



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2018-199

NOTICE DATE:
June 21, 2018

EXPIRATION DATE:
Attn: Postmaster,
Please Post Until  **July 20, 2018**

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 10 of the Rivers and Harbors Act.

APPLICANT:

Rick Ellis
Mid-River Terminal, LLC
P.O. Box 626
Osceola, Arkansas 72370
Office Phone: (870) 780-7802

AGENT:

Andrew Rike
Harbor
5800 Evergreen Drive
Little Rock, Arkansas 72205
Office Phone: (501) 663-8800

PURPOSE: The purpose of this project is to dredge sand from the Mississippi River along the left-descending bank between River Miles 780.2 and 781.2. Dredged material is to be used as fill material within non-wetland areas.

LOCATION: The project site is located on the left-descending bank of the Mississippi River between River Miles 780.2 and 781.2 at approximate Latitude 35.65011°N and Longitude -89.88469°W in Mississippi County, Arkansas, on the Osceola 7.5 minute USGS quadrangle map (Attachment 1: Topographic Map Project Location, Attachment 2: Aerial Photograph).

DESCRIPTION OF WORK: The applicant proposes to conduct mechanical dredging as a means to remove sand from the Mississippi River. The applicant proposes to dredge approximately 50,000 cubic yards of material per dredging event. The dredged material will be placed on a barge and unloaded at Mid-River Terminal's dock at River Mile 782 on the right-descending bank of the river. The material will be stockpiled in an upland site at the facility for future use.

AVOIDANCE/MINIMIZATION: According to the applicant, mechanical dredging will be used instead of hydraulic dredging since it has less potential for water quality impacts due to constituents associated with the sediments. The dredged material will be placed at the Mid-River Terminal facility which operates under the ADEQ Stormwater Industrial General Permit using Best Management Practices to minimize stormwater pollution from potential pollution sources. Minimal to no vegetation will be cleared for the dredging operation. The dredging operation is to be located away from the navigation channel in order to minimize the impact to river navigation.

MITIGATION: No mitigation has been proposed for this project.

ENDANGERED SPECIES: This notice is being coordinated with the U.S. Fish and Wildlife Service (USFWS). A review of the USFWS, ECOS species by county report indicates that two endangered species and one threatened species may occur in the project area. These include the interior least tern (*Sterna antillarum*

athalassos), pallid sturgeon (*Scaphirhynchus albus*), and Piping Plover (*Charadrius melodus*). Any comments USFWS, or other interested parties, may have regarding these or other endangered or threatened species or their critical habitat, will be considered in our evaluation of the described work. We have determined that the proposed project may affect the least tern and pallid sturgeon and will consult with the USFWS to determine whether the project complies with the requirements listed in the August 5, 2014, Biological Opinion for U.S. Army Corps of Engineers Permits for Sand and Gravel Mining in the Lower Mississippi River.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, federally recognized Tribes and the public in response to this public notice and we may conduct or require a survey of the project area. However, it is our preliminary determination that the proposed project will not affect any Historic Properties.

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 404 and Section 10 permits required by our office.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District. Comments may be sent via mail or email 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

State Permits Branch, Water Division
Arkansas Department of Environmental Quality
ATTN: Millie Remer
5301 North Shore Drive
Little Rock, Arkansas 72118-5317
E-mail: remmer@adeq.state.ar.us
phone: (501) 682-6263

