



**US Army Corps
of Engineers**
Omaha District

PUBLIC NOTICE

Application No.: NWO-2012-00142

Applicant: Croell Redi-Mix, Inc.

Waterway: Wetlands

Issue Date: October 15, 2012

Expiration Date: November 15, 2012

30 DAY NOTICE

Wyoming Regulatory Office 2232 Dell Range Blvd., Suite 210 Cheyenne, Wyoming 82009

JOINT NOTICE OF PERMIT PENDING

U.S. ARMY CORPS OF ENGINEERS AND WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY

The application of Croell Redi-Mix, Inc., Sundance, Wyoming, 82729 is being considered by the District Engineer, U.S. Army Corps of Engineers, Omaha, Nebraska, for approval of plans and issuance of a permit under the authority of the Secretary of the Army. A permit, if issued, will be under the provisions of Section 404 of the Clean Water Act of 1972, as amended.

The applicant has requested authorization to mine gravel from three pit locations in a wetland adjacent to a tributary to Clear Creek near Buffalo, Wyoming. The project purpose is to mine gravel to meet annual production goals of the company. Attached is a map that shows the project location in Section 6, Township 50 North, Range 81 West, Johnson County, Wyoming.

The pits will be mined one at a time with each taking approximately 2 years to complete. The gravel will be mined by dredging. The mined materials will be transported by belt conveyors to a screen and wash plant located west of the pits. The material will go through a series of screening and washing to sort the sand from the gravel. The sorted material will be stockpiled and hauled offsite for further processing. The mining process will result in the redistribution of an estimated 347,275 cubic yards of gravel resulting in the loss of approximately 20.7 acres of wetland. The mined pits will be reclaimed into ponds to provide wildlife habitat and restore a portion of the wetlands loss.

Croell Redi-Mix, Inc. has proposed to mitigate the loss of 20.7 acres of wetlands primarily through creation of wetlands on an adjoining parcel of land. The remaining acreage would be mitigated through the reclamation of the pits into ponds with a wetland fringe. The mining operation and conceptual mitigation are currently planned entirely on land owned by Tom and Barbara Rule.

The U.S. Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies; Indian tribes; and other interested parties in order to consider and evaluate the impacts of the project. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental affects, and other public interest factors. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the project. Any person may request, in writing and within the comment period specified in this notice, that a public hearing

be held for the purpose of gathering additional information. Requests for public hearings must be identified as such and shall state specifically the reasons for holding a public hearing and shall identify what additional information would be obtained. The request must be submitted to the Corps at the address shown above.

Any interested party (particularly officials of any town, county, state, federal agency, or local association whose interests may be affected by the project) is invited to submit to this office written facts, arguments, or objections on or before the expiration date of this notice. Any agency or individual having an objection to the project should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this application. All replies to the public notice should be mailed to the address listed above. Mr. Kevin Little may be contacted for additional information by telephone at (307) 772-2300 or by electronic mail at Kevin.C.Little@usace.army.mil

