



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**FILE NUMBER: MVM 2018-253 (BSP)**

**NOTICE DATE:  
August 01, 2018**

Attn: Postmaster, Please Post Until  **EXPIRATION DATE:  
August 31, 2018**

## Public Notice U.S. Army Corps of Engineers

**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 and Section 10 of the Rivers and Harbors Act.

**APPLICANT:**

Mr. George Leavell  
Wepfer Marine, Inc.  
2661 Channel Avenue  
P.O. Box 13363  
Memphis, Tennessee 38113  
(901) 775-0980

**AGENT:**

Mr. Ben Day  
Tioga Environmental Consultants  
357 North Main Street  
Memphis, Tennessee 38103  
(901) 791-2432

**PURPOSE:** The applicant proposes to perform annual maintenance dredging inside McKellar Lake as needed to maintain shipping access to and from Wepfer Marine Facilities' new location in Memphis, Tennessee.

**LOCATION:** The project site is located south of the Channel Avenue terminus in Memphis, Shelby County, Tennessee, with approximate coordinates of N35.083224°/W-90.141828° for dredging shown on Exhibit B.

**DESCRIPTION OF WORK:** The proposed project will consist of the annual removal of 41,500 cubic yards of sediment from McKellar Lake in front of barge loading facilities with dredged material being placed into an authorized upland disposal area as shown in Exhibit A. Runoff associated with the upland disposal of fill material may be addressed by Nationwide Permit #16 (Return Water from Upland Contained Disposal Areas). If authorized, maintenance dredging activities could occur for a time period not to exceed 10 years from the date of permit authorization.

**AVOIDANCE/MINIMIZATION:** The applicant will only dredge the minimal amount required to maintain the needed depth for barge access to and from the newly constructed dock facility.

**MITIGATION:** The applicant did not propose compensatory mitigation.

**WATER QUALITY CERTIFICATION:** The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control 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:** This application is being coordinated with the U.S. Fish and Wildlife Service (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 Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a survey of the project area.

**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 of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 10/404 permits required by our office.

**COMMENTS:** To request additional information or provide comments on this notice, please contact Mr. Benjamin S. Pitcock using the information below:

U.S. Army Engineer District - Memphis  
ATTN: Benjamin Pitcock  
167 N. Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Email: [benjamin.s.pitcock@usace.army.mil](mailto:benjamin.s.pitcock@usace.army.mil)  
Phone: (901) 544-3468  
Fax: (901) 544-0211

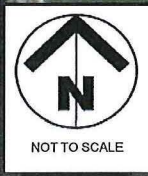
Comments may be sent via mail or email. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

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.



Gregg Williams  
Chief  
Regulatory Branch

Attachments

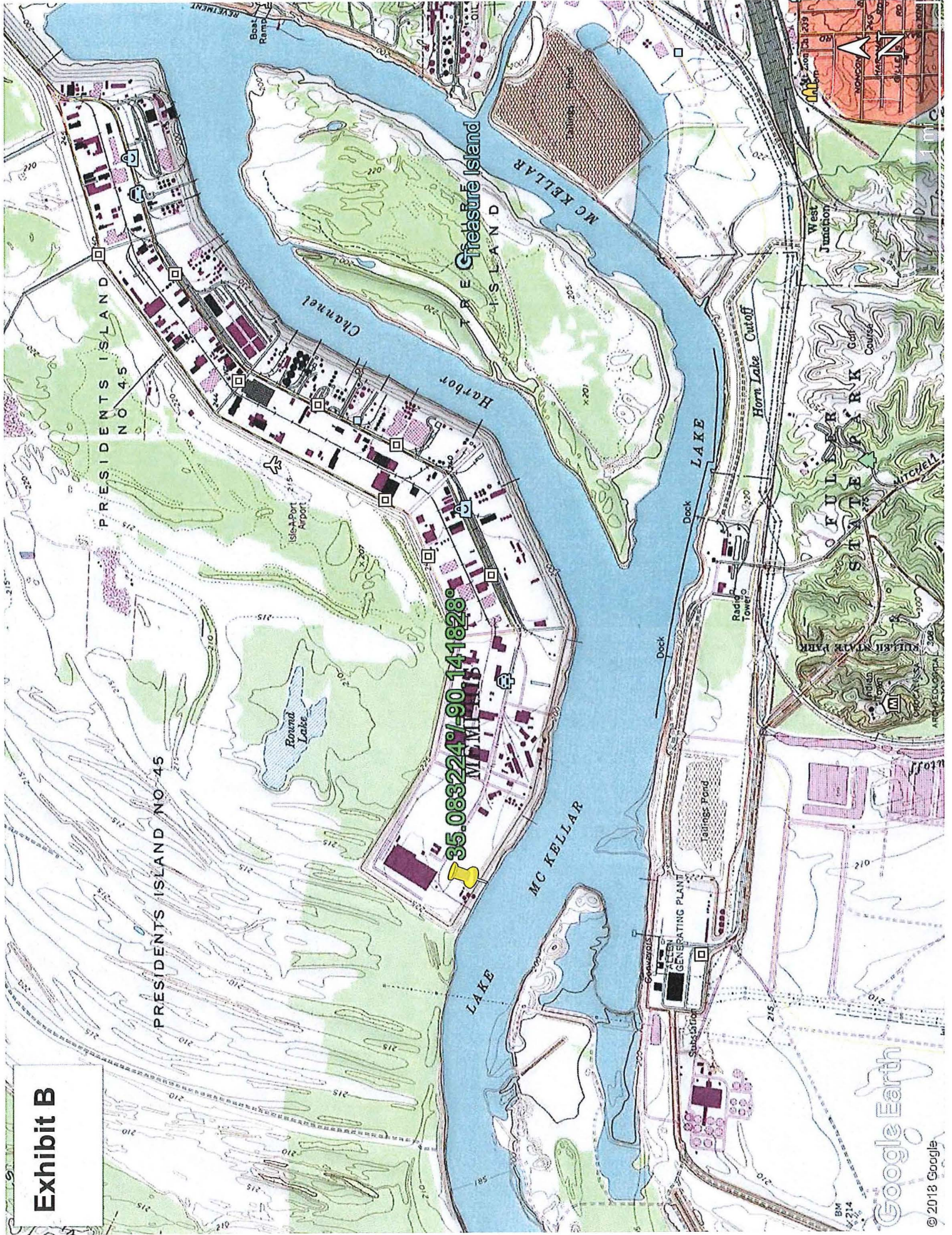


**Tioga**  
ENVIRONMENTAL CONSULTANTS

VICINITY MAP

DESCRIPTION:	GOOGLE EARTH	PROJECT #:	54903.00
LOCATION:	McKELLAR LAKE DREDGE DISCHARGE AREA	DATE:	JULY 2018

Exhibit B



PRESIDENTS ISLAND NO 45

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35.083224°N -90.141828°W

TREASURE ISLAND

MC KELLAR

MC KELLAR