



US Army Corps  
of Engineers  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Public Notice Number: SPK-2008-00023

Date: May 16, 2008

Comments Due: June 16, 2008

In reply, please refer to the Public Notice Number

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct a project that would result in permanent impacts to approximately 2.55 acres of waters of the United States, including wetlands, in or adjacent to a tributary to the Great Salt Lake. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at: <http://www.spk.usace.army.mil/regulatory.html>.

**AUTHORITY:** This application is being evaluated by the Corps under Section 404 of the Clean Water Act for the discharge of fill material in waters of the United States and by the State of Utah for Section 401 water quality certification.

**APPLICANT:** Eric Hagemester, Engineering Director  
The Procter and Gamble Paper Products Company  
6105 Center Hill Avenue  
Cincinnati, Ohio 45224

**LOCATION:** The project site is located near a tributary to the Great Salt Lake, Sections 14 & 15, Township 10 North, Range 3 West, SLB&M, Box Elder County, Utah, and can be seen on the Tremonton USGS Topographic Quadrangle. The project site is located at approximately 5000 Iowa String Road, Bear River City, Utah 84301.

**PROJECT DESCRIPTION:** The applicant is proposing to impact 2.55 acres of wetlands to construct Phase I and II of a new Procter & Gamble (P&G) paper machine production complex on a 727-acre parcel. Under Phase I of the project, P&G would construct a paper machine facility for the production of paper towels and toilet tissue. Under Phase II, P&G would construct a paper machine facility for construction of diapers and a distribution center. According to the applicant, the project will provide establish a new paper products production center to support sales and distribution of Procter and Gamble Products in the Western United States and would result in addition of approximately 2,500 new jobs in Northern Utah. The applicant believes there is a need to construct this facility in order for the company to remain economically competitive in the sales of its products in the Western region of the U.S. The attached drawings provide additional project details.

## **ADDITIONAL INFORMATION:**

**Environmental Setting.** The site has been used for irrigated and dry-land agriculture with irrigation water being supplied from the Corrine Canal. The Canal, which bisects the property, is a raised canal constructed approximately 100 years ago and conveys flows from the Bear River. Portions of the site are historically a tributary of the Malad River. The site's hydrology has been modified as a result of irrigation practices which included installation of drainage ditches and subsurface drain pipes. A total of 2.74 acres of wetlands were delineated on the site by the applicant's agent. Wetland types included

2.55 acres of evaporative basins, dominated by saltgrass (*Distichlis spicata*) and pickleweed (*Salicornia rubra*), as well as 0.19 acre of emergent marsh. All of the building components of the Phase 1 and 2 paper machine facilities would be constructed on the west side of the Corinne Canal on land historically cultivated for row crops.

**Alternatives.** The applicant has provided information, detailed below, concerning project alternatives. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Off-site Alternatives:

Proctor and Gamble evaluated potential sites in Oregon, Washington and Southern Utah before selecting Box Elder County in Northern Utah as the optimal location to site the new complex. A total of 12 Box Elder County sites were studied by the applicant. According to the applicant, 11 sites had flaws that precluded them from further consideration, including but not limited to, landowners' unwillingness to sell property, excessive topographic relief, air quality permitting problems due to site proximity to mountain ranges, excessive wetlands present, irregular-shaped or site too small, and site located too far from existing railroad service. The applicant believes that the selected Bear River City project area is the best site to locate and build the new paper machine complex.

On-site Alternative North-South Alignment:

This alternative would involve orienting the footprint of this facility and future facilities on a north-south axis. According to the applicant, this layout would result in filling 2.55 acres of wetlands. There would be no difference in wetland impacts between this layout and an east-west configuration. However, the applicant believes that a north-south alignment would be less efficient in providing railroad access and it would also require construction of additional access roads. The applicant estimates that this alignment would cost significantly more money to build and would result in substantial delays in the project's schedule.

On-site Alternative East-West Alignment:

The applicant's preferred alternative for constructing the proposed project is a footprint layout using an east-west axis. According to the applicant, approximately 2.55 acres of delineated wetland and 257 linear feet of a ditch situated within a remnant drainage would be filled by the placement of surcharge fill material that would be removed from the Phase 1 construction site and placed on the Phase 2 paper machine construction site to avoid the double moving of fill material and to allow proper settlement of discharged fill prior to start of construction of the Phase 2 facilities. The surcharging of the Phase 2 site would result in permanent impacts to the W-2 wetland. Construction of the Phase 2 paper machine and diaper-making production facilities would not begin until after the Phase 1 paper machine facility becomes fully operational in approximately 2 years.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to purchase credits from a Corps-approved wetlands mitigation bank.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Utah Division of Water Quality, is required

for this project. 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 (non-point sources) of wastes which will occur only during the actual construction activity and where best management practices would be employed to minimize pollution effects. Written comments on water quality certification should be submitted to Ms. Shelly Andrews, Utah Division of Water Quality, 288 North 1460 West, Post Office Box 144870, Salt Lake City, Utah 84114-4870, or email shellyandrews@utah.gov, on or before **June 16, 2008**.

**HISTORIC PROPERTIES:** Based on the available information (including applicant's report entitled 404 Individual Permit Application for The Proctor and Gamble Paper Products Company New Paper Machine Complex), cultural resources are not within the project's area. The Corps will not initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act unless additional information warrants consultation.

**ENDANGERED SPECIES:** Based on preliminary review and available information (including applicant's report entitled 404 Individual Permit Application for The Proctor and Gamble Paper Products Company New Paper Machine Complex), the project will not affect any Federally-listed threatened or endangered species or their critical habitat that are protected by the Endangered Species Act. The Corps will not initiate consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act unless additional information warrants consultation.

**ESSENTIAL FISH HABITAT:** The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act. The above determinations are based on information provided by the applicant and our preliminary review.

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**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity 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, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps 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 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 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.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice SPK-2008-00023 must be submitted to the office listed below on or before **June 16, 2008**.

John Urbanic, Project Manager  
US Army Corps of Engineers, Sacramento District  
Utah Regulatory Office  
533 West 2600 South, Suite 150  
Bountiful, Utah 84010  
Email: john.e.urbanic@usace.army.mil

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the applicant's agent, Dennis Wenger, Wetland Specialist, Frontier Corporation, (435) 753-9502, or the Corps' project manager John Urbanic, (801) 295-8380 ext. 13, john.e.urbanic@usace.army.mil.

Attachments: 4 drawings