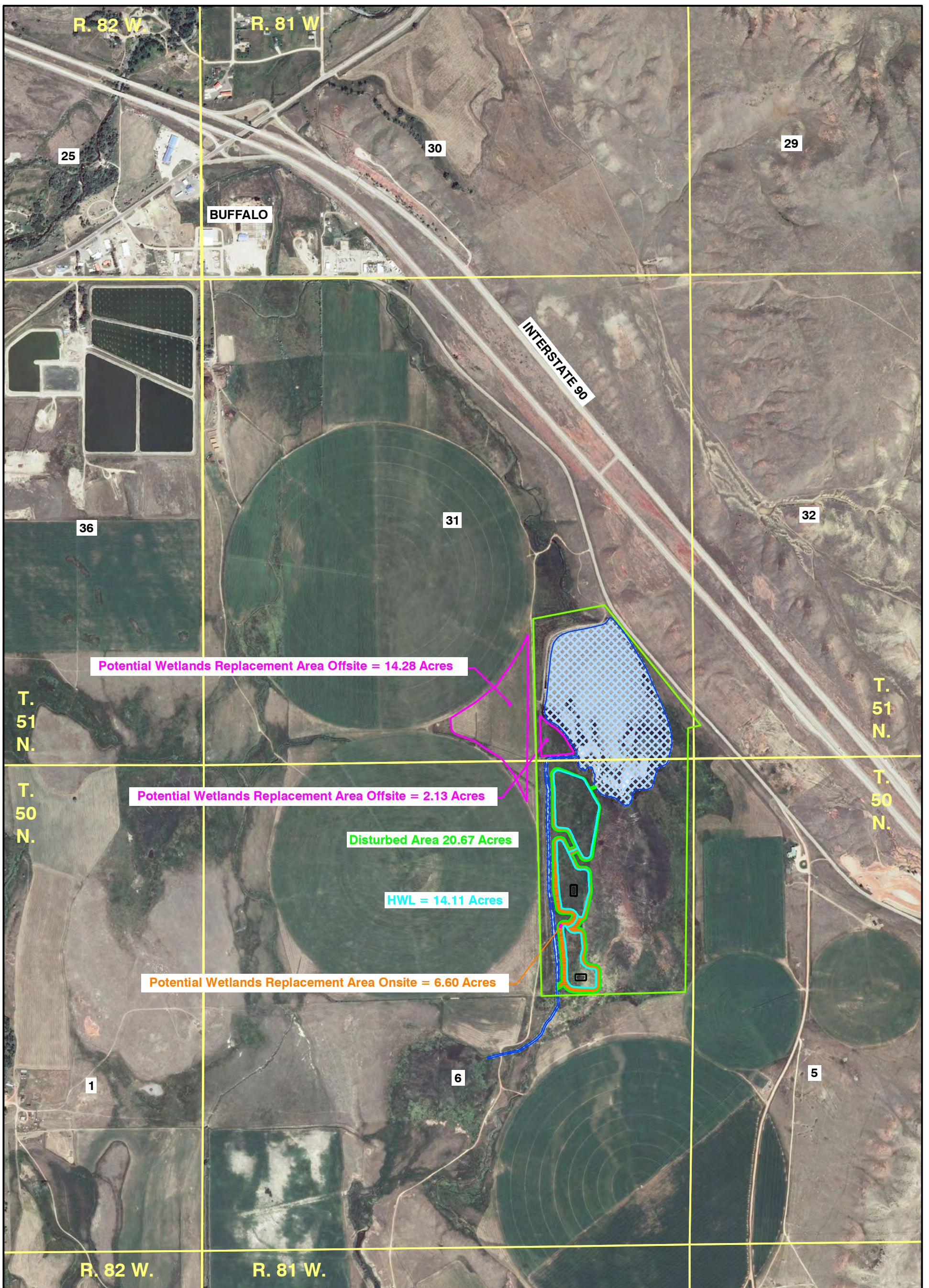
The Wyoming Department of Environmental Quality (WDEQ), Water Quality Division, Herschler Building, 122 West 25th Street, Cheyenne, Wyoming 82002, will review the application and comments with intent to certify in accordance with provisions of Section 401 of the Clean Water Act of 1972, as amended. The certification, if issued, will express the state's opinion that construction of the project will not result in a violation of applicable water quality standards. The WDEQ hereby incorporates this public notice as its own public notice and procedures by reference thereto.

The Corps is the lead federal agency responsible for ensuring compliance with the National Historic Preservation Act of 1966. The Corps will conduct a Class I Survey and evaluate comments by the State Historic Preservation Officer and the public in response to this public notice. The Corps may require a Class III survey within the permit area to check for unknown historic properties, if warranted.






The Corps is the lead federal agency responsible for ensuring compliance with the Endangered Species Act of 1973. The Corps will consider comments by the U.S. Fish and Wildlife Service and the public in response to this public notice to determine if consultation is necessary to address potential affects of the project on threatened or endangered species, or critical habitat.

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the project 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 proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife, flood plains, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and considerations of property ownership. In addition, the evaluation will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404 (b) of the Clean Water Act of 1972, as amended (40 C.F.R.; Part 230).

Comments received after the expiration date of this public notice will not be considered.



LEGEND

-  Disturbed Area
-  Open Water (deeper than 6')
-  Potential Wetlands Replacement Area Onsite (6.60 acres)
-  Potential Wetlands Replacement Area Offsite (16.41 acres)
-  Approximate WRP Boundary Provided by NRCS

