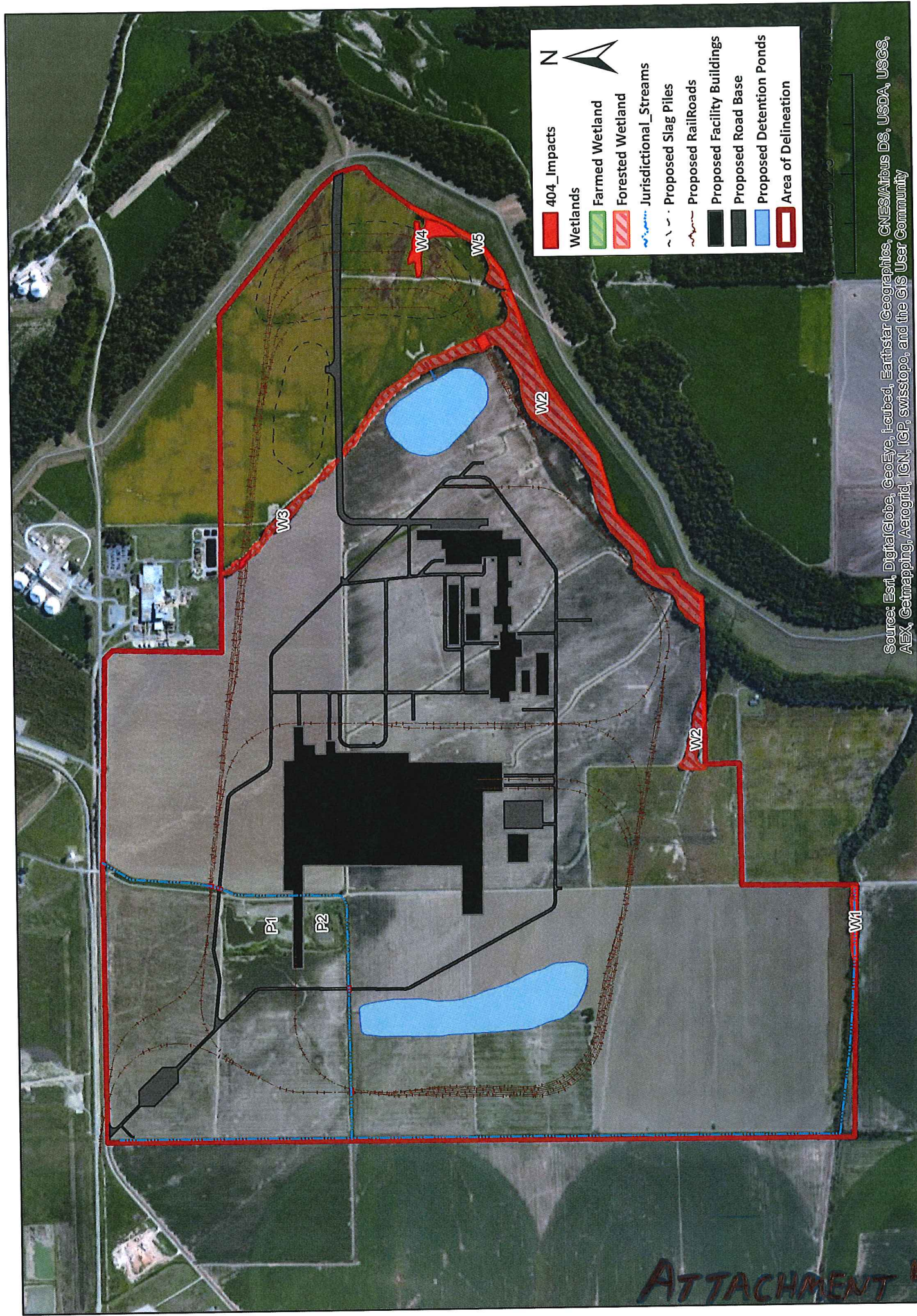
Proposed Big River Steel Site
Mississippi County, Arkansas

Delineated Jurisdictional Streams and Wetlands
on USGS 7.5-minute topographic quadrangle





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Name	Acres	SQ_FT
Area 1	0.214009	9322.22
Area 2	0.0119	518.353
Area 3	2.5583	111440
Area 4	0.424975	18511.9
Area 5	0.01959	853.331
Reach 1	0.036428	1586.81
Reach 2	0.036428	1586.81
Reach 3	0.043944	1914.22
Reach 4	0.043944	1914.22

Additional Area 5 - 0.02 Acre
Impact from 10' wide
overflow ditch

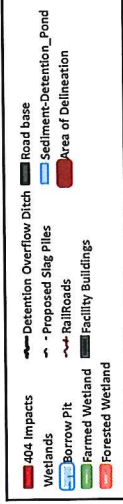


520 Feet

260

130

Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, Geomatics, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Proposed Big River Steel Site
Mississippi County, Arkansas