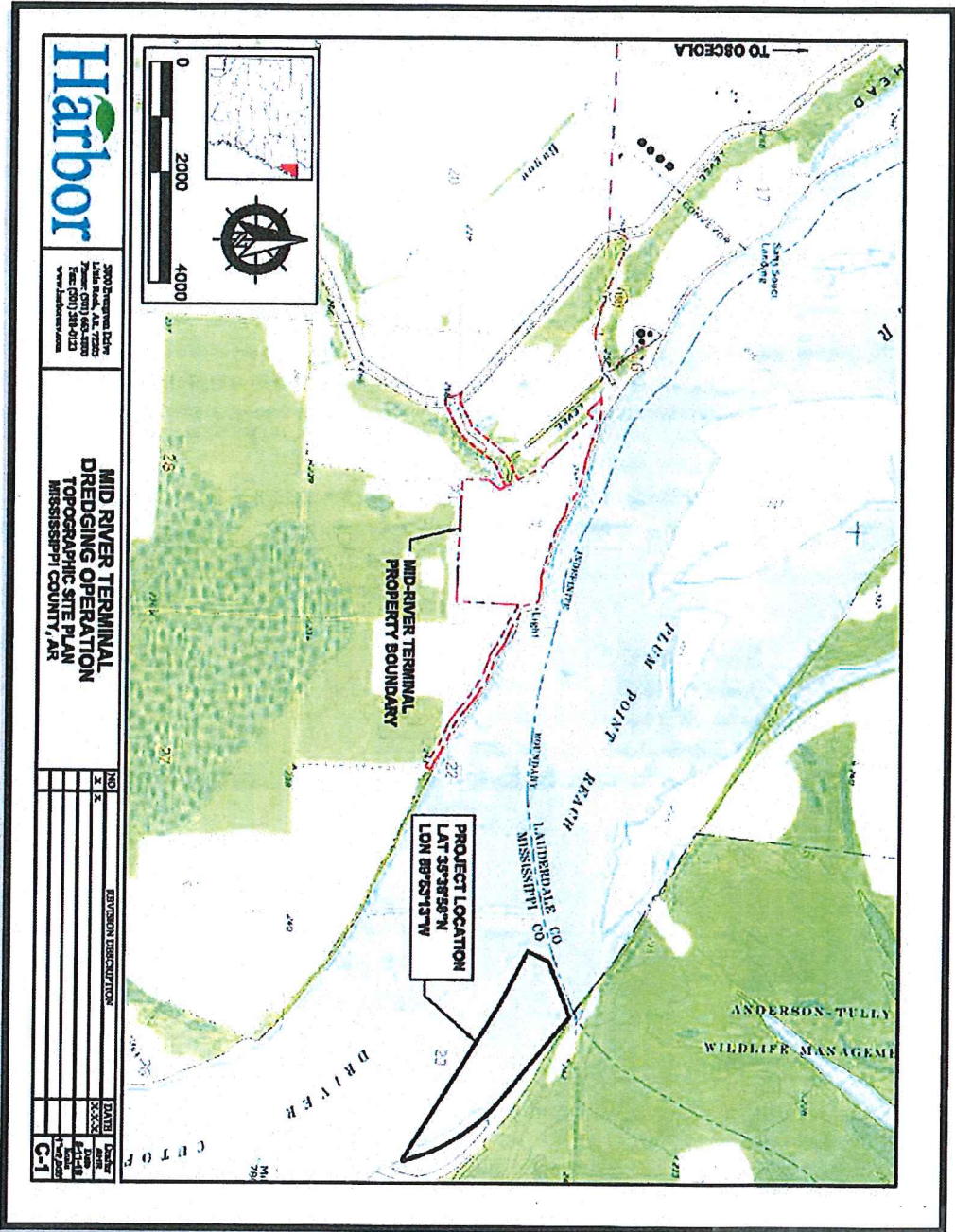
The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments should be received by the expiration date listed on page one of this notice.

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.

Gregg W. Williams
Chief
Regulatory Branch

Attachments

Figure 1 – Topographic Map



Scale: As Shown
Source: U.S.G.S. Quadrangle Map, Osceola, Ark. – Tenn., Edition of 1972