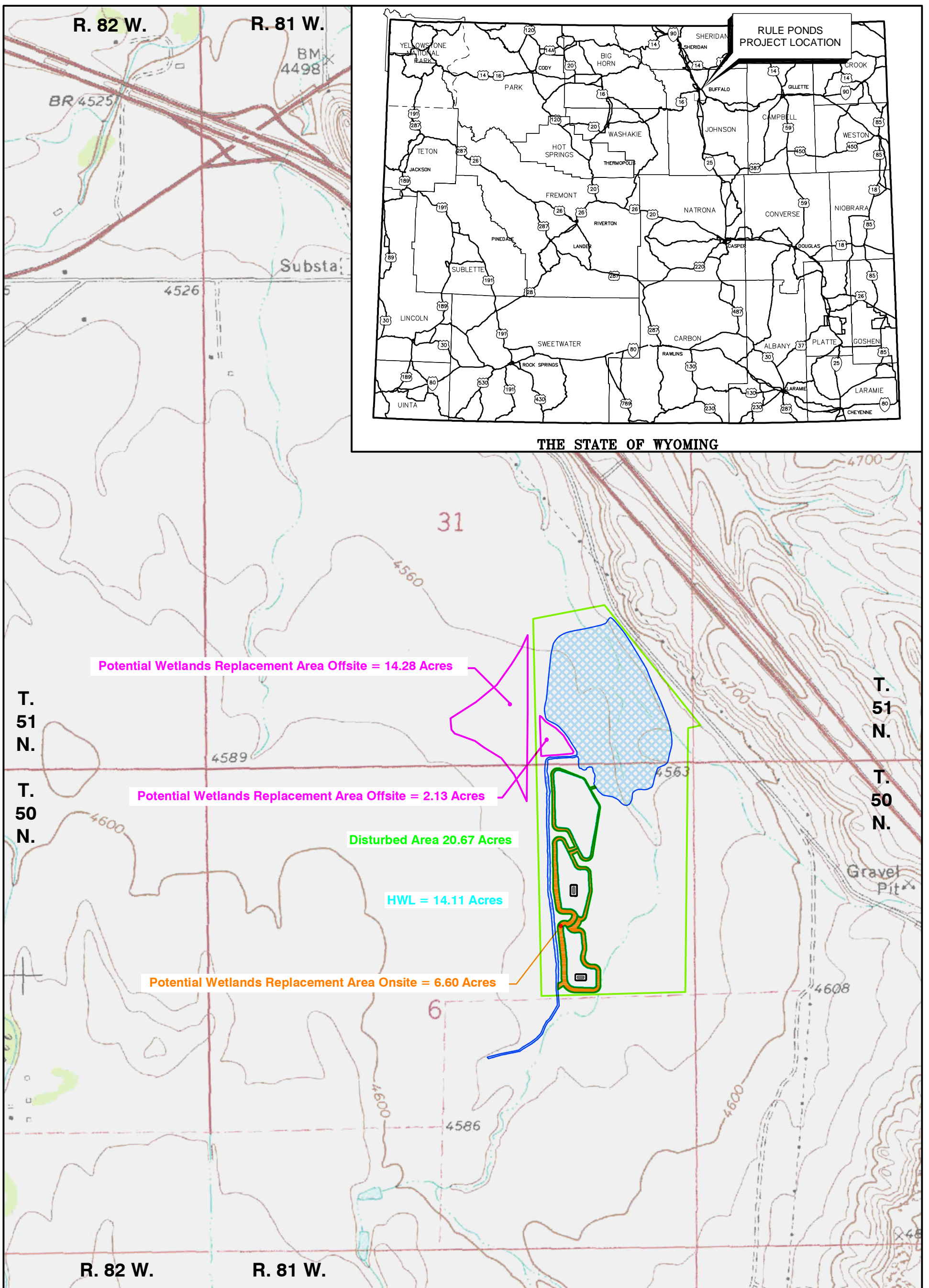
SCALE: 1" = 1000'

CROELL REDI-MIX
P.O. BOX 1352 SUNDANCE, WY.

**RULE PONDS
EXHIBIT 1**

REVISIONS	
Date	By

WWC ENGINEERING
1849 TERRA AVE.
SHERIDAN, WY. 82801
(307) 672-0761



Potential Wetlands Replacement Area Offsite = 14.28 Acres






Potential Wetlands Replacement Area Offsite = 2.13 Acres

Disturbed Area 20.67 Acres

HWL = 14.11 Acres

Potential Wetlands Replacement Area Onsite = 6.60 Acres

LEGEND

-  Disturbed Area
-  Open Water (deeper than 6')
-  Potential Wetlands Replacement Area Onsite (6.60 acres)
-  Potential Wetlands Replacement Area Offsite (16.41 acres)
-  Approximate WRP Boundary Provided by NRCS



SCALE: 1" = 1000'

CROELL REDI-MIX
P.O. BOX 1352 SUNDANCE, WY.

**RULE PONDS
EXHIBIT 2**

REVISIONS

Date	By



WWC ENGINEERING
1849 TERRA AVE.
SHERIDAN, WY. 82801
(307) 672-0761