MVM-2014-172[JKB] Addendum
Wetland Impact Map



ATTACHMENT 5



Source: Esri, DigitalGlobe, GeoEye, Iacubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

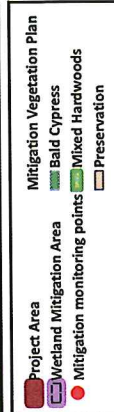
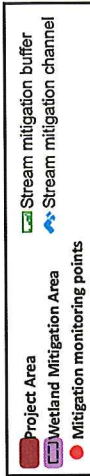
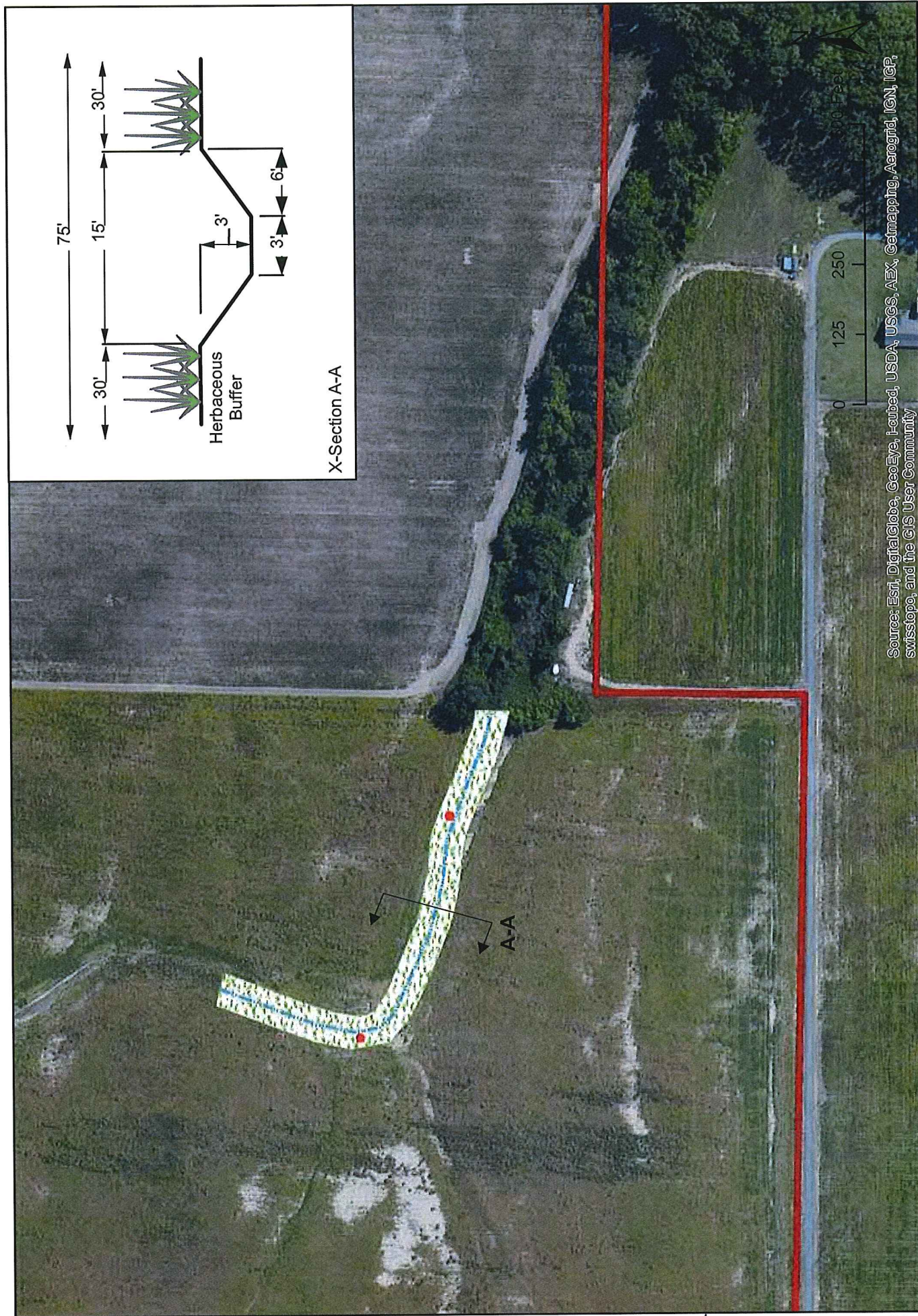


Figure 2. Wetland Mitigation Afforestation and Wetland Preservation Plan





Proposed Big River Steel Mitigation Plan
Mississippi County, Arkansas

Figure 1. Stream Mitigation Plan

