



**US Army Corps
of Engineers** ®
Memphis District

ISSUE DATE: January 18, 2024

EXPIRATION DATE: February 2, 2024

PUBLIC NOTICE

**U.S. Army Corps of Engineers
Memphis District**

U.S.C. Chapter 33, Section 408 Permission Evaluation

TITLE: Section 408 Permission Evaluation for barge access system repairs for Consolidated Grain and Barge Company – Boothspoint, Dyersburg, Dyer County, Tennessee.

INTRODUCTION: The authority to grant permission for temporary or permanent alterations of any U.S. Army Corps of Engineers (USACE) federally authorized civil works project is contained in Section 14 of the Rivers and Harbors Act of 1899 and codified in 33 USC 408. The Consolidated Grain and Barge Company (CGB) at Boothspoint near Dyersburg, Dyer County, Tennessee, has requested to repair and support the barge access system at their facility on the eastern Mississippi Riverbank, near river mile 839 (Figure 1).



Figure 1. Location of proposed updated barge access system at River Mile 839, Dyer County, Tennessee.

PROJECT DESCRIPTION: Section 408 authorizes USACE to grant permission for the alteration or occupation or use of the project if USACE determines that the activity will not be injurious to the public interest and will not impair the usefulness of the project. The Mississippi River Channel Improvement Project, the federally authorized civil works project proposed for alteration, provides for channel improvement to increase flood carrying capacity and reduce flood heights, to stabilize alignment and prevent bank caving that would destroy the main line levees, and to provide an aligned navigation channel. The proposed request involves removal of an existing, unused barge access system and installation of a new barge access system and dolphin (Figure 2). Additionally, the proposed project includes replacement of two batter piles and one dolphin damaged by barge impacts.

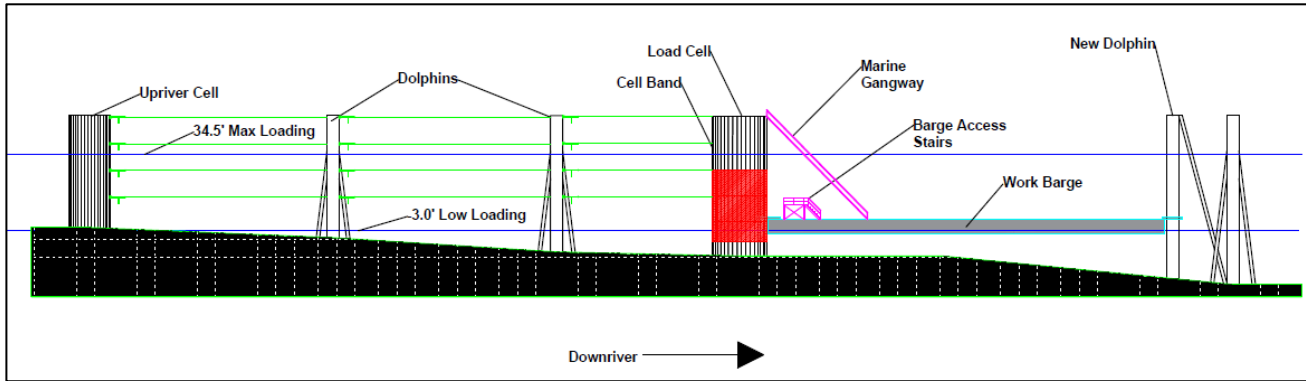


Figure 2. Profile of plans for new barge access system and dolphin for Consolidated Grain and Barge Company – Boothspoint, Mississippi River, Dyer County, Tennessee.

ENVIRONMENTAL COMPLIANCE: A decision on a Section 408 request is a federal action, and therefore subject to the National Environmental Policy Act (NEPA) and other environmental compliance requirements. The scope of analysis for the NEPA and environmental compliance evaluations for the Section 408 review should be limited to the area of alteration and those adjacent areas that are directly or indirectly affected by the alteration. The proposed alterations meet the criteria of Nationwide Permit 3 - Maintenance. As the proposed Section 408 alteration is within the USACE project footprint, no known historic properties would be affected. Furthermore, the proposed Section 408 alteration was determined to have no effect on threatened or endangered species or their critical habitat pursuant to the Endangered Species Act. The decision on this Section 408 request is being analyzed in accordance with NEPA and is limited to the Section 408 boundaries described herein.

PUBLIC INTEREST REVIEW: The purpose of this notice is to solicit comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties. Comments received within 15 days of this publication will be used in the evaluation of potential impacts of the proposed action on important resources. All comments will be considered in preparing environmental documentation pursuant to NEPA. USACE has jurisdiction under 33 USC 408, only over the specific activities that have the potential to alter existing USACE projects. Please limit comments to the area of the alteration and those adjacent areas that are directly or indirectly affected by the alteration to the federally authorized civil works project described herein. **Comments may be submitted to Kristina.L.Mitchell@usace.army.mil and should be received by February 2, 2024.**

Sincerely,

Mark Smith
 Chief, Environmental Compliance Branch
 Regional Planning and Environmental Division South