Harbor

3900 Parkway Drive
Little Rock, AR, 72205
Phone: (501) 663-2800
Fax: (501) 281-0123
www.harbor.com

**MID-RIVER TERMINAL
DREDGING OPERATION
TOPOGRAPHIC SITE PLAN
MISSISSIPPI COUNTY, AR**

NO.	EDITION DESCRIPTION	DRAWN	CHECKED	DATE
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

C-1

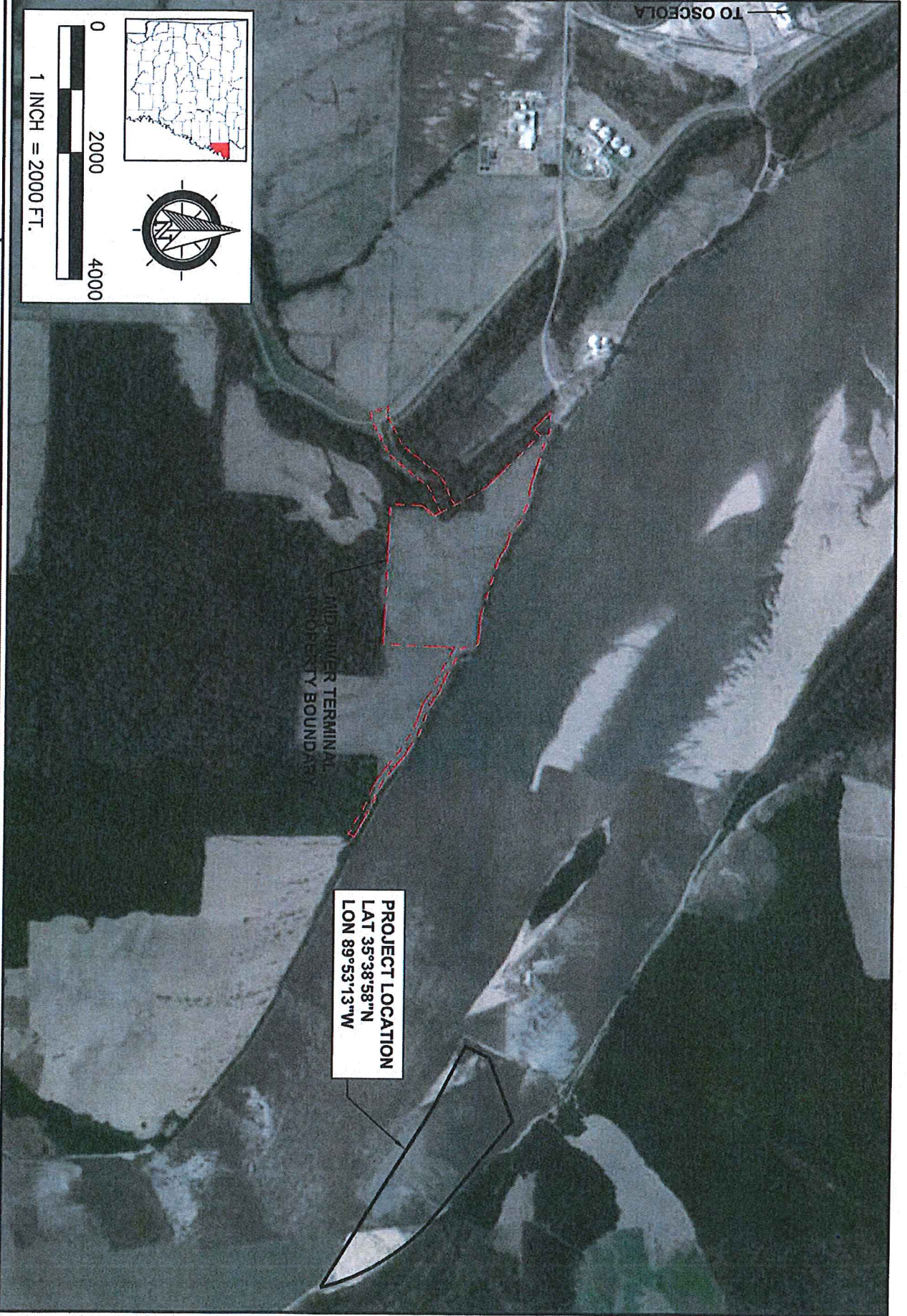
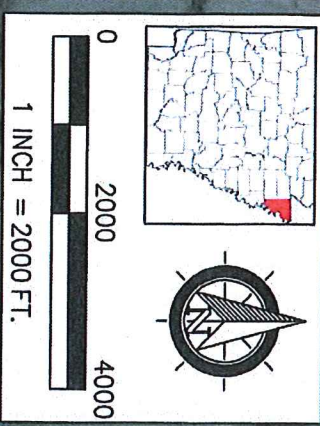
ATTACHMENT 1



5800 Evergreen Drive
 Little Rock, AR, 72205
 Phone: (501) 663-3800
 Fax: (501) 588-0123
 www.harbor.com

**MID RIVER TERMINAL
 DREDGING OPERATION
 FACILITY SITE MAP (AERIAL)
 MISSISSIPPI COUNTY, AR**

NO.	REVISION DESCRIPTION	DATE	Drafter
X		X.X.X	ARH
X			Date
			5-11-18
			Scale
			1"=2,000'
			C-2



PROJECT LOCATION
 LAT 35°38'58"N
 LON 89°53'13"W