



Public Notice

US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice Number: 200050070

Date: October 24, 2000

Comments Due: November 24, 2000

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act and for water quality certification under Section 401 of the Clean Water Act to retain fill in 0.55 acre of wetland, as shown in the attached drawings.

APPLICANT: Richard W. Erickson, P.O. Box 400, West Jordan, Utah 84084

LOCATION: The Project is located at 2122 South 7200 West, Magna, in Section 21, Township 1 South, Range 2 West, Salt Lake County, Utah.

PURPOSE: The purpose of the project is to build a shop and open storage yard for expansion of the applicants current construction business.

PROJECT DESCRIPTION: The project is to retain 0.55 acre of fill in a playa and build a shop and open storage.

AREA DESCRIPTION: The area is largely used for salvage yards and construction operations. The playa filled is part of a larger playa complex.

ALTERNATIVES: The alternative are to purchase land in other areas and to build the shop and storage around the wetland. Purchasing land elsewhere is cost prohibitive and avoiding the wetland is not practicable.

ADDITIONAL INFORMATION: The applicant proposes to create 0.6 acre of playa on site adjacent to remaining playa as mitigation of impacts.

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected.

No further cultural resources review is warranted because all work in the permit area has been completed.

This activity would not affect any threatened or endangered species. The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Certification for this project, according to Section 401 of the Clean Water Act has been requested from the Utah Division of Water Quality. The Utah Division of Water Quality intends to issue certification, provided that the proposed work will not violate applicable water quality standards. Projects are usually certified where the project may create diffuse sources (nonpoint sources) of wastes which will occur only during the actual construction activity, and where best management practices will be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Mr. William O. Moellmer, Ph.D., Utah Division of Water Quality, 288 N. 1460 W., Salt Lake City, UT, 84114, on or before **November 23, 2000**.

Interested parties are invited to submit written comments on or before **November 23, 2000**. 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 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, cultural values, 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, consideration of property ownership, and in general, the needs and welfare of the people.

For activities involving 404 discharges, a permit will be denied if the discharge does not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria, a permit will be granted unless the District Engineer determines it would be contrary to the public interest.

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.

If additional information is required, please contact Mr. James Thomas, 1403 South 600 West, Suite A, Bountiful, UT, 84010, email jthomas@spk.usace.army.mil, telephone (801) 295-8380.

Michael J. Walsh
Colonel, Corps of Engineers
District Engineer

Enclosures: Drawing(s)